



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 17, 2007
Immediately following the Special Call
CRA Meeting
Lake Park Town Hall
535 Park Avenue

Paul Castro	—	Mayor
Edward Daly	—	Vice-Mayor
G. Chuck Balias	—	Commissioner
Jeff Carey	—	Commissioner
Patricia Osterman	—	Commissioner
<hr/>		
Maria V. Davis	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez	—	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**

B. **INVOCATION**

C. **PLEDGE OF ALLEGIANCE**

D. **ROLL CALL**

E. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**

F. **PROCLAMATION**

Rogers Williams, Jr.

G. **PUBLIC and OTHER COMMENT**

This time is provided for audience members to address 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.

H. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

I. BOARD MEMBERSHIP APPOINTMENTS

J. 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 in the rear of the Chambers and give it to the Town Clerk. Cards must be submitted before the item is discussed.

For Approval:

- | | |
|---|-------|
| 1. Regular Commission Meeting Minutes of September 12, 2007 | Tab 1 |
| 2. Comprehensive Plan Meeting Minutes of September 19, 2007 | Tab 2 |
| 3. Regular Commission Meeting Minutes of September 26, 2007 | Tab 3 |
| 4. Purchase of Two Chevrolet Silverado Pickup Trucks utilizing the Florida Sheriff's Association Contract #07-15-827 | Tab 4 |
| 5. Purchase of Caterpillar 420 Backhoe Loader utilizing the Florida Sheriff's Association Contract #06-14-0821 | Tab 5 |
| 6. Purchase of Toro Grounds Master Mower utilizing the Florida State Contract # 515-630-06-1 | Tab 6 |
| 7. Resolution No. 81-10-07 – Re-classification of Administrative Assistant Position in the Finance Department to Accountant | Tab 7 |

K. PUBLIC HEARING(S)

ORDINANCES ON 2ND READING:

8. ORDINANCE NO. 27-2007 – Recovery of legal fees in the processing of development orders

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 51, OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK ENTITLED "LAND DEVELOPMENT REGULATIONS" TO PROVIDE FOR THE RECOVERY OF LEGAL COSTS AND FEES INCURRED BY THE TOWN FOR THE REVIEW AND PROCESSING OF DEVELOPMENT PLAN APPLICATIONS INCLUDING THE PREPARATION OF DEVELOPMENT ORDERS AND LEGAL INSTRUMENTS ASSOCIATED THEREWITH; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. Tab 8

9. ORDINANCE NO. 28-2007 – Lot Size Requirements for C-4 and CLIC Zoning Districts

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN OF LAKE PARK'S CODE OF ORDINANCES BY AMENDING CHAPTER 78, ARTICLE III, SECTION 78-74 ENTITLED "C-4 BUSINESS DISTRICT" AND SECTION 78-75 ENTITLED

**“CLIC-1 CAMPUS LIGHT INDUSTRIAL/COMMERCIAL DISTRICT”;
PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF
LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND
PROVIDING FOR AN EFFECTIVE DATE. Tab 9**

10. ORDINANCE NO. 29-2007 – Swale Maintenance

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE
PARK, FLORIDA, AMENDING CHAPTER 34 “VEGETATION”, ARTICLE I,
TO CREATE NEW CODE SECTION 34-11 TO BE ENTITLED
“MAINTENANCE OF TOWN SWALE AREAS”; PROVIDING FOR
SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT;
PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE
DATE. Tab 10**

L. GENERAL APPROVAL OF ITEM

**11. Award of CWA Contract for Phase II Landscape Improvements and
Irrigation at Lake Shore Park Tab 11**

M. DISCUSSION AND POSSIBLE ACTION

**12. Lease Agreement with Palm Beach County Marine Unit for
Activity Room and Three Slips at the Marina Tab 12**

13. Park Avenue Design by Calvin, Giordano, & Associates Tab 13

N. ADJOURNMENT:

Proclamation

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

Meeting Date: October 17, 2007

Agenda Item No.

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input checked="" type="checkbox"/> Other: Proclamation | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Proclamation in Honor of Rogers Williams, Jr.

RECOMMENDED MOTION/ACTION: Approval of Proclamation

Approved by Town Manager W. Lewis Date: 10/14/07

Bambi M. Kelly-Sumner 10/10/07
Name/Title HUMAN RESOURCES DIR. Date of Actual Submittal

Originating Department: Human Resources	Costs: \$ -0- Funding Source: Acct. #	Attachments: Copy of Proclamation
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input checked="" type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u>BMT</u> OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background:

**PROCLAMATION
IN HONOR OF ROGERS WILLIAMS, JR.**

WHEREAS; Rogers Williams, Jr. commenced his employment with the Town of Lake Park in the Lake Park Public Works Department on September 29, 1969; and

WHEREAS; for 38 years since his appointment Rogers Williams, Jr. has served the citizens of the Town of Lake Park diligently and continuously first as a Truck Driver and later, and most recently, as an Equipment Operator II in the Sanitation Division ; and

WHEREAS; by so doing, Rogers Williams, Jr. has distinguished himself as one of the longest term employees of the Town of Lake Park ; and

WHEREAS; Rogers Williams has proven to accept responsibility for completing his tasks and applied the appropriate methods to complete his work load with the safety of his fellow employees in mind; and

WHEREAS; throughout his employment, Rogers Williams, Jr. performed his assigned tasks responsibly and with excellence and a high degree of professionalism and teamwork, thereby serving as an example amongst all of his colleagues; and

WHEREAS; Rogers Williams, Jr. has proven himself to be a highly valued and knowledgeable employee and a great asset to the Town of Lake Park; and

WHEREAS; the Town of Lake Park wishes to publicly recognize Rogers Williams, Jr. for his service and accomplishments as an esteemed member of the Public Works Department;

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, Paul W. Castro, Mayor of the Town of Lake Park, do hereby publicly recognize and commend Rogers Williams, Jr. for his dedication and the service which he has rendered to this community.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 17th Day of October, 2007.

By: _____
Mayor Paul W. Castro

ATTEST:

Vivian Mendez, Town Clerk

Board Membership



LAKE PARK TOWN HALL

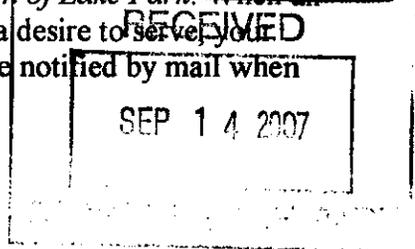
NATIONAL HISTORIC SITE

"Jewel of the Palm Beaches"

The Town of Lake Park

Application to Serve on Town Boards and Committees

This application serves as an information file of the skills, talents and interests of citizens who are willing to serve on advisory boards and committees for the ~~Town of Lake Park~~. When an opening occurs on one of the Boards on which you have indicated a desire to serve, your application will be submitted to the Town Commission. You will be notified by mail when appointment has been made.



Please print the following information:

Name: Moss Candace
Last First Middle

Address: 1020 Lake Shore Drive #203, Lake Park, FL 33403

Telephone: home 561-840-8658 work 561-655-8455 cell 412-901-0726

- | | | |
|---|-------------------------------------|-------------------------------------|
| | Yes | No |
| Are you a resident of Lake Park | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are you a non-resident business owner in Lake Park | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Are you a registered voter (Response to this question is not mandatory) | <input type="checkbox"/> | <input type="checkbox"/> |
| Do you currently serve on a Town Board or Committee | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If so, which one(s): _____ | | |
| Have you been convicted of a crime | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If so, when? _____ where? _____ | | |

Please indicate your preference by number "1" through "5" of no more than five boards on which you wish to serve, with #1 being the most desired and #5 being the least desired.

- | | | | |
|-------------------------------------|--|-------------------------------------|---|
| <u>Choice #</u> | <u>Board</u> | <u>Choice #</u> | <u>Board</u> |
| <input type="checkbox"/> | Code Compliance * | <input checked="" type="checkbox"/> | Pension Trust Fund (Police) |
| <input checked="" type="checkbox"/> | CRA Board (Community Redevelopment Agency) | <input checked="" type="checkbox"/> | Planning & Zoning/Historic Preservation Board * |
| <input type="checkbox"/> | Harbor Marina Advisory Board | <input checked="" type="checkbox"/> | Tree Board |
| <input checked="" type="checkbox"/> | Library Board | <input type="checkbox"/> | Other: _____ |
| <input type="checkbox"/> | Merit Board | | |

Please note: Membership on these (*) Boards require members to complete an annual financial disclosure form pursuant to F.S. 112.3145 (1)(a), (2)(b), (7)

Your Name: Cardece Moss

Please indicate the reason for your interest in your first and second choices:

I am interested in serving on the library board because the library is an essential community & educational facility.

Number of Meetings of the above boards you have attended in the past six months: 0

Your educational background: (High school, College, Graduate School or other training)

Obtained BA in behavioral Science from Point Park Univ. & a J.D from Nova Southeastern Univ.

What is/was your profession or occupation: Attorney

How long: 6 yrs.

Please indicate employment experience that you feel relates to your desired service on an advisory board or committee:

I have had numerous dealings w/ statutory compliances. & further working as a parent advocate was appraised of many community programs.

Please indicate other general experience or community involvement that you feel qualifies you to serve on the boards you have chosen:

I was very involved w/ many charitable functions for the Carnegie library & museum when a resident in Lgh. PA.

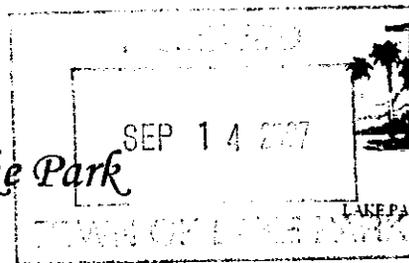
Feel free to attach additional sheets if required. Also, please attach your resume, if available.

Please return your completed form to the Office of the Town Clerk, 535 Park Avenue, Lake Park, Florida 33403

I HEREBY CERTIFY THAT THE STATEMENT AND ANSWERS PROVIDED ARE TRUE AND ACCURATE. I UNDERSTAND THAT ANY FALSE STATEMENTS MAY BE CAUSE FOR REMOVAL FROM A BOARD OR COMMITTEE, IF APPOINTED:

Signature: Cardece Moss Date: 9/14/07

The Town of Lake Park



LAKE PARK TOWN HALL

NATIONAL HISTORIC SITE

"Jewel of the Palm Beaches"

Application to Serve on Town Boards and Committees

This application serves as an information file of the skills, talents and interests of citizens who are willing to serve on advisory boards and committees for the *Town of Lake Park*. When an opening occurs on one of the Boards on which you have indicated a desire to serve, your application will be submitted to the Town Commission. You will be notified by mail when appointment has been made.

Please print the following information:

Name: Adams Mary Lea
Last First Middle

Address: 828 Bayberry Drive

Telephone: home (561) 841-3083 work — cell —

	Yes	No
Are you a resident of Lake Park	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are you a non-resident business owner in Lake Park	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are you a registered voter (Response to this question is not mandatory)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you currently serve on a Town Board or Committee	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, which one(s): _____		
Have you been convicted of a crime	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, when? _____ where? _____		

Please indicate your preference by number "1" through "5" of no more than five boards on which you wish to serve, with #1 being the most desired and #5 being the least desired.

<u>Choice #</u>	<u>Board</u>	<u>Choice #</u>	<u>Board</u>
<input type="checkbox"/>	Code Compliance *	<input type="checkbox"/>	Pension Trust Fund (Police)
<input type="checkbox"/>	CRA Board (Community Redevelopment Agency)	<input type="checkbox"/>	Planning & Zoning/Historic Preservation Board *
<input type="checkbox"/>	Harbor Marina Advisory Board	<input type="checkbox"/>	Tree Board
<input checked="" type="checkbox"/>	② Library Board	<input type="checkbox"/>	Other: _____
<input checked="" type="checkbox"/>	① Merit Board		

Please note: Membership on these (*) Boards require members to complete an annual financial disclosure form pursuant to F.S. 112.3145 (1)(a), (2)(b), (7)

Your Name: Mary Lea Adams

Please indicate the reason for your interest in your first and second choices:

* see additional sheet

Number of Meetings of the above boards you have attended in the past six months: 0

Your educational background: (High school, College, Graduate School or other training)

* see resume attached

What is/was your profession or occupation: Transportation Industry

*looking for:
clerical/reception
office*

How long: 14 years

Please indicate employment experience that you feel relates to your desired service on an advisory board or committee:

* see additional sheet (Resume)

Please indicate other general experience or community involvement that you feel qualifies you to serve on the boards you have chosen:

* see additional sheet (Resume)

Feel free to attach additional sheets if required. Also, please attach your resume, if available.
Please return your completed form to the Office of the Town Clerk, 535 Park Avenue, Lake Park, Florida 33403

I HEREBY CERTIFY THAT THE STATEMENT AND ANSWERS PROVIDED ARE TRUE AND ACCURATE. I UNDERSTAND THAT ANY FALSE STATEMENTS MAY BE CAUSE FOR REMOVAL FROM A BOARD OR COMMITTEE, IF APPOINTED:

Signature: Mary Adams Date: 12/12/07

Reasons for interest:

Parliamentary Procedures, By laws and Library advocacy have always been of interest to me. With a strong sense of quality, I have exhibited excellent attendance and work habits. As a professional, I have maintained good judgment and communication skills, in addition to being able to work independently, I also relate with my staff and peers. In the course of life-long learning I have become a team player, learned to adapt to change and to take pride in what I do.

I believe I would be an asset to any board I might select and its community.

Tracy James

Mary Lea Adams

828 Bayberry Drive
Lake Park, Florida 33403
(561) 841-3083

OBJECTIVE: Seeking a full time Clerical/Receptionist position.

EDUCATION: Townsend Learning Center - Akron, Ohio.

- Office Technology and Computer Skills Training, Outlook, Internet, Excel, Word, Windows, PowerPoint, Access.

Portland Community College Oregon City, Oregon.

- Intro to Business Administration and Accounting

Clackamas Community College Oregon City, Oregon.

- General Education Diploma.

Oregon City High School. Oregon City, Oregon

- Standard courses

WORK: Oregon State Department of Parole and Probation, Portland, Oregon

- Receptionist
- Client Intake
- Simultaneously routed calls for 25 probation officers
- Transcribed dictation/reports

U.S. Postal Service, Medford, Oregon

- Loaded and unloaded dock trucks filled with mail as a Christmas Temporary Employee

MT Express. Beaver Creek, Oregon

- Owned/operated entire trucking company
- Public relations
- Dispatching
- Clerical/Office Manager
- Administrator

U.S. Postal Service Portland, Oregon.

- Sorted and prepared mail for delivery
- Set up Mail route
- Letter Carrier / Mail Delivery
- Mail pickup and transport

AT&T Telephone Company. Portland Oregon.

- Operated computerized consoles
- Telephone Operator Taking more than 800 calls Daily
- Operated Data Speed 40 in Hotel/Motel Billing, Fraud, and Investigations

PERSONAL:

Received a Safety Award for driving safely in a Hazardous Waste usage area.

Board of Director Member for: S. O. V. I. (Nonprofit Agency).

United Way fund raiser/ coordinator for Portland, Oregon's nationally known Wheel Blazer basketball team.

Consent Agenda

TAB 1

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

Meeting Date: October 17, 2007

Agenda Item No. Tab 1

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|--|

SUBJECT: Regular Commission Meeting Minutes of September 12, 2007.

RECOMMENDED MOTION/ACTION: Approve the Minutes from the Regular Commission Meeting of September 12, 2007

Approved by Town Manager *Neil Davis* Date: 10/7/07
 Deputy Clerk *Jenna Shepher* Date of Actual Submittal 10/3/07

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: Application, memo
Department Review: <input type="checkbox"/> City 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"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>(initials)</i> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <input checked="" type="checkbox"/> _____ Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
September 12, 2007 7:55 p.m.

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, September 12, 2007 at 7:55 p.m. Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Town Manager Maria Davis, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Vivian Mendez led the Invocation.
 Commissioner Osterman led the Pledge of Allegiance.
 Town Clerk Vivian Mendez performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Proclamation to Stephen Smith was deferred to the next Commission Meeting of September 26, 2007.

Motion: A motion was made by Commissioner Balius to approve the Agenda as modified; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PRESENTATION:

Proclamation to Code Compliance Board Members

Mayor Castro read the Proclamation to the Code Compliance Board Members. He thanked them for their services to the Town. He suggested their service in another capacity such as another Town volunteer board or hurricane disaster relief would be most appreciated.

Barbary Bursey thanked the Commission and the Town for the opportunity to serve and stated that she was always available to help.

Mayor Castro stated that Barbara Bursey's services in many capacities throughout the Town including as an elementary school crossing guard was noted and the Town was grateful for her efforts.

Motion: A motion was made by Commissioner Osterman to approve the Proclamation to the Code Compliance Members; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC and OTHER COMMENT

Merilee Tutcik 623 7th St. – stated that five decorative street lights along Park Ave. between 7th St. and 10th St. were inoperable.

Mayor Castro stated that the Sheriff's Department should be reporting the inoperable lights to FPL. He stated that he would speak to Captain Douglas Reece.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Carey commended the person who created the new newsletter for the Town. He stated that it looked very professional.

Town Manager Maria Davis stated that Grants Writer Gini Martin created the new newsletter for the Town.

Commissioner Carey announced that Kiwanis was having a Beach Blanket Bingo Event and happy hour at the Lake Park Marina on Friday, September 14, 2007 from 5 p.m. to 9 p.m.

Commissioner Balius announced the Coastal Cleanup Event was taking place on September 15, 2007. The meeting place was at 650 Old Dixie Hwy at 8 a.m.

Vice-Mayor Daly stated that in Earl Stewart's last meeting with the Commission he appeared to be trying to make amends to the Town and the Commission. He stated that he drove past Mr. Stewart's dealership and observed eight vehicles parked on the grass and sidewalks. Mr. Stewart has yet to pay his substantial Code Enforcement fines. It had been two weeks since Mr. Stewart's visit to the Commission and he had not made any effort to pay the fines or move the

vehicles parked at the Journey's Inn. He recommended that the Town take those issues into consideration should Mr. Stewart apply for any services from the Town in the future.

He asked if the Beach Blanket Bingo Event would be selling liquor.

Commissioner Carey stated that beer and wine would be sold at the Beach Blanket Bingo Event.

Vice-Mayor Daly recommended that the Marina's store be open to sell beer and wine to those who attend the Beach Blanket Bingo Event.

Commissioner Carey stated that he believed that the beer and wine would be sold for fundraising purposes by the Kiwanis.

Commissioner Osterman stated that she would be taking work related, required classes in Boca Raton until 6:30 p.m. She would do everything she could to be at the Commission Meetings on time, traffic permitting.

She noted that the grass was overgrown on the medians at Flagler Blvd. Those medians were in need of attention.

Mayor Castro stated that he received a phone call from John Glidden who was the architect for Mr. Earl Stewart. His advice to Mr. Glidden was to ask Mr. Stewart to contact the Town Manager to resolve his issues. He reminded Mr. Glidden that he wanted to open the line of communication, not be a conduit between Mr. Stewart and the Commission. Mr. Glidden requested that he be placed on a Commission Meeting Agenda to discuss the issues with Mr. Earl Stewart. The Mayor told Mr. Glidden that actions spoke louder than words and Mr. Stewart had yet to pay his fines to the Town. Mr. Glidden informed the Mayor that Mr. Stewart intended to pay his fines. Mayor Castro stated that he would call Mr. Stewart to explain what needs to happen in order to move forward.

Mayor Castro stated that Asplundh was trimming trees in his neighborhood. They trimmed his Live Oak on one side but not the other. The weight was distributed unevenly and the tree was leaning toward his screen enclosure. He would be placing a call to FPL to inform them of the situation.

Attorney Thomas Baird stated that he received a phone call from Mr. Earl Stewart's attorney. He suggested to the attorney that if Mr. Stewart wanted to resolve the issues, he needed to dismiss the appeals and reimburse the Town's cost for defending those appeals. Attorney Baird further stated that a dialogue between Mr. Stewart and the Commission would be beneficial. He recommended directing the dialogue through proper channels.

Attorney Baird did not have an update on the Firefighter's Pension Case. He reported that there was a settlement between the Town and Venetian Isles in the amount of \$85,000. The Town was reimbursed by Sprint in the amount of \$45,000 in attorney's fees. There were features in the Sprint Cell Tower Lease that would be advantageous to the Town. He took an appeal of the Grimes Code Enforcement Case wherein Judge Rogers had erroneously entered an order awarding \$54,000 in surplus funds that were allocated in the court registry to Mr. and Mrs. Grimes. The 4th District Court of Appeal issued an opinion that Judge Rogers was incorrect in

his ruling and that the Town was entitled to the \$54,000 surplus. Since the money was dispersed by the Grimes' attorney to another company, he would have to recover the money from that company. The Town would not be charged attorney's fees for the process of the recovery. Should the money be recovered, attorney's fees would be taken from the money recovered. He stated that there was another code enforcement case with three or four parties involved where there was \$97,000 held in the court registry. The Clerk's attorney did not serve the Town with the Complaint. Another attorney in the case informed Attorney Baird that the Town had a lien in the case. He was going to try to take the case to mediation in order to retrieve the bulk of the surplus for the Town.

Town Manager Maria Davis stated that the Town contributed \$250 to the Holiday Boat Parade in 2006.

Mayor Castro stated that he wanted the Holiday Boat Parade contribution to be placed on the agenda to discuss whether or not the Town would make a contribution this year.

Town Manager Maria Davis noted that the Lake Park "Welcome" sign on Northlake Boulevard in front of the K-Mart shopping plaza had been refurbished and illuminated.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of August 1, 2007
2. Budget Workshop Meeting Minutes of August 8, 2007
3. Resolution No. 64-09-07 Organized Crime Group Prevention Act of 2007
4. Resolution No. 71-09-07 Authorization of Signatories for Town Bank Account
5. Resolution No. 73-09-07 Abandonment of Real Property Located at 854 Hawthorne Drive
6. Resolution No. 67-09-07 Silver Beach Road Lighting Interlocal Agreement

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Daly to approve the Consent Agenda; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC HEARING(S)

RESOLUTIONS:

RESOLUTION NO. 68-09-07 – Sanitation Rates

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA; ESTABLISHING THE SCHEDULE OF FEES AND CHARGES FOR RESIDENTIAL, GOVERNMENTAL AND COMMERCIAL REFUSE AND RECYCLABLES COLLECTION SERVICES; PROVIDING FOR LATE FEES, FREQUENCY OF BILLING AND OTHER MATTERS RELATING TO COLLECTION POLICY; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Balius stated that in 16 years the Sanitation Rates for the Town had only gone up \$40.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 68-09-07; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCES ON 1st READING

ORDINANCE NO. 23-2007 Millage Rate

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A MILLAGE RATE FOR THE TOWN OF LAKE PARK FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2007/2008; PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 23-2007; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 23-2007 by caption only.

ORDINANCE NO. 24-2007 Budget

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

Town Manager Maria Davis explained that in a previous meeting she had recommended hiring another Code Enforcement Officer for Business Tax Collections. She asked the Commission for direction.

Mayor Castro stated that he did not support hiring an additional Code Enforcement Officer.

Commissioner Balius stated that he was a proponent of Code Enforcement. He stated that he supported an additional Code Enforcement Officer. He stated that the Town had four code enforcement officers in the past.

Commissioner Carey stated that an additional Code Enforcement Officer could work nights and weekends.

Commissioner Balius stated that a lot of code enforcement issues occur on the weekends.

Vice-Mayor Daly recommended having seven day coverage between the three Code Enforcement Officers.

Town Manager Maria Davis stated that there was currently six day coverage between the two Code Enforcement Officers.

Mayor Castro recommended evening coverage by the Code Enforcement Officers.

Four out of five Commissioners agreed to hiring an additional Code Enforcement Officer for Business Tax Collections.

Town Manager Maria Davis stated that the next item for discussion under the budget was attorney's fees.

Vice-Mayor Daly stated that issues with the Town Attorney needed to be resolved.

Mayor Castro recommended approving the budget as is and continuing to research all options with regards to attorney services for the Town.

Vice-Mayor Daly stated that he spoke with a couple of attorneys regarding an in-house attorney for the Town. He recommended researching the information provided by staff and the Town attorney before making a decision.

Mayor Castro stated that the information provided by staff concerned the Town Attorney, which prompted the attorney to do more research and respond. The Mayor recommended approving the budget and moving forward with direction to the Town Manager to bring back more information to the Commission.

Commissioner Osterman stated that the Town Attorney had originally provided the information and then Staff responded with their own information.

Town Attorney Thomas Baird clarified and explained that Staff originally provided the information and he followed up with additional information. Staff then provided more information, and he continued to follow up. He stated that hiring an in-house attorney would cost the Town more then it had budgeted, and the Town would still have to obtain outside counsel for services that an in-house attorney would not be able to provide. He explained that municipalities of equal size did not have in-house attorneys. Larger municipalities with populations of approximately 50,000 have in-house attorneys.

Commissioner Osterman stated that she was not sure that an in-house attorney would cost the Town more money. She stated that it might cost the Town more money initially, but that a full time attorney could recover 100% of liens versus 60% to 70%.

Mayor Castro stated that an in-house attorney would not recover the full 100% of the lien. The Town would be paying the in-house attorney to recover the money. Town Attorney Thomas Baird would charge on a contingency basis.

Commissioner Carey explained that an in-house attorney would be paid a straight salary and would work a full 40 hours per week.

Discussion ensued between the Commissioners regarding issues with the Town Attorney and options for legal services for the Town.

Mayor Castro stated that the current Town Attorney is budget was less than it was 10 years ago.

Commissioner Balius stated that he wanted to do what was best for the Town. He explained that Town Attorney Thomas Baird had a contract that did not expire until the end of May. He stated that the Town would have to give Town Attorney Thomas Baird a 60 day notice.

Vice-Mayor Daly stated that there was a 30 day notice in the Town Attorney's contract.

Commissioner Osterman stated that if the budget was adopted the Commission would have to make a decision on how to pursue an in-house attorney.

Discussion ensued between the Commissioners regarding the adoption of the budget and researching options for attorney services.

Attorney Thomas Baird stated that he submitted a memo to the Commission which indicated that he would reduce his general legal budget to \$180,000 and would add \$30,000 for litigation. He also indicated that he would not raise his hourly rate.

Vice-Mayor Daly asked for clarification on the Town Attorney's rate for recovery of code violation monies.

Town Attorney Thomas Baird explained that if the Town pursued code violations, under the current arrangement, the Town would pay the hourly rate. If the Town was successful, or the court awarded attorney fees, the Town would recover its attorney's fees. If the Town was not successful or the court did not award attorneys fees, the Town would lose that money. He explained that under a contingency agreement, should the Town fail to recover money from those code violations, he would receive no fee. He stated that the 33.3 % was flexible. As the amount goes up there was less percentage taken because the risk and reward was different. He stated that he was flexible and the suggestion was put forth to give the Town alternatives to manage the attorney's fees for pending cases. He put forth the 33.3% option to allow the Town to mitigate against attorney's fees that would otherwise accrue.

Vice-Mayor Daly asked for clarification of the 33.3% contingency fee.

Town Attorney Thomas Baird explained that when the Town was in a lawsuit, the Town was seeking to recover a lien that had been recorded against a property. The attorney litigates the case and as the case moves through litigation, the Town pays for the attorney's fees. He was suggesting that the Town not pay for attorney fees up front. If the court awards attorney fees, the Town would not have to pay and he would be reimbursed. If the court does not award attorney's fees but the Town recovers the lien, he would recover the attorney's fees by taking a percentage of that lien. If the court did not award attorney's fees, and the Town fails to recover the lien, he would not receive attorney fees.

Discussion ensued between the Commissioners on how to pursue with the motion for approving the budget.

Vice-Mayor Daly asked Town Manager Maria Davis if the information she received regarding in-house attorneys was accurate.

Town Manager Maria Davis stated the Town's Finance Director contacted Finance Directors of various municipalities and received the breakdown of their legal budgets. The information received was accurate.

Attorney Thomas Baird stated that the initial information submitted did not include the complete cost to set up an in-house attorney. He contacted various municipalities and received their legal budgets. He applied the budgets of Lake Worth and Palm Beach Gardens because they were the two cities that were comparable in size to the Town.

Commissioner Osterman read the memorandum provided by staff regarding the cost of an in-house attorney. She stated that the Town's legal budget was at \$260,000 at 10 months but the budget was reduced because of funds that had been recovered. The funds were going back into the legal budget.

Attorney Thomas Baird gave an example and stated that Attorney Karen Roselli had insisted that the Town's attorney fees be reimbursed in the Sprint Cell Tower Case. Attorney Karen Roselli was able to recover those attorney fees because of her expertise in cell tower leasing. Whether or not an in-house attorney could accomplish the same would depend on that attorney's experience. He explained that in-house attorney contracts were similar to Town Manager contracts and would have to include pension and benefits.

Commissioner Osterman recommended placing a job advertisement for an in-house attorney in order to investigate what type of attorney the Town could get and how much it would cost.'

Mayor Castro stated that a job advertisement could not be placed for a job that was already filled.

Commissioner Osterman stated that the Town did not have a full time attorney.

Mayor Castro stated that the Town has a contracted attorney.

Discussion ensued between the Commissioners on how to proceed with the motion.

Town Manager Maria Davis stated that all of the information provided by staff included all the figures relating to in-house attorneys and was sufficient for the Commission to make an informed decision.

Public Comment Open.

Merilee Tutcik, 623 7th St. – stated that it was her perspective that the Town has been in an unstable environment over the past seven years. If a new attorney came in with no background or history with the Town it could end up costing more. She stated that she wanted to see more stability in the Town. She stated that Town Attorney Thomas Baird was trying to give the Town a break. She stated that she did not understand why the Commission wanted to remove someone who has had a background and history with the Town.

Vice-Mayor Daly stated that it was the Commission's responsibility to do what was best for the Town. He stated that last year the Town Attorney came to the Commission requesting a 22% increase. The Commission settled on an 11% increase. The Town Attorney has come back this year with another proposed increase. He stated that the Commission needed to put on the brakes with regards to increases. The Town would not be able to afford continued increases.

Ms. Tutcik stated that it looked like the Commission was being penny wise and pound foolish. She stated that the Town needed to come up with a solution that would address stability for the Town. She didn't believe that having an in-house attorney was the answer.

Vice-Mayor Daly stated that the situation needed to be addressed and the only way to get to a solution was to research their options.

Ms. Tutcik stated that the biggest cost to the Town in the past seven years was education.

Commissioner Osterman stated that the biggest cost to the Town was doing the same thing over and over without questioning their actions.

Public Comment Closed.

Motion: A motion was made by Commissioner Osterman to approve Ordinance 24-2007; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey		X	
Commissioner Osterman		X	
Vice-Mayor Daly		X	
Mayor Castro	X		

Motion failed 3-2.

To clarify for budgeting purposes, Town Manager Maria Davis asked Town Attorney Thomas Baird if he agreed with allotting \$20,000 for Professional Services/Other Legal.

Attorney Thomas Baird stated that he was not aware of any other specialized legal services that the Town would require. His suggestion would be to keep the \$20,000 in the legal budget in the event that professional legal services are required.

Town Manager Maria Davis stated that there was a line item in the legal budget titled Cost Recovery in the amount of \$26,000. She asked for clarification of how the cost recovery money would be paid to the Town Attorney.

Town Attorney Thomas Baird stated that in municipalities such as Palm Beach Gardens, and Jupiter the money was placed in an escrow account. The municipality deposits money into the account to cover costs for legal services.

Former Finance Director Cynthia Sementelli explained that the Cost Recovery Line Item was a tracking mechanism to show how much had been paid to the attorney and how much money the Town should be collecting.

Town Manager Maria Davis stated Town Attorney Thomas Baird had an issue with having insurance settlements being in the legal budget. She stated that she did not have a problem with putting it in the Non-Departmental category if that was what the Commission chose.

Attorney Thomas Baird stated that insurance settlements were the Town's portion of damages that the Town would pay in the event of a lawsuit.

The Commission came to consensus to have insurance settlements placed in the Non-Departmental category of the budget.

Town Manager Maria Davis asked for confirmation that Town Attorney Thomas Baird was forfeiting conferences and seminars.

Attorney Thomas Baird confirmed.

Town Manager Maria Davis stated that she needed to address several other issues with the Commission. She requested authorization to delete a Maintenance Worker II position at the Marina and to utilize those funds for landscape maintenance contractual services. She recommended adding a Maintenance Worker II position for the Recreation Department which would remove that responsibility from Public Works. She also recommended the purchase of a backhoe for Public Works.

Vice-Mayor Daly recommended buying backhoe equipment that hooks onto the Bobcat that is currently in the Public Works Department.

Town Manager Maria Davis recommended a regular size backhoe. She explained that a smaller loader was inadequate for the Public Works Department. She explained the various reasons why a larger backhoe was needed.

Commissioner Carey asked if the backhoe would be purchased through a piggyback contract.

Town Manager Maria Davis stated that the backhoe would be purchased by a piggyback contract through the county or the state. The backhoe would cost \$85,000 and would be financed over a five year period.

Discussion ensued between the Commissioners regarding the purchase of a backhoe for the Public Works Department.

The Commission came to consensus to purchase a backhoe for the Public Works Department.

Motion: A motion was made by Commissioner Carey to approve Ordinance No. 24-2007 with the condition of amending the Town Attorney Budget to reflect a \$200,000 cap on professional services and no billing for recovery fees. The Town Attorney would only be paid his attorney fees if the Town is reimbursed for attorney fees or recovers lien monies; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 24-2007 by caption only.

ORDINANCE NO. 25-2007 Budget Amendment

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2006-2007 AS PREVIOUSLY ADOPTED BY ORDINANCE NO. 9-2006; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Castro asked what was being amended in the Budget.

Former Finance Director Cynthia Sementelli explained that the budget amendment was moving money in the budget for housekeeping purposes. She explained that the process was done twice a year. Once in January for encumbrances then again in September for items that have been approved throughout the year in which an ordinance was needed to amend the budget.

Commissioner Osterman stated that she wanted to be informed if any department went over budget.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Ordinance No. 25-2007; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 25-2007 by caption only.

QUASI-JUDICIAL HEARING:

ORDINANCE NO. 26-2007 Rezoning for Kohl's Department Store

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF LAKE PARK, FLORIDA REZONING APPROXIMATELY A 14.73 ACRE PARCEL OF LAND OWNED BY CONGRESS AVENUE PROPERTIES LIMITED, AND GENERALLY LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF WATER TOWER ROAD AND CONGRESS AVENUE WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF LAKE PARK, AS DEPICTED ON THE LOCATION MAP ATTACHED HERETO (EXHIBIT "B"), AND AS IS MORE PARTICULARLY DESCRIBED HEREIN AND ON EXHIBIT "A" ATTACHED HERETO, FROM A ZONING DESIGNATION OF C-4 BUSINESS DISTRICT TO C-2 BUSINESS DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Ex-parte communication was declared as follows:

Mayor Castro – stated that he had a conversation with Buz Divosta regarding whether or not he would be receptive to the Kohl's Department Store and whether or not he would be receptive to the changes in the Bioscience Overlay. He stated that he was receptive and that it would be good for the community.

Vice-Mayor Daly – none

Commissioner Balias – stated that he spoke with Mr. Solar regarding Kohl's and the Congress Avenue corridor.

Commissioner Osterman – none

Commissioner Carey – none

Town Clerk Vivian Mendez swore in all witnesses.

Community Development Director Patrick Sullivan stated that the owner of the Congress Ave properties submitted an application to rezone the property to allow the building of a Kohls Department Store. The land was currently zoned as a C-4 District which does not allow retail use. It was presented to the Planning & Zoning Board and they as well as staff have forwarded

their recommendation to approve the changing of the zoning to a C-2 District which would allow for retail use. The proposal had been presented to the Bioscience Board. The Bioscience Board would be adopting a Resolution on September 20, 2007 that would approve the recommendation to move forward on the rezoning of the C-4 District. He explained that the 14 acres of land west of Target would be rezoned to a C-2 District.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 26-2007; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 26-2007 by caption only.

ORDINANCES ON 2nd READING

ORDINANCE NO. 20-2007 Citations

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 9, ARTICLE III, OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, FLORIDA BY AMENDING SECTION 9-71 ENTITLED “ENFORCEMENT PROCEDURES AND STANDARDS”; AND REPEALING SECTION 9-72 ENTITLED “NOTICE TO APPEAR”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Commission Osterman asked for clarification on the warning procedures by Code Enforcement. She recommended that first offenses be educational before punitive.

Community Development Director Patrick Sullivan explained that the citation process was being changed not the fee schedule. He stated that most citation offenses are resolved immediately when there was a verbal warning but the offender repeats the offense two to three days later. The process would implement a punitive system so that the offense was not repeated.

Public Comment Open:

None

Public Comment Closed.

Motion: A motion was made by Commissioner Osterman to approve Ordinance No. 20-2007 upon 2nd Reading; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 20-2007 by caption only.

ORDINANCE NO. 21-2007 Amending Chapter 54 to Correct Miscellaneous Errors.

A ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, SECTION 54-81 ENTITLED "PROPERTY MAINTENANCE STANDARDS, GENERALLY"; SECTION 54-82 ENTITLED "BOARDED UP BUILDINGS, HURRICANE SHUTTER REMOVAL REQUIRED"; SECTION 54-131 ENTITLED "NUISANCE DECLARED"; SECTION 54-132 ENTITLED "NUISANCE TO BE ABATED"; AMENDING SECTION 54-133 ENTITLED "PROCEDURE FOR ABATEMENT OF NUISANCE"; SECTION 54-134 ENTITLED "APPEAL PROCEDURE"; PROVIDING FOR SEVERABILITY, PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open:

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 21-2007 upon 2nd reading ; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner			

Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 21-2007 by caption only.

ORDINANCE NO. 22-2007 Business Tax Increase

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCE CHAPTER 28, TO RE-CLASSIFY BUSINESSES, OCCUPATIONS AND PROFESSIONS BY CATEGORY, TO ELIMINATE THE LISTING OF CERTAIN ARCHAIC AND OBSOLETE BUSINESSES, AND TO INCREASE THE BUSINESS TAX CHARGED FOR THE PRIVILEGE OF ENGAGING IN A BUSINESS, PROFESSION, OR OCCUPATION WITHIN THE TOWN OF LAKE PARK BY AMENDING SECTION 28-41 ENTITLED "SCHEDULE OF FEES AND REGULATIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Osterman stated that she was told that the Business Tax fees were high. She asked staff to compare fees and it was concluded that the Town's fees were lower than that of other municipalities.

Commissioner Balius stated that he compared fees and concluded that the Town was in the right range and lower than other municipalities.

Public Comment Open:

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 22-2007; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor			

Castro	X		
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Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 22-2007 by caption only.

RESOLUTIONS:

QUASI-JUDICIAL HEARING:

RESOLUTION NO. 66-09-07 Julius Automotive

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING THE APPLICATION OF THE PROPERTY OWNER, JULIUS AUTOMOTIVE GROUP, INC., SUBMITTED BY THE SEMINOLE BAY LAND COMPANY, AS THE AGENT FOR THE PROPERTY OWNER, FOR A SPECIAL EXCEPTION FOR A 3,744 SQUARE FOOT AUTOMOBILE SALES AND REPAIR SERVICE USE, TO BE LOCATED AT 900 OLD DIXIE HIGHWAY IN THE C-4 COMMERCIAL ZONING DISTRICT; AND ESTABLISHING AN EFFECTIVE DATE.

Ex-parte communication was declared as follows:

Mayor Castro – none

Vice-Mayor Daly – none

Commissioner Balius – none

Commissioner Osterman – none

Commissioner Carey – none

Community Development Director Patrick Sullivan received a request by Julius Automotive to sell cars on their site located at 900 Old Dixie Highway. In exchange they have provided more landscaping around the site than what was required. One of the conditions of the approval was a limit of four cars for sale on the site.

Commissioner Carey asked if a limousine on the property was for hire.

Community Development Director Patrick Sullivan stated that the limousine was for hire. The property would have sales, storage and repair and required three separate business tax licenses for those services.

Vice-Mayor Daly stated that site was already very congested with cars and stated that there was not enough room to accommodate their proposal for selling cars on the property.

David Keer, architect and planner of Seminole Bay Land Company stated that they had attempted to eliminate or mitigate the activities on site that were causing the congestion. He explained the various changes they proposed to relieve the congestion. He reviewed the proposed site plan changes.

Commissioner Carey asked if the bench on the property could be broken up and removed to keep vagrants away.

Mr. Keer stated that the bench could be removed.

Vice-Mayor Daly asked if there would be advertisements or signs on the vehicles.

Mr. Keer stated that it was not the intention of Julius Automotive to have signs and displays for the vehicles. The intention was to make the property more attractive. He stated that decorative bollards would be placed on the property.

Mayor Castro asked why bollards were needed on the property.

Mr. Keer explained that the bollards would keep vehicles out of the landscaping.

Mayor Castro stated that he was against vehicle sales on the property and he did not like the bollards.

Commissioner Balius thanked Mr. Keer for his patience at the Planning and Zoning Board Meeting.

Commissioner Carey stated that there were other car repair shops in the Town that sell vehicles without the Town's knowledge. He stated that Julius Automotive came to the Commission for approval.

Mr. Keer stated that the problems at Julius Automotive were largely related to the limousines on the property. He stated that they would accept the conditions for approval from the Planning and Zoning Board and Commission.

Vice-Mayor Daly stated that he did not have a problem with the limousines or repair shop. He did not want to see vehicles with "For Sale" signs. He asked if the owner of Julius Automotive would agree to a repair shop and limousine service only.

Mr. Keer stated that it was his understanding that the bulk of Julius Automotive's profits came from vehicle sales. He stated that Julius Automotive would be receptive to any code restrictions related to vehicle sales and signage.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 66-09-07 subject to the eight site conditions for approval with an additional condition of following all ordinances related to signage on the vehicles for sale; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		

Vice-Mayor Daly	X		
Mayor Castro		X	

Motion passed 4-1.

RESOLUTION NO. 59-08-07 Forming an Independent Non-Profit 501(c)(3)

Organization

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE TOWN MANAGER TO SIGN AND SUBMIT THE ARTICLES OF INCORPORATION FOR THE LAKE PARK COMMUNITY DEVELOPMENT CORPORATION, INC. FOR THE PURPOSE OF APPLYING FOR FUNDING FOR COMMUNITY DEVELOPMENT PROJECTS, PROGRAMS AND ACTIVITIES.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Resolution No. 59-08-07; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 63-08-07 Addendum to Hy-Bryd Contract

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CONTRACT ADDENDUM NO. 2 BETWEEN THE TOWN OF LAKE PARK AND HY-BYRD INC., TO PROVIDE FOR THE INSPECTION AND RE-INSPECTION FEES TO BE CHARGED BY HY-BYRD INC., TO THE TOWN FOR INSPECTIONS CONDUCTED IN CONNECTION WITH THE ISSUANCE OF BUSINESS TAX RECEIPTS BY THE TOWN; AND PROVIDING AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 63-08-07; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro		X	

Motion passed 4-1.

RESOLUTION NO. 65-09-07 Citation Fees

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A REVISED FINE SCHEDULE FOR VARIOUS VIOLATIONS OF THE TOWN'S CODE OF ORDINANCES, AND A FORM OF CITATION TO BE USED AS AN ADDITIONAL METHOD OF CODE ENFORCEMENT, BOTH OF WHICH ARE ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Osterman stated that she did not agree with a \$100 citation fee for prohibited parking on sidewalks. She asked if code enforcement was giving a warning for prohibited parking on sidewalks.

Community Development Director Patrick Sullivan stated that code enforcement was giving warnings for prohibited parking on sidewalks.

Attorney Thomas Baird explained that the violations in question were violations that should not warrant a warning because they are the kind of violations that a code enforcement officer could not come back the next day to see if the vehicle was still parked in violation of the code.

Discussion ensued between the Commissioners regarding what fees to enforce for parking violations.

The Commission came to consensus to change the parking on sidewalk violation fee to \$50 and the unlawful trespassing fee to \$250.

Discussion ensued between the Commissioners regarding what fees to charge for a noise disturbance violation.

The Commission directed Community Development Director Patrick Sullivan to purchase a

switch to a different plan.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Resolution No. 69-09-07; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 72-09-07 Property and Casualty Insurance

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO A EXECUTE THE RENEWAL QUOTATION FROM THE FLORIDA LEAGUE OF CITIES FOR PROPERTY, CASUALTY AND LIABILITY INSURANCE FOR THE TOWN OF LAKE PARK; AND PROVIDING AN EFFECTIVE DATE.

Mr. Gehring explained that the Town's property coverage was decreased with the Florida League of Cities but the Town added 4 million dollars in appraised values. The Town received 2 million dollars in property damage from the past hurricanes. There were negotiations on whether or not the Town Hall building was properly valued. It was found that the entire schedule was undervalued and it was increased by 4 million dollars. Although the rate went down, because of the increased values the overall cost was higher. He explained that on January 1, 2008 there would be options to take more risks on the Town's plan such as not insuring to the full value. He stated that the Florida League of Cities came down on their rates. He stated that Worker's Compensation Claims also increased.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 72-09-07; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 70-09-07 Contract for Chris Wayne & Associates to Maintain Marina and Eliminate the Maintenance II Worker Position from the Marina

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO EXECUTE A LANDSCAPE MAINTENANCE AGREEMENT BETWEEN THE TOWN OF LAKE PARK, FLORIDA AND CHRIS WAYNE AND ASSOCIATES, INC. AND ELIMINATE A MAINTENANCE WORKER II POSITION AT THE MARINA IN ORDER TO FUND SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 70-09-07; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Vice-Mayor Daly, and by unanimous vote, the meeting adjourned at 10:25 p.m.

Mayor Castro

Deputy Clerk Jessica Shepherd

Town Clerk Vivian Mendez

Town Seal

Approved on this ____ of _____, 2007.

TAB 2

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

Meeting Date: October 17, 2007

Agenda Item No. Tab 2

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

SUBJECT: Comprehensive Plan Meeting Minutes of September 19, 2007.

RECOMMENDED MOTION/ACTION: Approve the Minutes from the Comprehensive Plan Meeting of September 19, 2007.

Approved by Town Manager

[Signature: W. Davis]

Date:

10/7/07

[Signature: James Shyker]
Deputy Clerk

10/5/07
Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: Application, memo
Department Review: <input type="checkbox"/> City 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"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>[VM]</i> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <input checked="" type="checkbox"/> _____: Please initial one.

Summary Explanation/Background:



Town of Lake Park
Comprehensive Plan Meeting
Town Hall Commission Chambers
535 Park Avenue, Florida 33403
Wednesday, September 19, 2007 7:30 p.m.

The Town Commission met for the purpose of a Comprehensive Plan Meeting on Wednesday, September 19, 2007 at 7:30 p.m., Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balias, Carey, and Osterman, Town Attorney Thomas J. Baird, Town Manager Maria Davis, and Town Clerk Vivian Mendez.

Mayor Castro led the Pledge of Allegiance.
Town Clerk Vivian Mendez performed the Roll Call.

DISCUSSION

Comprehensive Plan

Community Development Director Patrick Sullivan gave an update on the progress of the Comprehensive Plan and he introduced Jerry Bell of Corradino & Associates.

Jerry Bell with Corradino and Associates stated for the record that the Evaluation Appraisal Report was a periodic, state mandated update of the Comprehensive Plan and was required once every seven years. One of the main purposes of the EAR was to update the data analysis on which Comprehensive Plan was based. The other purpose of the EAR was to observe the major issues in the community and address those issues adequately. The EAR was adopted in May 2006 and there was an 18 month period to adopt any amendments to the Comprehensive Plan.

Mr. Bell gave a Power Point presentation on the Comprehensive Plan (see Exhibit "A") as follows:

Mr. Bell reviewed and explained the Comprehensive Plan Elements as follows:

- Future Land Use Element: This element specifies the land uses in the community for the planning period. All zoning requirements must be in compliance through the Future Land Use Element.
- Traffic Circulation Element: This element will be updated and renamed as Transportation Element in accordance with state requirements, and includes all transportation systems such as bicycle paths, pedestrian walkways, and a private and commercial public traffic transit.
- Housing Element: This element would include observing Workforce Housing and existing housing stock.
- Sanitary Sewer, Solid Waste, Drainage, Potable Water & Natural Groundwater Recharge Element: This element includes observing the Town's infrastructure and services.

- Coastal Management Element: As a coastal community the Town is required to have a Coastal Management Element which includes a hurricane preparedness and evacuation plan.
- Conservation Element
- Recreation and Open Space Element
- Intergovernmental Coordination Element: This element includes taking a look at how the Town is working with its neighbors and regulatory agencies to meet the needs of its residents.
- Capital Improvement Element: This element includes the implementation mechanism of the Town's goals, objectives, and policies in the Comprehensive Plan. It is a state requirement that the Comprehensive Plan contain a financially feasible five year schedule of capital improvements. Those capital improvements identified in the schedule and which the Town will be basing its level of service, need to have funding attached or projected. It also an opportunity to identify areas that may be unfunded.

Mr. Bell addressed and explained nine issues identified in the EAR (see Exhibit "A") and their proposed solutions.

Community Development Director Patrick Sullivan asked the Commission to keep in mind that the Comprehensive Plan is a plan for the future of the Town.

Mayor Castro thanked Mr. Bell for his presentation. He recommended focusing on commercial properties versus residential properties as it related to economic development and maximum densities. He recommended preserving small town character. He did not recommend a Historic Preservation Element. Instead he recommended goals, objectives, and policies in the Land Use Element that would incorporate elements that would preserve and enhance the historic resources of the Town. He recommended establishing goals, objectives, and policies for certain areas outside the Town's jurisdiction and developments in which there were multi-party agreements such as the Twin City Mall. There were agreements and mutual ordinances that require developments and redevelopment areas be reviewed by the Town. He recommended strengthening goals, objectives and policies in the Town's Future Land Use Element. He wanted to make sure that what gets developed was in keeping with what the Town originally intended. He stated that the Town had contributed more than their fair share of affordable housing in the Town.

Mayor Castro does not want to encourage many benches for a mass transit system. There have been problems with vagrants sleeping on benches in the past. He recommended a careful approach to the demand for benches for a mass transit system.

Commissioner Balius stated that the bus stop issue came before the Commission in the past and it was agreed that they did not want covered bus stops installed in the Town.

Commissioner Carey asked if the issues presented in the Comprehensive Plan were presented in

order of priority.

Mr. Bell stated that the issues were not presented in any particular order.

Commissioner Balius stated that gas tax was used to rebuild sidewalks in the Town. He stated that a five year plan was started for roadways and sidewalks.

Vice-Mayor Daly commented on the various issues presented in the Comprehensive Plan. He recommended more events and a greater utilization of the Marina. He did not want to see a mass transit system.

Mayor Castro stated that he did not want to see a Tri-Rail Station in Lake Park.

The Commission came to consensus to omit a Tri-Rail Station from the Comprehensive Plan.

Commissioner Osterman stated that she would like to see a dispatch system for Police and Fire Services in the Town. She recommended the implementation of marketing to showcase the wonderful aspects of the Town such as its historical appearance, close proximity to the ocean, and marina. She recommended that the focus of the Comprehensive Plan be on changing the image of the Town.

Discussion ensued between the Commissioners regarding changes to the Comprehensive Plan.

Public Comment Open

None

Public Comment Closed.

Community Development Director Patrick Sullivan stated that the present Comprehensive Plan addressed density. Even though there was no density in the Zoning Code, it was in the Comprehensive Plan.

Mayor Castro stated that the Town's Land Development Regulations should be modified to implement the densities in the Comprehensive Plan Future Land Use Element.

Community Development Director Patrick Sullivan stated there were no density specifications in the Zoning Regulations.

Mayor Castro stated that the code needed to be modified and the density specifications could be addressed when Mr. Sullivan came back with recommendations for Future Land Use Element. He directed Mr. Sullivan to provide the Commission with a handout that the defined building densities in the Town so that the Commission could make an informed decision.

Community Development Director Patrick Sullivan stated that the current Comprehensive Plan does not allow any commercial use in residential areas. He stated that it was an issue that needed to be addressed. He stated that there was an issue with businesses such as day care centers mixed into the residential areas.

Discussion ensued between the Commissioners regarding businesses in residential areas.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Commissioner Osterman, and by unanimous vote, the meeting adjourned at 8:17 p.m.

Mayor Castro

Town Clerk Vivian Mendez

(Town Seal)

Approved on this _____ day of _____, 2007

order of priority.

Mr. Bell stated that the issues were not presented in any particular order.

Commissioner Balius stated that gas tax was used to rebuild sidewalks in the Town. He stated that a five year plan was started for roadways and sidewalks.

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Public Comment Open

None

Public Comment Closed.

Community Development Director Patrick Sullivan stated that the present Comprehensive Plan addressed density. Even though there was no density in the Zoning Code, it was in the Comprehensive Plan.

Mayor Castro stated that the Town's Land Development Regulations should be modified to implement the densities in the Comprehensive Plan Future Land Use Element.

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Community Development Director Patrick Sullivan stated that the current Comprehensive Plan does not allow any commercial use in residential areas. He stated that it was an issue that needed to be addressed. He stated that there was an issue with businesses such as day care centers mixed into the residential areas.

Discussion ensued between the Commissioners regarding businesses in residential areas.

Community Development Director Patrick stated that the current Comprehensive Plan did not allow for any annexation actions.

Mayor Castro directed Mr. Sullivan to remove that portion in the new Comprehensive Plan.

Public Comment Open.

Jeff Blakely, 105 Park Ave. – asked if the Planning & Zoning Board would get a chance to review the proposed changes to the Comprehensive Plan.

Mayor Castro stated that the EAR based amendments would come before the Planning & Zoning Board for review and the Planning & Zoning Board could make their recommendations before any changes were made.

Public Comment Closed.

Attorney Thomas Baird stated that he received a phone call from Attorney Randy Aberns who was representing the Town in the “Women of Dignity” Lawsuit. Mr. Aberns requested direction regarding the litigation. He advised the Commission that such a meeting with Mr. Aberns was needed and under Florida Law a public notice was required. He recommended that the Town Manager’s office coordinate the meeting with the attorney and the Commission.

Mayor Castro recommended having the meeting at a Regular Commission Meeting.

The Commission came to consensus to have the Executive Session for the “Women of Dignity” Lawsuit at the beginning of the next Commission Meeting of September 26, 2007.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Commissioner Osterman, and by unanimous vote, the meeting adjourned at 8:17 p.m.

Mayor Castro

Town Clerk Vivian Mendez

(Town Seal)

Approved on this _____ day of _____, 2007

TAB 3

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

Meeting Date: October 17, 2007

Agenda Item No. Tab 3

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

SUBJECT: Regular Commission Meeting Minutes of September 26, 2007.

RECOMMENDED MOTION/ACTION: Approve the Minutes from the Regular Commission Meeting of September 26, 2007

Approved by Town Manager *W. Davis* Date: 10/10/07
 Deputy Clerk *James Shohel* Date of Actual Submittal 10/10/07

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: Application, memo
Department Review: <input type="checkbox"/> City 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"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Town Clerk <i>J.S. - Deputy Clerk</i> <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <input checked="" type="checkbox"/> _____ Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
September 26, 2007 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, September 26, 2007 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Town Manager Maria Davis, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Vivian Mendez led the Invocation.
 Vice-Mayor Daly led the Pledge of Allegiance.
 Town Clerk Vivian Mendez performed the Roll Call.

PRESENTATION:
 Proclamation to Stephen E. Smith

Mayor Castro read the proclamation to Stephen E. Smith.

Mr. Smith accepted his proclamation and thanked the Commission.

Motion: A motion was made by Commissioner Balius to approve the Proclamation to Stephen E. Smith; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

The Commission adjourned at 7:33 pm for an Executive Session with Attorney Client.

The Commission reconvened at 8:11 pm.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA
 None

Motion: A motion was made by Commissioner Balius to approve the Agenda; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC and OTHER COMMENT

None

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Carey

None

Commissioner Balius

None

Vice-Mayor Daly stated that he was concerned over the Scripps Meeting that took place the previous night. It seemed that the Mayor of Palm Beach Gardens and one of the Palm Beach County Commissioners had a problem with the Town using Bioscience Overlay property to build a Kohls Department Store. He stated that the Bioscience Board was expecting the Town to hold on to property for five to ten years without receiving any compensation. He expressed his aggravation and concern over the issue.

Mayor Castro stated that when the Town decided to be part of the Scripps Bioscience Overlay there were several discussions between Paul Carlisle, former Town Manger and the Commission where they discussed that they wanted to communicate to the Bioscience Board that the Town did not want to be committed to holding property or turning away opportunities for development. He was concerned about adopting policies in the Town’s Comprehensive Plan that would preclude the Town from developing property.

Town Manager Maria Davis directed Community Development Director Patrick Sullivan to give a comparison of how much land the Town put aside by percentage versus how much land Palm Beach Gardens and other communities put aside for the Bioscience Overlay.

Community Development Director Patrick Sullivan stated that the Town had put over 50% of their property into the Bioscience Overlay. The Town would be putting in 334 acres. He stated

that Palm Beach Gardens would have to put in approximately 8000 acres in order to maintain the same ratio as the Town of Lake Park.

Vice-Mayor Daly stated that Mangonia Park was beginning to realize that the Bioscience Overlay may not come to pass for the properties they have placed on hold. He recommended that the Commission discuss whether or not they wanted to include the Bioscience Overlay properties set aside in the Comprehensive Plan, and that it should include some sort of escape clause.

Mayor Castro directed Town Manager Maria Davis to have the Bioscience Overlay property issue placed as an agenda item for a future Commission Meeting.

Commissioner Osterman

None

Attorney Thomas Baird

None

Town Manager Maria Davis announced that the Village of North Palm Beach would be meeting for a workshop to discuss the Village Shoppes Project on September 27, 2007 at 7:30 p.m.

Mayor Castro asked when the Town was informed of the workshop.

Town Manager Maria Davis stated that she received notification of the workshop by fax that day.

Mayor Castro asked how long the Village of North Palm Beach had known about the workshop.

Community Development Director Patrick Sullivan stated that the Village of North Palm Beach had known about the workshop for awhile.

Mayor Castro stated that he was very concerned about the lack of communication between the Town and the Village of North Palm Beach concerning the Village Shoppes Project.

Town Manager Maria Davis announced that FPL would be replacing 90 existing poles in the Town and upgrading the infrastructure to withstand 145 mile per hour winds. The project would commence in October and be completed in December. Letters would be sent out to residents informing them of the project. FPL did not anticipate any interruption of service during the project.

Town Manager Davis requested guidance from the Commission concerning Julius Automotive. After researching the Town code, staff found that there was an ordinance regarding signage on vehicles for sale. She asked the Commission if they wanted to enforce the code.

Mayor Castro directed Town Manager Maria Davis to place the discussion of the vehicle signage ordinance on the agenda for a future Commission meeting.

Commissioner Osterman recommended changing the vehicle signage code. She recommended that only full scale dealerships be allowed to have vehicle “For Sale” signage.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of August 22, 2007
2. Resolution No. 74-09-07 Workforce Alliance Agreement
3. Resolution No. 75-09-07 Ground Maintenance Worker II position
4. Resolution No. 76-09-07 PBSO Addendum to Contract
5. Final 26 Baffle Inserts for the north breakwater at the Marina
6. Resolution No. 77-09-07 Recreational Bond funding for Lake Shore Park playground
7. Resolution No. 78-09-07 New Rental Fee Rate for Lake Shore Park Picnic Pavilion
8. Holiday Boat Parade Contribution
9. Board Appointments for the Community Development Corporation 501(c)(3)

Item #5 Final 26 Baffle Inserts for the north breakwater at the Marina was pulled from the Consent Agenda for discussion.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve the Consent Agenda with the exception of item #5; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Vice-Mayor Daly asked for clarification of and the status on the baffles for the breakwater at the Marina.

Town Manager Maria Davis stated the baffle project was not stalled and it would be 30 to 60 days before receiving the permit. Vance Construction had built breakwaters for two other municipalities and the bid time would be minimized because the Town could piggyback on another municipality’s contract. She anticipated that construction would begin within the next

90 days.

Motion: A motion was made by Commissioner Balius to approve item #5 Final 26 Baffle Inserts for the north breakwater at the Marina of the Consent Agenda; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC HEARING(S)

ORDINANCE ON 2ND READING

ORDINANCE NO. 23-2007 Millage Rate

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A MILLAGE RATE FOR THE TOWN OF LAKE PARK FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2007/2008; PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Osterman to approve Ordinance No. 23-2007 upon 2nd reading; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner			

Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 23-2007 by caption only.

ORDINANCE NO. 24-2007 Budget

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

Motion: A motion was made by Commissioner Carey to approve Ordinance No. 24-2007 upon 2nd reading; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 24-2007 by caption only.

Town Manager Maria Davis stated that there would be two position title changes that would not impact the budget. She stated that in the Finance Department the title of Administrative Assistant would change to Accountant and in the Community Development Department the Administrative Secretary title would change to Administrative Assistant.

Mayor Castro asked if there would be a change in the salary range for those two positions.

Town Manager Maria Davis stated that there would be a change in the salary range of both positions but neither would change or impact the budget.

Mayor Castro directed Town Manager Maria Davis to bring back changes for the two positions for discussion at a future Commission Meeting and to include the changes in the job descriptions

and salary ranges.

ORDINANCE NO. 25-2007 Budget Amendment

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2006-2007 AS PREVIOUSLY ADOPTED BY ORDINANCE NO. 9-2006; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance 25-2007 upon 2nd reading; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

QUASI-JUDICIAL HEARING:

ORDINANCE NO. 26-2007 Rezoning for Kohl's Department Store

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF LAKE PARK, FLORIDA REZONING APPROXIMATELY A 14.73 ACRE PARCEL OF LAND OWNED BY CONGRESS AVENUE PROPERTIES LIMITED, AND GENERALLY LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF WATER TOWER ROAD AND CONGRESS AVENUE WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF LAKE PARK, AS DEPICTED ON THE LOCATION MAP ATTACHED HERETO (EXHIBIT "B"), AND AS IS MORE PARTICULARLY DESCRIBED HEREIN AND ON EXHIBIT "A" ATTACHED HERETO, FROM A ZONING DESIGNATION OF C-4 BUSINESS DISTRICT TO C-2 BUSINESS DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Ex-parte communication was declared as follows:

Mayor Castro – stated that he spoke to Mr. Solar regarding the right of way at Park Ave., and his position on the Kohls Department Store.

Vice-Mayor Daly – none

Commissioner Balius – stated that he spoke with Mr. Solar regarding Kohls and the right of way at Park Ave.

Commissioner Osterman – none

Commissioner Carey – stated that he spoke with Mr. Solar regarding the right of way at Park Ave.

Town Clerk Vivian Mendez swore in all witnesses.

Public Comment Open.

None

Public Comment Closed.

Community Development Director Patrick Sullivan stated the applicant was Congress Avenue Properties who was approached by Kohls to build a department store on the 14.7 acre property located south of the Target store on Congress Ave. The present zoning for the property was C-4 which does not allow for retail use. The applicant was requesting the zoning be changed to a C-2 District which would allow for retail use.

Mayor Castro asked if there would be an issue with DCA.

Mr. Sullivan stated that there would not be an issue with DCA since they were not changing the underlying land use.

Mayor Castro asked who the president of Congress Avenue Properties was.

Town Clerk Vivian Mendez swore in Jamie Gentile of Gentile, Holloway, & O’Mahoney.

Mr. Gentile stated that Phil Brandt was the Senior Vice-President of Congress Avenue Properties.

Mayor Castro passed the gavel to Commissioner Balius and seconded the motion.

Motion: A motion was made by Vice-Mayor Daly to approve Ordinance No. 26-2007 upon 2nd reading; Mayor Castro made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor			

Daly	X		
Mayor Castro	X		

Motion passed 5-0.

The gavel was returned to Mayor Castro.

RESOLUTIONS

RESOLUTION NO. 57-08-07 Facility Fee Waiver/ Reductions Criteria

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA ADOPTING NEW CRITERIA FOR FEE WAIVER REDUCTIONS FOR TOWN FACILITIES AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 57-08-07; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Discussion and Possible Action

Electronic gates for Lake Shore Park and Summary of Expenditures

Town Manager Maria Davis stated that three quotes for electronic gates were received in the following amounts: \$31,000, \$38,000 and \$38,000.

Commissioner Carey asked if grant monies could be used for the electronic gates.

Town Manager Maria Davis stated that grant monies could be researched but the grant monies already awarded had been exhausted.

Commissioner Osterman asked if the quotes included the installation of electricity for the gates.

Town Manager Maria Davis stated that the quotes did not include electric installation but included the automatic gates. She explained that the cost for the electric installation would be minimal.

Discussion ensued between the Commissioners regarding the different types of electric gates that could be installed at Lake Shore Park.

Motion: A motion was made by Vice-Mayor Daly to approve electronic gates for Lake Shore Park; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey		X	
Commissioner Osterman		X	
Vice-Mayor Daly	X		
Mayor Castro		X	

Motion failed 3-2.

Commissioner Balius recommended installing an electronic gate at the south entrance of Lake Shore Park only.

Motion: A motion was made by Commissioner Carey to approve the installation of an electronic gate at the south entrance of Lake Shore Park only; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Update on the cost of the ball field trailer.

Town Manager Maria Davis stated that the trailer was now occupied.

Mayor Castro stated that the trailer was looking better.

Commissioner Osterman stated that the cost of the trailer was more than they had expected.

Commissioner Balius stated that the cost was cheaper than it would have been to rent the trailer.

Town Manager Maria Davis explained that the cost of the trailer was more than expected because she had a lab come in to test the trailer for mold and formaldehyde and the paneling was replaced because of mold contamination.

Discussion returned to the Bioscience Overlay issues and the lack of respect for the Town's position displayed by the representatives from Palm Beach Gardens.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Commissioner Carey, and by unanimous vote, the meeting adjourned at 8:53 p.m.

Mayor Castro

Deputy Clerk Jessica Shepherd

Town Clerk Vivian Mendez

Town Seal

Approved on this ___ of _____, 2007.

TAB 4

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

Meeting Date: October 17, 2007

Agenda Item No. Tab 4

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Purchase of Two Chevrolet Silverado Pickup Trucks Utilizing the Florida Sheriff's Association Contract # 07-15-0827

RECOMMENDED MOTION/ACTION: APPROVE

Approved by Town Manager *Wes Davis* Date: 10/11/07

Name/Title

Date of Actual Submittal

Originating Department: Town Manager	Costs: \$35,950 Funding Source: General Fund Acct. #	Attachments: Quotations
Department Review: <input 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 _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background: This item is for the purchase of two pick-up trucks for the Code Enforcement Department, which were budgeted for FY 07/08 through the administrative transfer from the Sanitation Fund.

(Fleet and Commercial)

PO Box 1720

Winter Park, FL 32790

Page(s) :

VEHICLE CONTRACT QUOTE (FSA CONTRACT BID # 07-15-0827)

Attention: Paul
Agency: Town of Lake Park
Phone #: 561-881-3345
Fax #: 561-881-3349

Date: 10/8/2007

Base Model: Chevrolet Silverado 2500 Pickup : Spec # : 34
Region: Southern Base Unit Price: \$ 15,945.00

<u>Option Code</u>	<u>Description</u>	<u>Unit Price</u>
	2008 Model Chev Silverado 3/4 Ton 2wd pickup	
	Regular Cab; Long bed; Includes:	
	6.0L V8 engine; Automatic Trans;	
	A/C; Power Steering; HD vinyl floor ;	
	Full size spare tire; 40/20/40 split bench seat	
	AM-FM radio per Govt Fleet order type	NC
G80	Limited slip differential	\$325.00
K34	Speed control	\$240.00
* 9F7/N8	Trailer tow mirrors (West coast style)	\$179.00
HDTOW	HD towing pkg, ClassIV (10,400lbs max trailer wt.)	\$475.00
BUA	Backup alarm	\$128.00
HDTX	Heavy duty aluminum tool box	\$435.00
SPRY	Sprayliner	\$525.00

Total of Options: \$ \$ 2,307.00
Total Unit Quote: \$ 18,252.00

Comments: * Quoted mirrors are 2-piece "West Coast" style w/ auxiliary 6" convex spot mirrors attached to each side as well. Option "DF2" allows for just a single mirror housing with a lower convex portion on each side with extendable arms for only \$70 instead.

Quoted By: Peter Popiel
Phone #: (407)298-1535 ext.271
Cell #: (407) 221-7600
Fax #: (407) 298-6170
E-mail: Ppopiel@asnmail.com

**BID AWARD
ANNOUNCEMENT**

07-15-0827

**PURSUIT,
ADMINISTRATIVE NON-PURSUIT,
UTILITY VEHICLES, TRUCKS & VANS,
& OTHER FLEET EQUIPMENT**

*Participating Sheriff's Offices & Local Governmental
Agencies of the State of Florida*

Coordinated By

**The
Florida Sheriffs Association,
Florida Association of Counties &
Florida Fire Chiefs' Association**



(Fleet and Commercial)

PO Box 1720
Winter Park, FL 32790

Page(s) :

VEHICLE CONTRACT QUOTE (FSA CONTRACT BID # 07-15-0827)

Attention: Paul
Agency: Town of Lake Park
Phone #: 561-881-3345
Fax #: 561-881-3349

Date : 10/8/2007

Base Model: Chevrolet Silverado 1500 Pickup: Spec # : 32
Region: Southern Base Unit Price: \$ 14,650.00

<u>Option Code</u>	<u>Description</u>	<u>Unit Price</u>
	<u>2008 Model Chev Silverado 1/2 Ton 2wd pickup</u>	
	<u>Regular Cab; Short bed; Includes:</u>	
	<u>4.3L V6 engine; Automatic Trans;</u>	
	<u>A/C; Power Steering; HD vinyl floor ;</u>	
	<u>Full size spare tire; 40/20/40 split bench seat</u>	
	<u>AM-FM radio per Govt Fleet order type</u>	<u>NC</u>
<u>LY2</u>	<u>4.8L V8 engine</u>	<u>\$945.00</u>
<u>G80</u>	<u>Limited slip differential</u>	<u>\$325.00</u>
<u>K34</u>	<u>Speed control</u>	<u>\$240.00</u>
	<u>Trailer tow mirrors</u>	<u>\$75.00</u>
	<u>HD towing pkg up to 5000 lbs</u>	<u>\$375.00</u>
<u>BUA</u>	<u>Backup alarm</u>	<u>\$128.00</u>
<u>HDTX</u>	<u>Heavy duty aluminum tool box</u>	<u>\$435.00</u>
<u>SPRY</u>	<u>Sprayliner</u>	<u>\$525.00</u>

Total of Options: \$ \$ 3,048.00
Total Unit Quote: \$ 17,698.00

Comments: ClassIV tow package includes external transmission oil cooler and extra large
air cleaner and 2" ball in addition to above features for \$525

Quoted By: Peter Popiel
Phone #: (407)298-1535 ext.271
Cell #: (407) 221-7600
Fax #: (407) 298-6170
E-mail : Ppopiel@asnmail.com

**BID AWARD
ANNOUNCEMENT**

07-15-0827

**PURSUIT,
ADMINISTRATIVE NON-PURSUIT,
UTILITY VEHICLES, TRUCKS & VANS,
& OTHER FLEET EQUIPMENT**

*Participating Sheriff's Offices & Local Governmental
Agencies of the State of Florida*

Coordinated By

**The
Florida Sheriffs Association,
Florida Association of Counties &
Florida Fire Chiefs' Association**



All About Florida



TAB 5

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

Meeting Date: October 17, 2007

Agenda Item No. Tab 5

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

SUBJECT: Purchase of Caterpillar 420 Backhoe Loader Utilizing the Florida Sheriff's Association Contract # 06-14-0821

RECOMMENDED MOTION/ACTION: APPROVE

Approved by Town Manager

H. Lewis

Date:

10/14/07

Name/Title

Date of Actual Submittal

Originating Department: Town Manager	Costs: \$73,845.33 Funding Source: Sanitation Acct. #	Attachments: Quotation
Department Review: <input 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 _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____: Please initial one.

Summary Explanation/Background: This item is for the purchase of a backhoe, which was budgeted for FY 07/08. This equipment will be financed over a 5 yr. period. Debt service is budgeted in the Sanitation Division Budget.



Kelly Tractor Co.
 Serving the Industry Since 1953
 ktraco@kellytractor.com
 www.kellytractor.com

October 3, 2007

Town of Lake Park
 535 Park Avenue
 Lake Park, FL 33403
 Attn: Paul Mathis

RE: Advantages of Cab Operator Stations

The Caterpillar 420E Backhoe Loader offers an all-new operator station that has been designed to maximize operator comfort and productivity. Pilot operated controls allow for more legroom and a spacious work environment. Integrated storage areas and cupholders are designed for operator convenience. The narrow front dash provides excellent visibility to the front bucket and the new ergonomic, automotive styling of the operator station enhances the operator environment.

The features offered in both Canopy and Cab units include tilt steering wheel, 12 volt internal power supply adapters, sealed instrument panel, lockable side storage compartment, and eight work lights. Additional features offered in Cab units include a deluxe, nine-way adjustable cloth suspension seat, Individual auto-up stabilizer controls, and system indicators for hydraulic filter service and hydraulic temperature warning. The Cab unit HVAC system offers air conditioning with excellent air distribution and performance with a large capacity fresh air filter that is easily serviced. Cab units also feature a pattern selector switch the pilot controls to excavator or backhoe style.

Besides the advantages a Cab offers in regards to operator comfort and productivity there are other compelling reasons to choose a Cab over a Canopy type unit. The elements of sun, wind and rain eventually take a toll over time, especially if inside storage is not available. The high humidity in South Florida tends to increase maintenance and repair frequencies particularly on electronics and interior components. Cabs offer the maximum protection from the elements and generally trend to have higher resale values.

Based on our experience with many municipal customer preferences, we would like to recommend Cab with Air Conditioning on the Caterpillar 420E Backhoe Loader. Please call me if you have any questions.

Thanks,

Greg Bennett
 Governmental Sales
 (305) 592-5374 ext. 1121
 (786) 229-7037 Cell

Miami
 8255 NW 58 St
 Miami, FL 33166
 (305) 592-5360
 FAX (305) 477-2024

Davie
 2801 Reese Rd
 Davie, FL 33314
 (954) 581-8181
 FAX (954) 581-6464

West Palm Beach
 5403 Okeechobee Blvd
 West Palm Beach, FL 33417
 (561) 683-1231
 FAX (561) 683-4591

Clewiston
 801 E Sugarland Hwy
 Clewiston, FL 33440
 (863) 983-8177
 FAX (863) 902-1000

Naples
 3636 Prospect Ave
 Naples FL 34104
 (239) 403-3636
 FAX (239) 403-7510

Fl Myers
 9651 Kelly Tractor Dr
 Ft Myers, FL 33905
 (239) 683-9233
 FAX (239) 613-0976

Orlando (Cranes Only)
 17300 E Colonial Dr
 Orlando, FL 32820
 (407) 568-8055
 FAX (407) 568-7711

KELLY TRACTOR



Fax (561) 881-3349

Kelly Tractor Co.

Serving the Industry Since 1933

ktccat@kellytractor.com

www.kellytractor.com

To: *Paul Mathis*

Date: *9-13-07*

Town of Lake Park
Company/department:

From: *Greg Bennett*

- | | | | |
|--|----------------|--|----------------|
| <input type="checkbox"/> Catalog Sales | (305) 463-6063 | <input type="checkbox"/> Purchasing/Facilities | (305) 463-6065 |
| <input type="checkbox"/> Credit/Accounting | (305) 463-6081 | <input type="checkbox"/> Rental Department | (305) 477-2024 |
| <input type="checkbox"/> Marketing | (305) 463-6044 | <input checked="" type="checkbox"/> Sales Department | (305) 477-2024 |
| <input type="checkbox"/> Parts Department | (305) 463-6060 | <input type="checkbox"/> Service Department | (305) 591-3011 |
| <input type="checkbox"/> Personnel | (305) 594-8909 | <input type="checkbox"/> All Other Departments | (305) 477-2024 |

Direct Phone: (305) 592-5374 Ext *1121*

Number of pages (including cover):

RE: *Backhoe Loader Quotes*

1 with Cab/Air

1 with Canopy ROPS

Miami
8255 NW 58 St
Miami, FL 33166
(305) 592-5360

Davie
2801 Reass Rd
Davie, FL 33314
(954) 581-8181

West Palm Beach
5460 Okeechobee Blvd
West Palm Beach, FL 33417
(561) 683-1231

Clewiston
801 E Sugarland Hwy
Clewiston, FL 33440
(863) 963-8177
FAX (863) 962-1000

Naples
3636 Prospect Ave
Naples FL 34104
(239) 403-3636
FAX (239) 403-7510

Ft Myers
9651 Kelly Tractor Dr
Ft Myers, FL 33905
(239) 693-9233
FAX (239) 693-9876

Punta Gorda
8241 Pascal Dr
Punta Gorda, FL 33950
(941) 639-7772
FAX (941) 637-9929

Orlando (Cranes Only)
17300 E Colonial Dr
Orlando, FL 32820
(407) 568-8055
FAX (407) 568-7701

1411882
 Town of Lake Park
 535 Park Ave.
 Lake Park, FL 33403
 Attn: Paul Mathis

13-Sep-07



**REF: Quoted as per Florida Sheriff's Association Contract # 06-14-0821
 Specification # 51**

One new Caterpillar 420E-IT Backhoe Loader equipped with the following equipment:

Base Unit per Contract			
Base Machine Unit (2007 Caterpillar 416E)		\$49,112.00	A
Add Options			
CAT 420E	Upgrade to a minimum 84 HP backhoe	\$4,864.00	B
Standard Specifications 420E per Contract			
213-9273	420E BACKHOE LOADER ST 2WS		
214-2550	STICK STANDARD		
269-2146	HYDRAULICS, BH 4 FUNCTION		
251-1789	BUCKET, 1.25 CYD GP		
269-2144	HYDRAULICS, LOADER, GP		
269-2123	ROPS, CANOPY		
206-1747	BELT, SEAT, 2" SUSPENSION		
216-3315	POWERTRAIN, 89 HP, 4WD ST SHIFT		
210-5949	COOLER STANDARD		
252-9986	COUNTERWEIGHT, 510 LBS		
116-4942	STABALIZER PADS, GROUSER TYPE		
201-1918	TIRES 4WD BIAS GOODYEAR		
0P-0572	MANUALS, ENGLISH		
219-3387	BUCKET, 24' 6.2 CFT HD		
Non Specified Options		<u>List price</u>	<u>33% Contract Discount</u>
213-9272	Upgrade to 420E IT Backhoe Loader	\$7,050.00	\$4,723.50
251-1794	Upgrade to 1.5 CYD IT Loader Bucket	\$799.00	\$535.33
9R-5320	CUTTING EDGE, TWO PIECE	\$293.00	\$196.31
269-2127	CAB, DELUXE W/AC	\$8,870.00	\$5,942.90
269-2147	HYDRAULICS, BH, 5 FUNCTION	\$580.00	\$388.60
262-4201	LINES, COMBINED AUX, STD STICK	\$2,905.00	\$1,948.35
6W-8832	CARRIAGE, FORK	\$1,951.00	\$1,307.17
195-6939	FORK TINE, 2" X 5" X 53" (QTY 2)	\$1,230.00	\$824.10
214-4749	COOLER, HIGH AMBIENT	\$195.00	\$130.65
211-4292	BEACON, MAGNETIC MOUNT	\$201.00	\$134.67
9R-6007	STABILIZER PADS, FLIP OVER	\$481.00	\$322.27
216-0910	LOCK, VANDALISM, PARALLEL LIFT	\$68.00	\$45.56
209-9937	RIDE CONTROL	\$1,255.00	\$840.85
211-4258	CONTROL, IT AUX ATTACHMENTS	\$121.00	\$81.07
	Total Contract Options		\$17,419.33
Non Contract Options			
	EPTW 60 mo/5000 hrs (Extended Powertrain Warranty)		\$1,850.00
	Service Manual		\$600.00
	Total Non Contract Options		\$2,450.00
	Grandtotal base machine, options and extended warranty	\$73,845.33	A+B+C+D

FOB: Town of Lake Park

Thank you for your consideration of our product.

Greg Bennett

Governmental Sales

305-592-5374 ext 1121

Cell 786-229-7037

Fax 305-477-2024

TAB 6

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

Meeting Date: October 17, 2007

Agenda Item No. Table

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

SUBJECT: Purchase of Toro Grounds Master Mower Utilizing the Florida State Contract # 515-630-06-1

RECOMMENDED MOTION/ACTION: APPROVE.

Approved by Town Manager

[Signature]

Date:

10/11/07

Name/Title

Date of Actual Submittal

Originating Department: Town Manager	Costs: \$15,656.22 Funding Source: Recreation Acct. # 64-100	Attachments: Quotation
Department Review: <input 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 _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____: Please initial one.

Summary Explanation/Background: This item is for the purchase of a lawn mower for the Recreation Dept. to maintain the 6th St. field. This equipment is budgeted in FY 07/08.



1301 N.W. THIRD STREET / DEERFIELD BEACH, FL 33442
 TEL: (954) 429-3200 • FAX: (954) 360-7657

**Quotation Provided for
 City of Lake Park
 September 19, 2007**

Qty.	Model #	Description	Unit Price
1 ea	30360	Toro Groundsmaster 7200 Heavy Duty Zero Turn Mower with: - 28 HP Kubota Diesel Engine - Direct P.T.O. Drive - 72" Side Discharge Deck - 2 Year Limited Warranty	\$19,429.00
1 ea	30358	Bimini Canvas Shade	189.00
1 ea	30375	Jack Stand	200.00
Subtotal			\$19,818.00
Florida State Contract Discount			(4,161.78)
Total			\$15,656.22

**Pricing per Florida State Contract # 515-630-06-1
 Effective 5/17/06 - 5/16/09**

Toro Protection Plus			
1 ea	C329	36 Month or 1800 Hrs Comprehensive Plan	614.00
1 ea	C459	48 Month or 2400 Hrs Comprehensive Plan	820.00

Note:
 > Issue purchase order to Wesco Turf Supply, Inc.
 > Shipment and service via Hector Turf

Provided by: Chris Fordney
 954-429-3200

TAB 7

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

Meeting Date: 10/17/07

Agenda Item No. Tab 7

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input checked="" type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Resolution to reclassify the position of Administrative Assistant in the Finance Department to Accountant and revise the Town Classification and Pay Plan to amend the Job description for the position of Accountant.

RECOMMENDED MOTION/ACTION: Approve attached resolution.

Submitted by Finance Director Anne M. Costello Date: 10/12/07

Approved by Town Manager Neil Davis Date: 10/12/07

Originating Department: Finance	Costs: \$ _____ Funding Source: _____ Acct. # _____	Attachments: Copy of Resolution and Job Description
Department Review: <input type="checkbox"/> Town Attorney <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance <u>AMC</u> <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input checked="" type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: 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>AMC</u> : Please initial one.

Summary Explanation/Background:

It is recommended that the position of Administrative Assistant within the Finance Department be reclassified to that of Accountant. This position title accurately reflects the duties of the position and allows the Director to utilize personnel more effectively. There are now two Accountant positions within the department. The reclassification will allow the Director to cross train within the department to provide vital back up capabilities.

The current job description is obsolete and lacks pertinent requirements of the job. It is necessary to amend the job description and qualifications to accurately reflect the requirements of the positions. Sufficient funds exist within the departmental budget for this reclassification and there will be no increased monetary impact. There will actually be a savings of approximately \$6,000 due to recent turnover within the department.

RESOLUTION NO. 81-10-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, RECLASSIFYING THE POSITION OF ADMINISTRATIVE ASSISTANT IN THE FINANCE DEPARTMENT TO ACCOUNTANT, REVISING THE TOWN CLASSIFICATION AND PAY PLAN TO AMEND THE JOB DESCRIPTION FOR THE POSITION OF ACCOUNTANT; PROVIDING FOR THE PUBLICATION OF AN UPDATED CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park is a duly constituted municipality organized and existing under the laws of the State of Florida and Chapter 166, Fla. Stat; and

WHEREAS, the Classification and Pay Plan is based upon similarity of duties performed and responsibilities assumed, so that the same qualifications are reasonably required for the same schedule of pay, and are equally applied to all positions in the same class; and

WHEREAS, it is necessary to provide an updated listing of certain current titles and classifications within the Town service,

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, AS FOLLOWS:

Section 1. The foregoing recitals are hereby incorporated as if fully set forth herein.

Section 2. The position of Administrative Assistant in the Finance Department is reclassified to Accountant.

Section 3. The Classification and Pay Plan is revised to amend the job description for the position of Accountant. A copy of the amended job description is attached hereto as Exhibit A.

Section 4. This Resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR PAUL W. CASTRO	_____	_____
VICE-MAYOR ED DALY	_____	_____
COMMISSIONER G. CHUCK BALIUS	_____	_____
COMMISSIONER JEFF CAREY	_____	_____
COMMISSIONER PATRICIA OSTERMAN	_____	_____

The Mayor thereupon declared the foregoing Resolution No. *** duly passed and adopted this 21st day of March, 2007.

TOWN OF LAKE PARK, FLORIDA

BY: _____

PAUL W. CASTRO

MAYOR
ATTEST:

Vivian Mendez
Town Clerk

Approved as to form and legal
sufficiency:

(TOWN SEAL)

By: _____
THOMAS J. BAIRD,
TOWN ATTORNEY

ACCOUNTANT

CLASSIFICATION CODE: 200
PAY GRADE: 12
DEPARTMENT: FINANCE

CHARACTERISTICS OF THE CLASS:

Under the general supervision of the Finance Director, responsible for performing a variety of accounting functions. Work is performed under the general supervision of the Finance Director with wide latitude for the use of independent judgment and discretion in the performance of the work and application of professional accounting techniques. This is a non-exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of any one position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the Accountant position.

1. Prepares financial reports of all types, including those required by auditors engaged in periodic or special audits of the Town's financial administration
2. Prepares tax reports including but not limited to sales tax, fuel tax and 941 returns.
3. Compiles and analyzes financial information to prepare entries to accounts, such as general ledger accounts.
4. Prepares regulatory reports as required by State and Federal agencies.
5. Prepares daily cash reports, accurate deposits and data entries to accounts.
6. Performs monthly bank statement reconciliations.
7. Monthly analysis of revenues and expenditures and comparison of budget to actuals.
8. Monthly review and reconciliations of balance sheet accounts and follows up on discrepancies and irregularities.
9. Prepares bi-weekly payroll and associated reports as required.
10. Monitors and reviews accounting payroll reports for accuracy and completeness.
11. Issues purchase orders and processes invoices for payment against purchase orders.
12. Processes all other payments for goods and services.
13. Processes payments and cash receipts from the public, other agencies and other departments.
14. Assists auditors in completing the yearly audits.
15. Performs other accounting and administrative functions for the Finance Director as assigned.

REQUIREMENTS:**A. Education and Experience:**

Graduation from an accredited college or university with a Bachelor Degree in accounting or related field and three years experience in accounting. Municipal experience preferred. A combination of education and experience may be substituted for degree. Must be proficient in Excel and Microsoft Word.

B. Knowledge, Skills and Abilities:

- Knowledge of Generally Accepted Accounting Principles; Government Accounting, Auditing and Financial Reporting; and Government Accounting Standards Board requirements.
- Knowledge of organization, functions and financial issues involved in municipal government.
- Ability to plan, organize and carry out the work required to achieve sound financial management principals.
- Ability to prepare financial reports using advanced computer techniques and use of specific software programs such as Excel and Microsoft Word.
- Ability to establish and maintain working relationships with other employees, Town officials and the general public.
- Must be detail oriented and possess excellent organization skills.
- Ability to work independently and to make appropriate decisions.
- Ability to perform multiple tasks simultaneously.

PHYSICAL REQUIREMENTS:

Tasks require limited physical activities, lifting a maximum of 20 pounds, standing and walking, and dexterity in the use of hands, arms and fingers for the operation of a computer keyboard or other office equipment. Work involves extended periods of time at a computer screen. Tasks involve sound and form perception and discrimination.

ENVIRONMENTAL CONDITIONS:

Tasks performed without exposure to adverse environmental conditions (dirt, cold, rain, fumes).

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

TAB 8

Town of Lake Park Town Commission Agenda Request Form

Meeting Date: October 17 2007

Agenda Item No. Tab 8

- PUBLIC HEARING
- Ordinance on Second Reading
- Public Hearing

- RESOLUTION
- DISCUSSION

ORDINANCE ON FIRST READING

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other:

SUBJECT: amending Chapter 51 Section 6 of the code of ordinances to authorize the Town to recover legal fees and fees incurred in the processing of development orders

RECOMMENDED MOTION/ACTION: Motion to approve

Approved by Town Manager W. Davis

Date: 9/27/07

Originating Department: Community Development	Costs: \$ <u>N/A</u> Funding Source: Acct. #	Attachments: Ordinance
Department Review: <input checked="" type="checkbox"/> Town Attorney <u>[Signature]</u> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Finance _____ <input checked="" type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PRSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u>[Signature]</u> or Not applicable in this case _____ Please initial one.

Summary Explanation/Background: In reviewing our cost recovery procedures staff has discovered that the Town is not being reimbursed for legal fees and extraordinary staff time associated with development permits, variances, special exceptions, and zoning requests. Due to increased activity in these areas the costs are now significant and staff believes that the Town should be reimbursed where appropriate. The attached ordinance developed by the Town Attorney clarifies our cost recovery process by amending Section 51-6 of the Town Code.

ORDINANCE NO. 27-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 51, OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK ENTITLED "LAND DEVELOPMENT REGULATIONS" TO PROVIDE FOR THE RECOVERY OF LEGAL COSTS AND FEES INCURRED BY THE TOWN FOR THE REVIEW AND PROCESSING OF DEVELOPMENT PLAN APPLICATIONS INCLUDING THE PREPARATION OF DEVELOPMENT ORDERS AND LEGAL INSTRUMENTS ASSOCIATED THEREWITH; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapters 163 and 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to land development, which have been codified in Chapter 51 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, Town staff has recommended to the Town Commission that Code Section 51-6(b)(1) of the Town Code be amended authorizing the Town to recover legal costs and fees, incurred by the Town in the review and processing of applications for development orders including the preparation of staff reports, Development Orders and legal instruments associated therewith.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the findings of the Town Commission.

Section 2. Chapter 51, Section 51-6, of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended to read as follows:

Sec. 51-6. Fees for application development review.

(a) *Plan review ~~and escrow account~~ fees.* The town commission may from time to time establish and amend the fee schedule for development order application fees by resolution. The plan review fees shall be collected by the town's department of community development to mitigate cover the administrative costs of its review of the applications.

(b) *Recovery of additional legal and consultant costs and fees.* In addition to plan review fees, the town may recover the fees and costs related to referenced below, applications for development, including, but not limited to the those applications specified in the table contained in Section 51-6 of Chapter 51 following:

(1) Consultant fees and costs incurred by the town may be billed to applicants by the Town to recover the to review of such professional documentation reports such as a property appraisal, traffic impact analysis, vegetation and environmental assessments, archeological or historic assessments, market studies, engineering studies, review fees or reports: attorney's fees, and legal documents.

(2) An applicant for any application for development review listed in the table in Section 51-6 shall, as part of its application execute an Agreement with the Town confirming its agreement to reimburse the Town for legal fees and costs the Town incurs in processing applications for development review. The fees and costs billed to an applicant by the Town shall be the same fees and costs actually billed to the Town, in accordance with paragraph 3(a) of the Agreement between the Town and the Town Attorney. An applicant shall reimburse the Town for such costs and fees within 10 days of receipt of an invoice from the Town. Failure by an applicant to reimburse the Town within 10 days shall result in the cessation of the review of the application until the Town is fully reimbursed.

(3) Additional costs associated with the department of Community Development's review of an application for development.

~~(2)(c)~~ Costs associated with providing notice for public hearings or other public meetings.

~~(3)(d)~~ *Escrow Accounts.* The Community Development Director may require the deposit of escrow account fees. In cases where additional fees and costs described hereinabove are anticipated or

incurred, the Community Development Director may require an applicant ~~shall~~ to deposit an amount estimated by the ~~town~~ Director to be sufficient to recover ~~it's~~ the Town's fees and costs into an escrow account created by the town. Upon completion of the review of the development applications, the applicant shall ~~will~~ be refunded any unused amount deposited into the escrow account

Section 3. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. **Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. **Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Section 6. **Effective Date.** This Ordinance shall take effect immediately upon adoption.

Commission member _____, offered the foregoing Ordinance, and moved its adoption. The Motion was seconded by Commission member _____, and upon being put to a vote, the vote was as follows:

	Aye	Nay	Absent
PAUL W. CASTRO, MAYOR	_____	_____	_____
G. CHUCK BALIUS, VICE MAYOR	_____	_____	_____

JEFF CAREY, COMMISSIONER

EDWARD DALY, COMMISSIONER

PATRICIA OSTERMAN, COMMISSIONER

The Mayor thereupon declared the Ordinance duly passed and adopted this ____ day of _____, 2007.

TOWN OF LAKE PARK, FLORIDA

BY: _____
PAUL W. CASTRO, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
VIVIAN MENDEZ, TOWN CLERK

REVIEWED FOR LEGAL FORM
AND SUFFICIENCY

BY: _____
THOMAS J. BAIRD, TOWN ATTORNEY

TAB 9

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

Meeting Date: **October 7, 2007**

Agenda Item No. **Tab 9**

- PUBLIC HEARING
- Ordinance on Second Reading
- Public Hearing

- RESOLUTION
- DISCUSSION

ORDINANCE ON FIRST READING

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other:

SUBJECT: Amendment to zoning section 78-74 and 78-75 to eliminate the minimum lot size requirement in the C-4 and CLIC zoning districts

RECOMMENDED MOTION/ACTION: Motion to approve

Approved by Town Manager

W. Davis

Date:

9/27/07

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Staff Report Ordinance
Department Review: <input checked="" type="checkbox"/> Town Attorney <i>JB</i> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development	<input checked="" type="checkbox"/> Finance <input type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input type="checkbox"/> Town Clerk <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____ Please initial one.

Summary Explanation/Background: the C-4 district requires a 3 acre minimum lot size and the CLIC requires a 1 acre minimum lot size. 166 lots out of a total of 197 lots in the C-4 and the CLIC do not meet the minimum lot size requirements and are therefore non-complying lots. The existing ordinance requires the lots to meet the minimum lot size in order to get any type of permit. Since so many lots do not meet the minimum size requirements this effectively halts any and all development or redevelopment on these properties. Other districts do not have minimum lot sizes and they are regulated by setbacks, required parking area, and landscape and buffer requirements. These two districts would still be regulated by setbacks, landscaping and parking.

Town of Lake Park Community Development Department



Meeting Date: October 3, 2007
Memo Date: September 26, 2007

Patrick Sullivan, AICP, Director

To: Town Commission

Re: Changes to lot size in C-4 & CLIC

I have come across what I believe to be an issue with minimum lot area requirements in the CLIC and C-4 districts. The CLIC requires a minimum of one acre to get a development permit and the C-4 district requires a minimum of three acres. That means that most of the lots in both districts are non-complying. There are approximately 197 lots and 166 of those lots or 85% are non-complying. This presents a problem when any of these lots wants to redevelop, develop, expand or alter.

The following code sections address the minimum lot size in the different districts:

Sec. 78-74. C-4 business district.

- (5) *Area regulations.* The following requirements shall apply to all uses permitted in this district:
- Lot area.* Issuance of any type of development permit shall be based upon review and approval of an overall site design of an area no less than three acres. Said parcel may be planned for phased development, provided the minimum parcel size of any development phase is not less than one acre.

Sec. 78-75. CLIC-1 campus light industrial/commercial district.

- (4) *Area regulations.* The following requirements shall apply to all uses permitted in this district:
- Lot area.* Issuance of any type of development permit shall be based upon review and approval of an overall site design or plat of an area no less than one acre. An exception to the one-acre minimum shall apply to parcels which front on the ultimate right-of-way of Park Avenue extended, which shall have a minimum lot size of 5,000 square feet.

Both sections of the code refer to the issuance of "any type of development permit" being dependent on the minimum lot size. The code goes on to define the term "development permit":

Sec. 51-4. Definitions.

Development permit means that official town document which authorizes the commencement of construction or land alteration without need for further application and approval for that construction or land alteration. Development permits include all types of construction permits (plumbing, electrical, foundation, mechanical, and so forth, in addition to the building permit itself), grading and clearing permits, septic tank permits, tree removal permits, sign permits, etc., and as defined in F.S. § 163.3164(7).

If we were to take the definition of development permit literally (which we should to maintain consistency) any request for a permit could trigger the minimum lot requirement if they are altering or enlarging the facility. The wording of the code requires that properties must meet the minimum lot size prior to the issuance of any permit in the CLIC and C-4. There are approximately 90 lots in the C-4 district and of those 90 lots only the two Divosta parcels and the Rinker parcel exceed three acres. The remaining 87 lots are non-conforming lots. In the CLIC approximately 28 lots out of 107 meet the minimum lot requirements. This leaves 79 non-conforming lots. The present ordinance effectively eliminates any development or redevelopment in these districts.

The suggested change is to simply eliminate the minimum lot requirement language (see attached ordinance). The lots would still be regulated because they will have to meet setbacks, landscaping, parking, drainage, buffers etc. None of the other zoning districts have minimum lot size. The Planning and Zoning Board reviewed the request and voted to recommend that the Commission eliminate the minimum lot size in these districts. I have received numerous inquiries regarding redevelopment and some new development in these zoning districts. Most will be unable to move forward unless the minimum lot size is changed.

Patrick Sullivan, AICP, Director
Community Development Department
881-3319 Fax 881-3323
psullivan@lakeparkflorida.gov

ORDINANCE NO. 28-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN OF LAKE PARK'S CODE OF ORDINANCES BY AMENDING CHAPTER 78, ARTICLE III, SECTION 78-74 ENTITLED "C-4 BUSINESS DISTRICT" AND SECTION 78-75 ENTITLED "CLIC-1 CAMPUS LIGHT INDUSTRIAL/COMMERCIAL DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to land development and zoning, which have been codified in Chapter 78 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, Town staff has recommended to the Town Commission that the minimum lot area requirements as provided in Chapter 78, Sections 78-74 and 78-75 pertaining to the C-4 and the CLIC zoning districts, be amended to provide more reasonable lot size requirements for land development in these zoning districts; and

WHEREAS, the Town's Planning and Zoning Board has reviewed the proposed amendments to the Town Code and has provided its recommendations to the Town Commission; and

WHEREAS, the Town Commission, after due notice and public hearings, deems it to be in the interest of the public health, safety and general welfare to amend Chapter 78, Section 78-74(5) and Section 78-75(4) of the Town's Code as recommended by Town staff.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE
TOWN OF LAKE PARK, FLORIDA:**

Section 1. The whereas clauses are incorporated herein as true and correct findings of fact of the Town Commission.

Section 2. Chapter 78, Article III, Section 78-74(5) and Section 78-75(4) are hereby amended to read as follows:

Sec. 78-74. C-4 business district.

- (5) *Area regulations.* The following requirements shall apply to all uses permitted in this district:
- ~~a.~~ *Lot area.* ~~Issuance of any type of development permit shall be based upon review and approval of an overall site design of an area no less than three acres. Said parcel may be planned for phased development, provided the minimum parcel size of any development phase is not less than one acre.~~
 - ~~a.~~~~b.~~ *Front yard.* All buildings shall set back from all ultimate street right-of-way lines not less than 25 feet.
 - ~~b.~~~~c.~~ *Side yard.* No building or structure shall be located closer than 12 feet from one side yard line.
 - ~~c.~~~~d.~~ *Rear yard.* No building or structure shall be located closer than ten feet or a distance equal to one-half the building height from a rear yard line, whichever is greater. No rear yard is required where the lot abuts on an existing or proposed railroad right-of-way or spur that is utilized by the facility.
 - ~~d.~~~~e.~~ *Maximum lot coverage.* Main and accessory buildings, loading facilities and uses shall not cover more than 50 percent of the lot area.
 - ~~e.~~~~f.~~ *Impervious surface ratio of lot area.* With respect to drainage and stormwater runoff, the relationship of surfaces covered by buildings, paved parking areas and all other impervious surfaces such as vegetated open space and stabilized, unpaved parking areas shall be that deemed suitable for the proposed type of land use and buildings and in accordance with the South Florida Water Management District's *Permit Information Manual, Volume IV, Management and Storage of Surface Waters.*
 - ~~f.~~~~g.~~ *Impervious ratio calculation.* The impervious surface ratio is calculated for the gross site, ~~i.e., the minimum three-acre parcel,~~ and is calculated by dividing the total impervious surface by the gross site area. Water bodies are to be considered impervious and shall be included as such in the impervious surface ratio calculation.
 - ~~g.~~~~h.~~ *Treatment of cluster development.* Cluster development or other site design alternatives may result in individual lots within a development project exceeding the impervious surface ratio, while other lots may be devoted entirely to open space. The town commission shall require, as a condition of approval, deed restrictions or covenants that guarantee the maintenance of such open space in perpetuity.

Sec. 78-75. CLIC-1 campus light industrial/commercial district.

- (4) *Area regulations.* The following requirements shall apply to all uses permitted in this district:
- ~~a. *Lot area.* Issuance of any type of development permit shall be based upon review and approval of an overall site design or plat of an area no less than one acre. An exception to the one-acre minimum shall apply to parcels which front on the ultimate right-of-way of Park Avenue extended, which shall have a minimum lot size of 5,000 square feet.~~
 - a. *b.—Front yard.* All buildings shall set back from all ultimate street right-of-way lines not less than 25 feet, with the exception of buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall be set back a minimum of five feet and a maximum of 20 feet.
 - b. *e.—Side yard.* No building or structure shall be located closer than ten feet or a distance equal to one-half the building height, whichever is the greater, to a side yard line, with one of said side setback being paved for its entire length; provided, however, that for buildings 24 feet high or less of type one or type two construction, no building or structure shall be located closer than two feet from one of the side yard lines and no closer than 12 feet from the other side yard line. An exception shall apply to buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall have no minimum side yard.
 - c. *d.—Rear yard.* No building or structure shall be located closer than 20 feet from a rear yard line. No rear yard is required where the lot abuts on an existing or proposed railroad right-of-way or spur that is utilized by the facility, provided suitable fire apparatus access is provided.
 - d. *e.—Maximum lot coverage.* Main and accessory buildings and loading facilities shall not cover more than 50 percent of the lot area. An exception shall apply to buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall have no maximum lot coverage.

Section 3. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. **Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word “ordinance” may be changed to “section,” “article,” or any other appropriate word.

Section 6. Effective Date. This Ordinance shall take effect immediately upon adoption.

Commission member _____, offered the foregoing Ordinance, and moved its adoption. The Motion was seconded by Commission member _____, and upon being put to a vote, the vote was as follows:

	Aye	Nay	Absent
PAUL W. CASTRO, MAYOR	_____	_____	_____
G. CHUCK BALIUS, VICE MAYOR	_____	_____	_____
JEFF CAREY, COMMISSIONER	_____	_____	_____
EDWARD DALY, COMMISSIONER	_____	_____	_____
PATRICIA OSTERMAN, COMMISSIONER	_____	_____	_____

The Mayor thereupon declared the Ordinance duly passed and adopted this ___ day of _____, 2007.

TOWN OF LAKE PARK, FLORIDA

BY: _____
PAUL W. CASTRO, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

TAB 10

Town of Lake Park Town Commission Agenda Request Form

Meeting Date: October 17, 2007

Agenda Item No. *Tab 10*

- PUBLIC HEARING
 - Ordinance on Second Reading
 - Public Hearing
- ORDINANCE ON FIRST READING
- GENERAL APPROVAL OF ITEM
- Other:
- RESOLUTION
- DISCUSSION
- BID/RFP AWARD
- CONSENT AGENDA

SUBJECT: Amending Chapter 34 of the Code and providing a new section 34-11 that requires property owners to maintain the swales that abut their property.

RECOMMENDED MOTION/ACTION: Motion to approve

Approved by Town Manager *W. Lewis* Date: _____

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Ordinance
Department Review: <input checked="" type="checkbox"/> Town Attorney <i>398</i> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____ Please initial one.

Summary Explanation/Background: There is presently nothing in the Code that requires property owners to maintain the swales that abut, adjoin or are contiguous to their real property. Their responsibility now stops at their property line. This new section to the ordinance would require property owners to maintain the swales in a good and proper, neat and clean, condition to include but not be limited to sodding, grass cutting, landscape maintenance, removal of debris, garbage and the elimination of any dangerous conditions or safety hazards.

ORDINANCE NO. 29-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 34 "VEGETATION", ARTICLE I, TO CREATE NEW CODE SECTION 34-11 TO BE ENTITLED "MAINTENANCE OF TOWN SWALE AREAS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to vegetation and plantings and other improvements in swale areas within the Town which have been codified in Chapter 34 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, Town staff has recommended to the Town Commission that new Code Section 34-11 be created, to require property owners within the Town, to maintain the swale areas which abut, are adjacent or contiguous to, their real property in a good and proper, and neat and clean, condition; and

WHEREAS, the Town Commission, after due notice and public hearings, deems it to be in the interest of the public health, safety and general welfare to amend the Town's Code to provide for such additional regulations and procedures; and

WHEREAS, the creation of new Code Section 34-11, would preserve and protect the Town's swales and sidewalks and other Town property, and preserve and enhance property values within the Town, generally; and

WHEREAS, the purpose and intent of the creation of this new Code Section is to regulate the maintenance of swales within the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are hereby incorporated as true and correct findings of fact of the Town Commission.

Section 2. Chapter 34, Article I, Section 34-11, of the Code of Ordinances of Town of Lake Park, Florida is hereby created to read as follows:

Sec. 34-11 Maintenance of town swale areas.

It shall be the duty and obligation of all owners and occupants of real property within the Town, to maintain all swale areas abutting, adjacent, or contiguous to their property, in a good and proper, neat and clean condition. This maintenance duty and obligation for owners and occupants of real property shall include, but not be limited to, sodding, grass cutting, proper landscape maintenance, removal of debris, plant waste, garbage, or trash, and the elimination of any dangerous conditions or safety hazards in all swale areas.

Section 3. Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 4. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. Codification. The provision of this Ordinance shall become and be made a part of the Code of Ordinances for the Town of Lake Park. The Sections of the ordinance maybe renumbered or re-lettered to accomplish such.

Section 6. Effective date. This Ordinance shall take effect immediately upon passage.

TAB 11

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

Meeting Date: October 17, 2007

Agenda Item No. ^{Tab} 11

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

SUBJECT: Award of Phase II Landscape Improvements and Irrigation at Lake Shore Park

RECOMMENDED MOTION/ACTION: Approve

Approved by Town Manager W. Davis Date: 10/10/07

Name/Title _____

Date of Actual Submittal _____

Originating Department: Town Manager	Costs: \$ \$16,840 Funding Source: Reserve Park Improvements Acct. # 001-247.910	Attachments: Proposal and City of Riviera Beach Contract Award
Department Review: <input 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 _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background: The landscape and irrigation improvements for the raised planters along the eastern boundary of the park is the second phase of the Lake Shore Park restoration program. Landscape Architect Jeff Blakely provided the attached drawings for the design of the planters.

Chris Wayne and Associates, Inc. (CWA) provided the attached proposal for the subject construction in the amount of \$16,840. CWA has been awarded multiple municipal landscaping contracts which were competitively bid over the past year. Attached is a contract award for landscaping from the City of Riviera Beach. Staff recommends award to CWA. Funds are available from the Bev Smith Ford tree mitigation fund..



Chris Wayne and Associates, Inc.

Date 10/05/2007
Proposal No. 07-227

Landscape and Irrigation Construction Proposal For Lakeshore Park, Town of Lake Park

Overview

Chris Wayne and Associates, Inc., herein referred to as CONTRACTOR, offers to provide landscape and irrigation services for the Town of Lake Park, herein referred to as CLIENT, at Lakeshore Park, Lake Park, Florida 33403. Services are as outlined below, herein referred to as WORK, and consist of installing landscape and irrigation for the raised planters along the bulkhead at Lakeshore Park as depicted in concept plan provided by CLIENT. All other work shall be considered additional services and provided as mutually agreed upon.

Work

	Unit Price	Total Price
• Provide all labor, materials, permits for the installation of a fully automatic irrigation system providing 100% coverage with 50% overlap. Approximate coverage area is 6,000 square feet.	--	4,150.00
• Deliver and install (1190) 1 gallon, 1.5' on center, Ipomea pes 'Railroad Vine'	4.00	4,760.00
• Deliver and install (190) 3 gallon, 3' on center, Serenoa repens 'Saw Palmetto'.	19.00	3,610.00
• Deliver and install (405) 1 gallon, 2' on center, Hymenocallis latifolia 'Spider Lily'.	6.00	2,430.00
• Deliver and install (27) cubic yards Cypress Mulch.	70.00	1,890.00
• Relocate (9) existing variegated Pandanus to raised planter location per plans provided by CLIENT.		

Lump Sum \$16,840.00

*Due to differences in concept plan provided by CLIENT and existing conditions, additions or subtractions in plant quantities may be required. In this case, an addition or deduction change order will be issued for approval or credit and the proposed planting unit pricing herein will apply.

Warranty

Contractor warrants Work, for a period of 180 days from date of final acceptance against all material and workmanship defects. Warranty does not cover damage to Work from fire, acts of God, or by negligence of others.

Chris Wayne and Associates, Inc.
15863 97th Drive North · Jupiter, FL 33478
Phone 561-746-4225 Fax 561-746-8991



Chris Wayne and Associates, Inc.

Date 10/05/2007
Proposal No. 07-227

Compensation

CLIENT shall pay CONTRACTOR lump sum of \$16,840.00 due upon completion of WORK.

Submitted

Chris Wayne and Associates, Inc.

Date: 10/5/07

Accepted

Client signature

Date: 10/8/07

CITY OF RIVIERA BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT
600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404
(561) 845-4060 FAX (561) 845-4038

OFFICE OF
COMMUNITY DEVELOPMENT

December 27, 2006

Mr. Chris Dellago
Chris Wayne and Associates
15863 97th Drive North
Jupiter, FL. 33478

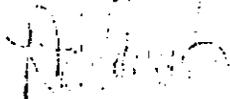
RE: Notice of Award

Dear Mr. Dellago:

The City Council of the City of Riviera Beach at its regular meeting on December 20, 2006 awarded the contract for installing landscaping and irrigation on West 22nd Street and West 22nd Court to Chris Wayne and Associates in the amount of \$132,910.00 per its bid submitted on November 3, 2006. Please provide the necessary insurance and bond documents within ten (10) days from the receipt of this notice. A pre-construction meeting is scheduled in the City of Riviera Beach Community Department on January 16, 2007 at 9:30 a.m. The time for completing this project is one hundred twenty (120) days and will begin to run on January 22, 2007.

If you have any questions, please do not hesitate to contact my office.

Sincerely,



L. John Samadi, P.E.
City Engineer

ljs\

cc: Mary McKinney, Director of Community Development
Benjamin Guy, Director of Purchasing

SUBMIT BID TO:
 City of Riviera Beach
 Office of City Clerk
 600 West Blue Heron Blvd,
 Suite 140
 Riviera Beach, FL 33404
 (561) 845-4180

CITY OF RIVIERA BEACH
 PALM BEACH, FLORIDA
INVITATION FOR BID
 Bidder Acknowledgment

GENERAL CONDITIONS -

THESE INSTRUCTIONS ARE STANDARD FOR ALL CONTRACTS FOR COMMODITIES/SERVICES ISSUED BY THE CITY OF RIVIERA BEACH. THE CITY OF RIVIERA BEACH MAY DELETE, SUPERSEDE OR MODIFY ANY OF THESE STANDARD INSTRUCTIONS FOR A PARTICULAR CONTRACT BY INDICATING SUCH CHANGE IN THE SPECIAL INSTRUCTIONS TO BIDDERS OR IN THE BID SHEETS. BY ACCEPTANCE OF A PURCHASE ORDER ISSUED BY THE CITY, BIDDER AGREES THAT THE PROVISIONS INCLUDED WITHIN THIS INVITATION FOR BID SHALL PREVAIL OVER ANY CONFLICTING PROVISION WITHIN ANY STANDARD FORM CONTRACT OF THE BIDDER REGARDLESS OF ANY LANGUAGE IN BIDDER'S CONTRACT TO THE CONTRARY.

BIDDER ACKNOWLEDGEMENT MUST BE SIGNED AND RETURNED WITH YOUR BID

SEALED BIDS: This form must be executed and submitted with all bid sheets in a sealed envelope. (DO NOT INCLUDE MORE THAN ONE BID PER ENVELOPE). The face of the envelope shall contain the above address, the date and the time of bid opening, and bid number. Bids not submitted on attached bid form may be rejected. All bids are subjected to the conditions specified herein. Those which do not comply with these conditions are subject to rejection.

1. EXECUTION OF BID: Bid must contain an original signature of an individual authorized to bind the bidder. Bid must be typed or printed in ink. All corrections made by bidder to his bid must also be initialed. The bidder's name should also appear on each page of the bid sheet if required. Bids will not be accepted from firms in arrears to the City of Riviera Beach upon debt or contract nor from a defaulter upon obligations to the City of Riviera Beach. Bidder certifies by signing the bid that no principals or corporate officers of his firm were principals or corporate officers in any other firm which may have been suspended or debarred from doing business with the City within the last three years, unless so noted in the bid documents.

2. TIE BIDS: In case of tie bids, the award will be made in the following preference:

- 1. BIDDER WITHIN CITY LIMITS OF RIVIERA BEACH.
- 2. BIDDER WITHIN PALM BEACH COUNTY.
- 3. BIDDER WITHIN THE STATE OF FLORIDA.

3. NO BID: If not submitting a bid, respond by returning this Bidder Acknowledgement form, marking it "NO BID", no later than the stated bid opening date and hour, and explain the reason in the space provided. Failure to respond without justification may be cause for removal of the bidder's name from the bid mailing list. NOTE: To qualify as a respondent, bidder must submit a "NO BID."

4. BID WITHDRAWAL: No bidder may withdraw his bid before the expiration of ninety (90) calendar days from the date of bid opening unless vendor so notes in the bid.

5. BID OPENING: Shall be public, on date, location and time specified in the bid form. The official time is the time clock located in the Office of the City Clerk reception area and will be accepted by all parties without reservation. It is the bidder's responsibility to assure that his bid is delivered on date, location and time specified on the bid form. Bids, which for any reason are not so delivered, will not be considered. Bid files and any bids after they are opened may be examined during normal working hours by appointment. Bid consultations are available for inspection upon request.

BIDS WILL BE OPENED Friday November 03, 2006 AT 3:00 pm and may not be withdrawn within 90 calendar days after such date and time.	
BID TITLE: BID FOR W. 22 ND STREESCAPE IMPROVEMENTS.	
BID NO.	
PURCHASING AGENT BENJAMIN GUY (561) 845-4180	
DELIVERY DATE	
SEE SPECIAL INSTRUCTION	
CASH DISCOUNT TERMS	
BID GUARANTY IS ATTACHED, WHEN REQUIRED, IN THE AMOUNT OF \$ 5% OF THE BID	
REASON FOR NO BID	
FEDERAL EMPLOYER I.D. or SOCIAL SECURITY NUMBER 20-1399029	
DUN & BRADSTREET NUMBER	
BIDDER NAME Chris Wayne and Associates, Inc.	
BIDDER MAILING ADDRESS/CITY/STATE/ZIP 15863 97th Dr. N. Jupiter, FL 33478	
AREA CODE TELEPHONE NO. (561) 746-4225	CONTACT PERSON Ann-Marie Dellago
FAX NO. (561) 746-8991	INTERNET ADDRESS
 AUTHORIZED SIGNATURE (original in ink)	
Ann-Marie C. Dellago V.P. TYPED NAME OF SIGNER TITLE	

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a bid for the same items/services. I am in all respects fair and without collusion or fraud, I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder. I understand that by signature of this form, pages 1 through 4 are acknowledged and accepted as well as any special instruction sheet(s) if applicable.

BID PROPOSAL

EXHIBIT "B"

You are invited to Bid in the Following: **W. 22nd Street and W. 22nd Court streetscape improvements**

Note: Estimated unit prices include contractor's overhead and profit. Estimated unit price for palms, trees, shrubs and groundcovers includes staking, fertilization and backfill mixture. Estimated unit sod prices includes necessary clearing, grubbing and grading.

The bidder having visited the site of the proposed project and/or familiarized himself with the local conditions, nature and extent of the work, and having carefully examined the set of plans, terms and conditions herein, proposes to furnish:

Item No.	Quantity	Unit	Description	Unit Price	Total
1	73	EA	Coconut Palms (Cocos nucifera)	1275. ⁰⁰	93,075. ⁰⁰
2	27	EA	Mahogany (Swietenia mahagoni)	425. ⁰⁰	11,475. ⁰⁰
3	525	EA	Bougainvillea Silhouette	11. ⁰⁰	5,775. ⁰⁰
4	9500	SF	Sod (St. Augustine Florflam)	.36	3,420. ⁰⁰
5	49	EA	Irrigation (Each residence) <small>UNIT PRICE BASED ON 3" PIPING @ 10'</small>	225. ⁰⁰	11,025. ⁰⁰
6	28	CY	Mulch	55. ⁰⁰	1,540. ⁰⁰
7	1	LS	Watering	5,000. ⁰⁰	5,000. ⁰⁰
8	11	EA	Removal of existing palms	100. ⁰⁰	1,100. ⁰⁰
9	1	EA	Remove existing oak tree	100. ⁰⁰	100. ⁰⁰
10	4	EA	Remove other trees (Cedar/labebuia)	100. ⁰⁰	400. ⁰⁰

TOTAL BID \$ 132,910.⁰⁰

Alternate 1.
Decorative street sign
(6) Six

\$ 6,000.⁰⁰ **BLACK POWDER COAT FINISH**
+ 2000.⁰⁰ FOR COLOR MATCH EXISTING LIGHT FIXTURES.

Submitted by: Chris Wayne and Associates, Inc. 10/23/2000
Contractor Date

Address: 15863 97th Dr. N., Jupiter, FL 33478

Telephone: (561) 746-4225

Fax: (561) 746-8991

E-mail: cwa@chriswayneinc.com

Signature: *Ann Marie C. Delley*

Bid bond 5% required if bid amount exceeds \$50,000.00

IN WITNESS WHEREOF, the PARTIES OF THE CITY OF RIVIERA BEACH, FLORIDA has made and executed this Contract on behalf of the CITY, and the CONTRACTOR has hereunto set its hand the day and year above written.

CITY OF RIVIERA BEACH

CONTRACTOR
CHRIS WAYNE AND ASSOCIATES, INC.

BY: Michael D. Brown
MICHAEL D. BROWN,
MAYOR

BY: Ann-Marie C. Dellago
ANN-MARIE C. DELLAGO
TITLE: VICE PRESIDENT

ATTEST:

BY: Carrie E. Ward
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

APPROVED AS TO TERMS AND
CONDITIONS

BY: Mary McKinney
MARY MCKINNEY, DIRECTOR
COMMUNITY DEVELOPMENT

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
PAMALA H. RYAN,
CITY ATTORNEY

Date: _____

PUBLIC CONSTRUCTION BOND

BY THIS BOND, WE CHRIS WAYNE AND ASSOCIATES, INC., as Principal and WESTERN SURETY COMPANY, a corporation, as Surety, are bound to the City of Riviera Beach, hereinafter called Owner, in the sum of \$ 132,910.00, for payment of which we bond ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally.

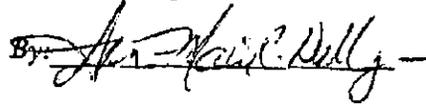
THE CONDITION OF THIS BOND is that if Principal:

1. Performs the Contract dated NOVEMBER 3, 2006 between Principal and Owner for construction of "W. 22ND ST. STREETSCAPE IMPROVEMENTS" the Contract being made a part of this bond by reference, at the times and in the manner prescribed in the Contract and;
2. Promptly makes payment to all claimants, as defined in Section 255.05 (1), *Florida Statutes*, supplying Principal with labor, materials and supplies, used directly or indirectly by Principal in the prosecution of the work provided for the Contractor and;
3. Pays Owner all loss, damages, expenses, costs and attorney's fees, including appellate proceedings, that Owner sustains because of a default by Principal under the Contract and;
4. Performs the guarantee of all work and materials furnished under the Contract for the time specified in the Contract then this bond is void; otherwise it remains in full force. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the Contract or the changes does not affect Surety's obligation under the contract documents and compliance or noncompliance with any formalities connected with the Contract or the changes does not affect Surety's obligation under this bond.

Date JANUARY 8 _____, 2006


 Attest as to the signature of
 the Principal

CHRIS WAYNE AND ASSOCIATES, INC.
 Principal

By: 

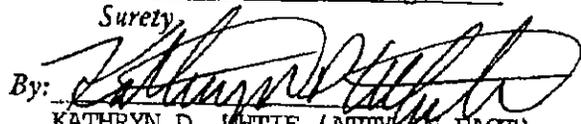
15863 97TH DR. N. JUPITER, FL 33478
 Address

WESTERN SURETY COMPANY

101 S PHILLIPS AVE

STOUX FALLS, SD 57117

Surety

By: 
 KATHRYN D. WHITE (ATTY-IN-FACT)


 Attest as to the signature of
 the Surety

Note: Date of Bond must not be prior to date of Contract. If Contractor is Partnership, all partners should execute bond.

Surety companies executing bonds must be authorized to do business in the State of Florida and have a minimum Best's Rating of "B+" on Management and "XII" on Financial Strength.

PIXB-2

STATE OF Arizona }
 COUNTY OF Maricopa }
ACKNOWLEDGMENT OF SURETY
(Attorney-in-Fact)

On this 8th day of January, 2007, before me, a notary public in and for said County, personally appeared Kathryn Debra White to me personally known and being by me duly sworn, did say, that he is the Attorney-in-Fact of WESTERN SURETY COMPANY, a corporation of Sioux Falls, South Dakota, created, organized and existing under and by virtue of the laws of the State of South Dakota, that the said instrument was executed on behalf of the said corporation by authority of its Board of Directors and that the said Kathryn Debra White acknowledges said instrument to be the free act and deed of said corporation and that he has authority to sign said instrument without affixing the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Mesa, Arizona, the day and year last above written.

My commission expires 04-05, 2007

Helen M White
 Notary Public



Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 70222968

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint Kathryn Debra White

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Chris Wayne and Associates, Inc.

Obligee: City of Riviera Beach

Amount: \$500,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of August 22, 2007, but until such time shall be irrevocable and in full force and effect.

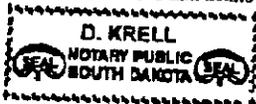
In Witness Whereof, Western Surety Company has caused these presents to be signed by its Senior Vice President, Paul T. Bruffat, and its corporate seal to be affixed this 8th day of January, 2007.



WESTERN SURETY COMPANY

Paul T. Bruffat
Paul T. Bruffat, Senior Vice President

On this 8th day of January, in the year 2007, before me, a notary public, personally appeared Paul T. Bruffat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



My Commission Expires November 30, 2012

D. Krell
Notary Public - South Dakota

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 8th day of January, 2007.

WESTERN SURETY COMPANY

Paul T. Bruffat
Paul T. Bruffat, Senior Vice President

TAB 12

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

Meeting Date: October 17, 2007

Agenda Item No.

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input checked="" type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input checked="" type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Discussion regarding the Palm Beach County Sheriff's Office Marine Unit Leasing the Marina Activities Room and Three Slips for the amount of \$36,000 Per Year

RECOMMENDED MOTION/ACTION: Approve

Approved by Town Manager *W. Davis* Date: 10/11/07

Name/Title

Date of Actual Submittal

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

Summary Explanation/Background: The Palm Beach County Sheriff's Office Marine Unit is interested in leasing three slips and the 1,000 sq. ft. meeting room to expand their operation. The

attached letter of intent from Captain Joseph Berkery outlines the particulars that were discussed during negotiations. For information purposes, our current dockage rate for three 40' slips on an annual basis is a total \$26,838 for the three slips. The revenue collected for the rental of the room for FY 2006/2007 was \$1050.

Staff believes that there are several benefits to entering into this agreement. First and foremost is the increase of police presence on the property 24 hrs. per day. Additionally, the good faith commitment to purchase the bulk of the entire Palm Beach County Sheriff's Office Marine Unit fuel from our marina is estimated to increase sales by approximately \$50,000. The proposed space to be converted into office space is clearly underutilized, therefore, it is staff's recommendation to enter into an agreement with the Sheriff's Department Marine Unit as outlined in the attached.

**PALM BEACH COUNTY
SHERIFF'S OFFICE****RIC L. BRADSHAW, SHERIFF**

October 10, 2007

Maria Davis, Town Manager
535 Park Avenue
Lake Park, FL 33403

Maria Davis:

We at the Palm Beach County Sheriff's Office are pleased to have received your proposal to expand the Marine Unit presence at the Lake Park Harbour Marina. We are also in agreement that this further augmentation of our current relationship would be mutually beneficial.

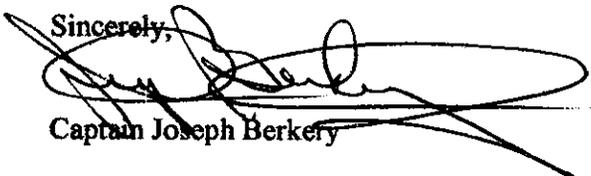
With this in mind, the Palm Beach County Sheriff Office is interested in utilizing the available office space to expand and support increased Marine Unit operations in the Lake Park area. This expansion, which includes six Deputy Sheriff's, one Lieutenant, one Sergeant and one Administrative Assistant would be assigned on a full time basis at the marina office. The ability to station four patrol boats at the Lake Park Harbour Marina will greatly enhance public service in the central / north county areas as well as increase our homeland security capabilities at the Port of Palm Beach.

Research indicates a lease agreement for three additional boat lifts and 1000 square feet of office space has a valuation of \$3000.00 per month or \$36,000.00 yearly. This monetary value to the town of Lake Park and the Marina will be correspondingly enhanced by the increased presence of law enforcement and an additional good faith commitment to purchase the bulk of the Palm Beach County Sheriff's Office Marine Unit fuel from the Lake Park Harbour Marina.

The Town of Lake Park will be responsible for all electrical cost associated with this lease agreement. Interior cleaning services, data and phone service would be the responsibility of the Palm Beach County Sheriff's Office. The Palm Beach County Sheriff's Office Marine Unit would obtain, install and maintain three additional boatlifts. The Palm Beach County Sheriff's Office would also seek two adjoining parking spaces to the boatlifts for loading equipment and emergency response.

Thank you for bringing this opportunity to our attention. We as an agency feel confident that this multi year commitment / agreement and expanded partnership will provide for an enhanced level of security at the marina and surrounding area.

Sincerely,



Captain Joseph Berkery

TAB 13

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

Meeting Date: 10-17-2007

Agenda Item No.

- PUBLIC HEARING
- Ordinance on Second Reading
- Public Hearing

- RESOLUTION
- DISCUSSION

ORDINANCE ON FIRST READING

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other: Update of Park Ave Design workshop

SUBJECT: Park Ave Design update from Calvin Giordano

RECOMMENDED MOTION/ACTION: Consensus to move forward with design

Approved by Town Manager *W. Davis* Date: 10/10/07

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

Summary Explanation/Background: The Town through its consultants Calvin, Giordano held a public workshop in September to present a preliminary design plan for improvements to Park Ave from the Clock Tower to Federal Highway. At that workshop the consultants solicited input from residents. As a result of that input some changes were made and the consultants will review those changes with the Commission at the meeting. The purpose of the discussion is to receive consensus to move forward and finish the design.