# AGENDA

**Lake Park Town Commission**
**Town of Lake Park, Florida**
**Regular Commission Meeting**
**Wednesday, November 18, 2015,**
**Immediately Following the**
**Visioning Workshop.**
**Lake Park Town Hall**
**535 Park Avenue**

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

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

**A. CALL TO ORDER/ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. SPECIAL PRESENTATIONS/REPORTS**

1. **Presentation by Will Wagner to Amend Felony Murder Statutes of the State of Florida** — **Tab 1**
2. **Childhood Cancer Awareness Week Proclamation** — **Tab 2**
3. **Proclamation Recognizing the Month of November as National Pancreatic Cancer Awareness Month** — **Tab 3**

**D. PUBLIC COMMENT:**

**This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.**

**E. CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.**

**4. Town Commission Meeting Minutes of November 4, 2015 — Tab 4**
**5. Dumpster Purchase of Commercial Sanitation Operations — Tab 5**

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

**G. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:**
**None**

**H. NEW BUSINESS:**
**6. Request for Approval for Payment of the Settlement Amount for October 31, 2014 Vehicular Accident Involving a Department of Public Works Vehicle and to Amend the Fiscal Year 2015 Budget to Provide for Payment Thereof — Tab 6**

**7. Marina Annual Pass Rate — Tab 7**

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

**J. ADJOURNMENT:**

**Next Scheduled Regular Commission Meeting will be held on Wednesday, December 2, 2015**

# Special Presentations /Reports

# TAB 1

# Town of Lake Park Town Commission

## Agenda Request Form

**Meeting Date:** **November 18, 2015** **Agenda Item No.**

**Agenda Title:** **Presentation by Will Wagner to Amend Felony Murder Statutes of the State of Florida**

[ x ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

**Approved by Town Manager** _____ **Date:** 11/5/15

**John O. D'Agostino, Town Manager**
**Name/Title**

| | | |
|---|---|---|
| **Originating Department:**<br><br>**Town Manager** | Costs: $ 0<br>Funding Source:<br>Acct. #<br>[ ] Finance _____ | **Attachments:**<br>• **Resolution 28, 1995**<br>• **Resolution 46, 1995**<br>• **Website: www.Derrickwagnerfoundation.com for more information.** |
| **Advertised:**<br>Date: _____<br>Paper: _____<br>[ ] 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_____<br>or<br>Not applicable in this case ___<br><br>**Please initial one.** |

**Summary Explanation/Background:**

Former Mayor Will Wagner would like to request that the Town of Lake Park sponsor a resolution to go on record to amend the Felony Murder Statutes to include Death by Hit and Run either by vehicle or vessel.

He also has a six minute video on this subject that he would like to indulge the Commission on. He will answer questions after the video presentation

**Recommended Motion:** Move to authorize the Town Attorney to draft a resolution to the Palm Beach County Delegation to sponsor a bill to amend the Felony Murder Statutes of the State of Florida to include Death by Hit and run either by vehicle or vessel.

**RESOLUTION NO. 28, 1995**

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, URGING THE PALM BEACH COUNTY LEGISLATIVE DELEGATION TO SUPPORT EFFORTS TO AMEND FLORIDA'S FELONY/MURDER STATUTE TO INCLUDE THE ACT OF VEHICULAR HIT AND RUN AMONG THE ENUMERATED OFFENSES OF SAID STATUTE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 316.027, Fla. Stat. requires the driver of any vehicle involved in an accident resulting in the injury of any person to immediately stop the vehicle and render aid and also requires the immediate reporting of the accident to the local police authority;

WHEREAS, failure to comply with Section 316.027, Fla. Stat. may result in the death of an injured person due to the injured person being unable to receive medical attention in a timely manner; and

WHEREAS, a death resulting from the carelessness and neglect of a hit and run driver is more appropriately viewed as a homicide.

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

SECTION I

The Commission of the Town of Lake Park, Florida, does hereby urge the Palm Beach County Legislative Delegation to support efforts to amend Florida's felony/murder statute (Section 782.04, Fla. Stat.) to include the act of vehicular hit and run among the enumerated offenses of said Statute.

SECTION II

This Resolution shall take effect immediately upon passage.

ATTEST:

Barbara A. Scherbing
TOWN CLERK

#1 C:\-TLP\RESOL\VEHICLE.RES
July 5, 1995

0 46

RESOLUTION NO. 46 1995

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, URGING THE PALM BEACH COUNTY LEGISLATIVE DELEGATION TO SUPPORT H.B. #173 AND S.B. #16 IN EFFORTS TO AMEND FLORIDA'S FELONY/MURDER STATUTE TO INCLUDE THE ACT OF VEHICULAR HIT AND RUN AMONG THE ENUMERATED OFFENSES OF SAID STATUTE; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Section 316.027, Florida Statutes requires the driver of any vehicle involved in an accident resulting in the injury of any person to immediately stop the vehicle and render aid and also requires the immediate reporting of the accident to the local police authority;

**WHEREAS**, failure to comply with Section 316.027, Florida Statutes may result in the death of an injured person due to the injured person being unable to receive medical attention in a timely manner; and

**WHEREAS**, a death resulting from the carelessness and neglect of a hit and run driver is more appropriately viewed as a homicide.

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

SECTION I

The Commission of the Town of Lake Park, Florida, does hereby urge the Palm Beach County Legislative Delagation to support House Bill #173 and Senate Bill #16 in efforts to amend Florida's felony/murder statute (Section 782-04, Florida Statutes) to include the act of vehicular hit and run among the enumerated offenses of said Statute.

SECTION II

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

READ AND ADOPTED THIS 15 DAY OF NOVEMBER, 1995.

William P. Wagner
MAYOR

TOWN OF LAKE PARK FLORIDA SEAL (SEAL)

ATTEST: Sally S. Hall

HB.173

# TAB 2

## Town of Lake Park Town Commission

**Agenda Request Form**

**Meeting Date:** **November 18, 2015** **Agenda Item No.**

**Agenda Title:** **Childhood Cancer Awareness Week Proclamation**

[X] **SPECIAL PRESENTATION/REPORTS** [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON FIRST READING
[ ] NEW BUSINESS
[ ] OTHER: _____

**Approved by Town Manager** _____ **Date:** 10/21/2015
ACTING TOWN MANAGER

*John D'Agostino – Town Manager*
**Name/Title**

| **Originating Department:** | Costs: **$ 0.00** | **Attachments:** |
|---|---|---|
| **Town Manager** | Funding Source:<br>Acct. #<br>[ ] Finance _____ | **Email from the Kids Cancer Connection**<br>**Proclamation** |
| **Advertised:**<br>Date: _____<br>Paper: _____<br>**[X] 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 AMT<br>or<br>Not applicable in this case __<br>**Please initial one.** |

**Summary Explanation/Background:**
The Town of Lake Park will participate in bringing awareness to recognize November 23 – 29, 2015 as Childhood Cancer Awareness Week. Cancer is the leading cause of death by disease among children in our country today. This tragic disease is detected in nearly 15,000 of our country's young people each and every year. Activities will be coordinated including the most popular event called Courageous Kid Recognition Award program, community get well cards and other hospital functions at Miami Children's Hospital among other facilities.

**Recommended Motion:** I move to approve the Childhood Cancer Awareness Week proclamation.

**Vivian Mendez**

**From:** Kids Cancer Connection, Inc <acfckids@earthlink.net>
**Sent:** Wednesday, October 21, 2015 12:06 AM
**To:** James Dubois; Kim Glas-Castro; Town Clerk
**Subject:** Lake Park FL / Childhood Cancer Awareness Week

Dear Mayor DuBois, Council Members and staff,

I hope you are doing well. I am writing to request a proclamation recognizing November 23 - 29 as Childhood Cancer Awareness Week in Lake Park. Cancer is the leading cause of death by disease among children in our country today. This tragic disease is detected in nearly 15,000 of our country's young people each and every year.

-Palm Beach County 2015 childhood cancer proclamation
www.flickr.com/photos/kidscancerconnection/21612655629/in/album-72157633029265352
-FL includes Governor Scott's childhood cancer proclamations
www.flickr.com/photos/kidscancerconnection/sets/72157633029265352

I will continue to coordinate activities including our popular Courageous Kid Recognition Award program, community get well cards and other hospital functions at Miami Children's Hospital among other facilities.

I've included sample text for your reference below. (*) May we please receive a .PDF format copy to share?

Thank you for your time and consideration.

Sincerely,
Steven Firestein, M.A.
Volunteer Director

Kids Cancer Connection, Inc.
IRS 501 (C)(3) # 56-2520924
American Cancer Fund for Children, Inc.
IRS 501 (C)(3) # 13-3780954

-KCC Document/Photo Seat
www.flickr.com/photos/kidscancerconnection/sets

SAMPLE: Childhood Cancer Awareness Week

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 15,000 of our country's young people each and every year.

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

# *Childhood Cancer Awareness Week*

## *Proclamation*

***WHEREAS;*** the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 15,000 of our country's young people each and every year; and

***WHEREAS;*** one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

***WHEREAS;*** founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

***WHEREAS;*** the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment Children's Medical Center at Tampa General Hospital, Miami Children's Hospital, Holtz Children's Hospital in Miami, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

***WHEREAS;*** the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award presentations, community get well cards and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer; and

***NOW, THEREFORE, BE IT RESOLVED*** *that the week of November 23 -29, 2015 is hereby designated as Childhood Cancer Awareness Week in Lake Park, Florida.*

***IN WITNESS THEREOF,*** *I,* ***James DuBois, Mayor*** *of the Town of Lake Park, have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 18th day of November, 2015.*

BY:

_____

*Mayor James DuBois*
ATTEST:

_____

*Town Clerk Vivian Mendez*

# TAB 3

## Town of Lake Park Town Commission

### Agenda Request Form

**Meeting Date: November 18, 2015** **Agenda Item No.**

**Agenda Title: Proclamation Recognizing the Month of November as National Pancreatic Cancer Awareness Month**

[x] **SPECIAL PRESENTATION/REPORTS** [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

**Approved by Town Manager** J D'Agostino **Date:** 11/9/15

John O. D'Agostino, Town Manager

**Name/Title** Bonnie McKibben-Turner
HUMAN RESOURCES DIRECTOR

| **Originating Department:**<br><br>**Human Resources** | **Costs: $ -0-**<br>Funding Source:<br>Acct. #<br>[ ] Finance _____ | **Attachments:**<br><br>**Copy of Proclamation** |
|---|---|---|
| **Advertised:**<br>Date: _____<br>Paper: _____<br>**[x ] 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:**<br>**BMT**<br>or<br>Not applicable in this case ____<br><br>**Please initial one.** |

**Summary Explanation/Background:**

At the request of Donatella Botolino, the owner of The Give which is located here in the Town of Lake Park and which donates its net revenues to child cancer causes, the Town is recognizing the month of November 2015 as National Pancreatic Cancer Awareness Month. Mrs. Botolino's son Denali Botolino passed away in 2012 from pancreatic cancer, and this is a cause that is very close to her heart.

**Recommended Motion: I move to approve the Proclamation Recognizing November 2015 as the National Pancreatic Cancer Awareness Month.**

## *PROCLAMATION*
## *RECOGNIZING NOVEMBER AS THE NATIONAL PANCREATIC CANCER AWARENESS MONTH*

***WHEREAS;*** pancreatic cancer is one of the deadliest forms of cancer with a five-year survival rate of only 7.2 percent after being diagnosed with this disease; and

***WHEREAS;*** according to National Cancer Institute statistics, an estimated 46,000 Americans were diagnosed with pancreatic cancer in 2014; and

***WHEREAS;*** pancreatic cancer is the third leading cause of cancer death in the United States; and

***WHEREAS***; additional research is needed to address the challenges posed by this disease such as improving screening or finding better treatments; and

***WHEREAS***; the month of November has been designated as National Pancreatic Cancer Awareness Month in order to raise awareness and hope in the fight against this disease.

***NOW, THEREFORE***, on behalf of the Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly recognize the month of November 2015 as the National Pancreatic Cancer Awareness month.

***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 18th day of November 2015.*

By: _____
Mayor James DuBois

ATTEST:

_____
Vivian Mendez, Town Clerk

# Consent Agenda

# TAB 4

## Town of Lake Park Town Commission

**Agenda Request Form**

**Meeting Date:** **November 18, 2015** **Agenda Item No.**

**Agenda Title: Town Commission meeting minutes of November 4, 2015**

[ ] SPECIAL PRESENTATION/REPORTS **[X] CONSENT AGENDA**
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

**Approved by Town Manager** _____ **Date:** 11/9/15

*Vivian Mendez – Town Clerk*
**Name/Title**

| | | |
|---|---|---|
| **Originating Department:**<br><br>**Town Clerk** | Costs: **$ 0.00**<br>Funding Source:<br>Acct. #<br>[ ] Finance _____ | **Attachments:**<br>**Agenda**<br>**meeting minutes**<br>**Exhibits "A - D"** |
| **Advertised:**<br>Date: _____<br>Paper: _____<br>**[X] 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_____<br>or<br>Not applicable in this case *VM*<br><br>**Please initial one.** |

**Summary Explanation/Background:**

**Recommended Motion:**

To approve the Town Commission meeting minutes of November 4, 2015.

# Minutes
# Town of Lake Park, Florida
# Town Commission Meeting
# Wednesday, November 4, 2015, 6:00 PM
# Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Town Commission Meeting on Wednesday, November 4, 2015 at 6:00 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager John O. D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

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

Mayor DuBois announced that the Commission would now recess the Town Commission meeting and go into an Executive Session. The following people shall attend the Executive Session in the Town Hall conference room: Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke, Kathleen Rapoza, Town Manager John D'Agostino, and Town Attorney Thomas Baird. After the Executive Session, the Commission would reconvene the Town Commission meeting.

The Commission meeting reconvened at 6:58 p.m.

## SPECIAL PRESENTATIONS/REPORTS

**1. Club 100 Charities Annual Report**

The Club 100 Charities presentation would be rescheduled to another date.

**INTRODUCTION of Major Ron Mattino**

Mayor DuBois introduced Major Ron Mattino of the Palm Beach County Sheriff's Office (PBSO) North Region Road Patrol Operations. Major Mattino introduced himself and gave a brief history of the North Region Road Patrol Operations, which its territory covers between Lantana Road to Tequesta. He has been working for PBSO for 28 years and promoted to Major last year. The Commission welcomed Major Mattino.

## PUBLIC COMMENT:

**None**

## CONSENT AGENDA:

**2. Regular Commission meeting minutes of October 21, 2015.**

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

Vote on Motion:

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

Motion passed 5-0.

**PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:**
**None**

**PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:**
**None**

**RESOLUTION – QUASI-JUDICIAL HEARING:**
**3. Resolution No. 44-11-15 Approving a Site Plan and the Special Exception use for Vehicle Sales and Rental of Jet Skis to be Located at 131North Federal Highway in the C-1 Business District.**

Ex-parte Communication Disclosures:

Commissioner Rapoza has had no communication with the parties.

Commissioner Flaherty has had no communication with the parties.

Commissioner O'Rourke has had no communication with the parties.

Vice-Mayor Glas-Castro has had no communication with the parties.

Mayor DuBois has had no communication with the parties. He attended the Planning & Zoning Board meeting when this item was presented to the Board.

Attorney Baird swore in all witnesses.

Community Development Director Nadia DiTommaso presented the item (see Exhibit "A"). Mr. Joe Brackney Sr. introduced himself and gave a brief history of the business. He addressed a few concerns that were mentioned in the staff report. He explained that the security dogs that are on the property have adapted to the site and are no longer causing a disturbance at night. He explained that a fence mess would be installed to ensure that the dogs would not be standing at the gate looking out. Commissioner O'Rourke asked about the service to Jet Ski's that would take place on the property and the noise level it would create. Mr. Brackney stated that the operation of the Jet Ski's would take place during businesses hours, which are 9:00 a.m. through 4:00 p.m. Monday through Friday and 9:00 a.m. through 2:00 p.m. on Saturday. He explained that the Jet Ski noise are similar to a boat starting at the Marina. He stated that prior to arriving at the boat launch ramp they would turn the Jet Ski's on to make sure they are operable. Commissioner O'Rourke asked if the Jet Ski's would be turned on after business hours.

Mr. Brackney stated "no". Commissioner O'Rourke asked that a condition be included stating that the operation of Jet Ski should only be during normal business hours. Mr. Brackney stated that a similar condition has been included.

Vice-Mayor Glas-Castro asked staff to explain the circulation of the valet area. Community Development Director DiTommaso explained that valet signage would instruct a driver where to stop; the business employee would then drive the vehicle to the rear of the property and finish their business transaction. Once they have finished the business transaction a staff member would drive the vehicle back around to the side of the business for the customer. Mr. Brackney explained that most of the rentals are long term, between one and two weeks. He stated that the Jet Ski's were dropped off at the Marina and once they are ready to be returned, a staff member would pick it up. Vice-Mayor Glas-Castro asked if someone could rent the Jet Ski for one day. Mr. Brackney stated "yes" the Jet Ski could be rented for the day, ½ day, or longer. Vice-Mayor Glas-Castro asked if the staff person would mount the Jet Ski on the back of a vehicles trailer. Mr. Brackney stated "no". He explained the process that would be followed by the customer and his staff. He stated that a person would make a reservation then go to the business and fill out the necessary paperwork; they would be taught how to use the Jet Ski; then a staff member would launch the Jet Ski for the person and pick up the Jet Ski at the ramp once the rental was completed. Vice-Mayor Glas-Castro asked how the noise Ordinance would be enforced. Community Development Director DiTommaso stated that the Ordinance states that if the noise was plainly audible then the business would be fined if the noise lasted longer than 10 minutes. Vice-Mayor Glas-Castro expressed concern with the noise the business would generate for the area. Mr. Brackney explained that the dogs are placed in their kennels, at the rear of the property during the day. He identified on the map where the dog kennel was located on the property.

Commissioner Rapoza asked how often per day were the Jet Ski's turned on to verify they are operable on the property. Mr. Brackney stated about three times a day lasting less than 10 minutes each time. He stated that the noise was similar to a lawn mower.

Commissioner Flaherty asked how often they use the boat ramp to launch the Jet Ski's. Mr. Brackney explained that they use the launch ramp once or twice a day and they use it when the ramp was not busy. Commissioner Flaherty asked if they use an annual launch pass. Community Development Director DiTommaso stated that the question would need to be addressed with the Marina staff.

Mayor DuBois explained the history of the adjacent property and the type of business that was located on that property. He asked staff if there were any differences between the former business on the adjacent property and this business. Community Development Director DiTommaso stated that she was not familiar with the operation of the business that was there many years ago. Mayor DuBois asked why a special exception was necessary. Community Development Director DiTommaso stated that the Town Code changed. Mayor DuBois expressed concern that the business was being limited to their hours of operation.

**Motion: Commissioner Rapoza moved to approve Resolution 44-11-15 for the proposed special exception use of a vehicle sales and rental establishment for Jet**

**Ski's at 131 North Federal Highway with the conditions of approval as listed in the staff report.**

The motion failed for lack of a second.

**Motion: Commissioner O'Rourke moved to approve Resolution 44-11-15 with the revised conditions #7 to include that outdoor testing of Jet Ski's shall be limited in accordance with the following provisions, that the Jet Ski's could be tested by turning on and off the engine to ensure that it is running properly, second that any other testing other than that shall be done only after it has been transported to a body of water so that test runs can occur, third that the testing of the Jet Ski's be limited to the hours of Monday through Saturday from 9:00 a.m. through 5:00 p.m.; Vice-Mayor Glas-Castro seconded the motion.**

Mayor DuBois stated that it was onerous on the business. He stated that the adjacent property had a long history of similar operation. He stated that limiting the business to test their equipment to certain hours was the only issue he had with the motion. He could not understand how the condition in the motion would help the public, but instead how it could hurt the business.

Vote on Motion:

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

Motion passed 5-0

**NEW BUSINESS:**

**4. Resolution No. 45-11-15 Fiscal Year 2014/2015 Budget Adjustment for Abandonment of E. Jasmine Drive.**

Town Manager D'Agostino presented the item (see Exhibit "B"). Commissioner O'Rourke asked for clarification of the Streets & Roads Fund. Finance Director Blake Rane explained that the unassigned fund balance in the Streets & Roads Fund as of September 30, 2014 (which was the last Comprehensive Annual Financial Report CAFR), was -$78,060.00. He stated that the Town generates $300,000 and spend approximately the same amount. He stated that the amount would not change unless the Town has an infusion of capital. Mayor DuBois pointed out that out of the $300,000 generated in the Streets & Roads Fund approximately $30,000 of it goes into repairing or benefiting streets, roads, and sidewalks. He questioned if placing the extra funds in this account make a difference. Finance Director Rane stated "absolutely", but it would not cover all the projects that would need to be done. Town Manager D'Agostino stated that the funds would assist the Public Works Department with one of their initiatives. Finance Director Rane stated that as each project would be identified as the highest priorities staff would have to come back to the Commission for approval of the project with a budget amendment.

**Motion: Commissioner O'Rourke moved to approve Resolution 45-11-15; Commissioner Rapoza seconded the motion.**

Vote on Motion:

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

Motion passed 5-0

**5. Review of the Town Manager Six-Month Performance Evaluation for the Evaluation Period of May 1, 2015 to November 1, 2015.**

Human Resource Director Bambi Turner explained the item (see Exhibit "C"). Town Manager D'Agostino stated that it was an honor to work for the Commission and the residents of the Town. Mayor DuBois suggested that he work on the issues that were scored low on the evaluation. Commissioner O'Rourke stated that it was clear that there was a different management style than the previous Town Manager, which brings out the attributes of staff. Commissioner Rapoza stated that the Town Manager has business expertise that would benefit the Town and envisions the Town moving forward faster. Vice-Mayor Glas-Castro stated that email communication does not work for her because she does not have access to the Town email during the day. She stated that the information provided in the monthly reports are helpful but should be communicated throughout the month rather than at the end of the month.

**6. A request from the Event Organizer of the Veteran's Car Show Proposed for Sunday, November 15, 2015 to allow the Town to be a Co-Sponsor thereby allowing for the Waiver of Certain Fees.**

Town Manager D'Agostino presented the item (see Exhibit "D"). He pointed out that the event was a co-sponsored event and the total fee waiver amount was identified. He stated that the parks are underutilized and would like to see more events throughout the Town. Vice-Mayor Glas-Castro was pleased to see that the Town was co-sponsoring the event again. Mayor DuBois asked the event organizer, before the meeting began, if they were working with a charitable organization and was told no. He suggested to the event organizer that the Town has several charitable organization that they could collaborate with. Town Manager D'Agostino stated that staff was working on a future agenda item regarding fee waivers.

**Motion: Commissioner O'Rourke moved to approve the waiving of fees for the Veteran's Car Show event; Commissioner Rapoza seconded the motion.**

Vote on Motion:

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

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

Motion passed 5-0.

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

**Town Attorney Baird** had no comments.

**Town Manager D'Agostino** announced the March 15, 2016 municipal election-qualifying period as Tuesday, November 24, 2015 beginning at noon and ending at noon on Tuesday, December 8, 2015. He announced that the Fall Fest at Sunset was a success. He announced that every other Thursday at 10:00 a.m. a Diversity meetings takes place with members of the community. If any member of the Commission wishes to attend, please contact his office to ensure that another elected official was not already scheduled to attend. He urged residents that are dealing with diversity issues to attend. The group would be reaching out to Lake Park Elementary School staff to collaborate with the group. Commissioner Rapoza congratulated the Town Manager on becoming a Grandfather.

**Commissioner Rapoza** announced that the Fall Fest at Sunset was successful. She stated that there were less children out on Halloween.

**Commissioner Flaherty** announced that the Fall Fest at Sunset was successful. He asked if the new band would continue to play at these events. Town Manager D'Agostino stated that staff would be working with this band again, but more surprises would also be introduced at future events.

**Commissioner O'Rourke** stated that the 3 on 3 Basketball tournament would be held on Saturday, November 7, 2015. He encouraged everyone to volunteer and participate in the event.

**Vice-Mayor Glas-Castro** announced that the meeting with Senator Clemens would take place next week. She express concern that the Commission has not discussed their legislative concerns for the upcoming legislative session yet. She felt the meeting with Senator Clemens was premature since the Commission has not determined their priorities for this legislative session. The Town Manager offered to bring the information collected for the visioning session to the meeting with Senator Clemens. Mayor DuBois stated that at the last Government Affairs meeting the Village of Tequesta submitted a request to reduce the number of traffic lanes on US Highway 1. He expressed that the Town needed funding for Lake Shore Drive. Commissioner O'Rourke stated that the drainage on Lake Shore Drive could be addressed differently because of the climate changes. He suggested that the Town collaborate with other municipalities when requesting funding.

**Mayor DuBois** thanked staff for the invitation to the staff Halloween party. He congratulated staff on a success Fall Fest at Sunset. He announced that children should be careful now that Day Lights Saving Time has ended and it gets dark earlier. He announced that on November 14, 2015 Kiwanis of Lake Park would be hosting a garage

sale on E. Ilex Drive. He was awaiting confirmation of the Veteran's Day event. He requested that a future agenda item be placed regarding a Marina annual ramp pass.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner O'Rourke and seconded by Commissioner Rapoza, and by unanimous vote, the meeting adjourned at 8:21 p.m.

_____
Mayor James DuBois

_____
Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2015

Exhibit "A"

# Town of Lake Park Town Commission

## Agenda Request Form

**Meeting Date: November 4, 2015** **Agenda Item No.** Tab 3

**Agenda Title: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND THE SPECIAL EXCEPTION USE FOR VEHICLE SALES AND RENTALS OF JETSKIS TO BE LOCATED AT 131 NORTH FEDERAL HIGHWAY IN THE C-1 BUSINESS DISTRICT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE USE; AND PROVIDING FOR AN EFFECTIVE DATE.**

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON __ READING
**[ X ] NEW BUSINESS – RESOLUTION – PUBLIC HEARING/QUASI-JUDICIAL**
[ ] OTHER

**Approved by Town Manager** _____ **Date:** 10/19/15

**Nadia Di Tommaso / Community Development Director** ND
**Name/Title**

| | | |
|---|---|---|
| **Originating Department:**<br><br>**Community Development** | Costs: **$ Legal Ad, Certified Mail and Engineer Review**<br>Funding Source: **Applicant Escrow Account**<br>Acct. **# 4897**<br>[ ] Finance _____ | **Attachments:**<br>➔ **Staff Report**<br>➔ **Resolution 44-11-15**<br>➔ **Copy of Applicant's Application, including proposed site plan**<br>➔ **Legal Ad** |
| **Advertised:**<br>Date: **September 25, 2015**<br>Paper: **Palm Beach Post**<br>[ ] 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__*ND*<br>or<br>Not applicable in this case ____<br><br>**Please initial one.** |

**Summary Explanation/Background:** **PLEASE SEE STAFF REPORT.**

**Recommended Motion: I MOVE TO APPROVE RESOLUTION 44-11-15 FOR THE PROPOSED SPECIAL EXCEPTION USE OF A VEHICLE SALES AND RENTAL ESTABLISHMENT FOR JET SKIS AT 131 NORTH FEDERAL HIGHWAY WITH THE CONDITIONS OF APPROVAL AS LISTED IN THE STAFF REPORT.**

**Town of Lake Park**
**TOWN COMMISSION**
**Meeting Date: November 4, 2015**

## STAFF REPORT

# SPECIAL EXCEPTION APPLICATION FILED BY JOE BRACKNEY FOR THE SPECIAL EXCEPTION USE OF A JET SKI SALES AND RENTAL, WITH REPAIR SHOP TO BE LOCATED AT 131 NORTH FEDERAL HIGHWAY IN THE C-1 BUSINESS DISTRICT

## BACKGROUND INFORMATION:

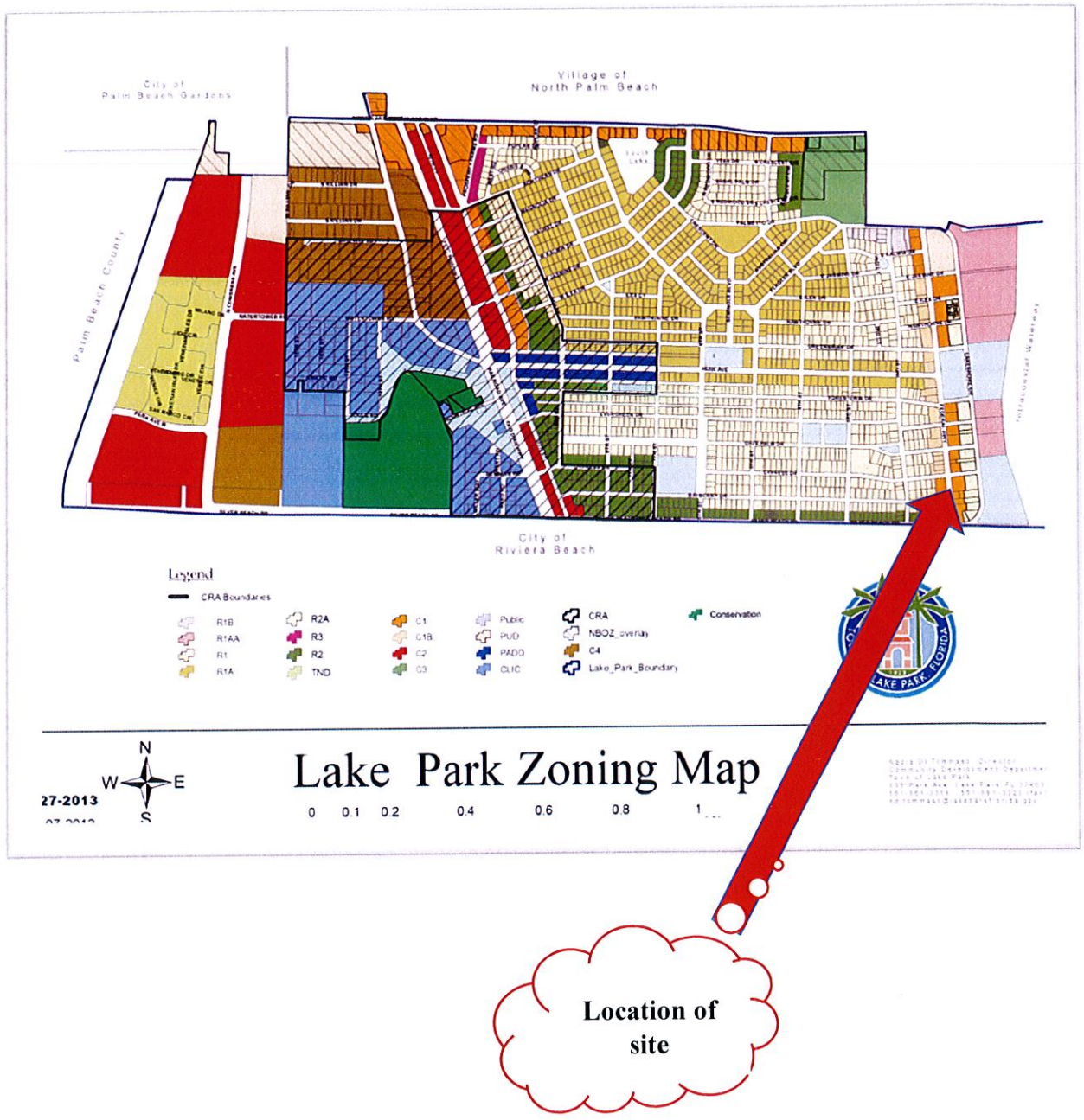
| | |
|---|---|
| **Applicant:** | Joe Brackney [Applicant] |
| **Site:** | 131 North Federal Highway [Site] |
| **Owner of Site:** | Leasing of South Florida, Inc. |
| **Net Acreage:** | .26 |
| **Legal Description:** | KELSEY CITY LTS 13 TO 15 INC /LESS CO RD R/W/ & W 70 FT OF LTS 32 TO 34INC BLK 114 |
| **Current Zoning:** | C-1 Business District |
| **FLUM land use category:** | Commercial Residential |

| **Adjacent Zoning** | |
|---|---|
| **North:** | C-1 Business District |
| **South:** | C-1 Business District |
| **East:** | R-2A Residential District |
| **West:** | C-1 Business District |

| **Adjacent Existing Land Use** | |
|---|---|
| **North:** | Commercial Residential |
| **South:** | Commercial Residential |
| **East:** | Commercial Residential |
| **West:** | Commercial Residential |

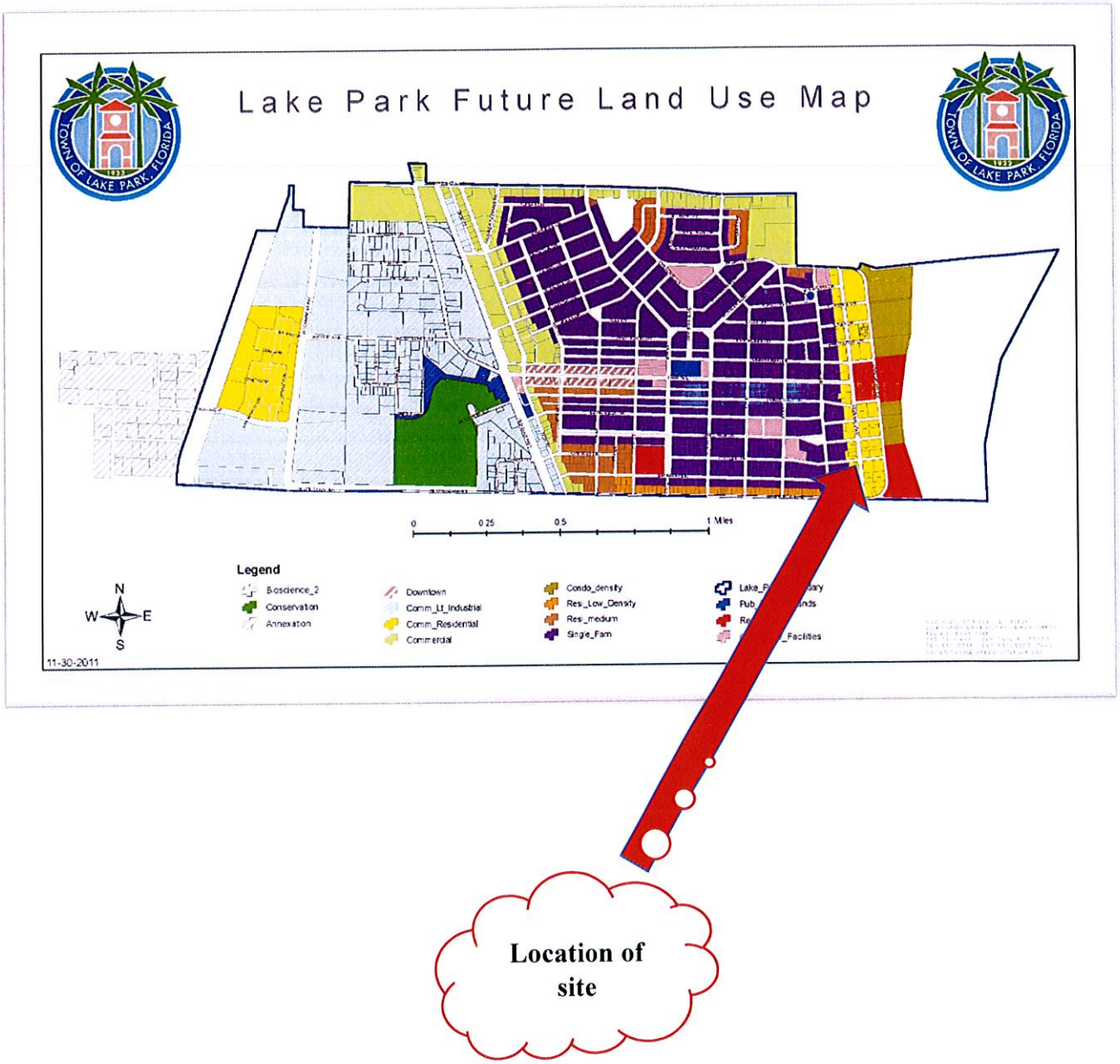
**FIGURE 1: Aerial View**

**FIGURE 2: Town Zoning Map**




**Location of site**

**FIGURE 3: Town Future Land Use Map (FLUM)**




**Location of site**

**Town of Lake Park**
**TOWN COMMISSION**
**Meeting Date: November 4, 2015**

## SUMMARY OF REQUEST:

The Applicant proposes to establish a Jet Ski sales, repair and rental shop located at 131 North Federal Highway. Repair services include routine maintenance, such as oil changes and tune-ups, and mechanical services including engine, carburetor and jet rebuilds. The retail portion of the business is conducted online and does not generate on site visits by the general public. Visitors to the shop are limited to distributers, suppliers, and delivery services such as FedEx or UPS.

The Applicant will conduct all Jet Ski services within the designated indoor garage area and will store the Jet Ski's on outdoor storage racks located in the rear yard. Onsite parking is also provided in the rear of the building at 4 total spaces and 1 ADA space located in the front yard. Business hours are 9:00am-4:00pm Monday through Friday and 9:00am-2:00pm on Saturdays. Customers seeking service by JetTek are provided with a pick-up and drop-off service by a JetTek employee; customers are not permitted to drop off or pickup their jet skis. The facility is approximately 2,030 square feet and will be comprised as follows:

| Room | Size |
|---|---|
| Office space | 200 Square Feet |
| Mechanics shop | 928 Square Feet |
| Show room | 450 Square Feet |
| Miscellaneous areas including hallways, closets, and bathrooms | 452 Square Feet |

Existing Conditions

The site for the special exception use is located in the Commercial-1 (C-1) Business District along the east side of North Federal Highway between Silver Beach Road and Cypress Drive. The C-1 Zoning District encompasses parcels in this area along both sides of North Federal Highway and the site abuts the Residential-2A (R-2A) Zoning District to its east. The site is dimensioned at approximately 75' by 150' and has one primary structure that was constructed in 1957. The site has been vacant for several years.

**Figure 4: Panoramic view of site:**

**Figure 5: Panoramic view from site facing North Federal Highway to the east:**

**Town of Lake Park**
**TOWN COMMISSION**
**Meeting Date: November 4, 2015**

# ANALYSIS OF SPECIAL EXCEPTION CRITERIA

*The six criteria required for the granting of a Special Exception and staff comments to each are as follows:*

---

**Criteria 1**

*The proposed special exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.*

**Applicable Goals and Objectives:**

| | |
|---|---|
| Chapter 3 Future Land Use, Objective 1, Policy 1.1: | j. Encourage redevelopment, renewal or renovation, that maintains or improves existing neighborhoods and commercial areas;<br>l. Facilitates the achievement of economic development, historic preservation, resource preservation, and other key goals. |
| Chapter 3 Future Land Use, Objective 5: | As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions. |

***STAFF COMMENTS:***

The proposed special exception use is consistent with the Comprehensive Plan since it will improve an existing commercial area with associated site improvements; facilitate economic development in and around the Town's marina district; and, is making use of an existing property that is currently not utilized and had been vacant for several years.

*FINDING: CRITERIA MET*

**Criteria 2:**

*The proposed special exception is consistent with the land development and zoning regulations and all other portions of this code.*

Parking 78-145(g)

The proposed special exception use will require 5 parking spaces inclusive of 1 ADA space as follows:

| Requirement | Justification/calculation | Required parking spaces |
|---|---|---|
| *One space for each 500 square feet of enclosed gross floor area.* | Office, reception and customer area is approximately 300 square feet. The remainder of indoor square footage is dedicated to the mechanics shop and storage. | 1 parking space |
| *One space per each 4,500 square feet of outdoor sales display and rental area.* | There is not an outdoor sales display or rental area. | 0 parking spaces |
| *One space per service bay.* | There is one service bay in the building. | 1 parking space |
| *One space per employee of the shift of largest employment.* | There are three employees at shift of largest employment. | 3 parking spaces |
| | **TOTAL** | **5 REQUIRED PARKING SPACES** |

- Approval of this application relies upon the Applicant providing 5 onsite parking spaces inclusive of 1 ADA space per the proposed site plan.

Circulation 78-142(c)(10)(a)

The Town's consulting Engineer reviewed the proposed site plan for traffic circulation and found that it does not comply with best practices from an engineering point of view. Specifically, that the drive aisle and ingress to the rear yard located on the north side of the building is very narrow and is immediately adjacent the building. He recommended that access to the rear parking lot be closed to the public and used only by staff who will be experienced at maneuvering the corner. Consequently, the Applicant is providing a valet drop-off and pick-up on the north side as illustrated on the proposed site plan.

| | |
|---|---|
| | ➢ Approval of this application relies upon the Applicant providing valet parking to any visitors pursuant to the proposed site plan. Pursuant to their proposed site plan, a valet area on the north side of the building is being proposed and a cross/joint access agreement with 139 North Federal Highway is also being required as a condition of approval for better site maneuverability. The valet area will also serve as the temporary parking zone for couriers making deliveries to the site. |
| Paving 78-142(c)(10)(f) & Striping 78-142(c)(10)(a)(i): | The site does not meet minimum paving standards since there are multiple deteriorated areas that require patching, a new sealcoat finish and restriping across the entire site. Drive aisles, directional signage and valet areas are also required to be striped. The implementation schedule, due to associated costs, is staged as follows:<br><br>**Completion Date:** — **Description of work**<br>December 15th — Patching, sealcoat and striping of the front yard and northern side yard.<br>January 15th — Patching, sealcoat and striping of the southern side yard and rear parking lot.<br><br>➢ Approval of this application relies upon the Applicant providing necessary parking lot improvements pursuant to the proposed site plan. |
| Parking screening 78-253(1): | Rear yard parking lot:<br>The rear parking lot is visible from the street at each corner of the building and because there is no opportunity to add landscaped screening of this area staff is requiring that the entrance and exit gates to the rear yard be screened with mesh fabric pursuant to the proposed site plan.<br><br>Front yard parking space:<br>Town Code requires screening of parking that is adjacent to a right of way with a minimum landscape buffer of 5 feet wide; however, the ADA parking space and its loading area will not allow for this since there is limited space in this area.<br><br>➢ Approval of this application relies upon the Applicant installing mesh screening to the rear yard entrance and exit gates pursuant to the proposed site plan. |
| Landscaping 78-253(a): | Due to the dimensions of the parcel and position of the building, the site for the proposed special exception use has minimal opportunity to add landscaping since the areas to the north and south of the building are the designated drive aisles and the areas to the east and west of the building are designated parking areas. There is opportunity, however, for landscaping in the front yard within the planting bed. |

| | |
|---|---|
| | ➢ Approval of this application relies upon the Applicant installing landscaping in the front yard planting bed that includes, but is not limited to, groundcover and hedges from the Town's list of approved plant species pursuant to the proposed site plan. |
| Fencing 78-112(b): | Commercial lots that abut a residential district are required to have a 6 foot masonry wall along the abutting property lot line. The site for the proposed special exception use complies with this requirement since there is an existing 6' masonry wall along the property line abutting the R-2A Zoning District. This existing wall serves as a visual and noise buffer from the commercial corridor. |
| Signage 70-103(5): | The site has a non-conforming pole sign located along North Federal Highway that must be removed. The Applicant's plan proposes removal of this freestanding sign and installation of wall signs on the western and southern elevations.<br><br>➢ Approval of this application is conditioned on the Applicant removing the non-conforming pole sign and applying for sign permits to install the desired wall signage. |
| Building Height, Building Site Area, Minimum Floor Area & Setbacks 78-71(2),(3), (4), & (5): | The site for the proposed special exception use meets the requirements of the C-1 Zoning District as it relates to building height, building site area, minimum floor area, and setbacks. |

***STAFF COMMENTS:***

Staff finds that this application for a special exception use is consistent with land development and zoning regulations of Criteria 2, with the implementation of the following requirements pursuant to the proposed site plan (SP-1):

- ➔ Provide the required 5 parking spaces inclusive of 1 ADA space onsite;
- ➔ provide a designated valet parking area in the northern side yard for customers and define this area using striping and signage. A cross access agreement with 139 North Federal Highway shall be executed;
- ➔ provide parking lot improvements to the entire site that includes patching all deteriorated paved areas, applying a new seal coat finish, and striping the parking stalls, drive aisles, and drive aisle directional signals;
- ➔ install mesh fabric to the rear yard entrance and exist gates so that the parking and storage area is sufficiently screened from public view;

- ➔ install landscaping in the front yard planting bed that includes, but is not limited to, a groundcover and hedges from the Town's list of approved plant species; and,
- ➔ remove the non-conforming pole sign and submit a sign permit application to the Community Development Department for the desired wall signage.

*FINDING: CRITERIA MET*

## Criteria 3

*The proposed special exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property.*

| | |
|---|---|
| Zoning & Future Land Use: | The proposed special exception use is compatible with the character and use of the C-1 Business District since this Zoning District promotes general commercial activities such as the professional services proposed by the Applicant. The proposal is also compatible with the site's future land use designation of Commercial Residential. |
| Hours of Operation: | Operating hours of the proposed special exception use is consistent with the surrounding properties. The company's business hours are 9:00am-4:00pm Monday through Friday and 9:00am-2:00pm on Saturdays. It is also complimentary with the abutting R-2A Residential District, since the site will not be active after 4pm or on any weekends. |
| Traffic: | The proposed special exception use is compatible with the character and use of surrounding properties as it relates to traffic generation since the proposed business will generate minimal traffic. The Applicant estimates that they service 2 jet skis per week with an average turnaround time of 3 days. This may generate an average of 4 trips per week or 16 per month, counting arrivals and departures of each trip. In addition, there is no on site retail (retail services are online), customers do not pick up/drop off ski's and staff is limited to three individuals. |
| Location\Mass\ Setbacks: | The proposed special exception use does not propose any new building or structural renovations to the existing structure, but the Applicant does intend on freshening up the paint and performing exterior improvement pursuant to the proposed site plan. The existing building on site is compatible with the character and use of the surrounding properties. |

***STAFF COMMENTS***:
Staff finds that the proposed special exception use is compatible with the character and use of the surrounding properties.

*CRITERIA MET*

**Criteria 4**

*The establishment of the proposed special exception use in the identified location does not create a concentration or proliferation of the same or similar type of special exception use, which may be deemed detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.*

The site is located on the eastern side of North Federal Highway between Cypress Drive and Silver Beach Road. On this block face there are two existing vehicle sales/service establishments. One business, "1 Stop Scooter Shop", is located to the north of the site at 139 North Federal Highway and provides sales and service of scooters, and the other business, "South Florida Yachts" is located at 211 North Federal Highway and sells boats and yachts.

Town Code, Section 78-71(2)(g)(1), states that vehicle sales, rental, and repair shops cannot be located "within 500 feet of the **same** use, i.e. sales to sales, rentals to rentals, etc." While the location of the proposed special exception use is located within 500 feet of (1) a scooter sales shop and (2) a boat/yacht sales/service shop, each of the three sites will sell, service or rent a different recreational vehicle.

***STAFF COMMENTS***:
The proposed special exception use will not create a concentration or proliferation of the same or similar type of special exception use that is detrimental to the development or redevelopment of the area where it is being proposed.

*FINDING: CRITERIA MET*

## Criteria 5

*The proposed special exception use does not have a detrimental impact on surrounding properties based on: (a) The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and, (c) The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.*

(a) The proposed special exception use **will not** have a detrimental impact on surrounding properties based on the number of persons working at the site since only three individuals are employed by the Applicant or based on the number of individuals using the site since the Applicant has no onsite retail component.

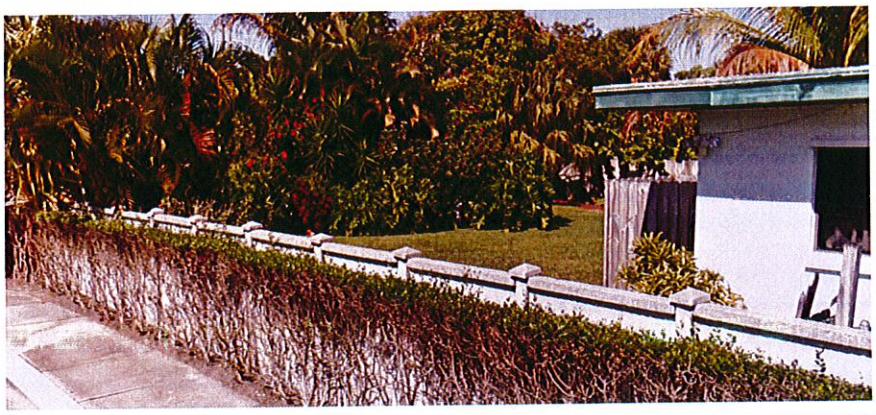
(b) Noise:
The proposed special exception use **will not** have a detrimental impact on surrounding properties based on noise generated from jet ski engines as long as those vehicles are not turned on, run or otherwise tested outdoors. Code Section 78-2(g)(2) prohibits the testing or repair of jet ski's outside of its designated building and staff is reinforcing this provision with an added condition of approval.

- No work or running of a jet ski engine shall be conducted outdoors and if the engine must be run indoors, other than turning it on to confirm that a repair was successful, it must first be transported to a body of water for testing. The bay doors must also remain closed at all times, except when a vehicle is moved between the garage and the parking lot.

Odor:
The proposed special exception use **will not** have a detrimental impact on surrounding properties based on odor that is generated by the activities on site. Since no jet ski engines are allowed to be run at the site there will be no engine exhaust that may cause an odor nor are there other activities of the proposed business that will generate any odors.

Visual:
The proposed special exception use **will not** have a detrimental impact on surrounding properties based on visual nuisance since the rear parking lot and storage area will be screened from public view along North Federal Highway and since the abutting residential lot to the east is heavily landscaped along the shared lot line.

**Residential Use at 126 Lake Shore Drive**
**That abuts 131 North Federal Highway**



(c) The proposed special exception use **will not** have a detrimental impact on surrounding properties based on the amount and flow of traffic in the vicinity of the site since there is no onsite retail component, since customers personally do not visit or pick up and drop off their vehicles, and since only three individuals will occupy the site during business hours.

***STAFF COMMENTS***:
Staff finds that the proposed special exception use will not have a detrimental impact on surrounding properties based on the number of persons using, residing or working on the property; the degree of noise, odor or visual nuisance; and, the effect on the amount and flow of traffic generated by the use.

*FINDING: CRITERIA MET*

**Criteria 6**

*That the proposed special exception use: (a) Does not significantly reduce light and air to adjacent properties, (b) Does not adversely affect property values in adjacent areas, (c) Would not be a deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations, (d) Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces, (e) Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.*

(a) The proposed special exception use **will not** reduce light or air to adjacent properties since the application does not propose any additions or exterior renovations that will alter building height and mass.
(b) The proposed special exception **will not** affect property values in the surrounding area and will actually compliment the marina.
(c) The proposed special exception use **will not** be a deterrent to the improvement, development or redevelopment of surrounding properties.
(d) The proposed special exception use **will not** have an impact on natural systems or public facilities since jet skis will not be washed or painted on site.
(e) n/a

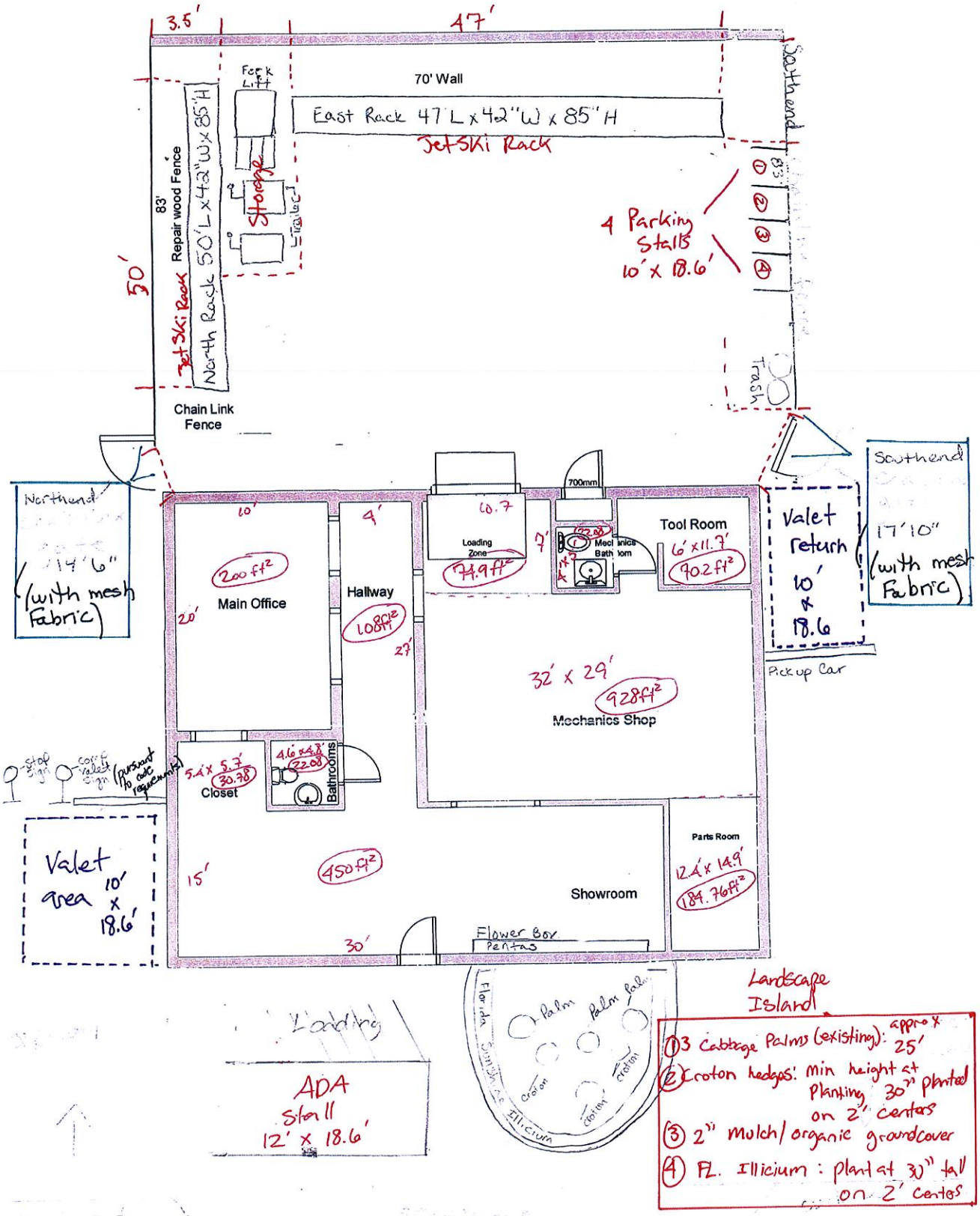
*FINDING: CRITERIA MET*

**PLANNING & ZONIGN BOARD MEETING (October 5, 2015)**: The Planning & Zoning Board heard this application and provided a recommendation of Approval (3-0) with staff's proposed conditions. The Board members heard from the Applicant at this meeting who explained his operation is conducted completely indoors, with the exception of the rear storage and the occasional customer (which very rarely occurs), who would be able to utilize the valet service. The Board heard from the single-family residents to the east of the subject property, who explained they were very happy to see a business move in, but wanted to ensure the screening was sufficient and the noise from the security dogs would be eliminated, especially at night. Staff has since worked with the Applicant, who understands that Jet Skis cannot be mounted any higher than the existing and proposed screening, since this would violate the "public view" storage code. Additionally, the dogs have already been placed at the site and have since grown accustomed to the new environment and have been trained. The Applicant informed staff that he has been in communications with the neighboring residential property owners and they are satisfied with the outcome (he will be able to expand on this at the Town Commission meeting). Finally, the meeting discussed the valet and the need for the cross/joint access for better maneuverability and this remains as a requirement.

## FINDINGS OF FACT – STAFF RECOMMENDATION

Staff finds that this application for a special exception use meets each of the six criteria required for the granting of a special exception use. Staff recommends **APPROVAL** with the following conditions:

1. Prior to the issuance of a Business Tax Receipt (BTR) for Vehicle Sales and Rental with repair on the Subject Property, the Owner shall improve the Subject Property as shown on Site Plan SP-1 prepared by Joe Brackney, and received by the Community Development Department on July 8, 2015.
2. The Owner shall submit a proposed agreement for a cross/joint access easement with the owner of the property located at 139 North Federal Highway. The cross access easement agreement shall be subject to the review and approval of the Town Attorney, and prior to issuance of a BTR for the Vehicle Sales and Rental business upon the Subject Property.
3. The Owner shall remove the non-conforming pole sign.
4. If the Owner or Applicant is requesting a sign on the wall located on the Subject Property, an application for a sign permit that conforms to the Town's signage requirements shall be submitted. The application shall be subject to the review and approval of the Community Development Department.
5. The testing or operation of Jet Ski engines on the Subject Property is prohibited.
6. The garage bay doors on the Subject Property shall remain closed, except when Jet Skis are being moved between the Subject Property's rear yard and the garage.
7. If a Jet Ski requires to be operated or tested outdoors on the Subject Property, it shall be limited such that it is operated or tested by turning it on and off only to ensure it runs. Jet skis must be transported to a body of water for lengthier testing, or test runs.




Landscape Island

1. 3 Cabbage Palms (existing): approx 25'
2. Croton hedges: min height at Planting 30" planted on 2' centers
3. 2" mulch/organic groundcover
4. FL. Illicium: plant at 30" tall on 2' centers

Site Improvement Schedule for Patching, Sealcoat and Striping:

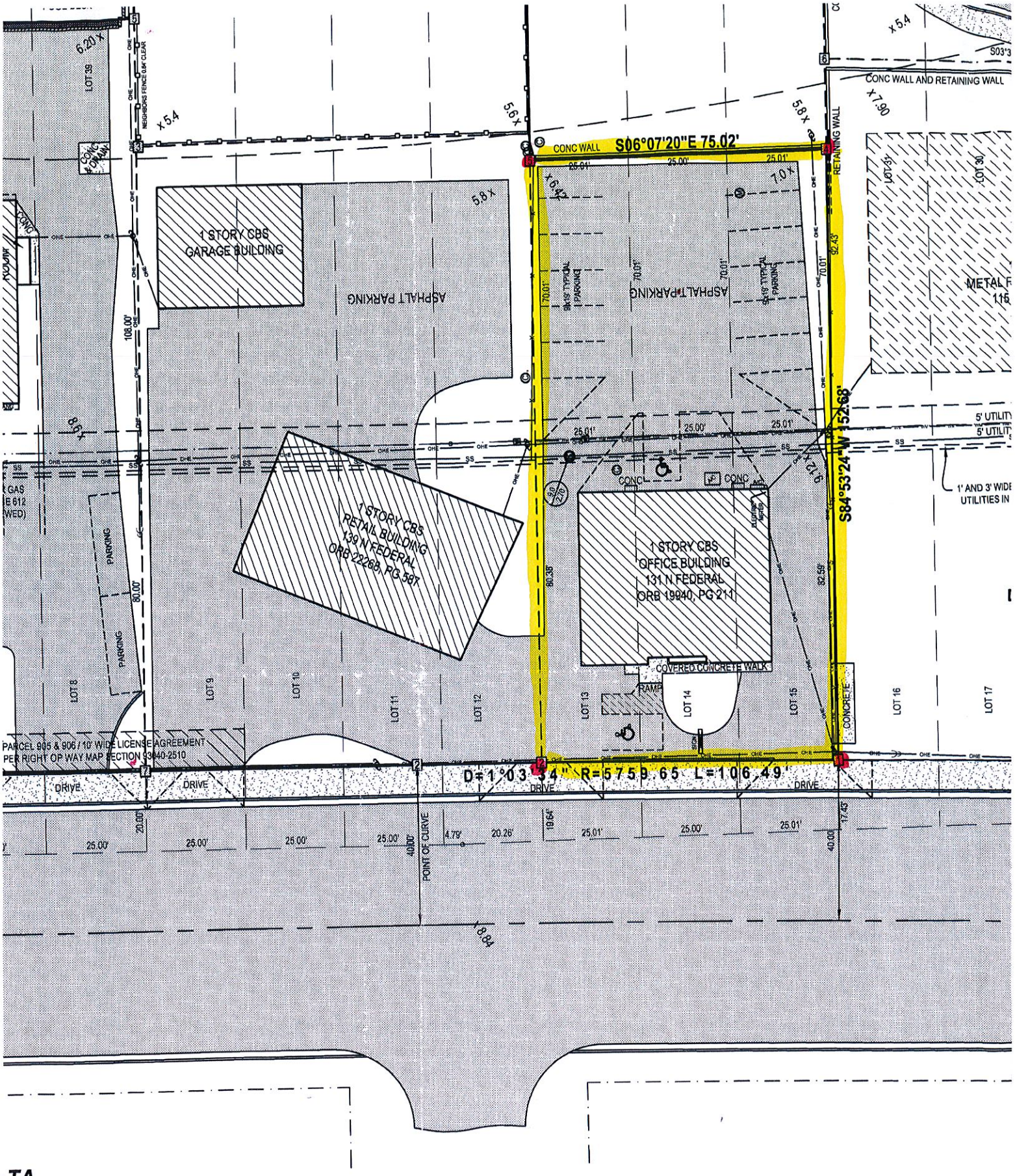
December 15, 2015 – Front and Northern side yard

January 15, 2016 – Southern side yard and rear yard

SP-1

Community
JUL 08 2015
Development

*Survey enclosed*




**ATA**

dentification

5988

LS Inc.

B 4852

**ABBREVIATIONS**

L.B. = Licensed Business

**LEGEND**

= Wood Power Pole

= Concrete Power

SCOOTERSHOP
$699.

131
5051

**The Palm Beach Post**
Real News Starts Here



**RECEIPT**

**LEGAL NOTICE OF PUBLIC HEARINGS**
**TOWN OF LAKE PARK, FLORIDA**

Please take notice and be advised that the Planning and Zoning Board will hold a public hearing on **Monday, October 5, 2015, at 7:00 p.m., or as soon thereafter as can be heard**, and the Town Commission will hold a public hearing at the **Town Commission Meeting** on **Wednesday, November 4, 2015 at 6:30 p.m., or as soon thereafter as can be heard**, in the Town Hall Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida, to consider an application for a Special Exception Use to approve a "Vehicle Sales and Rentals" use for the property located at 131 Federal Highway. This application is being brought forward by Mr. Joe Brackney (Agent), who is acting on behalf of Leasing of South Florida, Inc. (Owner). Records related to this item may be inspected at the Community Development Department located at Town Hall.

If a person decides to appeal any decision made by the Planning and Zoning Board, or the Town Commission, with respect to any hearing, they 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. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

**Town Clerk**: Vivian Mendez

PUB: The Palm Beach Post
9-25/ 2015 #485508

Exhibit "B"

# Town of Lake Park Town Commission

## Agenda Request Form

**Meeting Date:** 11/4/2015 **Agenda Item No.** Tab 4

**Agenda Title:** **FISCAL YEAR 2014/2015 BUDGET ADJUSTMENT FOR ABANDONMENT OF EAST JASMINE DRIVE**

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ X ] NEW BUSINESS
[ ] OTHER: _____

**Approved by Town Manager** _____ **Date:** 9-16-15

**Blake K. Rane** BKR **Finance Director**
**Name/Title**

| | | |
|---|---|---|
| **Originating Department:**<br>**FINANCE** | Costs: See attachment "A"<br>Funding Source:<br>Acct. #<br>[ X ] Finance ____BKR_____ | **Attachments:**<br>Resolution, AND<br>Budget Adjustment Itemization (Attachment "A"), |
| **Advertised:**<br>Date: _____<br>Paper: _____<br>[ X ] 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_____<br>or<br>Not applicable in this case _BKR_<br>**Please initial one**. |

**Summary Explanation/Background:**

The Town approved the abandonment of East Jasmine Drive and the funds have been received. There currently exists no budget to post the receipt of those funds to, this resolution creates that budget. This item also creates the budget to transfer those funds to the Streets and Roads Fund where they can be used for much needed projects for the Town's infrastructure. Attached is a schedule (Attachment "A") that lists the line items that are to be adjusted for the Town of Lake Park 2014/15 Budget.

**Recommended Motion:**.

I move to adopt Resolution ___-10-15.

Exhibit "C"

# Town of Lake Park Town Commission

## Agenda Request Form

**Meeting Date: November 4, 2015** **Agenda Item No.** Tab S

**Agenda Title: Review of the Town Manager Six-Month Performance Evaluations for the Evaluation Period of May 1, 2015 to November 1, 2015**

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
**[x] NEW BUSINESS**
[ ] OTHER: _____

**Approved by Town Manager** _____ **Date:** 10/19/15

Name/Title
HUMAN RESOURCES DIRECTOR

| | | |
|---|---|---|
| **Originating Department: Human Resources** | **Costs: $ -0-**<br>Funding Source:<br>Acct. #<br>[ ] Finance _____ | **Attachments: Copies of Completed Town Manager Evaluation Forms** (THREE RECEIVED AND ATTACHED) |
| **Advertised:**<br>Date: _____<br>Paper: _____<br>**[x] 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:**<br>**BMT**<br>or<br>Not applicable in this case ____<br>**Please initial one.** |

**Summary Explanation/Background:**

**Pursuant to Section 8 of the April 6, 2015 Employment Agreement between the Town of Lake Park and Town Manager John O. D'Agostino, the Commission is required to conduct an initial review of the performance of the Town Manager six (6) months from the effective date of the Agreement. Attached are copies of all of the completed evaluation forms which have been received for the period of May 1, 2015 to November 1, 2015.**

Exhibit "D"

# Town of Lake Park Town Commission

## Agenda Request Form

**Meeting Date: November 4, 2015** **Agenda Item No.** Tab 6

**Agenda Title: A REQUEST FROM THE EVENT ORGANIZER OF THE VETERAN'S DAY CAR SHOW PROPOSED FOR SUNDAY, NOVEMBER 15, 2015 TO ALLOW THE TOWN TO BE A CO-SPONSOR, THEREBY ALLOWING FOR THE WAIVER OF CERTAIN FEES.**

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING - ORDINANCE ON 1st READING
**[ X ] NEW BUSINESS**
[ ] OTHER:

**Approved by Town Manager** Bambi Turner ACTING TOWN MGR **Date:** 10/23/2015

**John D'Agostino / Town Manager**
**Name/Title**

| | | |
|---|---|---|
| **Originating Department:**<br><br>**Town Manager** | Costs: **$ 0**<br>Funding Source:<br>Acct. #<br>[ ] Finance _____ | **Attachments:**<br>➔ **Copy of Special Event Permit Application** |
| **Advertised:**<br>Date: ***N/A***<br>Paper:<br>[ ] 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__ ***JD***<br>or<br>Not applicable in this case ___<br><br>**Please initial one.** |

## Summary Explanation/Background:

A special event permit application was submitted by Mike Scott on behalf of himself and the Town (being represented by Kathleen Carroll Walters, Parks and Recreation Director) on October 2, 2015 to the Community Development Department. The permit application is proposing the annual Veteran's Day Car Show event to be held in Lake Shore Park on Sunday, November 15, 2015 from 8am-4pm. Mr. Scott has been working alongside Kathleen Carroll Walters and is requesting that this event be co-sponsored by the Town. It was explained that many years ago, the Town always sponsored this event, but over the years this practice went away. The event is an asset to the Town and the organizer is committed to this community on an annual basis. Co-sponsoring would provide the organizer some relief on our Town application fees; facility rental and deposit fees; as well as Public Works personnel fees. More specifically, as a co-sponsor, the organizer would benefit from the following services and waiver of fees: *(on the following page)*

| REQUESTED CATEGORY | VALUE *(monetary or other)* | DESCRIPTION | TOTAL |
|---|---|---|---|
| Ability to advertise on the Town website; Channel 18; and utilize Town logo | No monetary value | **CO-SPONSORING WOULD ALLOW FOR TOWN-RELATED ADVERTISING** | **N/A** |
| Park Rental Fee and Deposit | $400 (rental)/$24 tax/$500 deposit | **CO-SPONSORING WOULD WAIVE THESE FEES** | **$924** |
| Signage Permit Application Fee | $100 | **CO-SPONSORING WOULD WAIVE THIS FEE** | **$100** |
| Special Event Application Fee | $25 | **CO-SPONSORING WOULD WAIVE THIS FEE** | **$25** |
| Public Works* | See table below | **CO-SPONSORING WOULD WAIVE THESE FEES** | **$608.46** |

* ***Public Works Fees based on existing personnel:***

| | | | |
|---|---|---|---|
| 20.43 per hour | 12 hours | Set-up/take down parking barrier posts along Lake Shore Dr. | 245.16 |
| 24.39 per hour | 12 hours | Set-up/take down parking barrier posts along Lake Shore Dr. | 292.68 |
| 23.98 per hour | 2 hours | Pick up and deliver 95 gallon garbage cans (round trip) | 47.96 |
| 22.66 per hour | 1 hour | Empty extra 95 gallon garbage cans (after event) | 22.66 |

**TOTAL WAIVERS IF THE TOWN IS APPROVED TO CO-SPONSOR: $1,657.46 plus advertising as listed above. As a co-sponsor, the Town's insurance would tie into the event as well.**

**Recommended Motion**: At the Town Commission's discretion.

# TAB 5

## Town of Lake Park Town Commission

**Agenda Request Form**

**Meeting Date: November 18, 2015** **Agenda Item No.**

**Agenda Title: Dumpster Purchase for Commercial Sanitation Operations**

[ ] SPECIAL PRESENTATION/REPORTS **[X] CONSENT AGENDA**
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

**Approved by Town Manager** _____ **Date:** 10/12/15

**David Hunt / Public Works Director**

| | | |
|---|---|---|
| **Originating Department:**<br><br>**Public Works** | **Costs: $15,288.00**<br>**Funding Source: Sanitation Fund**<br>**Acct. # 404-52400**<br>**[X] Finance** BKR | **Attachments:**<br>**Quote Form**<br>**NJPA Unit Price Sheet**<br>**Wastequip Quote**<br>**Iron Container Quote** |
| **Advertised:**<br>Date: _____<br>Paper: _____<br>**[X] 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_____<br>or<br>**Not applicable in this case**<br><br>**Please initial one.** |

**Summary Explanation/Background:**

As part of the Town's commercial sanitation service, Public Works regularly changes out its customers' dumpsters. During regular route service, the working Commercial Sanitation Foreman evaluates each business's dumpster for appearance and structural integrity. If rust has compromised the strength of the container or if the paint job is badly faded or stained, the dumpster is exchanged with a fresh unit.

Public Works regularly sends deteriorated dumpsters to a repair facility for refurbishing. A dumpster may be rebuilt two or even three times before being sold for scrap metal. Eventually new dumpsters must be purchased to replenish the stock.

Approximately $30,000 was allocated for dumpster purchases and refurbishment in Fiscal Year 2015/2016.

Two written quotes were solicited for the purchase of 30 new, commercial sanitation dumpsters ranging in capacity from two cubic yards up to eight cubic yards. 18 sets of caster pads were also included in this solicitation. The low bidder, Wastequip, provided pricing based upon their submittals to the cooperative contract purchasing entity, National Joint Powers Alliance (NJPA). NJPA Quote Number WQ-10003026 contained the unit prices used for this purchase request.

NJPA is a public corporation or agency serving as a municipal contracting agency for government and education agencies. NJPA creates national cooperative contract purchasing solutions on behalf of its member agencies which include all government, education and non-profit agencies nationwide and in Canada. These cooperative contract opportunities offer both time and money savings for their users by consolidating the efforts of numerous individually prepared solicitations to one national, cooperatively shared process. This process leverages the aggregation of volume from members nationwide. All NJPA contracts have been competitively solicited nationally, reviewed, evaluated by committee and recommended to the NJPA Board of Directors for award in accordance with Minnesota public purchasing and contracting rules, guidelines and regulations applicable to NJPA.

While the Town's purchasing policy allows for "piggybacking" purchases ("Goods and/or services purchased under contract with the federal, state or any other municipal government or government agency or political subdivision providing the vendor extends the same terms and conditions of the contract to the town.") without receiving additional quotes, Public Works did request a quote from last year's low bidder, Iron Container. Their quote was $1,153.50 higher than the pricing provided by Wastequip based upon their unit prices contained in the awarded NJPA contract.

This budgeted purchase allows for the continued replacement of containers that have deteriorated beyond the point of repair or refurbishing. These containers shall be placed at Town business locations on an "as needed" basis.

**Recommended Motion:**

**I move that the Commission approve the purchase of thirty (30) new dumpsters of various sizes along with eighteen (18) sets of caster pads in the amount of $15,288.00 from Wastequip per their unit prices submitted to the National Joint Powers Alliance.**

**TOWN OF LAKE PARK**
**TELEPHONE QUOTE FORM**
For Purchases $500.00 through $9,999.99

Dept: Commercial Sanitation Date: 10/27/15

Awarded To: Wastequip Quote # WQ-10003550

| **Complete detailed description of purchase needed:** |
|---|
| 6 - 2cy with Caster Pads Front Load Cans |
| 6 - 3cy with Caster Pads |
| 6 - 4cy with Caster Pads |
| 6 - 6cy |
| 6 - 8cy |
| Plus freight Charges Delivered to |
| P.W. Town of Lake Park Painted Dark |
| Green |

| **Vendor Quote #1** | |
|---|---|
| Company: Wastequip | Quoted Price: $15,288.00 |
| Telephone #: 352-250-4669 | Contact Person: Ernie Castro |

| **Vendor Quote #2** | |
|---|---|
| Company: Iron Container | Quoted Price: $16,441.50 |
| Telephone #: 305-726-2150 | Contact Person: Julian Charles |

| **Vendor Quote #3** | |
|---|---|
| Company: | Quoted Price: |
| Telephone #: | Contact Person: |

| **Vendor Quote #4** | |
|---|---|
| Company: | Quoted Price: |
| Telephone #: | Contact Person: |

Signature of Caller: [illegible] Date: 10/27/15

Department Approval: [illegible] Date: 11/2/15

NJPA Awarded Contract

WASTEQUIP

NJPA AWARDED CONTRACT

WQ-10003026

Sell To:

| | | | |
|---|---|---|---|
| Bill To Name | Town of Lake Park | Ship To Name | Town of Lake Park |
| Bill To | 535 Park Ave<br>Lake Park, FL 33403-2603<br>USA | Ship To | 535 Park Ave<br>Lake Park, FL 33403-2603<br>USA |
| | | Customer Job Reference | NJPA Contract #060612-WQI |

Quote Information

| | | | |
|---|---|---|---|
| Salesperson | Robert Martinelli | Created Date | 10/20/2015 |
| Salesperson Email | rmartinelli@wastequip.com | Expiration Date | 11/10/2015 |
| Salesperson Phone | 863-665-6507 | Quote Number | WQ-10003026<br>Please Reference Quote Number on all Purchase Orders |
| NJPA Number | 42 017 | NJPA Address | 650 Old Dixie Hwy |
| NJPA Member Since | 5/2/2011 | NJPA Member Type | City |

| Model | Product Description | Description | Quantity | Sales Price | Total Price |
|---|---|---|---|---|---|
| 125541 | 2 Cubic Yard Standard Duty Slant Front Load Container - Floor: 10 gauge, Walls: 12 gauge , Pockets: Heavy Duty withThree Way Fork Entry Guide, Top Channels: Interlocking, Primed and Painted Any Standard Color | Unit Pricing is based on orders of FULL TRUCKLOAD QUANTITIES. If less than full truckloads are ordered freight charges will apply. Container sizes may be mixed or matched to obtain full truckload quantities.<br><br>Max per full truckload: | 1.00 | $336.00 | $336.00 |
| 125543 | 3 Cubic Yard Standard Duty Slant Nestable Front Load Container - Floor: 10 gauge, Walls: 12 gauge , Pockets: Heavy Duty with Three Way Fork Entry Guide, Top Channels: Interlocking, Bottom Runners: 2 1/2" Tall Formed, Primed and Painted Any Standard Color | Unit Pricing is based on orders of FULL TRUCKLOAD QUANTITIES. If less than full truckloads are ordered freight charges will apply. Container sizes may be mixed or matched to obtain full truckload quantities.<br><br>Max per full truckload: | 1.00 | $424.00 | $424.00 |
| 125544 | 4 Cubic Yard Standard Duty Slant Front Load Container - Floor: 10 gauge, Walls: 12 gauge , Pockets: Heavy Duty with Three Way Fork Entry Guide, Top Channels: Interlocking, Bottom Runners: 2 1/2" Tall Formed, Primed and Painted Any Standard Color | Unit Pricing is based on orders of FULL TRUCKLOAD QUANTITIES. If less than full truckloads are ordered freight charges will apply. Container sizes may be mixed or matched to obtain full truckload quantities.<br><br>Max per full truckload: | 1.00 | $498.00 | $498.00 |

WASTEQUIP

WQ-10003026

NJPA AWARDED CONTRACT

| | | | | | |
|---|---|---|---|---|---|
| 125534 | 6 Cubic Yard Standard Duty Slant Front Load Container - Floor: 10 gauge, Walls: 12 gauge, Pockets: Heavy Duty with Three Way Fork Entry Guide, Interlocking Top Channels with formed 10 gauge Bottom Runners, Primed and Painted Any Standard Color | Unit Pricing is based on orders of FULL TRUCKLOAD QUANTITIES. If less than full truckloads are ordered freight charges will apply. Container sizes may be mixed or matched to obtain full truckload quantities.<br><br>Max per full truckload: | 1.00 | $583.00 | $583.00 |
| 125535 | 8 Cubic Yard Standard Duty Slant Front Load Container - Floor: 10 gauge, Walls: 12 gauge, Pockets: Heavy Duty with Three Way Fork Entry Guide, Interlocking Top Channels with formed 10 gauge Bottom Runners, Primed and Painted Any Standard Color | Unit Pricing is based on orders of FULL TRUCKLOAD QUANTITIES. If less than full truckloads are ordered freight charges will apply. Container sizes may be mixed or matched to obtain full truckload quantities.<br><br>Max per full truckload: | 1.00 | $680.00 | $680.00 |
| CAS008 | Casters - (4) 6" Polyolefin Casters, 4 swivel with Quick Release Caster Pads, Installed | Parts pricing does not include freight charges. If ordered and shipped with container order no freight charges apply. If ordered separately freight charges will be applied at time of order.<br><br>$87.00 is installed on containers at time of order. If shipped to be field installed price is $63.00. | 1.00 | $90.00 | $90.00 |
| FEL103 | Lid Lock - Automatic Serious Front Mount 45 or 90 Degree, Installed | Parts pricing does not include freight charges. If ordered and shipped with container order no freight charges apply. If ordered separately freight charges will be applied at time of order.<br><br>Lid Rods Only | 1.00 | $87.00 | $87.00 |
| FEL105 | Special Lid Lock Option | Parts pricing does not include freight charges. If ordered and shipped with container order no freight charges apply. If ordered separately freight charges will be applied at time of order.<br><br>Small Lids for 2 and 3 Cubic Yard Containers - unit price each | 1.00 | $5.00 | $5.00 |
| FEL105 | Special Lid Lock Option | Parts pricing does not include freight charges. If ordered and shipped with container order no freight charges apply. If ordered separately freight charges will be applied at time of order.<br><br>Large Lids for 4, 6 and 8 Cubic Yard Containers - unit price each | 1.00 | $21.00 | $21.00 |
| FEL105 | Special Lid Lock Option | Parts pricing does not include freight charges. If ordered and shipped with container order no freight charges apply. If ordered separately freight charges will be applied at time of order. | 1.00 | $24.00 | $24.00 |

Payment Terms Net 30 Days

Subtotal $2,748.00

WASTEQUIP

2624 Mine & Mill Ln, Lakeland, FL, 33801

PHONE: 863-665-6507 FAX: 863-667-0432

WQ-10003550

Sell To:

| | | | |
|---|---|---|---|
| Contact Name | Jackie Harris | Ship To Name | Town of Lake Park |
| Bill To Name | Town of Lake Park | Ship To | 535 Park Ave<br>Lake Park, FL 33403-2603<br>USA |
| Bill To | 535 Park Ave<br>Lake Park, FL 33403-2603<br>USA | | |
| Email | jharris@lakeparkflorida.gov | | |
| Phone | (561) 881-3345 | | |

Quote Information

| | | | |
|---|---|---|---|
| Salesperson | Ernie Castro | Created Date | 10/26/2015 |
| Salesperson Email | ecastro@wastequip.com | Expiration Date | 11/16/2015 |
| Salesperson Phone | (352) 250-4669 | Quote Number | WQ-10003550<br>Please Reference Quote Number on all Purchase Orders |

| Model | Product Description | Selected Option | Quantity | Sales Price | Total Price |
|---|---|---|---|---|---|
| 125541 | 2 Cubic Yard Standard Duty Slant Front Load Container - Floor: 10 gauge, Walls: 12 gauge , Pockets: Heavy Duty withThree Way Fork Entry Guide, Top Channels: Interlocking, Primed and Painted Any Standard Color | Color: Dark Green | 6.00 | $336.00 | $2,016.00 |
| 125543 | 3 Cubic Yard Standard Duty Slant Nestable Front Load Container - Floor: 10 gauge, Walls: 12 gauge , Pockets: Heavy Duty with Three Way Fork Entry Guide, Top Channels: Interlocking, Bottom Runners: 2 1/2" Tall Formed, Primed and Painted Any Standard Color | Color: Dark Green | 6.00 | $424.00 | $2,544.00 |
| 125544 | 4 Cubic Yard Standard Duty Slant Front Load Container - Floor: 10 gauge, Walls: 12 gauge . Pockets: Heavy Duty with Three Way Fork Entry Guide, Top Channels: Interlocking, Bottom Runners: 2 1/2" Tall Formed, Primed and Painted Any Standard Color | Color: Dark Green | 6.00 | $459.00 | $2,754.00 |
| CAS001 | Casters - (4) Quick Release Caster Pads Installed | | 18.00 | $22.00 | $396.00 |
| 125534 | 6 Cubic Yard Standard Duty Slant Front Load Container - Floor: 10 gauge, Walls: 12 gauge, Pockets: Heavy Duty with Three Way Fork Entry Guide, Interlocking Top Channels with formed 10 gauge Bottom Runners, Primed and Painted Any Standard Color | Color: Dark Green | 6.00 | $583.00 | $3,498.00 |
| 125535 | 8 Cubic Yard Standard Duty Slant Front Load Container - Floor: 10 gauge, Walls: 12 gauge, Pockets: Heavy Duty with Three Way Fork Entry Guide, Interlocking Top Channels with formed 10 gauge Bottom Runners, Primed and Painted Any Standard Color | Color: Dark Green | 6.00 | $680.00 | $4,080.00 |

| | | | |
|---|---|---|---|
| Payment Terms | Net 30 Days | Subtotal | $15,288.00 |
| Shipping Terms | FOB Origin | Tax | $0.00 |
| | | Grand Total | $15,288.00 |

Additional Information

Additional Terms Our quote is a good faith estimate, based on our understanding of your needs. Subject to our acceptance, your Order is an offer to purchase our Products and services in accordance with the Wastequip Terms and Conditions, including our

## Jackie Harris

**From:** Ernie Castro <ecastro@wastequip.com>
**Sent:** Tuesday, October 27, 2015 5:45 AM
**To:** Jackie Harris
**Subject:** RE: Front Load Cans Quote
**Attachments:** Steel_FEL_Containers_Brochure.pdf

It's on there Jackie. If you look at the total of Caster Pads, I used 18 in total for each of the cans. I just put them on one line item to make it easier for you to see it in 1 line item.

Best regards,

**Ernie Castro**
Regional Sales Manager
**Wastequip**
2624 Mine Mill Lane
Lakeland, FL 33801
Mobile: 352-250-4669
E-Fax: 972-313-8460
www.wastequip.com

NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential or proprietary information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, immediately contact the sender by reply e-mail and destroy all copies of the original message.

**From:** Jackie Harris [mailto:jharris@lakeparkflorida.gov]
**Sent:** Tuesday, October 27, 2015 4:10 AM
**To:** Ernie Castro
**Subject:** RE: Front Load Cans Quote

Ernie I also asked for the caster pads under all the 6-2cy,6-3cy,6-4cy please

**From:** noreply@salesforce.com [mailto:noreply@salesforce.com] **On Behalf Of** Ernie Castro
**Sent:** Monday, October 26, 2015 6:45 PM
**To:** Jackie Harris
**Subject:** Front Load Cans Quote

Jackie,

Please look over the following quote.
It should all ship on two truck loads and the shipping is covered in our pricing.
Please feel free to contact me if you have any questions.

Best regards,

2624 Mine & Mill Ln, Lakeland, FL, 33801

PHONE: 863-665-6507 FAX: 863-667-0432

WQ-10003550

limited warranties, the terms of which are incorporated herein by reference, which constitutes the entire agreement between the parties. The Wastequip Terms and Conditions are available on our website at: http://www.wastequip.com/terms-conditions.cfm

Pricing is based on your anticipated Order, including product specifications, quantities and timing - any differences to your order may result in different pricing. Due to volatility in petrochemical, steel and related product material markets, actual prices, as well as freight, are subject to change and will be confirmed prior to acceptance of an Order. Unless otherwise stated, materials and container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes and representations – actual volume. Products and materials are subject to manufacturing and commercial variations and Wastequip's practices, and may vary from nominal sizes and materials. All prices are in US dollars; this quotation may not include all applicable taxes, brokerage fees or duties.

Wastequip, Toter, Galbreath, Cusco, Accurate, Mountain Tarp, Pioneer, and Parts Place are registered trademarks, trade names and subsidiaries of Wastequip, LLC.

Additional Information

Due to extremely volatile petrochemical and steel markets, actual prices and freight are subject to change and must be confirmed before acceptance of an order. Above pricing is based on orders placed in the quantities stated above. Orders placed for other than these quantities may be subject to additional freight and cost. Unless otherwise stated, container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes. Actual volume may vary from nominal sizes. This proposal is subject to Wastequip/Toter standard terms and conditions. Quotation does not include any applicable taxes other than those specifically listed on this document.

Signatures

Accepted By: _____

Company Name: _____

Date: _____

Purchase Order: _____

**Please Reference Quote Number on all Purchase Orders**

Iron Container,
3230 NW 42 Street
Miami, FL
Phone # 305-726-2150
Fax # 305-400-4822

# Quote

| Date | Quote # |
|---|---|
| 10/6/2015 | 4700 |

| Name / Address |
|---|
| Town Of Lake Park<br>Jackie Lee Harris<br>650 Old Dixie Highway<br>Lake Park, FL 33403 |

| Ship To |
|---|
| Jackie Harris<br>650 Old Dixie Highway<br>Lake Park, FL 33403<br>561-881-3345<br>561-718-2445 (Cell) |

| P.O. No. | Terms | Due Date | FOB | Rep | Project |
|---|---|---|---|---|---|
| | | 11/30/2015 | Miami | | |

| Qty | Item | Description | Cost | Total |
|---|---|---|---|---|
| 6 | FELS2 | 2 Cubic Yard Front End Loader Slant Top+ Black Lids | 350.00 | 2,100.00 |
| 6 | FELS3 | 3 Cubic Yard Front End Loader Slant Top + Black Lids | 419.00 | 2,514.00 |
| 6 | FELS4 | 4 Cubic Yard Front End Loader Slant + Black Lids | 470.00 | 2,820.00 |
| 6 | FELS6 | 6 Cubic Yard Front End Loader Slant Top+ Black Lids | 600.00 | 3,600.00 |
| 6 | FELS8 | 8 Cubic Yard Front End Loader Slant Top+ Black Lids | 710.00 | 4,260.00 |
| 18 | Caster Assembly | Caster Pads and Casters - 4 each - installed - ADDITIONAL PER CONTAINER | 44.00 | 792.00 |
| 18 | Caster Pad Set (4) | Caster Pad Set of 4 - Installed - 4" x 4" Quick Release Pad with Nut and Bolt | 10.00 | 180.00 |
| 18 | Caster- 6" x 2" - Phenolic - S | Caster - 6" x 2" - Swivel - Phenolic | 9.75 | 175.50 |
| | | Delivered - On a Wednesday Morning Only<br>Dark Green<br>Reflective Tape | | |

Thank you for the opportunity to provide you with a quotation.

**Total** $16,441.50

Accepted By: _____

# New Business

# TAB 6

## Town of Lake Park Town Commission

**Agenda Request Form**

**Meeting Date: November 18, 2015** **Agenda Item No.**

**Agenda Title: Request for Approval for Payment of the Settlement Amount for October 31, 2014 Vehicular Accident Involving a Department of Public Works Vehicle and to Amend the Fiscal Year 2015 Budget to Provide for Payment Thereof**

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
**[x] NEW BUSINESS**
[ ] OTHER: _____

**Approved by Town Manager** _____ **Date:** 11/1/15

Bambi McKibbon Sherm
**Name/Title** HUMAN RESOURCES DIRECTOR

| | | |
|---|---|---|
| **Originating Department:**<br><br>**Human Resources** | **Costs: $22,000.00**<br><br>**Funding Source: FY 2015 Insurance Claims Deductibles**<br><br>**Acct. #900-49500**<br>[X] Finance BMT | **Attachments: Copy of Florida League of Cities Invoice in the Amount of $22,000.00; and Resolution to Amend the Fiscal Year 2015 Budget and Attachment A** |
| **Advertised:**<br>Date: _____<br>Paper: _____<br>**[x ] 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_____<br>or<br>**Not applicable in this case**<br>**BMT**<br><br>**Please initial one.** |

## Summary Explanation/Background:

On the morning of October 31, 2014, Public Works Department Commercial Sanitation Vehicle No. 43 was struck by a privately owned 2004 Toyota Solara. According to the Town's Employee Accident Report submitted regarding this incident and further internal follow-up investigation, Vehicle No. 43 swung left in order to make a tight right turn into the parking lot at 1401 Old Dixie Highway in Lake Park when the Toyota approached at a high rate of speed in order to pass Vehicle No. 43 and instead struck Vehicle No. 43 on the right hand side. Both Vehicle No. 43 and the Toyota were damaged, with the Toyota determined to be a total loss with damages sustained in the amount of $22,000.00. Although the Employee Accident Report and accident diagram provided by Town employees showed that the driver of the Toyota was at fault, neither the driver of the Toyota nor the driver of Vehicle 43 was cited by the Palm Beach County Sheriff's Office. Florida League of Cities settled this claim in the amount of $22,000.00, all of which the Town is responsible for paying to the Florida League of Cities as it is less than the Town's $25,000 deductible.

The purpose of this agenda item is two-fold. First, it is to obtain authorization from the Commission to pay the settlement amount of $22,000.00, which will be paid out of the Town's insurance fund for Fiscal Year 2015. Second, it is to increase the Fiscal Year 2015 budget by $5,000 to ensure that there is an adequate amount in the insurance fund to cover this settlement.

## Recommended Motions:

**(1) I move to authorize payment of the settlement amount of $22,000.00 for this claim to the Florida League of Cities; and**

**(2) I move to approve Resolution _____ to increase the Fiscal Year 2015 budget by $5,000.**

FLORIDA LEAGUE OF CITIES, INC.

Public Risk Services

☐ Administration

☐ Policy Holder Relations

☒ Financial Services/ Underwriting

Post Office Box 530065
Orlando, FL 32853-0065

☐ Health Claims

Post Office Box 538140
Orlando, FL 32853-8140

☐ Workers' Compensation Claims

☐ Property & Liability Claims

Post Office Box 538135
Orlando, FL 32853-8135

800-445-6248
407-425-9142
Fax 407-425-9378

www.flcities.com

# INVOICE

**TO:** Ms. Bambi McKibbon-Turner
Town of Lake Park
FMIT # 795
535 Park Avenue
Lake Park, FL 33403

**FROM:** Valerie Morrison
Florida Municipal Insurance Trust
Liability Claims Department
P.O. Box 538135
Orlando, FL 32853-8135

**Date:** October 28, 2015

**RE:** Deductible Invoice

Below listed are amounts due on your Liability Deductible as of 9/30/2015

| | |
|---|---|
| Past Due Amount | $0.00 |
| Current Due Amount: | |
| Auto Liability Deductible - $25000 | |
| Fund Year 10/01/2014 - 09/30/2015 | $22,000.00 |
| **Total Amount Due** | **$22,000.00** |
| Payment Due by: | 11/27/2015 |

Please make check payable to:
Florida Municipal Insurance Trust
P.O. Box 538135
Orlando, FL 32853-8135

Please issue a separate check from your Workers' Compensation Deductible.

RECEIVED
OCT 30 2015
BY: HR

# FLORIDA MUNICIPAL INSURANCE TRUST - AUTO LIABILITY

## DEDUCTIBLE INVOICE DETAILS

10/01/2014 - 09/30/2015 as of 9/30/2015

FMIT #: 79S

TOWN OF LAKE PARK

| | |
|---|---|
| Total Available Stop Loss: | 75,000.00 |
| SL Balance as of 6/30/2015: | 75,000.00 |
| SL Balance as of 9/30/2015: | 53,000.00 |

| File Number | Type | Claimant Name | Description | Date of Loss | Deductible | Amount Paid to Date | Amount Recov to Date | Amount Due |
|---|---|---|---|---|---|---|---|---|
| **Monies Due** | | | | | | | | |
| VA2014079312 | AL | [redacted] | VEHICLE ACCIDENT (SF)25000DSL | 10/31/2014 | $25,000 | 22,000.00 | 0.00 | 22,000.00 |
| **Totals** | | | | | | **22,000.00** | **0.00** | **22,000.00** |

**RESOLUTION NO. ___-11-15**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2014-2015 AS PREVIOUSLY ADOPTED BY RESOLUTION NO. 29-09-14; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.**

**WHEREAS,** the Town Commission has previously established the budget for the Town of Lake Park for the fiscal year beginning October 1, 2014 and ending September 30, 2015; and

**WHEREAS**, at the time of its adoption, the budget properly reflected expected revenues and appropriations; and

**WHEREAS**, to implement this budget, the Town Commission adopted and levied by Resolution No. 28-09-14 a final millage rate for the Fiscal Year 2014-2015; and

**WHEREAS**, the Town Commission deems it necessary and advisable to amend the budget for the Town of Lake Park for Fiscal Year 2014-2015, which was adopted by Resolution No. 29-09-14.

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

**Section 1.** The whereas clauses are true and correct and are supported herein.

**Section 2.** An amended budget of the Town of Lake Park General Fund is hereby approved and adopted as set forth in the attached Attachment "A".

**Section 3.** An amended budget of the Town of Lake Park Streets and Roads Fund is hereby approved and adopted as set forth in the attached Attachment "A".

**Section 4.** The Town Manager is hereby authorized to amend/transfer between departmental accounts provided, however, that total appropriated expenditures by fund do not exceed Commission authorized amounts.

**Section 5.** If any section, subsection, sentence, clause, phase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 6.** This resolution shall take effect immediately upon adoption.

Budget Adjustment Itemization

November 18, 2015

## ATTACHMENT "A"

**Insurance Fund**

| | Account Number | Proposed Change | Totals |
|---|---|---|---|
| Total Insurance Fund Budgeted Revenue | | | $ 208,197 |
| Transfer from Fund Balance | 150-369.400 | 5,000 | |
| Total of Revenue Changes | | $ 5,000 | 5,000 |
| Proposed Budget | | | $ 213,197 |
| | | | |
| Total Insurance Fund Budgeted Expenses | | | $ 208,197 |
| Insurance Claims Deductible | 150-51-589-900-49500 | 5,000 | |
| Total of Expense Changes | | $ 5,000 | 5,000 |
| Proposed Budget | | | $ 213,197 |

# TAB 7

# Town of Lake Park Town Commission

## Agenda Request Form

**Meeting Date:** **November 18, 2015** **Agenda Item No.**

**Agenda Title:** **Ramp Launch Fees at the Marina**

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[x] NEW BUSINESS
[ ] OTHER: _____

**Approved by Town Manager** _____ **Date:** 11/10/15

**John O. D'Agostino, Town Manager**
**Name/Title**

| | | |
|---|---|---|
| **Originating Department:**<br><br>**Town Manager** | Costs: $ 0<br>Funding Source:<br>Acct. #<br>[ ] Finance _____ | **Attachments:**<br>➢ **Ordinance 23, 1989**<br>➢ **Resolution 66, 1989**<br>➢ **Resolution 39, 1990**<br>➢ **Resolution 62, 1991**<br>➢ **Resolution 27, 1994**<br>➢ **Resolution 51, 1996**<br>➢ **Workshop minutes with Marian Board June 30, 1997**<br>➢ **Commission Meeting June 3, 1998**<br>➢ **Resolution 36, 1998**<br>➢ **Resolution reference 4, 16, 2003**<br>➢ **Resolution 41-08-06**<br>➢ **ARF March 18, 2009** |
| **Advertised:**<br>Date: _____<br>Paper: _____<br>[ X ] 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_____<br>or<br>Not applicable in this case<br>_JOD___<br><br>**Please initial one.** |

**Summary Explanation/Background:**

Ramp launch fees and the establishment of various costs to launch boats from the Marina Boat Launch Ramp have been discussed and resolutions passed since 1989. In order to understand the progression of such fees, I have attached several resolutions, and Commission Meeting Minutes to illustrate the context of the discussion and the decisions made by subsequent boards over this time period (1989 to present).

**Ordinance 23, 1989** repealed section 8-42 (b) of the code regarding parking fees for parking over 24 hours at the Lake Park Marina. **Also, section 8-64 of the Code provides that marina fee schedules are to be established by Resolution**.

| Resolution Language Heading | Resolution Number | Summary of Charges |
|---|---|---|
| A Resolution of the Commission of the Town of Lake Park, Florida, Establishing Rates For Extended Parking and ramp Use Within the Marina Facility Pursuant to Section 8-64 of the Code; Providing an Effective Date | **Resolution 66, 1989** | ➢ Parking Permits for more than 24 hours shall be $12.00. Parking Permits for personal vehicles of Marina tenants shall be issued at no charge.<br>**RAMP Charges:**<br>➢ Single Launch $5.00<br>➢ Launch card 10 single launches at $4.00/launch or $40.00 |

| Resolution Language Heading | Resolution Number | Summary of Charges |
|---|---|---|
| A Resolution of the commission of the Town of Lake Park, Florida Establishing rates for Marina Slip Rental; Providing for Payment of State Sales tax on All Slip Rentals; Establishing an Administrative Fee for Processing Lease Documents; Establishing Rates for Ramp Use within the Marina facility; Establishing terms and conditions for issuance and use of Ramp Stickers; Establishing Rates for Extended Parking within the Marina Facility; Providing for fees to be collected for dishonored checks; Providing for an Effective Date. | **Resolution 39, 1990** | ➢ Single Launch, paid at time of use $5.00<br>➢ Launch Card, purchased in advance $40.00<br>➢ Ramp Sticker (unlimited ramp use, Monday thru Friday only during fiscal year of issuance $50.00<br>➢ Two Stickers (unlimited ramp use during fiscal year of issuance) $100.00 |

The policy under Resolution 39, 1990 for Ramp Stickers shall be as follows:

1. Ramp Stickers shall be issued for Non-Commercial use only upon payment of the annual fee and execution of a statement, to be provided by the Town, attesting to the purchaser's understanding and acceptance of the terms and conditions upon which the ramp sticker is issued. Ramp stickers shall be valid during the fiscal year for which it is issued.
2. Ramp Stickers shall be affixed to the purchaser's boat trailer, by the Dock Master or Dock Attendant, upon payment therefore.
    a. One ramp sticker shall entitle the purchaser to unlimited use of Marina Launching ramps on weekdays only (Monday thru Friday) within the hours established for ramp use.
    b. Two Ramp Stickers shall entitle the purchaser to unlimited use of Marina launching ramps within the hours established for ramp use.
    c. Ramp Stickers for unlimited use of Marina Launching ramps shall be available on a first-come first-serve basis to not more twenty-five marina patrons.

| Resolution Language Header | Resolution Number | Summary of Charges |
|---|---|---|
| A Resolution of the Commission of the Town of Lake Park, Florida, establishing beginning and Ending dates for six (6) month Marina lease Terms; Establishing rates for Marina Slip Rental; Providing for payment of state sales tax on all slip rentals for processing lease documents; Establishing an administrative fee for processing lease documents establishing rates for ramp use within the Marina Facility; Establishing terms and conditions for issuance and use of ramp stickers; Establishing rates for extended parking within the Marina Facility; Providing for fees to be collected for dishonored checks; Providing an Effective date. | **Resolution 62, 1991** | ➢ Recapitulation of the charges established above in Resolution 39, 1990.<br><br>➢ Further, the terms and conditions outlined above are the same as established in Resolution 39, 1990. |

| Resolution Language Header | Resolution Number | Summary of Charges |
|---|---|---|
| A Resolution of the commission of the Town of Lake Park, Florida, Establishing beginning and Ending dates for six (6) month Marina Lease Terms; | | ➢ Recapitulation of the charges established above in Resolution 62, 1991 and Resolution 39, 1990. |

| | | |
|---|---|---|
| Establishing the basis for Application of Rates for Marina Slip Rental; Establishing Rates For Marina Slip Rental; Providing for Payment of State Sales Tax on all Slip Rentals; Establishing an Administrative Fee for Processing Lease Documents; Establishing rates for Ramp use within the Marina Facility; Establishing terms and conditions for Insurance and use of Ramp Stickers; Establishing Rates for Extended Parking within the Marina facility; Providing for fees to be collected for dishonored checks; Providing an Effective Date. | **Resolution No. 27, 1994** | ➢ Further, the terms and conditions outlined in Resolution 39, 1990 are the same except for the following added language:<br>➢ Ramp stickers shall be valid only during the fiscal year of issuance and A ramp sticker maybe invalidated by the Dock Master, with prior approval of the Town Manager for good cause shown. |

| Resolution Language Header | Resolution Number | Summary of Charges |
|---|---|---|
| Resolution of the Commission of the Town of Lake Park, Florida, Establishing Beginning and Ending dated for six (6) month Marina Lease Terms; Establishing the basis for application of rates for Marina Slip Rental; Establishing Rates for Marina Slip Rental; Providing for Payment of State Sales Tax on all slip rentals; Establishing Rates for Ramp use within the Marina facility; Establishing terms and conditions for issuance and use of ramp stickers; Establishing rates for extended parking within the Marina Facility; Providing for fees to be collected for dishonored checks; Providing an Effective Date. | **Resolution 51, 1996** | Rates for use of Marina/launching ram(s) shall be as follows and based on price per vessel:<br>➢ Single Launch and parking for up to 24 hours, paid at the time of use $7.00<br>➢ Launch Card and Trailer rig parking for up to 24 hours purchased in advance (10 Single Launches at $6.00/Launch) $60.00<br>**Ramp Stickers:**<br>➢ One sticker (ramp use and trailer rig parking up to 24 hours Monday thru Friday only during fiscal year of issuance $75.00.<br>➢ Two stickers (ramp use and trailer rig parking up to 24 hours seven (7) days per week during fiscal year |

| | | |
|---|---|---|
| | | of issuance $125.00<br>➢ The ramp policy language Resolution 27, 1994 remains the same in Resolution 51, 1996. |

On June 3, 1998, the Commission directed staff to prepare a revised resolution relative to certain fees charged at the Lake Park Marina as noted in staff recommendations listed in the memorandum dated May 28th from Commissioner Brian Sullivan. He noted that the town was losing money on ramp stickers. He suggested they take this out. The resolution that exists gives an incentive to purchase the launch card. Commissioner Sullivan would like to change that to offer 12 single launches instead of 10. Commissioner Roetz agreed the motion carried on ramp Stickers 5-0.

| Resolution Language Header | Resolution Number | Summary of Charges |
|---|---|---|
| A resolution of the Commission of the Town of Lake Park, Florida, Establishing beginning and ending dates for six (6) month marina lease terms; Establishing the basis for application of rates for Marina Slip Rental; Providing for payment of State Sales tax on all slip rentals; Establishing an Administrative Fee for Processing lease documents; Establishing rates for Ramp Use within the Marina Facility; Establishing rates for extended Parking within the Marina Facility; Providing for Fees to be collected for dishonored checks; Providing an Effective Date. | **Resolution 36, 1998** | ➢ Single launch and trailer rig parking for up to 24 hours, paid at the time of use Weekday Rate $7.00<br>➢ Single Launch and Trailer rig parking for up to 24 hours, paid at the time of the use Weekend and Holiday Rate $10.00<br>➢ Launch card and trailer rig parking for up to 24 hours purchased in advance (12 single launches at $10.00) $100.00<br>➢ Extended trailer rig parking permits shall be made available for purchase to Marina Launching ramp patrons for parking within the Marina Facility for periods of more than twenty-four (24) hours. The rate for extended parking permits shall be twelve dollars ($12.00) per twenty-four hour period. |

In April 16, 2003, at a regular commission meeting a motion was made by Commissioner Garretson to set the rates at $7.00 during the week and $10.00 on the weekend and holiday for ramp use and

boat launching. As stated in the first paragraph of the Agenda Request Form, fees for the Marina can only be set by Resolution. The vote therefore maybe invalid as the fees were not set by resolution.

| Resolution Language Header | Resolution Number | Summary of charges |
|---|---|---|
| A Resolution of the Town Commission of the Town of Lake Park, Florida approving the revised dockage rate schedule for the Lake Park Harbor Marina for vessel owners and providing an effective date | **Resolution 41-08-06** | Marina Manager David Hinaman stated that the launch and retrieve rate remains at (10 dollars per vessel and boaters could park for free. He stated that boaters who park overnight at the Marina would be charged an additional twelve (12) dollars. This resolution was passed on a 4-0 vote, Mayor Castro was absent. |

On March 18, 2009, an Agenda Request Form Authored by Town Manager Maria Davis provided a Summary Explanation of the following: Commissioner Carey requested staff to explore an annual ramp pass for boaters. Staff discussed various options and is recommendation that the Marina sell a "punch card" for $100.00 per year, which would entitle the customer to launch 12 times per year. Since the rate to launch a boat is $10.00 per launch, essentially the annual pass would provide for 2 free launches with the purchase of 10.

**Yearly Marina Ramp Passes:** Commissioner Carey asked if more than one card could be sold per year. The Town Manager said yes. Commissioner Balius recommended a $50.00 card in addition to the $100.00 card. Marina Director Mike Pisano state that it was at the Commission's discretion to have an additional $50.00 card. A motion was made by Commissioner Carey to have a $50.00 buy five launches get one free launch Marina ramp pass; Vice Mayor Second. Vote passed 5-0.

Based on Ordinance 8-64 of the Town Code, Marina fee schedules are to be established by resolution and not by vote of the Commission without a resolution.

**In Summary:** The last Resolution vote taken by the Town of Lake Park, Board of Commissioners was Resolution 41-08-06 which states that Launch and Retrieve rate remains at $10.00 per vessel and boaters could park for free. Boaters who park overnight at the Marina would be charged an additional $12.00.

In order to have a meaningful discussion on Marina Launch Fees, this historical information is necessary for the Commission to have a meaningful discussion on rates and fees, whether to provide punch cards with annual launch fees as was discussed and

implemented in years past or to continue with the 41-08-06 Resolution of $10.00 per vessel with free overnight parking.

**Recommended Motion:** At this point a motion is not necessary however, guidance to staff is recommended. If the Commission desires another resolution clarifying or elaborating on earlier Resolutions, staff will proceed upon guidance from the Commission as a whole.

BILL NO. 25, 1989
ORDINANCE NO. 23, 1989

AN ORDINANCE OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING SECTION 8-42(b) OF THE CODE (REGARDING PARKING FEES FOR PARKING OVER 24 HOURS AT THE LAKE PARK MARINA); PROVIDING A SAVINGS CLAUSE; AND AN EFFECTIVE DATE.

WHEREAS, the provisions of Section 8-42(b) of the Code are inherently contradictory; and

WHEREAS, Section 8-64 of the Code provides that marina fee schedules are to be established by Resolution; and

WHEREAS, Section 8-42(b) serves to establish marina parking fees in a manner inconsistent with the provisions of Section 8-64 of the Code.

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

SECTION I

Section 8-42(b) of the Code is hereby repealed.

SECTION II

That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part to be declared invalid.

SECTION III

This Ordinance shall take effect immediately upon its passage.

PLACED ON FIRST READING THIS 6th DAY OF September, 1989.

PUBLISHED IN THE Palm Beach Post THIS 10th DAY OF September, 1989.

PLACED ON SECOND, FINAL READING AND ADOPTED THIS 20th DAY OF September, 1989.

Belinda R. Baldwin

MAYOR

(TOWN SEAL)

ATTEST:

Barbara A. Scheiling

Town Clerk

RESOLUTION NO. 66, 1989

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING RATES FOR EXTENDED PARKING AND RAMP USE WITHIN THE MARINA FACILITY PURSUANT TO SECTION 8-64 OF THE CODE; PROVIDING AN EFFECTIVE DATE.

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

SECTION I

Extended parking permits shall be made available for purchase by marina patrons for parking within the marina facility for periods of more than twenty-four (24) hours. The rate for extended parking permits shall be twelve dollars ($12.00) per twenty-four (24) hour period or portion thereof.

SECTION II

Parking permits for the personal vehicles of marina tenants shall be issued at no charge.

SECTION III

Rates for use of the marina launching ramp(s) shall be as follows:

| | |
|---|---|
| Single launch, paid at the time of use: | $5.00 |
| Launch card, purchased in advance: | $40.00 |
| (10 single launches @ $4.00/launch): | |

SECTION IV

This Resolution shall take effect December 1, 1989.

READ AND ADOPTED THIS 18th DAY OF October, 1989.

Belinda R. Baldwin

MAYOR

(TOWN SEAL)

RESOLUTION NO. 39, 1990

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING RATES FOR MARINA SLIP RENTAL; PROVIDING FOR PAYMENT OF STATE SALES TAX ON ALL SLIP RENTALS; ESTABLISHING AN ADMINISTRATIVE FEE FOR PROCESSING LEASE DOCUMENTS; ESTABLISHING RATES FOR RAMP USE WITHIN THE MARINA FACILITY; ESTABLISHING TERMS AND CONDITIONS FOR ISSUANCE AND USE OF RAMP STICKERS; ESTABLISHING RATES FOR EXTENDED PARKING WITHIN THE MARINA FACILITY; PROVIDING FOR FEES TO BE COLLECTED FOR DISHONORED CHECKS; PROVIDING AN EFFECTIVE DATE.

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

SECTION I

Six (6) month marina slip lease terms shall extend from October 1st through March 31st and April 1st through September 30th, each year.

SECTION II

The following rates are hereby established for rental of marina slips:

1. Six (6) month lease term paid in advance.....$5.00/slip foot/month (See Chart A)

2. Lease term greater than three (3) months and less than six (6) months paid in advance (initial lease only).....$5.00/slip foot/month (See Chart A)

CHART A

| SLIP SIZE | RATE FT/MO. | TOTAL RATE/ MONTH | SALES TAX | TOTAL RATE/ MONTH | TOTAL/ 6 MOS. |
|---|---|---|---|---|---|
| 22 ft. | $5.00 | $110.00 | $ 6.60 | $116.60 | $ 699.60 |
| 25 ft. | 5.00 | 125.00 | 7.50 | 132.50 | 795.00 |
| 30 ft. | 5.00 | 150.00 | 9.00 | 159.00 | 954.00 |
| 36 ft. | 5.00 | 180.00 | 10.80 | 190.80 | 1,144.80 |
| 40 ft. | 5.00 | 200.00 | 12.00 | 212.00 | 1,272.00 |
| 44 ft. | 5.00 | 220.00 | 13.20 | 233.20 | 1,399.20 |
| 49 ft. | 5.00 | 245.00 | 14.70 | 259.70 | 1,558.20 |
| 52 ft. | 5.00 | 260.00 | 15.60 | 275.60 | 1,653.60 |
| 57 ft. | 5.00 | 285.00 | 17.10 | 302.10 | 1,812.60 |

3. Lease term greater than one (1) month and up to six (6) months paid on a monthly basis in advance. variable/slip foot/month (see Chart B)

4. Daily rate for partial months of lease term = $\frac{\text{applicable rate}}{\text{days in month}}$

5. Daily rate for partial months (no lease):

   a) Boats under 36 feet O.A.L.....$10.00/day
   b) Boats 36 feet and greater O.A.L.....$15.00/day

SECTION III

State sales tax shall be applicable to all slip rentals.

SECTION IV

A one-time administrative fee for processing lease documents, in the amount of $12.50, shall be charged for initial leases executed on or after the effective date of this Resolution. Such administrative fee shall not apply to lease renewals.

SECTION V

Rates for use of marina/launching ramp(s) shall be as follows:

1. Single launch, paid at the time of use.....$5.00

2. Launch card, purchased in advance.....$40.00
   (10 single launches @ $4.00/launch)

3. Ramp sticker(s)

   a) One sticker (unlimited ramp use Monday through Friday only during fiscal year of issuance).....$50.00

   b) Two stickers (unlimited ramp use during fiscal year of issuance).....$100.00

SECTION VI

1) Ramp stickers shall be issued for non-commercial use only upon payment of the annual fee and execution of a statement, to be provided by the Town, attesting to the purchaser's understanding and acceptance of the terms and conditions upon which the ramp sticker is issued. Ramp stickers shall be valid during the fiscal year for which it is issued.

2) Ramp stickers shall be affixed to the purchaser's boat trailer, by the Dockmaster or Dock Attendant, upon payment therefore.

   a) One ramp sticker shall entitle the purchaser to unlimited use of marina launching ramps on weekdays only (Monday through Friday) within the hours established for ramp use.

   b) Two ramp stickers shall entitle the purchaser to unlimited use of marina launching ramps within the hours established for ramp use.

   c) Ramp stickers for unlimited use of marina launching ramps shall be available on a first-come, first-serve basis to not more

SECTION VIII

Parking permits for the personal vehicles of marina tenants shall be issued at no charge.

SECTION IX

Fees for dishonored checks shall be collected in accordance with applicable provisions of the Lake Park Code.

SECTION X

This Resolution shall become effective immediately upon adoption.

READ AND ADOPTED THIS 7th DAY OF November, 1990.

Belinda R. Baldwin
MAYOR

ATTEST:

Barbara A. Scheiling, CMC
TOWN CLERK

RESOLUTION NO. 62, 1991

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING BEGINNING AND ENDING DATES FOR SIX (6) MONTH MARINA LEASE TERMS; ESTABLISHING THE BASIS FOR APPLICATION OF RATES FOR MARINA SLIP RENTAL; ESTABLISHING RATES FOR MARINA SLIP RENTAL; PROVIDING FOR PAYMENT OF STATE SALES TAX ON ALL SLIP RENTALS; ESTABLISHING AN ADMINISTRATIVE FEE FOR PROCESSING LEASE DOCUMENTS; ESTABLISHING RATES FOR RAMP USE WITHIN THE MARINA FACILITY; ESTABLISHING TERMS AND CONDITIONS FOR ISSUANCE AND USE OF RAMP STICKERS; ESTABLISHING RATES FOR EXTENDED PARKING WITHIN THE MARINA FACILITY; PROVIDING FOR FEES TO BE COLLECTED FOR DISHONORED CHECKS; PROVIDING AN EFFECTIVE DATE.

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

SECTION I

Six (6) month marina slip lease terms shall extend from October 1st through March 31st and April 1st through September 30th, each year.

SECTION II

All rates for rental of marina slips shall be applicable to either the overall length (O.A.L.) of the vessel or the length of the slip in which the vessel is berthed, whichever is greater.

SECTION III

The following rates are hereby established for rental of marina slips:

1. Initial lease term greater than three (3) months but less than six (6) months paid in advance.....$3.50/ft./mo. (22' slip and 20' or less O.A.L.)
   .....$5.00/ft./mo. (all others)

2. Six (6) month lease term paid in advance.....$3.50/ft./mo. (22' slip and 20' or less O.A.L.)
   .....$5.00/ft./mo. (all others)

3. Lease term greater than one (1) month paid on a monthly basis

4. Daily rate for partial-months of lease term = $\frac{\text{applicable rate}}{\text{days in month}}$

5. Daily rate for partial months (no lease):

   a) Boats under 36 feet O.A.L.....$10.00/day
   b) Boats 36 feet and greater O.A.L.....$15.00/day

SECTION III

State sales tax shall be applicable to all slip rentals.

SECTION IV

A one-time administrative fee for processing lease documents, in the amount of $12.50, shall be charged for initial leases executed on or after the effective date of this Resolution. Such administrative fee shall not apply to lease renewals.

SECTION V

Rates for use of marina/launching ramp(s) shall be as follows:

1. Single launch, paid at the time of use.....$5.00

2. Launch card, purchased in advance.....$40.00
   (10 single launches @ $4.00/launch)

3. Ramp sticker(s)

   a) One sticker (unlimited ramp use Monday through Friday only during fiscal year of issuance).....$50.00

   b) Two stickers (unlimited ramp use during fiscal year of issuance).....$100.00

SECTION VI

1) Ramp stickers shall be issued for non-commercial use only upon payment of the annual fee and execution of a statement, to be provided by the Town, attesting to the purchaser's understanding and acceptance of the terms and conditions upon which the ramp sticker is issued. Ramp stickers shall be valid during the fiscal year for which it is issued.

2) Ramp stickers shall be affixed to the purchaser's boat trailer, by the Dockmaster or Dock Attendant, upon payment therefore.

   a) One ramp sticker shall entitle the purchaser to unlimited use of marina launching ramps on weekdays only (Monday through Friday) within the hours established for ramp use.

   b) Two ramp stickers shall entitle the purchaser to unlimited use of marina launching ramps within the hours established for ramp use.

   c) Ramp stickers for unlimited use of marina launching ramps shall be available on a first-come, first-serve basis to not more than twenty-five (25) marina patrons.

SECTION VIII

Parking permits for the personal vehicles of marina tenants shall be issued at no charge.

SECTION IX

Fees for dishonored checks shall be collected in accordance with applicable provisions of the Lake Park Code.

SECTION X

This Resolution shall become effective October 1, 1991.

READ AND ADOPTED THIS 18th DAY OF SEPTEMBER, 1991.

Belinda R. Baldwin
MAYOR

Barbara A. Scheibing, CMC
TOWN CLERK

RESOLUTION NO. 27, 1994

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING BEGINNING AND ENDING DATES FOR SIX (6) MONTH MARINA LEASE TERMS; ESTABLISHING THE BASIS FOR APPLICATION OF RATES FOR MARINA SLIP RENTAL; ESTABLISHING RATES FOR MARINA SLIP RENTAL; PROVIDING FOR PAYMENT OF STATE SALES TAX ON ALL SLIP RENTALS; ESTABLISHING AN ADMINISTRATIVE FEE FOR PROCESSING LEASE DOCUMENTS; ESTABLISHING RATES FOR RAMP USE WITHIN THE MARINA FACILITY; ESTABLISHING TERMS AND CONDITIONS FOR ISSUANCE AND USE OF RAMP STICKERS; ESTABLISHING RATES FOR EXTENDED PARKING WITHIN THE MARINA FACILITY; PROVIDING FOR FEES TO BE COLLECTED FOR DISHONORED CHECKS; PROVIDING AN EFFECTIVE DATE.

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

SECTION I

Six (6) month marina slip lease terms shall extend from October 1st through March 31st and April 1st through September 30th, each year.

SECTION II

All rates for rental of marina slips shall be applicable to either the overall length (O.A.L.) of the vessel or the length of the slip in which the vessel is berthed, whichever is greater.

SECTION III

The following rates are hereby established for rental of marina slips:

1. Initial lease term greater than three (3) months but less than six (6) months paid in advance.....$3.50/ft./mo. (22' slip and 20' or less O.A.L.)
   .....$5.00/ft./mo. (all others)

2. Six (6) month lease term paid in advance.....$3.50/ft./mo. (22' slip and 20' or less O.A.L.)
   .....$5.00/ft./mo. (all others)

3. Lease term greater than one (1) month paid on a monthly basis in advance.....$4.00/ft./mo. (22' slip and 20' or less O.A.L.)
   .....Chart A (all others)

CHART A

| SLIP/VESSEL LENGTH | RATE/FT./MO. |
|---|---|
| 20-29 feet | $5.00 + $.10/ft. over 20' |
| 30-39 feet | $6.00 + $.10/ft. over 30' |
| 40-49 feet | $7.00 + $.10/ft. over 40' |
| 50 + feet | $8.00 + $.10/ft. over 50' |

4. Daily rate for partial months of lease term = $\frac{\text{applicable rate}}{\text{days in month}}$

5. Daily rate for partial months paid prior to occupancy (no lease):

   a) Boats under 36 feet O.A.L.....$10.00/day
   b) Boats 36 feet and greater O.A.L.....$15.00/day

   c) The first "day" of any temporary slip rental shall extend from the time of check-in to 3:00 p.m. the following day; thereafter, each 24-hour period or part thereof shall constitute a "day" for purposes of applying the above rates. Check-in shall occur during normal operating hours of the marina, excepting bona fide emergencies, in which case the vessel's presence within the facility and the nature of the emergency shall be immediately communicated to the Police Department.

SECTION III

State sales tax shall be applicable to all slip rentals.

SECTION IV

A one-time administrative fee for processing lease documents, in the amount of $12.50, shall be charged for initial leases executed on or after the effective date of this Resolution. Such administrative fee shall not apply to lease renewals.

SECTION V

Rates for use of marina/launching ramp(s) shall be as follows:

1. Single launch, paid at the time of use.....$5.00

2. Launch card, purchased in advance.....$40.00
   (10 single launches @ $4.00/launch)

3. Ramp sticker(s)

   a) One sticker (unlimited ramp use Monday through Friday only during fiscal year of issuance).....$50.00

   b) Two stickers (unlimited ramp use during fiscal year of issuance).....$100.00

## SECTION VI

1) Ramp stickers shall be issued for non-commercial use only upon payment of the annual fee and execution of a statement, to be provided by the Town, attesting to the purchaser's understanding and acceptance of the terms and conditions upon which the ramp sticker is issued. Ramp stickers shall be valid during the fiscal year for which it is issued.

2) Ramp stickers shall be affixed to the purchaser's boat trailer, by the Dockmaster or Dock Attendant, upon payment therefore.

   a) One ramp sticker shall entitle the purchaser to unlimited use of marina launching ramps on weekdays only (Monday through Friday) within the hours established for ramp use.

   b) Two ramp stickers shall entitle the purchaser to unlimited use of marina launching ramps within the hours established for ramp use.

   c) Ramp stickers for unlimited use of marina launching ramps shall be available on a first-come, first-serve basis to not more than twenty-five (25) marina patrons.

3) Ramp stickers shall be valid only during the fiscal year of issuance.

4) A ramp sticker may be invalidated by the Dockmaster, with prior approval of the Town Manager, for good cause shown.

## SECTION VII

Extended parking permits shall be made available for purchase by marina patrons for parking within the marina facility for periods of more than twenty-four (24) hours. The rate for extended parking permits shall be twelve dollars $12.00 per twenty-four (24) hour period or portion thereof.

## SECTION VIII

Parking permits for the personal vehicles of marina tenants shall be issued at no charge.

## SECTION IX

Fees for dishonored checks shall be collected in accordance with applicable provisions of the Lake Park Code.

## SECTION X

This Resolution shall become effective immediately upon adoption.

READ AND ADOPTED THIS 3rd DAY OF AUGUST, 1994.

TOWN OF LAKE PARK SEAL FLORIDA

(TOWN SEAL)

MAYOR

RESOLUTION NO. 51, 1996

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING BEGINNING AND ENDING DATES FOR SIX (6) MONTH MARINA LEASE TERMS; ESTABLISHING THE BASIS FOR APPLICATION OF RATES FOR MARINA SLIP RENTAL; ESTABLISHING RATES FOR MARINA SLIP RENTAL; PROVIDING FOR PAYMENT OF STATE SALES TAX ON ALL SLIP RENTALS; ESTABLISHING AN ADMINISTRATIVE FEE FOR PROCESSING LEASE DOCUMENTS; ESTABLISHING RATES FOR RAMP USE WITHIN THE MARINA FACILITY; ESTABLISHING TERMS AND CONDITIONS FOR ISSUANCE AND USE OF RAMP STICKERS; ESTABLISHING RATES FOR EXTENDED PARKING WITHIN THE MARINA FACILITY; PROVIDING FOR FEES TO BE COLLECTED FOR DISHONORED CHECKS; PROVIDING AN EFFECTIVE DATE.

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

SECTION I

Six (6) month Marina slip lease terms shall extend from October 1st through March 31st and April 1st through September 30th, each year.

SECTION II

All rates for rental of Marina slips shall be applicable to either the overall length (O.A.L.) of the vessel or the length of the slip in which the vessel is berthed, whichever is greater.

SECTION III

The following rates are hereby established for rental of Marina slips:

1. Initial lease term greater than three (3) months but less than six (6) months paid in advance.....

   $3.50/ft./mo. (22'slip and 20' or less O.A.L.)
   $5.00/ft./mo. (all others)

2. Six (6) month lease term paid in advance.....

   $3.50/ft./mo. (22'slip and 20' or less O.A.L.)
   $5.00/ft./mo. (all others)

3. Lease term greater than one (1) month paid on a monthly basis in advance.....

$4.00/ft./mo. (22' slip and 20' or less O.A.L.)
Chart A (all others)

CHART A

| SLIP/VESSEL LENGTH | RATE/FT./MO. |
|---|---|
| 20-29 feet | $5.00 + $.10/ft. over 20' |
| 30-39 feet | $6.00 + $.10/ft. over 30' |
| 40-49 feet | $7.00 + $.10/ft. over 40' |
| 50 + feet | $8.00 + $.10/ft. over 50' |

4. Daily rate for partial months of lease term = $\frac{\text{applicable rate}}{\text{days in month}}$

5. Daily rate for partial months (no lease):

a) Boats under 36 O.A.L.....$10.00/day
b) Boats 36 feet and greater O.A.L....$15.00/day

SECTION III

State sales tax shall be applicable to all slip rentals.

SECTION IV

A one-time administrative fee for processing lease documents, in the amount of $25.00, shall be charged for initial leases executed on or after the effective date of this Resolution. Such administrative fee shall not apply to lease renewals.

SECTION V

Rates for use of Marina/launching ramp(s) shall be as follows and based on price per vessel:

1. Single launch and trailer rig parking for up to 24 hours, paid at the time of use.....$7.00

2. Launch card and trailer rig parking for up to 24 hours purchased in advance.....$60.00
(10 single launches @ $6.00/launch)

3. Ramp sticker(s)

a) One sticker (ramp use and trailer rig parking up to 24 hours Monday through Friday only during fiscal year of issuance).....$75.00

b) Two stickers (ramp use and trailer rig parking up to 24 hours seven (7) days per week during fiscal year of issuance).....$125.00

## SECTION VI

1. Ramp stickers shall be issued for non-commercial use only upon payment of the annual fee and execution of a statement, to be provided by the Town, attesting to the purchaser's understanding and acceptance of the terms and conditions upon which the ramp sticker is issued. Ramp stickers shall be valid during the fiscal year for which it is issued.

2. Ramp stickers shall be affixed to the purchaser's boat trailer, by the Dockmaster or Dock Attendant, upon payment thereof.

   a) One ramp sticker shall entitle the purchaser to unlimited use of Marina launching ramps on weekdays only (Monday through Friday) within the hours established for ramp use and trailer rig parking for up to 24 hours.

   b) Two ramp stickers shall entitle the purchaser to unlimited use of Marina launching ramps within the hours established for ramp use and trailer rig parking for up to 24 hours.

3. Ramp stickers shall be valid only during the fiscal year of issuance.

4. A ramp sticker may be invalidated by the Dockmaster, with prior approval of the Town Manager, for good cause shown.

## SECTION VII

Extended trailer rig parking permits shall be made available for purchase by Marina launching ramp patrons for parking within the Marina facility for periods of more than twenty-four (24) hours. The rate for extended parking permits shall be twelve dollars ($12.00) per twenty-four (24) hour period or portion thereof.

SECTION VIII

Daily vehicle parking rate shall be $7.00 per each twenty-four (24) hour period or portion thereof.

SECTION IX

Parking permits for the personal vehicles of Marina slip tenants shall be issued at no charge.

SECTION X

Fees for dishonored checks shall be collected in accordance with applicable provisions of the Lake Park Code.

SECTION XI

This Resolution shall become effective October 1, 1996.

READ AND ADOPTED THIS 18th DAY OF SEPTEMBER, 1996.

William A. Wagner
MAYOR

TOWN OF LAKE PARK FLORIDA
SEAL
ATTEST:

Barbara A. Scheibling
TOWN CLERK

over 50' they would be sending away as those they could accommodate as they did not have adequate water depth to accomodate these vessels; one of the worst things a Marina could have was customers bouncing off the bottom.

The Vice Mayor asked how much bulkhead would be torn out; he was told they only wished to repair or reconstruct; they did not wish to tear out anything; he remarked in the north basin that 2, 28' boats could not maneuver into the dock. Mr. Decker noted he was expanding the width of the docks 1 ½ times the vessel length. They had tried to move all of the smaller boat slips back, into the corner. He mentioned the small sailboaters needed to be accommodated; many power boats chose to go to a dry stack storage ; a lot of previous customer had their vessels in dry stack or they were trailing larger boats.

A discussion ensued on the location of the restaurant or Dockmaster and a store; the safety issue was mentioned by the Vice Mayor who had witnessed some near misses during the fishing tournament a few weeks before.

Mr. Decker stated it would be their recommendation that as some of the other ancillary uses started to come on board, that they would recommend phasing the boat ramp out. He had identified this as a marginal conflicting use between tenant slips and small boaters; they were all going to the same place; but, the amount of activity that a boat ramp generated on Holidays caused the problems.

The Mayor suggested the ramp could be moved; the pros and cons were discussed; the costs of reconstruction would be close to $300,000; they had kept the ramps in the public areas; if they were put in private; that area was to be landscaped and gated, to keep the public out; the paying customers would find this to be a concern.

The Mayor then suggested it at the seawall, much like Bryant Park in Lake Worth; there were 2, 60' pipes there where water drained out, he was told. There may be an opportunity to generate some parking fees; the majority of the cost was parking when the ramps were being used; the smaller part was the launch fees.

Ms. Leary noted the benefits for all residents to use the public areas far outweighed the few residents who trailered their boats to the Marina and used the ramps; The vice Mayor noted it was very expensive empty space during the week; on weekends the crew had to be expanded to handle the crowd.

Mr. Decker had looked into ramp revenues and reported that 15% of their boat owners were out in the water during the week; 35% were out on their average week end; 65% of the boat owners were out there on a Holiday. The Town had generated $43,000 last year in revenues at $5/launch; that equated to 9,500 launches a year; he had added a 10% "fudge factor." There were 12 Holidays a year; the number of launches per day was 25; 52 on a week end day; a little over 100 during a

ORIGINAL DOC
R/ILLEC

Holiday; you check the parking spaces; their plan had 49 spaces for trailer parking; only on Holidays would they be exceeding this; the non trailer boaters were also coming in and parking during those Holidays; they were filling up the lot with all persons and ended up with an over utilization of parking.

Mr. Balius noted the expense for launching, extra personnel, etc. A discussion ensued on the idle time versus the intensive use; he agreed with Ms. Leary's previous remarks; the trailer revenues had been estimated to be 5.6% of the Marina's profits which equated to the rental of one 40' space. The parking for only 49 spaces was discussed; the Vice Mayor favored taking out the ramps; the Mayor noted every third or fourth house in town had a boat on a trailer; if they took ramps away from them they would disenfranchise town citizens from the Marina and he would not like to see that happen.

Chuck Balius pointed out that a new boat owner usually takes his boat out every week end for the first year he owns it; the average use was discussed; the Vice Mayor counted boats the week before and noted 5 boats looked like they had been used on a regular basis; the rest of the boats had tall grass under them and did not appear to have been used recently; the Mayor stated they were being asked to take away a facility that their tax dollars had help pay for; a discussion ensued on possible increases in rates for ramp fees; the last thing they would want to do would be to chase people away, Mr. Decker stated; he suggested that for the first 2-3 years they would be making a transition; if the customers didn't come rolling in right away, they could re-evaluate the situation a couple of years down the road; Ms. Leary agreed; Commissioner Castro suggested a way that they could service Town residents and still eliminate some trailer spaces they had; they could utilize the Marina for more parking; they could buy one or two lots across the street for permit parking or something like that; he suggested Kahn's lot and any one of the houses; a discussion ensued on the land costing $60,000; an electric gate and various methods of screening were discussed; the Vice Mayor suggested moving the ramp down to the corner like they had discussed; the property right across the street on US#1 next to Glass Arama could be purchased at a more reasonable rate than the property across the street from the Marina to accommodate the people of Lake Park.

Marina Village, Phase III - Creating buildings that would become an asset; they had discussed one very preliminary basis the private sector moving in to the area, with proposals to have ancillary businesses run in the area; anchored around the waterfront; it was noted that the property is now residential; this phase was very speculative at this time; Mr. Decker noted it was one thing to talk about moving the ramp; but, when they had to open their wallet and pay for it; that was another matter; he suggested they start slow and work their way up.

Commissioner Roetz mentioned closing the peninsula and making it more attractive for the village concept; relocating Lake Shore, a nice entrance feature coming into the Marina; gated or limited entrance for tenants; it would require some detailed planning Mr. Decker remarked; replacing the

ORIGINAL DOC

June 16, 1998, at 7:30 p.m. was set for a Commissioner workshop to discuss the Stormwater Utility Department/Enterprise Fund" in the Town of Lake Park.

4. THAT THE COMMISSION DIRECT STAFF TO PREPARE A REVISED RESOLUTION RELATIVE TO CERTAIN FEES CHARGED AT THE LAKE PARK MARINA AS NOTED IN STAFF RECOMMENDATION LISTED IN THE MEMORANDUM DATED MAY 28, 1998, FROM BRIAN SULLIVAN, ASSISTANT TOWN MANAGER/PUBLIC WORKS DIRECTOR.

Vice Mayor Butterly moved to approve; Commissioner Vandegrift seconded; Brian Sullivan noted that the Town was losing money on ramp stickers; he suggested they take this out; the Resolution that exists gives an incentive to purchase the launch cards; Brian stated he would like to change that to offer 12 single launches instead of 10; Commissioner Roetz agreed; a discussion ensued on ramp stickers; motion carried 5-0.

5. THAT THE COMMISSION ADOPT RESOLUTION NO. 31, 1998, ENDORSING THE CONCEPTUAL MASTER PLAN FOR THE WESTERN AREA DEVELOPED BY THE TREASURE COAST REGIONAL PLANNING COUNCIL, INCLUDING THE TRADITIONAL NEIGHBORHOOD DESIGN, THE MIXED RESIDENTIAL/COMMERCIAL LAND USE PATTERN AND THE FOUR-LANE URBAN CROSS SECTION FOR THE EXTENSION OF CONGRESS AVENUE WITHIN THE ALIGNMENT SELECTED BY THE COUNTY AND TO DIRECT STAFF TO DEVELOP A TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICT FOR THE WESTERN AREA.

The Mayor directed Attorney Monaghan to read Resolution No. 31, 1998, by caption only; Commissioner Vandegrift moved to adopt; Vice Mayor Butterly seconded; David Thatcher, Community Development Director, mentioned the Charrette and the 5 teams that developed plans for the western area and how it might link with the downtown and other areas of Lake Park; Treasure Coast and planning staff worked in the Chambers for a week following the Charrette; they took the best ideas from each of the plans and developed this plan which had been presented to them at a workshop on the 18th; they were wanting the Town to take action this evening to endorse this concept and agree with the alignment that the County set for 4 lanes instead of 6. A discussion ensued on a linear park and getting access to that park if it were constructed; Congress would be a logical way for this to happen as well as having someone else construct it instead of the Town; Commissioner Castro asked why Riviera Beach would support a realignment of Congress further west and thus requiring the condemnation of more land than what was already worked out; the Mayor explained that the MacArthur Foundation owned the land that Congress will go through in Riviera Beach as well as in Lake Park; some discussions he had with them, the Foundation saw the

**RESOLUTION NO. 36 1998**

**A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING BEGINNING AND ENDING DATES FOR SIX (6) MONTH MARINA LEASE TERMS; ESTABLISHING THE BASIS FOR APPLICATION OF RATES FOR MARINA SLIP RENTAL; ESTABLISHING RATES FOR MARINA SLIP RENTAL; PROVIDING FOR PAYMENT OF STATE SALES TAX ON ALL SLIP RENTALS; ESTABLISHING AN ADMINISTRATIVE FEE FOR PROCESSING LEASE DOCUMENTS; ESTABLISHING RATES FOR RAMP USE WITHIN THE MARINA FACILITY; ESTABLISHING RATES FOR EXTENDED PARKING WITHIN THE MARINA FACILITY; PROVIDING FOR FEES TO BE COLLECTED FOR DISHONORED CHECKS; PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:**

**SECTION I**

Six (6) month Marina slip lease terms shall extend from October 1st through March 31st and April 1st through September 30th, each year.

**SECTION II**

All rates for rental of Marina slips shall be applicable to either the overall length (O.A.L.) of the vessel or the length of the slip in which the vessel is berthed, whichever is greater.

**SECTION III**

The following rates are hereby established for rental of Marina slips:

1. Initial lease term greater than three (3) months but less than six (6) months paid in advance...

   $3.50/ft./mo. (22' slip and 20' or less O.A.L.)
   $5.00/ft./mo. (All others)

2. Six (6) month lease term paid in advance...
   $3.50/ft./mo. (22" slip and 20' or less O.A.L.)
   $5.00/ft./mo. (All others)

3. Lease term greater than one (1) month paid on a monthly basis in advance...

$4.00/ft./mo. (22' slip and 20' or less O.A.L.)
Chart A (All others)

**CHART A**

| SLIP/VESSEL LENGTH | RATE/FT./MO. |
|---|---|
| 20-29 feet | $5.00 + $.10/ft. Over 20' |
| 30-39 feet | $6.00 + $.10/ft. Over 30' |
| 40-49 feet | $7.00 + $.10/ft. Over 40' |
| 50 + feet | $8.00 + $.10/ft. Over 50' |

4. Daily rate for partial months of lease term = $\frac{\text{applicable rate}}{\text{days in month}}$

5. Daily rate for partial months (no lease):

   a) Boats under 36 feet O.A.L.....$15.00/day
   b) Boats 36 feet and greater O.A.L.....$20.00/day

**SECTION III**

State sales tax shall be applicable to all slip rentals.

**SECTION IV**

A one-time administrative fee for processing lease documents, in the amount of $25.00 shall be charged for initial leases executed on or after the effective date of this Resolution. Such administrative fee shall not apply to lease renewals.

**SECTION V**

Rates for use of Marina launching ramp (s) shall be as follows and based on price per vessel:

1. Single launch and trailer rig parking for up to 24 hours, paid at the time of use
   Weekday Rate.....$7.00

2. Single launch and trailer rig parking for up to 24 hours, paid at the time of use
   Weekend and Holiday Rate.....$10.00

3. Launch card and trailer rig parking for up to 24 hours purchased in advance.....$100.00
(12 single launches @ $10.00/launch)

**SECTION VI**

Extended trailer rig parking permits shall be made available for purchase to Marina launching ramp patrons for parking within the Marina facility for periods of more than twenty-four (24) hours. The rate for extended parking permits shall be twelve dollars ($12.00) per twenty-four (24) hour period or portion thereof.

**SECTION VII**

Daily vehicle parking rate shall be $7.00 per each twenty-four (24) hour period or portion thereof.

**SECTION VIII**

Parking permits for the personal vehicles of Marina slip tenants shall be issued at no charge.

**SECTION IX**

Fees for dishonored checks shall be collected in accordance with applicable provisions of the Lake Park Code.

**SECTION X**

This Resolution shall become effective immediately upon passage.

**SECTION XI**

**READ AND ADOPTED THIS 17TH DAY OF JUNE, 1998.**

TOWN OF LAKE PARK FLORIDA SEAL

William H. Wagner

**William H. Wagner, Mayor**

**ATTEST:**

Barbara Scheihing

**Barbara Scheihing, Town Clerk**

4/16
2003

award that amount, then they would not be obligated to do so at that time. The Town is taking a $40,000 annual loss on the property.

**Motion:** **A motion was made to proceed forward with a Resolution was made by Vice Mayor G. Chuck Balius and was seconded by Commissioner Bill Otterson.**

Vote on Motion:

| Commissioner Member | Yes | No | Other |
|---|---|---|---|
| Commissioner Garretson | X | | |
| Commissioner Otterson | X | | |
| Commissioner Longtin | X | | |
| Vice-Mayor Balius | X | | |
| Mayor Castro | X | | |

Motion Carried 5/0.

**Rental Rates**
After a brief discussion among the Commission, they requested that a rental history be provided to the Commission along with pictures of the rental facilities added to the Town of Lake Park's website.

**Launch Rates/Marina Name/Logo**
The Town Commission gave consensus to move forward with the changing of the name of the Marina to the Lake Park Harbor Marina.

*Jim Knox, 414 Lake Shore Drive*, Mr. Knox stated that Marina Board is currently working on a logo that is currently not ready for presentation as of yet. He recommends that the launch rates should be implemented at $7.00 until September 31, 2004.

After discussion the Commission decided to set the rates for the Marina at $7.00 during the week and $10.00 on the weekend and holidays.

**Motion:** **A motion was made by Commissioner Paul Garretson to set the rates at $7.00 during the week and $10.00 on the Holidays and was seconded by Commissioner Longtin.**

Vote on Motion:

| Commissioner Member | Yes | No | Other |
|---|---|---|---|
| Commissioner Garretson | X | | |
| Commissioner Otterson | X | | |
| Commissioner Longtin | X | | |
| Vice-Mayor Balius | | X | |
| Mayor Castro | | X | |

Motion carried 3/2.

Mayor Castro and Vice Mayor Chuck Balius do not agree with the prices that have been voted upon. They feel that the rates are too low.

## COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

***Mayor Paul Castro***

Readdressed the Fence Ordinance, states that he is in opposition of fences being in front yards. He would like to make it a future Agenda item. He received a call from a few residents that were concerned about the Norfolk Island Pine Trees around town. The residents want to publicly make it known that the pines are dangerous. He also wanted to address the Commission regarding a Resolution proclaiming the month of May as "Elder Law Month". Concerned about the progress of Park Avenue BBQ construction. Would like better Street Lighting. Thanked the Sheriff for enforcing the motor scooter rules. Acknowledged the Easter Egg Hunt on April 19, 2003.

***Vice Mayor G. Chuck Balius***

Expressed that he would like to see Pension Board Meeting Feedback. Wants to schedule a function for June 13, 2003 or on Saturday in recognition of Flag Day. He had concerns with the flooding on Silver Beach Road and would like to see the County began working on the swales. He also voiced concerns with the damaged street signs. Minimum housing code and Swale Tree planting concerns. He would like to review the entire "*picture*" on the County Marina offer. He stated that he's received complaints about the dust from the Marina. Concerns with where the Town stands with the $5 million dollar loan. Ballfield Lighting cost. Mentioned the planting of the trees at the Ballfield on Arbor Day.

***Commissioner Bill Otterson***

He voiced his issues with the ramp to the Marina. He doesn't feel it necessary to have two (2) separate boards that both apply to Code Compliance/Enforcement. Would like to see a ticket system implemented for the boat ramps.

# Minutes
# Town of Lake Park, Florida
# Regular Commission Meeting
# August 2, 2006 7:30 p.m.
# Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, August 2, 2006 at 7:40 p.m. Present were Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Interim Town Manager Cynthia Sementelli, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez. Mayor Castro was absent.

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

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**
None

**Motion: A motion was made by Commissioner Balius to approve the agenda; 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 | | | Absent |

Motion passed 4-0.

**PUBLIC and OTHER COMMENT**
None

**CONSENT AGENDA:**

1. Commission Meeting Minutes from July 19, 2006.
2. Rental of the Mirror Ballroom

**Motion: A motion was made by Commissioner Balius to approve the Commission Meeting Minutes from July 19, 2006; Commissioner Osterman made the second.**

Vote on Motion:

| Commission | Aye | Nay | Other |
|---|---|---|---|

Vice-Mayor Daly disagreed with Mr. Little and stated that the trees in swales ordinance would be brought back to the next Commission Meeting of August 16, 2006 for discussion.

*Mr. Spears* – addressed the Commission and spoke about an egress that was blocked by trees that had fallen on Greenbriar Dr. and 4th St. caused by a past hurricane. He asked the Commission to consider the species of trees allowed in swales with consideration to trees that can withstand hurricanes.

**Public Comment Closed.**

**Motion: A motion was made by Commissioner Balius to continue Ordinance No. 07-2006 to the next Regular Commission Meeting of August 16, 2006; 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 | | | Absent |

Motion passed 4-0.

**RESOLUTION NO. 41-08-06**
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING THE REVISED DOCKAGE RATE SCHEDULE FOR THE LAKE PARK HARBOR MARINA FOR VESSEL OWNERS AND PROVIDING AN EFFECTIVE DATE.** 8/2/06

Commissioner Carey stated that the $17.50 annual dockage rate did not change. Interim Town Manager Cynthia Sementelli agreed and stated that the only difference would be for seasonal winter rates. She stated that the Marina was encouraging boaters to pay an annual rate.

Vice-Mayor Daly asked if the day rate at the Marina included parking. Interim Town Manager Cynthia Sementelli stated that parking at the Marina would be an additional cost.

Marina Manager David Hinaman stated that the launch and retrieve rate remains at ten (10) dollars per vessel and boaters could park for free. He stated that boaters who park overnight at the Marina would be charged an additional twelve (12) dollar.

**Public Comment Opened.**
*William McDow, 220 U.S. Hwy One* – Mr. McDow expressed concern over changing the dockage rates for the Marina. He recommended that the winter rates for the marina not be changed because it was when the Marina was most full. He reviewed and discussed the rates at the Marina and asked if the Harbor Marina Advisory Board would be able to review the changes

to the Marina rates. Interim Town Manager Cynthia Sementelli stated that the Marina Dockage rates would be presented to the Harbor Marina Advisory Board for review.

Vice-Mayor Daly stated that the Harbor Marina Advisory Board must be timely in providing their meeting minutes.

Mr. McDow requested that the Marina dockage rates be moved to the next Commission Meeting of August 16, 2006 so that the Harbor Marina Advisory Board had an opportunity to review the rates.

**Public Comment Closed.**

Interim Town Manager Cynthia Sementelli stated that she was not sure that there was going to be a Harbor Marina Advisory Board Meeting because the board had not provide an agenda to the Clerk's office.

Marina Manager David Hinaman stated that the dockage rates increases were brought up at the last Harbor Marina Advisory Board Meeting. He stated that the board was aware of the dockage rate increases and the board asked for a copy of the rate increase but the Town did not have an available copy at the time. He stated that the Board needed to be more proactive in obtaining information.

Commissioner Osterman stated that the Town's boards are volunteer oriented and expressed appreciation to those volunteers who serve on the various town boards. She stated that it was the Town's staff and employee's responsibility that any information relating to the Town's boards be provided to the members of the board.

**Motion: A motion was made by Commissioner Carey to approve Resolution No. 41-08-06; 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 | | | Absent |

Motion passed 4-0.

**RESOLUTION NO. 42-08-06**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA DETERMINING A NEED FOR THE MAKING OF PUBLIC IMPROVEMENTS IN THE FORM OF ALLEYWAY PAVING, THE CONSTRUCTION OF MASONRY SEPARATION WALLS AND OTHER RELATED WORKS AS AUTHORIZED BY SECTION 170.01, FLORIDA**