



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, December 15, 2010, 7:23 p.m.**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, December 15, 2010 at 7:25 p.m. Present were Mayor Desca DuBois, Vice-Mayor Patricia Osterman, Commissioners Kendall Rumsey, Steven Hockman and Jeanine Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Mayor DuBois led the Invocation and the Pledge of Allegiance.  
 Town Clerk Vivian Lemley performed the Roll Call.

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**

Certificate of Appreciation to John Lineweaver was added to the Agenda.

**Motion: A motion was made by Commissioner Rumsey to approve the Agenda as amended; Commissioner Hockman made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

Mayor DuBois presented a Certificate of Appreciation to Mr. John Lineweaver.

Mr. Lineweaver accepted his Certificate of Appreciation and thanked the Commission.

**PUBLIC AND OTHER COMMENTS:**

None

**CONSENT AGENDA:**

1. Regular Commission Meeting Minutes November 17, 2010

2. Resolution No. 54-12-10 Parks and Facilities Fee Schedule

**Public Comment Open.**

*None*

**Public Comment Closed.**

Commissioner Longtin stated that on page two of the November 17, 2010 Commission Meeting minutes with regards to the CRA business owners wanting to change the Town logo it stated "she stated that it should say the CRA business owners because that is what she has stated time and time again". She asked that it be clarified to state that "it" was stated time and again, not that it was her that had made those statements.

**Motion: A motion was made by Commissioner Longtin to approve item number 1 of the Consent Agenda; Commissioner Hockman made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

Commissioner Longtin asked that Town Manager Davis explain item number two Resolution No. 54-12-10 Parks and Facilities Fee Schedule.

Town Manager Davis explained that rates were adjusted for some of the park facilities and rental facilities for a couple of reasons. One of which was that CRA Economic Development Director Jennifer Spicer had recruited several businesses to come into Town and one of the businesses would be opening a restaurant in Town and they were interested in renting the Town's facilities. She stated that she gave them a tour of the Town's waterfront facilities and the Mirror Ballroom. One of the principals of the firm who was a caterer stated that he wanted to use the facilities as a venue for his catering. She stated that the fee schedule was not conducive to the types of events that this individual wanted to have. She explained that she asked staff to look at the current fees and keep in mind the types of events the individual was looking at such as weddings in which parking at a facility would need to be included. She gave the example of Lake Shore Park and stated that the use of the park for a wedding or other event where parking would need to be included and the use of the park exclusively. She explained that the changes were highlighted and other changes. Rates were adjusted higher for the use of staff for the events because the rates were too low.

Mayor DuBois asked if non-profit agencies would be affected by those rates.

Town Manager Davis explained that those types of agencies would not be affected by the new rates since they were non-profit.

Commissioner Longtin asked if the rate change came about because of a prospective restaurant owner.

Town Manager Davis explained that her eyes were opened and she was enlightened to the fact that the Town was not using its facilities and assets to their full potential for revenue enhancements and to market the facilities to different types of markets.

Commissioner Longtin stated that she would be voting no because of the economy. She did not want to raise rates. She stated that a lot of people were not aware of the facilities that the Town has and the Town does have some fabulous facilities. She stated that she would like to see more marketing done for the facilities but because of the economy she did not want to raise rates.

**Motion: A motion was made by Commissioner Rumsey to approve item number 2 of the Consent Agenda; Vice-Mayor Osterman made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin		X	
Commissioner Hockman		X	
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 3-2

**ORDINANCE ON 1<sup>ST</sup> READING**

**ORDINANCE NO. 13-2010 – Ad Valorem Tax Exemption**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES TO CREATE A NEW ARTICLE V ENTITLED “ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS”; PROVIDING FOR SECTION 28-251, ENTITLED “TITLE”; PROVIDING FOR SECTION 28-252, ENTITLED “INTENT”; PROVIDING FOR SECTION 28-253, ENTITLED “DEFINITIONS”; PROVIDING FOR SECTION 28-254, ENTITLED “ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION**

ESTABLISHED”; PROVIDING FOR SECTION 28-255 ENTITLED “APPLICATION FOR EXEMPTION”; PROVIDING FOR SECTION 28-256, ENTITLED “CONSIDERATION OF APPLICATION”; PROVIDING FOR SECTION 28-257, ENTITLED “APPLICATION FEE”; PROVIDING FOR SECTION 28-258, ENTITLED “REVOCATION OF EXEMPTION; RECOVERY OF FUNDS”; PROVIDING FOR SECTION 28-259 ENTITLED “APPEALS”; PROVIDING FOR SECTION 28-260, ENTITLED “SURVIVAL”; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Public Comment Open.**

*None*

**Public Comment Closed.**

Town Manager Davis explained the reason for Ordinance No. 13-2010. She stated that in 2008 a referendum was overwhelmingly passed to provide for Ad Valorem tax exemption for qualified businesses coming into the Town. She stated that it was required that the Town adopt an Ordinance once the referendum was done. She stated that the Ordinance was not adopted and they were adopting it now as a housekeeping measure in order to be in accordance with the requirement.

Commissioner Longtin asked if any businesses had taken advantage of the exemption.

Town Manager Davis stated that none have taken advantage of the exemption so far.

Commissioner Longtin asked how many businesses were qualified to take the exemption.

Town Manager Davis explained that the statute was very specific as to what type of businesses could take advantage of the benefit. She stated that the businesses had to be manufacturing type businesses or businesses bringing in 25 employees or more. They have to be from out of state and also corporate headquarters with 15 or more employees.

Commissioner Longtin asked if the corporate headquarters had to be in Lake Park or Palm Beach County.

Mayor DuBois explained that the benefit was for businesses or corporate headquarters within Lake Park only.

Town Manager Davis explained that the Town was the only municipality within Palm Beach County that has the tax incentive and the Business Development Board has their eye on a lot of the Town’s parcels because of the incentive.

Mayor DuBois stated that they had also recently had a presentation and used Lake Park as an example to show municipalities what to do and how to do it.

**Motion: A motion was made by Commissioner Rumsey to approve Ordinance No. 13-2010 on 1<sup>st</sup> reading; Vice-Mayor Osterman made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

Attorney Baird read Ordinance No. 13-2010 by caption-only.

**QUASI-JUDICIAL HEARING**

**RESOLUTION NO. 53-12-10 - Special Exception Application for 110 10<sup>th</sup> Street  
 A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SPECIAL EXCEPTION USE FOR BOAT SALES AND SERVICE FOR AL'S YAMAHA SALES & SERVICE INC., WITHIN A 5,500 SQUARE FOOT ENCLOSED BUILDING LOCATED AT 110 10<sup>TH</sup> STREET IN THE C-2 COMMERCIAL ZONING DISTRICT.**

**Public Comment Open.**

*None*

**Public Comment Closed.**

Ex-Parte Communication was declared as follows:

- Mayor DuBois – None
- Vice-Mayor Osterman – None
- Commissioner Hockman – None
- Commissioner Longtin - None
- Commissioner Rumsey – None

Town Clerk Vivian Lemley swore in all witnesses.

Community Development Director Patrick Sullivan explained that the applicant operates a business at 115 Federal Highway which is the property that the Town was in the process of purchasing. The purchase would force the applicant to relocate his business. The applicant has found a property on 110 10<sup>th</sup> Street which is already in an industrial area. The code allows for a boat sales and repair business as a special exception in that zone, therefore the applicant was requesting the special exception.

Mayor DuBois stated that she did not see any problem with approving the application and thought it would be a win, win situation to be able to keep a business within the Town of Lake Park.

Commissioner Longtin asked if she could ask the applicant what type of business they have.

Al of Al's Yamaha explained that his business does repairs on outboard boat motors, detailing and electrical work and maintenance on motors.

Commissioner Longtin asked if the business was noisy and if he ran the boat engines.

Al explained that he usually takes the boats on the water to run the engines. When he does run them at the shop he does so on a hose and for short periods of time.

Commissioner Longtin asked what his hours of business operation were.

Al stated that his business hours were Monday through Friday 8 a.m. to 5 p.m. and 8 a.m. to 2 p.m. on Saturday.

Commissioner Longtin asked how many he employed at his business.

Al stated that he had six employees.

Commissioner Longtin stated that she wanted Al to bear in mind that there was some residential around the property that he wants to move his business to.

**Motion: A motion was made by Vice-Mayor Osterman to approve Resolution No. 53-12-10; Commissioner Rumsey made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

## DISCUSSION AND POSSIBLE ACTION

### **Traffic/Street Closure of Poplar Court**

Mayor DuBois explained the reason for the discussion item. She stated that they would discuss a temporary solution to the truck traffic on that particular street.

Commissioner Longtin asked what had been done so far.

Mayor DuBois stated that the truck drivers have been informed by the Sheriff's Department on how to correct the situation but they have not corrected it. She stated that there were a few businesses on that street and trucks have blocked the road when they do their deliveries.

Commissioner Rumsey stated that he brought the item back up for discussion because there had been several residents who expressed an interest in having the road closed. The road is a cut through for the neighborhood and has no other purpose. He stated that if it was causing issues for the residents on the street, he was in favor of having the road closed. He recommended a consensus to close the street.

Mayor DuBois asked if it were possible for the trucks to make their deliveries and come back around thru the parking lot to get back onto Northlake Blvd.

Community Development Director Patrick Sullivan stated that there shouldn't be any problem for the trucks to be able to do that.

Commissioner Longtin recommended placing signs on the street prohibiting the trucks. She stated that she has not seen an outpouring from citizens. She stated that a gentleman had stated that he had a paper full of signatures but she had not received a copy of it.

Mayor DuBois stated that she had a copy of those signatures and she would provide it to Commissioner Longtin.

Vice-Mayor Osterman expressed her concerns with closing Poplar Court. She stated that she did not want to block entrance into the alleyway. She stated that making it a one-way street would not work.

Commissioner Rumsey stated that placing stop signs on that particular street would not work. He stated that he was still in favor of closing the street and he had a copy of those signatures.

Commissioner Hockman stated that the big issue was that the semi trucks blocked the driveway of the resident who lives on the corner. He stated that that was the big issue because of the length of the semi trucks. He stated that a sign was never placed there. He stated that a sign was installed on the end of Flagler Blvd. where there were semis unloading cars and it has since stopped. He stated that the other issue was that Poplar Court also happened to be a street where people blow the stop signs.

Mayor DuBois asked what the cost would be to close Poplar Court.

Community Development Director Patrick Sullivan stated that it would cost approximately \$450 to \$500 to close a street temporarily.

Mayor DuBois asked the Commission whether they were in favor or not in favor to close off Poplar Court.

Commissioner Rumsey stated that he was in favor of closing Poplar Court midblock.

Commissioner Longtin stated that she was not in favor of closing Poplar Court because she has not heard from the citizens regarding the issue.

Mayor DuBois stated that she was in favor of closing Poplar Court midblock.

Vice-Mayor Osterman expressed her concerns with closing Poplar Court. She stated "yes" to closing Poplar Court if that's what residents want.

Commissioner Hockman stated that he would like to hear from more residents. He stated that at this time he would have to say no to closing Poplar Court.

**Motion: A motion was made by Commissioner Rumsey to close Poplar Court mid-block with a temporary closure; Vice-Mayor Osterman made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin		X	
Commissioner Hockman		X	
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 3-2

## **PRESENTATION**

### **General Engineering Consultant Services**

Mayor DuBois explained the reason for the consultant presentations and what the process of the presentations would be.

Commissioner Hockman stated that due to a conflict of interest he would be abstaining from voting on the matter but would be present for the presentation and involved in discussion. He stated that the reason for the conflict was that he currently works on

projects indirectly as a team member with all three engineering firms through the Smith Engineering Company who contracts with him for the electrical design on said projects.

Vice-Mayor Osterman asked that the Town Clerk time the presentations so that each firm would get a fair and equal amount of time.

Commissioner Longtin asked for Town Manager Davis to explain why the Town was in need of a new General Engineering Consultant service.

Mayor DuBois asked Town Manager Davis to explain.

Town Manager Davis explained and stated that the Town's former engineering firm was Calvin, Giordano, and Associates who had been with the Town approximately 10 years. She stated that the firm changed management and she was concerned. She stated that she came to the Commission and requested to find a new firm.

Dan Clark of Clark & McCarthy introduced himself and thanked the Commission. He began by giving a brief explanation of the firm's background and licensing. He explained what type of firm they were. He began a PowerPoint presentation titled "Town of Lake Park RFP for Town Engineer" (see Exhibit "A"). He gave a brief explanation of his credentials and work experience (see page 3 of Exhibit "A"). He gave a background and explanation of Tom McCarthy's credentials and work experience (see page 5 of Exhibit "A"). He explained and showed a graph of the Clark & McCarthy Team and their abilities (see pages 6 through 7 of Exhibit "A"). He reviewed the firm's abilities and credentials and why they were the most experienced team (see pages 8 through 9 of Exhibit "A"). He explained why the firm was the "Right Size for the Town" (see page 10 of Exhibit "A"). He stated that they had "Local Knowledge and Presence" and explained why (see page 11 of Exhibit "A"). He explained why the Town should choose their firm (see page 12 of Exhibit "A") He thanked the Commission and concluded his presentation.

Mayor DuBois asked Mr. Clark if he was familiar with working with drainage problems.

Mr. Clark explained that he was very familiar and stated that his firm had done work in Palm Beach Gardens which has also benefited the Town.

Vice-Mayor Osterman asked Mr. Clark if he was familiar with LAP Certification.

Mr. Clark stated that he was very familiar with LAP Certification and had helped the City of Palm Beach Gardens get their LAP Certification.

Vice-Mayor Osterman asked if the City of Palm Beach Gardens was the only city the firm has helped get LAP Certification.

Mr. Clark stated that he had not personally helped any other city but that Tom McCarthy had worked with Juno Beach to get their LAP Certification.

Vice-Mayor Osterman asked if the firm had the experience and qualifications associated with the CEI, Construction Engineering and Inspection Requirements of a federalized project.

Mr. Clark stated that yes they had significant experiences with FDOT and have staff in the FDOT offices working there.

Commissioner Rumsey stated that one of the things he appreciated about Mr. Clark's presentation was that two of the firm's principals were Town engineers. He asked that coming from being a Town engineer to being a Town's consultant engineer what had Mr. Clark learned in the process.

Mr. Clark explained and clarified that he had been a consultant for the City of Palm Beach Gardens. He stated that LBFH was the name of the firm for the City of Palm Beach Gardens for 27 years. When Mr. Lyndall decided that he was no longer going to be the City Engineer he took over as consultant for nine years.

Commissioner Rumsey stated that Mr. Clark mentioned that he had done a lot of traffic studies. He asked Mr. Clark if the Commission did the right thing with regards to their decision to temporarily close Poplar Court.

Mr. Clark stated that he thought that the Commission did the right thing by installing a temporary closure on Poplar Court since they could get a feel for how the residents like or dislike the closure and the closure would force the truck traffic to find another way to do their business. He stated that he thought it was a good decision.

Vice-Mayor Osterman asked Mr. Clark to address the issue of mark up with regards to subcontractors and subconsultants.

Mr. Clark explained that there is a real cost involved with having sub-consultants for insurance because it is based on gross dollars which is typically 1 ½ % of the dollars that they bill. He stated that if it were at all possible, he would like to recover the 1 ½% but that was negotiable it was not something that would make or break them financially. He stated that there would be no other charge for having subconsultants.

Vice-Mayor Osterman asked for clarity on the MPDES and the mandated changes with the five year permit and its impact on co-committees.

Mr. Clark stated that he did not think there would be significant issues associated with those changes because they were not fundamentally changing anything. He explained other issues and changes that may impact the MPDES.

Mayor DuBois asked for clarification on how phone calls are billed.

Mr. Clark explained that they typically try to bill by the quarter hour. He stated that they usually won't bill for phone calls unless the calls are significant or it takes him a long time to research something that he received a call about.

Commissioner Rumsey asked Mr. Clark how he would address a staff member or Commissioner coming to him and expressing an opinion that he did not believe was in the best interest of the Town.

Mr. Clark stated that he would hope that he would only report to one person and not a group of people and that if someone came to him with a strong opinion he would be more than happy to listen to them and offer an opinion if they would like him to. He would then get back to the person who gives him direction and he would discuss the conversation with them to figure out a way to move forward.

Mayor DuBois thanked Mr. Clark.

Mr. Clark thanked the Commission for the opportunity to make his presentation.

Rob Renenbaum, President of Simmons & White Engineers introduced himself. He gave a brief overview of his experience and credentials and the history and explanation of the firm (see pages 2 through 3 of Exhibit "B"). He reviewed the "Simmons & White Organization Chart" (see page 4 of Exhibit "B"). He reviewed and explained the firm's "Qualifications and Experience" with Development Review and Civil Engineering (see page 5 of Exhibit "B"). He reviewed and explained the firm's "Qualifications & Experience" with Traffic Engineering (see page 6 of Exhibit "B"). He reviewed and explained the firm's "Qualifications & Experience" with Construction Engineering Inspections and Services (see page 7 of Exhibit "B"). He stated that John E. Schmidt of John E. Schmidt & Associates would be the person responsible for supporting Community Development Director Sullivan and providing the Community Development Department with whatever it needs (see page 8 of Exhibit "B"). He gave an overview of the firm's "Municipal Experience and Past Performance" (see pages 9 through 17 of Exhibit "B"). He reviewed and explained the firm's "Recommendations & Referrals" (see pages 18 through 19 of Exhibit "B"). He gave an overview of his qualifications as the "Town's Main Representative" (see page 20 of Exhibit "B"). He reviewed the firm's location (see page 21 of Exhibit "B"). He stated that the office was located on 45<sup>th</sup> St. which was five minutes away from the Town and he lived a mile up Prosperity Farms Rd. and would be able to come to the Town in five minutes and can be on call for whatever the Town may need. He reviewed the "Communication, Time & Budget Requirements, and Workload of Team" (see page 22 of Exhibit "B"). He gave an overview of "Understanding the Town's Governmental Process" (see pages 24 through 25 of Exhibit "B"). He explained and reviewed "Why the Simmons & White Team?" would be the best firm for the Town (see pages 29 through 30 of Exhibit "B"). Mr. Renebaum thanked the Commission and concluded his presentation.

Commissioner Rumsey asked Mr. Renenbaum if the Commission made the right decision with regards to Poplar Court.

Mr. Renebaum stated that he thought that the Commission did the right thing. He stated that Poplar Court was a short street and there was no need to have the direct connection between residential and commercial. A temporary barrier mid-block was great but the ultimate solution would be to remove the pavement, abandoning the right of way from the commercial drive ways off Northlake all the way down to the adjacent residential

street from Poplar Court North to the commercial drives. He stated to make the commercial drives grass and give half the property to each of the adjacent owners and make that area residential.

Commissioner Rumsey stated that Mr. Renebaum had mentioned in his presentation that his firm was responsible for the utilities design of the City of West Palm Beach's Waterfront Commons Park. He stated that he just did an event at that park and was shocked by the electrical issues there. He stated that there were no electrical outlets. He asked Mr. Renebaum who was responsible for the electrical design of the park and why it was done that way.

Mr. Renebaum explained that Catalfumo was the General Contractor in charge who dealt directly with City of West Palm Beach staff Joan Goldberg and there were weekly meetings regarding the electrical services and the temporary disconnects from the library kept power in place while the library was being torn down, and the ultimate electrical services were a huge item of discussion. He stated that he was sad to hear that Commissioner Rumsey was not satisfied with the electrical service at the park. He stated that his firm was solely responsible for the paving, drainage, water, and sewer and they were not responsible for the number and location of electrical outlets but were responsible for making sure water and sewer was coordinated where it was designed.

Commissioner Rumsey asked how Mr. Downs would be utilized.

Mr. Renebaum stated that if something came up that he needed historical knowledge on, he would call Mr. Downs. He stated that Mr. Downs has been on his cell phone for 20 years and a personal family friend for as long as he could remember.

Commissioner Rumsey asked Mr. Renebaum what he would do if a staff member or Commissioner came to him and expressed an opinion that he believed was not good for the Town.

Mr. Renebaum stated that he would take it on a case by case basis. He stated that if the person was off the wrong track he would slip the Town Manager a note at an appropriate time. He stated that he would get the word out in the right manner.

Vice-Mayor Osterman asked Mr. Renebaum to tell her about his experience with LAP Certification.

Mr. Renebaum explained that the firm was a local agency provider and was currently working with the DOT on a Safe Route to School Grant and were selected by through an RFP process by Palm Beach County to do 10 mast arms for school zone flashers. It was a LAP certified project in which they had to coordinate with the DOT for more stringent LAP requirements.

Vice-Mayor Osterman asked if they had done any other LAP projects.

Mr. Renebaum stated that his firm had not done the lead on any other LAP projects but have been team members on other LAP projects.

Vice-Mayor Osterman asked Mr. Renebaum to explain mark-up billing with regards to sub-consultants.

Mr. Renebaum stated that his firm was committed to no mark-ups because they were taking the economic times into consideration.

Commissioner Hockman stated for the record that neither he or the person he worked for was involved in the electrical work for the City of West Palm Beach's waterfront park.

**Mayor DuBois recessed the meeting at 8:47 p.m. for a short break.**

**Mayor DuBois reconvened the meeting at 8:53 p.m.**

Tom Biggs, Executive Vice-President of Mock Roos introduced himself and began his PowerPoint presentation (see Exhibit "C"). He reviewed and explained the firm's services and credentials (see pages 2 through 7 of Exhibit "C"). He gave an overview and introduction of the directors and staff of the firm (see page 8 through 11 of Exhibit "C"). He explained how the firm was recognized for its "Stormwater Master Planning" (see pages 12 through 14 of Exhibit "C"). He explained and reviewed how the firm provided "NPDES Leadership and Assistance" (see pages 15 through 16 of Exhibit "C"). He explained and gave examples of how the firm has provided "Grant Funding Assistance" (see page 17 through 21 of Exhibit "C"). He explained how the firm has provided "GIS Assistance" (see pages 22 through 26 of Exhibit "C"). He gave an overview of the firm's "Engineering Reviews" (see page 26 of Exhibit "C"). He gave a "Summary" of the firm's specialties and expertise (see pages 27 through 28 of Exhibit "C"). He concluded his presentation and stated that he was ready for any questions the Commission may have.

Vice-Mayor Osterman asked Mr. Biggs to discuss the firm's experience with LAP Certification and LAP Certified projects.

Mr. Biggs stated that he did not have the answer for that and someone else on his staff would be able to answer that question.

Vice-Mayor Osterman asked if Mr. Biggs knew whether or not the firm has had any experience with LAP Certified projects.

Mr. Biggs stated that he did not know.

Vice-Mayor Osterman asked Mr. Biggs to explain any markup in their billing with regards to sub-consultants.

Mr. Biggs explained that mark-ups depended on the client and/or the project. He stated that for most clients they do not charge mark-up for sub-consultants.

Commissioner Rumsey stated that he thought that the Town would be too small for the firm and was afraid that the Town would not get the individualized attention that it needs. He asked Mr. Biggs how he would address that situation.

Mr. Biggs stated that the firm has been serving the Village of Golf for 30 years and they are also a small Town. He stated that they were a Palm Beach County firm and all of its employees live in Palm Beach County. He stated that he did not feel that the Town was too small for the firm.

Commissioner Rumsey asked if there would be one contact for the Town.

Mr. Biggs stated that he would be the Town's primary contact.

Mayor DuBois thanked Mr. Biggs for his presentation.

Mr. Biggs thanked the Commission.

Mayor DuBois asked the Commission to discuss which firms they liked or disliked.

Vice-Mayor Osterman stated that a firm with LAP Certification experience was very important for the Town to have.

Mayor DuBois stated that she was surprised that Mr. Biggs did not have an answer to the question regarding LAP Certification.

Commissioner Hockman stated that he has personally been involved in projects with the State, Cities, and Counties and had never heard of LAP Certification. He stated that LEAD Certification was the big issue that he is seeing more and more of in the industry but he has never been personally involved in a LAP Project.

Vice-Mayor Osterman stated that it would have to be a LAP Certified Town or City in order to have a LAP Project. She stated that it was very difficult and took a very long time for the Town to become LAP Certified. She stated that the Town was clamoring for grant money and did not want to lose any possibility of funding for LAP Projects.

Town Manager Davis stated that LAP Certification and LAP Projects have been around for a long time.

Commissioner Hockman stated that LAP Certification and LAP Projects have never come up in his experience. He stated that he has personally worked with all three firms who have given their presentation and all three were very good. They all provide quality service.

Commissioner Longtin asked Vice-Mayor Osterman if all of the questions on the sheet were asked of the firms.

Vice-Mayor Osterman clarified and explained what questions on the sheet were asked and the Town Manager provided new questions to the Commission that were not yet

asked. She explained that the Town was currently involved in a LAP project which was on Park Avenue. She stated in order to keep that project they would need an engineer who was experienced in LAP projects.

Commissioner Rumsey stated that it was telling to him that the first two firms questioned about LAP Certification immediately knew what it was and answered the questions quickly.

Mayor DuBois stated that she felt all three were qualified but she was focusing on the first two firms who gave their presentation.

Commissioner Rumsey asked Commissioner Hockman if Mock Roos was a good firm for the Town since they have large municipalities such as Boca Raton, and the City of Palm Beach Gardens. He stated that he was concerned about where the Town would rank with the firm and also asked him if he was concerned about that as well.

Commissioner Hockman stated that he was not concerned about how big or small the firm's clients were. He stated that he worked with Mock Roos and it was a key thing for them as well as the other firms, that when a client calls, you get back to them as soon as possible with what they need. An engineering company would not stay in business if they do not get back to their clients regardless of their size.

Commissioner Rumsey stated that he'd rather be a big fish in a small pond than a small fish in a big pond. He stated that he felt with Mock Roos the Town would be a small minnow in a big pond and with the other two the Town would be a major client for them. He stated that his fear was that the Town would be an afterthought to the firm because he felt that they would get back to a bigger client such as the City of West Palm Beach before they would get back to the Town of Lake Park. He asked Commissioner Hockman if he was comfortable with all three engineering firms.

Commissioner Hockman stated that he was comfortable with all three engineering firms and that he felt that they were all good firms.

Mayor DuBois stated that Simmons & White did not show any mark ups in their pricing.

The Commission ranked the three engineering firms as follows:

Commissioner Rumsey –

1. Simmons & White
2. Clark & McCarthy
3. Mock Roos

Commissioner Longtin -

1. Clark & McCarthy
2. Simmons & White
3. Mock Roos

Mayor DuBois -

1. Simmons & White
2. Clark & McCarthy
3. Mock Roos

Vice-Mayor Osterman -

1. Simmons & White
2. Clark & McCarthy
3. Mock Roos

Commissioner Hockman abstained from voting.

Based on the ranking of the engineering firms by the Commission, Simmons & White was the winning firm.

Vice-Mayor Osterman stated that staff would then begin negotiations with the firm and if an agreement could not be reached then Town Manager Davis would have to come back with those results in order for the Commission to vote to move on to the firm that was in second place.

Attorney Baird explained that if a negotiation could not be reached with the first firm, Town Manager Davis would not have to bring back those results to be voted on, she could automatically enter negotiations with the second firm and if no agreement could be reached with them she could then move on to the third.

Commissioner Hockman asked if any questions regarding the LAP Certification had been given to any of the engineering firms.

Town Manager Davis stated that those questions were not previously given to any of the engineering firms.

The Commission announced to the three engineering firms who they chose as first choice to the Town's new engineering consultant firm.

Commissioner Longtin stated to the representatives of the firms that it was a very hard decision for the Commission and that they were all good firms.

Vice-Mayor Osterman thanked the representatives for their presentations and stated that they were all good firms.

#### **COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY**

**Commissioner Rumsey** thanked the Palm Beach County Sheriff's Office and Lieutenant Palenzuela for the saturation patrols that they have been doing. He stated that they have been very successful and the community greatly appreciated. He congratulated staff on the newsletter and stated that it looked amazing. He requested bringing back for discussion the Town's yard sale sign ordinance. He stated that he had been receiving a lot of comments from residents regarding the issue. He stated that the yard sale signs are only allowed on the property having the yard sale.

**Community Development Director Sullivan** stated that the Ordinance does not allow for any off site signage. He stated that the Ordinance was passed by the Commission.

**Town Manager Davis** stated that the restrictions in the Ordinance were put into place at the request of the Commission.

**Commissioner Rumsey** asked that the yard sale sign issue be brought back for discussion. He stated that he felt that the Commission may have gone too restrictive in that Ordinance. He wished everyone a "Merry Christmas" and a "Happy New Year".

**Commissioner Longtin** stated that she has also received many complaints for over a long period of time regarding the restrictions on yard sale signs. She thanked Commissioner Rumsey on behalf of the citizens for bringing the issue up. She wished everyone a "Happy Holiday", "Merry Christmas" and a safe and "Happy New Year".

**Vice-Mayor Osterman** asked when the report regarding the irrigation on Flagler Blvd. would be coming back for discussion.

**Town Manager Davis** stated that the report on the Flagler Blvd. irrigation would be brought back to first Commission Meeting in January.

**Vice-Mayor Osterman** stated that she also concurred on the yard sale sign issue. She stated that she was confused because she thought that a total of four signs were allowed for yard sales. She wished everyone a "Happy Holiday".

**Commissioner Hockman** wished everyone a "Happy Holiday". He stated to "be safe", "don't drink and drive" and to watch the stop signs.

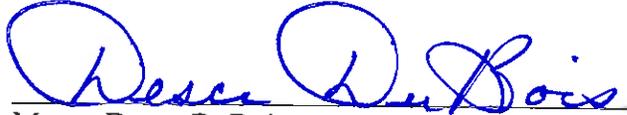
**Mayor DuBois** wished everyone a "Merry Christmas". She asked to please remember "Toys for Tots" and if anyone had the opportunity to place one toy in a box to please do so. She asked everyone to come to the "Holiday Craft Festival" on Park Avenue.

**Town Attorney Baird** reported that the Town was supposed to close on the South Florida Yacht property at 115 Federal Highway but the closing has been rescheduled to December 23, 2010. He wished everyone a "Merry Christmas".

**Town Manager Davis** stated that Santa's mailbox was in the Town Hall Lobby and he would be accepting mail all this week and next week and if anyone wanted to get a response to please bring the mail to the mailbox in the lobby.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rumsey and seconded by Vice-Mayor Osterman, and by unanimous vote, the meeting adjourned at 9:30 p.m.

  
Mayor Desca DuBois

  
Deputy Town Clerk, Jessica Shepherd, CMC



FLORIDA

Approved on this 2 of February, 2010