

ORDINANCE NO. 14-2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature originally required local governments to annually amend their comprehensive plans to update the Capital Improvements Element, including the Five Year Schedule of Capital Improvements contained therein; and

WHEREAS, pursuant to House Bill 7207 the Florida Legislature repealed the requirement that local governments annually amend their comprehensive plans thereby removing the obligation of the state land planning agency's review of the plan amendments of local governments; and

WHEREAS, local governments are now only required to review their Capital Improvements Element and adopt any update thereto pursuant to an Ordinance which is not subject to review by the State land planning agency; and

WHEREAS, the Town staff has prepared an Ordinance which amends the Schedule in the Capital Improvements Element of its comprehensive plan, and;

WHEREAS, the Town Commission of the Town of Lake Park has held the duly required public hearings to adopt this update to its Comprehensive Plan.

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

Section 1: The whereas clauses are incorporated herein as the Commission's legislative findings.

Section 2: Exhibit "A" which is attached hereto and incorporated herein contains the text of the 2014/15 Update to the Town of Lake Park Comprehensive Plan Capital Improvements Element's Five Year Capital Improvements Schedule.

Section 3: A copy of the current Comprehensive Plan, as amended from time to time, shall be kept on file in the Office of the Town Clerk.

Section 4: A copy of the current Comprehensive Plan, as amended from time to time shall also be maintained in the Department of Community Development.

Section 5: All Ordinances or parts of Ordinances in conflict are hereby repealed.

Section 6: 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 of this Ordinance.

Section 7: The Ordinance shall become effective upon adoption.

Exhibit "A"

**2014/15 UPDATE TO THE TOWN OF LAKE PARK
COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT AND
FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE**

1. Amend Policy 1.11 as follows:
 Policy 1.11 The following Capital Improvements Schedule, as it is annually updated in accordance with State growth management requirements, includes all projects scheduled to meet or improve the adopted Level of Service Standards during the five-year planning period, and other projects that further the implementation of this Comprehensive Plan and its goals, objectives and policies.

**TOWN OF LAKE PARK FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE¹
FY 2014/15 – 2018/19**

Project Category	Project Name	14/15	15/16	<u>16/17</u>	<u>17/18</u>	18/19	Funding Source
4	Shuttering and hardening of all Town buildings	\$0	\$125,000	\$100,000	\$0	\$0	Grant
4	Tennis courts and lighting and Park restrooms	\$416,000	\$0	\$0	\$0		Grant (\$403,590 – FY 14/15), General Fund (\$12,410- FY 14/15)
2, 4	Lake Shore Drive Drainage Improvements	\$0	\$800,000	\$800,000	\$800,000	\$800,000	Stormwater Utility Assessment (\$75,000 each FY), Grant
4	Lake Shore Drive Promenade	\$0	\$150,000				Grant
4	New marina parking lot	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant
2, 4	10 th Street south of Park Avenue –	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant, Stormwater

¹ Note: The Town's ability to implement certain projects in accordance with this schedule is contingent upon the receipt of grant funds as identified in the "Funding Source" column.

	drainage, lighting, paving, trees						Utility Assessment (50/50 split each FY)
2,4	Park Avenue Improvements from 7 th Street to 10 th Street through and including the FEC Railroad Intersection	\$0	\$300,000/ \$25,000 for FEC	\$300,00 0/ \$25,000 for FEC	\$300,00 0/ \$25,000 for FEC	\$300,00 0/ \$25,000 for FEC	Grant (\$250,000 each FY), CRA Funding (\$75,000 each FY)
4	Town Hall Renovations (Floor Mirror Ballroom, Exterior Painting, Ceiling Clerk's Office, Awnings Exterior Doors, Stage Refinishing, carpeting, Window/Door repairs)	\$18,250	\$75,000	\$75,000	\$75,000	\$75,000	Grant, General Fund (\$18,250 for FY 14/15 only) (50/50 split all other FY's)
2	Vehicle Replacement Plan	\$0	\$119,000	\$259,00 0	\$259,00 0	\$119,00 0	General Fund
2	Sanitary Sewers in Tri-City Industrial Park; Lake Park Public Works; and Water Tower Road/Old Dixie Highway commercial property	\$0	\$300,000	\$300,00 0	\$300,00 0	\$300,00 0	Special Assessment
2	Outfall to C-17 Canal	\$100,000	\$0	\$0	\$0	\$0	Stormwater Fund
2	Coastal Link/Tri- Rail/Palm Tran Extension Improvements	\$0	\$0	\$0	\$500,00 0	\$0	Grant, Special Assessment (split 50/50)

2	Bert Bostrom Park Improvements	\$0	\$100,000	\$0	\$0	\$0	Grant
2	Residential Street Lighting	\$0	\$250,000	\$250,000	\$250,000	\$250,000	Grant, Special Assessment (split 50/50)
2	Pedestrian Access Improvements at Park Avenue and US 1 (Federal Highway)	\$0	\$100,000	\$0	\$0	\$0	Grant
	Total	\$534,250	\$3,344,000	\$3,109,000	\$3,509,000	\$2,869,000	

Project Category Codes

- 1 – Project necessary to achieve Level of Service
- 2 – Project will enhance ability to continue to meet Level of Service
- 3 – Project will enhance ability to meet Level of Service for Optional Element
- 4 – Project will further the achievement of Comprehensive Plan goals, objectives and policies.

TOWN OF LAKE PARK ESTIMATED FUNDING SOURCES FOR CAPITAL IMPROVEMENTS FY 2014/15-2018/19

Funding Source	14/15	15/16	16/17	17/18	18/19
General Fund	\$30,660	\$156,500	\$296,500	\$296,500	\$156,500
Stormwater Utility Assessment	\$0	\$325,000	\$325,000	\$325,000	\$325,000
Grants	\$403,590	\$2,362,500	\$1,987,500	\$2,137,500	\$1,887,500
Special Assessment	\$0	\$425,000	\$425,000	\$675,000	\$425,000
CRA Funding	\$0	\$75,000	\$75,000	\$75,000	\$75,000
Stormwater Fund	\$100,000	\$0	\$0	\$0	\$0
Total	\$534,250	\$3,344,000	\$3,109,000	\$3,509,000	\$2,869,000

Upon First Reading this 5 day of November, 2014, the foregoing Ordinance was offered by Commissioner O'Rourke, who moved its approval. The motion was seconded by Commissioner Rapoza and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	_____
COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 9 DAY OF November, 2014

Upon Second Reading this 19 day of November, 2014, the foregoing Ordinance, was offered by Commissioner Flaherty, who moved its adoption. The motion was seconded by Commissioner O'Rourke and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	_____
COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 14-2014 duly passed and adopted this 19 day of November, 2014.

TOWN OF LAKE PARK, FLORIDA
 BY: James DuBois
 Mayor, James DuBois

ATTEST:
Vivian Mendez
 Town Clerk, Vivian Mendez
 (Town Seal)

Approved as to form and legal sufficiency:
Thomas J. Baird
 Town Attorney, Thomas J. Baird

FLORIDA

RECEIPT

**LEGAL NOTICE OF
PROPOSED ORDINANCE
TOWN OF LAKE PARK**

Please take notice that on Wednesday, November 19, 2014 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinance on second reading and proposed adoption thereof:

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If a person decides to appeal any decision made by 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.

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida
PUB: The Palm Beach Post
11-9/2014 #329078