

Minutes

Town of Lake Park, Florida Community Redevelopment Agency Board Meeting Wednesday, September 5, 2012, 6:30 p.m. Town Commission Chamber, 535 Park Avenue

The Community Redevelopment Agency Board met on Wednesday, September 5, 2012 at 6:30 p.m. Present were Chair James DuBois, Vice-Chair Kendall Rumsey, Board Members Steven Hockman, Jeanine Longtin, Sue-Ellen Mosler, Tim Stevens, Executive Director Dale Sugerman, and Agency Clerk Vivian Lemley. Board Member Christiane Francois was absent.

Chair DuBois led the Pledge of Allegiance. Agency Clerk Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Motion: A motion was made by Board Member Hockman to approve the Agenda; Board Member Stevens made the second.

Vote on Motion:

Board	Aye	Nay	Other
Member			0 4202
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane Francois			
Board Member			
Steve Hockman	X		
Board Member			
Jeanine Longtin	X		
Board Member			
Tim Stevens	X		
Vice-Chair			
Kendall Rumsey	X		
Chair			
James DuBois	X		

Motion passed 6-0

PRESENTATIONS:

1. CRA Updates

Economic Development Director Jennifer Spicer reported that all the issues have been clarified with 801 Park Avenue or One Park Place and the potential new owner and they are hopeful to close in 90 days.

826 Park Avenue or Pho Hot Pot opened on August 31, 2012 with lunch time hours of 11:00 a.m. until 3:00 p.m., then reopens for dinner from 5:00 p.m. until 9:30 p.m., and is closed on Mondays'.

Board Member Longtin asked if they had a liquor license.

Economic Development Director Spicer stated that they have applied but it has not been received back yet.

918 Park Avenue or the Historic Building has completed the exterior renovations and are now working on the interior renovations.

933 Park Avenue or Grumpy Grouper has started the build out and anticipates opening by November 1, 2012.

Board Member Mosler stated that she has been to Pho Hot Pot and recommends it.

Chair DuBois asked for a status update on the former Park Avenue Bar-B-Que building.

Community Development Director Nadia DiTommaso explained that they were scheduled to go before the Special Magistrate tomorrow for the unpermitted worm recycling facility.

Public Comment:

None

Public Comment Closed.

CONSENT:

2. Approval of CRA Board Meeting Minutes of August 1, 2012

Motion: A motion was made by Board Member Hockman to approve the Consent Agenda; Board Member Stevens made the second.

Board	Aye	Nay	Other
Member			
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane François			
Board Member			
Steve Hockman	X		
Board Member			
Jeanine Longtin	X		
Board Member			

Tim Stevens	X			
Vice-Chair				
Kendall Rumsey	X	E		
Chair				
James DuBois	X			

Motion passed 6-0

RESOLUTIONS:

3. Resolution No. 20-09-12 Approval of Final CRA Budget for Fiscal Year 2012/2013

Executive Director Sugerman explained that the total budget for the CRA is \$390,037 and that all backup has been provided.

Chair DuBois asked if \$75.00 a month for the DVD video on the website was included in this budget.

Executive Director Sugerman explained that there has been no discussion between his office and the Finance Department to have it budgeted.

Board Member Stevens provided a brief history and explained that the meetings are available on the website for a monthly fee of \$149.00 and he is in support of continuing that service.

Board Member Hockman clarified that the cost of \$149.00 a month included having three (3) meeting on the website and questioned why staff couldn't do this instead.

Executive Director Sugerman explained that funds have been appropriated for this service. He stated that they may need to get a new quote because those figures were for only six (6) months of service. He stated that a new contract would be presented to the CRA Board and the Town Commission for these services.

Board Members Hockman and Longtin expressed concern with approving such an expense with such a tight budget.

Motion: A motion was made by Board Member Stevens to allocate \$900 a year for the video streaming of meetings on the website, contingent upon the Commission approving the \$75.00 match; Vice-Chair Rumsey made the second.

on monon.			
Board	Aye	Nay	Other
Member			
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane Francois			
Board Member			
Steve Hockman		X	

Board Member			
Jeanine Longtin		X	
Board Member			
Tim Stevens	X		
Vice-Chair			
Kendall Rumsey	X		
Chair			
James DuBois	X		

Motion passed 4-2

Board Member Longtin asked what line item the funds would be taken from.

Executive Director Sugerman stated that it would be taken from Contractual Services.

Motion: A motion was made by Vice-Chair Rumsey to approve Resolution No. 20-09-12 Final CRA Budget; Board Member Stevens made the second.

Vote on Motion:

Board	Aye	Nay	Other
Member			
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane Francois			
Board Member			
Steve Hockman	X		
Board Member			
Jeanine Longtin	X		
Board Member			
Tim Stevens	X		
Vice-Chair			
Kendall Rumsey	X		i
Chair			
James DuBois	X		

Motion passed 6-0

4. Resolution No. 21-09-12 Renewal of Fiscal Year 2013 of the Florida League of Cities Florida Municipal Insurance Trust Property, Casualty, and General Liability Insurance.

Executive Director Sugerman explained the purpose for renewing the insurance and explained that it is 14.1 percent or \$1,599.00 less than last year's premiums.

Motion: A motion was made by Board Member Stevens to approve Resolution 21-09-12; Board Member Hockman made the second.

Vote on Motion:

Board	Aye	Nay	Other
Member			
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane Francois			
Board Member			
Steve Hockman	X		
Board Member			
Jeanine Longtin	X		
Board Member			
Tim Stevens	X		
Vice-Chair			
Kendall Rumsey	X		
Chair	_		
James DuBois	X		

Motion passed 6-0

DISCUSSION AND POSSIBLE ACTION:

5. Resolution No. 22-09-12 License Agreement with Artist of Palm Beach County for Occupancy of 800 Park Avenue (Art on Park)

Executive Director Sugerman explained that the modifications requested by the Board have been incorporated into the license agreement with Artist of Palm Beach County and that they had one change that the Board needed to discuss.

Mr. Joe Freedman, President of Artist of Palm Beach County explained that the Artist of Palm Beach County Board had one proposed change to the agreement, which was to be close on Sunday's. He explained that there will be occasions where instructors would have class on Sunday's, but the majority of the time Sunday's would be closed.

Chair DuBois agreed with having Sunday's closed.

Board Member Mosler asked if it would be open for anyone to come in.

Mr. Freedman explained that someone would be in the building conducting a class in a classroom setting.

Board Member Stevens asked if the request for proposal (RFP) indicated that it would be open seven (7) days per week.

Mr. Freedman responded "yes".

Chair DuBois asked if on the certificate of insurance the Town should be added as an additional insurer.

Mr. Freedman agreed.

Board Member Hockman asked what the insurance amount was.

Executive Director Sugerman stated that it is \$3,277. He asked the Board to review section 2 and have it changed to state that the Art on Park would be open six (6) days per week as well as during Town sponsored events.

Motion: A motion was made by Board Member Hockman to change the agreement to six (6) days per week and to be open during Town sponsored events; Board Member Mosler made the second.

Vote on Motion:

Board	Aye	Nay	Other
Member	-		
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane Francois			
Board Member			
Steve Hockman	X		
Board Member			
Jeanine Longtin	X		
Board Member			
Tim Stevens	X		
Vice-Chair			
Kendall Rumsey	X		
Chair			
James DuBois	X		

Motion passed 6-0

Motion: A motion was made by Board Member Hockman to approve the Agreement as amended; Board Member Stevens made the second.

Board	Aye	Nay	Other
Member			
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane Francois			
Board Member	_		
Steve Hockman	X		
Board Member			
Jeanine Longtin	X		
Board Member			
Tim Stevens	X		
Vice-Chair			
Kendall Rumsey	X		
Chair			

James DuBois	X		-	
Motion passed 6-0				

6. Security Guard Services for CRA

Public Comment Open:

Stella Friedland, 2311 10th Avenue North, Lake Worth – introduced herself as the Managing Director of AGG of America and doing business as Advance National Security Investigations. She explained that her company would be a good fit for the security services in the CRA. She stated that the company is financially established, they have experienced staff, and was available to answer any questions.

Robert Waumer, 110 Shore Drive — introduced himself and stated that he sold his company Advanced National Security to AGG of America last year, but continues to operate the business. He explained that they received a letter indicating that the financials were not good enough, but AGG of America's only had the company for a year. He gave a brief history indicating that his company secured the Marina for three (3) years and never had a problem. He stated that they were the low bid on the project, but the letter they received from the Town stated that there was a problem with the financials. He thanked the Board for allowing him to speak.

Public Comment Closed:

Executive Director Sugerman explained that the Board directed staff to go out for bid for an unarmed security services company for the CRA. He stated that staff recommends approval of the most responsive responsible bidder U.S. Security Services Inc. for a contract not to exceed \$22,000. He explained it is not a blanket award of \$22,000, but it is based on a per hour schedule of how the unarmed security officer would be used.

Board Member Longtin asked for clarification of what a responsible responsive bidder means.

Executive Director Sugerman explained that staff reviews the submitted material to make sure that everything that was requested was included. Historically when bids were received with blanks and missing information the bid was still considered, but under his administration he is going to try to have all the information complete before it reaches the Board or Commission. He stated that a responsible responsive bidder is not always the low bidder, which is why he is not using that term.

Board Member Longtin asked who reviewed the bid submittal information.

Executive Director Sugerman stated that Mr. Pittman and Mr. Rane reviewed the submitted bids with his final review.

Board Member Hockman asked how it was determined that the companies did not have their financials.

CRA Project Manager Richard Pittman explained that he submitted each of the bids to the Finance Director and a vast difference was shown between the companies, with U.S. Security Services producing certified financial versus AGG of America. He stated that neither company submitted exactly what was requested, but based on the substantial differences in the financials U.S. Security Services provided the best financial information.

Board Member Hockman questioned what was submitted by U.S. Security Services because it was from 2009 through 2010 and not 2011, yet AGG of America submitted a tax return from 2011.

CRA Project Manager Pittman stated that it was discussed with the Finance Director and it is possible that US Security Services has not completed their tax return and had it audited.

Chair DuBois stated that this practice is consistent with past practice.

Board Member Stevens asked if there have been any problems with the current security services company at the Marina, which is US Security Services.

CRA Project Manager Pittman stated that there have been no reports of problems with the security services company at the Marina.

Board Member Longtin referred to a memo written by Executive Director Sugerman (see Exhibit "A") in which it states that if a single merchant business or organization has their own event Palm Beach County Sheriff's Office (PBSO) has agreed to provide additional patrols as long as they are made aware of the event in advance. She asked if there is a single merchant business or organization that has a special event would it not be up to them to hire an officer if they needed one.

Executive Director Sugerman stated that the intent of his memo was to explain that PBSO will still provide patrol services in the CRA, but they will not have a dedicated officer in the CRA.

Board Member Longtin recapped what CRA funds are being allocated to be spent on (see Exhibit "B") and noted that security services are important but the CRA Budget has been run dry.

Chair DuBois requested that the awarded security services company and PBSO be provided with the CRA report that defines what a CRA is and its districts.

Executive Director Sugerman agreed to provide the report.

Board Member Mosler asked if a business in the CRA has a security problem who should they call.

Executive Director Sugerman stated that they should call PBSO.

Board Member Mosler asked when the security company should be contacted.

Executive Director Sugerman stated that if the security guard is contact, depending on the issue, they would possible contact PBSO. He stated that is was not aware of what the protocol is for the unarmed security guard.

Board Member Stevens asked how security is run at the Marina.

Board Member Longtin asked what area of the CRA they would cover.

CRA Project Manager Pittman explained that he is not the best person to ask about how the security is run at the Marina, but envisioned it in the CRA to run as follows: the security company would provide their own golf cart, and cell phone. The number will be provided to the businesses and during the evenings the golf cart will be parked at Public Works. He provided a few examples of when a guard would be contacted versus PBSO.

Board Member Mosler asked if there would be one guard assigned to the CRA which would establish a relationship with the business owners.

CRA Project Manager Pittman stated that it was not specified in the contract, but would anticipate that the security company may assign the same few guards to the CRA.

Board Member Longtin asked what Mr. Pittman's discussion entailed as it relates to what he envisioned for the CRA security.

CRA Project Manager Pittman explained the purpose of the cell phone and golf cart.

Board Member Longtin asked what area of the CRA would be covered.

CRA Project Manager Pittman explained that a CRA map will be provided to the company, but west of the railroad tracks will be more difficult to patrol because the golf cart cannot drive on roadways.

Board Member Longtin recapped that she heard him say that they would not be worrying about the industrial area of the CRA.

CRA Project Manager Pittman stated that it would be more difficult.

Board Member Longtin asked if one person will be patrolling the area including 10th Street. She asked if one person is patrolling for \$22,000, then where will they be asked to focus their attention.

CRA Project Manager Pittman explained that Park Avenue will be the focus because of all the businesses in that area, but it will not be the only area that will be expected to be patrolled.

Board Member Longtin explained why she is no longer in favor of the contract and did not feel it was fair to only patrol on Park Avenue.

Motion: A motion was made by Board Member Mosler to approve staff recommendation; Board Member Stevens made the second.

Board Member Stevens explained that he would be voting against hiring a security guard in the CRA.

Chair DuBois pointed out that there was no particular assignment of duty to the Park Avenue Downtown District (PADD) or 10th Street, and that the security guard would go where they were needed and not to a specific area of the CRA.

Board Member Hockman is in favor of security services in the CRA, but none of the RFP submittals was complete.

Board Member Mosler stated that as a property owner on Park Avenue she feels that PBSO had not lived up to the contract. She stated that the appearance of security on Park Avenue is important with the development of that area.

Board Member Longtin suggested directing staff to put more effort into the RFP where they could possibly include a small vehicle versus a golf cart to travel around the CRA. She stated that she would not be in favor of this, since it will continue to favor one section of the CRA.

Vice-Chair Rumsey stated that the RFP process is flawed because it did not accurately reflect what was expected. He agreed that the security company should not concentrate on one area of the CRA only. He asked the Attorney for direction if the contract is not approved at this meeting.

Agency Attorney Baird explained the options of: vote to accept staff recommendation; not accept staff recommendation; or reject all bids.

Vice-Chair Rumsey asked if they can request to go back out for bid.

Agency Attorney Baird stated "yes".

Chair DuBois felt the RFP packet was clear to its intent.

Board Member Stevens asked what the cost of going back out to bid would be.

Executive Director Sugerman stated that he felt the RFP was clear and explained what was expected from the company. He explained that the RFP did not included when or where to patrol, but to patrol for a total of 1,350 hours with 32 hours during holidays.

Vice-Chair Rumsey asked if the Executive Director knows what the security company plans on doing.

Executive Director Sugerman stated that he did not know.

Vice-Chair Rumsey asked if he felt that the CRA should be told what is being expected.

Executive Director Sugerman stated that he did not, but knew that the CRA would get an unarmed, uniformed guard that carried a cell phone and traveled in a golf cart.

CRA Project Manager Pittman stated that it cost approximately \$500 for printing and his time.

Vote on Motion:

Board	Aye	Nay	Other
Member	_		
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane Francois			
Board Member			
Steve Hockman		X	
Board Member			
Jeanine Longtin		X	
Board Member			
Tim Stevens		X	
Vice-Chair			
Kendall Rumsey		X	
Chair	_		
James DuBois	X		

Motion failed 4-2

Agency Attorney Baird explained that a motion to reject all bids would be appropriate at this time.

Motion: A motion was made by Board Member Stevens to reject all bids; Vice-Chair Rumsey made the second.

Board	Aye	Nay	Other
Member			
Board Member			
Sue-Ellen Mosler	X		
Board Member			Absent
Christiane Francois			
Board Member			
Steve Hockman	X		
Board Member			
Jeanine Longtin	X		
Board Member			
Tim Stevens	X		
Vice-Chair			
Kendall Rumsey	X		

Chair			
James DuBois	_ X		

Motion passed 6-0

Motion: A motion was made by Vice-Chair Rumsey to rebid for security services for the CRA not to exceed \$22,000 for the year under the same guidelines that we had in our previous bid which shows an unarmed guard, with a cell phone, a golf cart, uniformed, however in the bids he would like to see a plan from the companies presenting showing what their services will entail and what parts of the CRA they will be working in;

Board Member Mosler stated that we should be telling them what we want not asking.

Vice-Mayor Rumsey tried rephrasing his motion and realized that requesting to speak with the bidders before they submit their bids is not allowed.

Chair DuBois clarified that the RFP should include a plan showing where they will patrol and how they will manage disbursement of the security guard.

Executive Director Sugerman explained that under Roberts Rules of Order a second is needed before they continue discussion.

Chair DuBois explained that they were still trying to fine-tune the motion.

Executive Director Sugerman offered to have a <u>pre-proposal conference</u> with all bidders to gain their input.

Board Member Longtin asked if she would be able to sit in on that meeting.

Executive Director Sugerman explained that it would be a public meeting, but discouraged elected official from attending because it would ultimately be before them for a vote.

Board Member Longtin stated that she could attend and not offer input.

Executive Director Sugerman stated that she is a member of the public and can attend the meeting.

Board Member Hockman made the second.

Board Member Hockman asked that the company decide if they want to use a golf cart or a car.

A pre-bid conference and the decision regarding the use a golf cart or car was added to the motion.

Vote on Motion:

Board	Aye	Nay	Other
Member			
Board Member			
Sue-Ellen Mosler	X		
Board Member		_	Absent
Christiane Francois			
Board Member			
Steve Hockman	X		
Board Member			
Jeanine Longtin	X		
Board Member			
Tim Stevens	X		
Vice-Chair			
Kendall Rumsey	X		
Chair	_		
James DuBois	X		

Motion passed 6-0

Vice-Chair Rumsey asked where this would be advertised.

Agency Clerk Lemley explained that since the bid is for under \$25,000 it will not go through the formal bid process and it will not be advertised. She stated that Richard Pittman could answer questions regarding the procedures he follows for bids under the threshold of \$25,000.

COMMENTS BY BOARD MEMBERS AND EXECUTIVE DIRECTOR

Board Member Longtin would like the board to run as all the other board do and have someone else to be a Chair and Vice-Chair of the Board instead of it automatically it being the Mayor and Vice-Mayor.

Board Member Hockman no comments

Board Member Mosler wanted to know when was the last day that the Palm Beach County Sheriff's Office was on duty in the CRA. September 30, 2012.

Vice-Chair Rumsey wished Board Member Mosler a Happy Birthday.

Board Member Stevens happy that Pho Hot Pot is open, Grumpy Grouper possibly opening on November 1st and One Park Place is headed in the right direction. He stated that the operation expenses are really low and hopes to be able to do more in the future.

Executive Director Sugerman no comment

Chair DuBois no comment

ADJOURNMENT

There being no further business to come before the CRA Board and after a motion to adjourn by Vice-Chair Rumsey and seconded by Board Member Hockman, and by unanimous vote, the meeting adjourned at 7:50 p.m.

Chair, James DuBois

Agency Clerk, Vivian Lemley, CMC

Approved on this 3 of October, 2012



MEMORANDUM

TO:

CRA Chair, Vice-Chair and Board Members

FROM:

Dale S. Sugerman, Ph.D.

Executive Director

DATE:

August 27, 2012

SUBJECT:

Award of Contract- Security Services within the CRA District

At your September 5th CRA Board meeting you will have an agenda item before you dealing with the award of a contract for security services within the CRA. I have been asked to provide you with some information about the role that the Palm Beach County Sheriff's Office (PBSO) would play in providing security services within the CRA District.

The CRA District is part of the geographical make-up of the Town of Lake Park. Therefore, the PBSO is obligated to provide police protection services within the CRA District. Having said that, I want the Board to understand that the PBSO will not be providing a dedicated patrol officer (or officers) who would be dedicated exclusively to the CRA District.

Instead, Lt. Chris Myers, District Commander has committed to me that he will provide routine patrol throughout the CRA District, as he would provide anywhere else in Town. In addition, should there be a special event scheduled for the CRA District, with advanced notice the PBSO will provide dedicated officers for that scheduled event. Finally, should there be any increased suspicious activity within the CRA District; PBSO will provide what is known as "directed patrols" for the CRA District in an attempt to amount suspicious of activities. Finally, should merchant/business/organization have their own special events or special needs, the District Commander has committed to me that he will be fully responsive to meet those special needs with additional patrols as long as he knows about the special needs in advance.

But I need to reiterate that the PBSO does not plan on providing a dedicated officer (or officers) to serve as security patrol within the CRA District.

cc: Richard Pittman, CRA Project Manager

TOWN OF LAKE PARK

MEMO

To:

Christiane François

Jeanine Longtin Tim Stevens James DuBois Kendall Rumsey Steven Hockman Sue-Ellen Mosler

Dale S. Sugerman, Ph.D.

From:

Blake K. Rane, Finance Director 1

Date:

August 28, 2012

Subject:

CRA Security Services

As you prepare to make a decision on the CRA security service RFP, it is important that you consider the ramifications on the CRA Budget.

Contractual Services – account number 110-55-552-520-3400:

Contractual Services Budget

\$ 100,823

Less: Current Contract (CWA)

\$ 75,960

Remainder

\$ 24,863

This balance represents the budgeted funds that remain available for fiscal year 2012/2013 for any of the following services:

Consulting services

Transferred labor from Public Works

Security services

Contracted repairs, and/or

Any additional expenses for landscaping.





AGENDA

Community Redevelopment Agency Meeting Wednesday, September 5, 2012, 6:30 pm Lake Park Town Hall 535 Park Avenue

James DuBois	_	Chair
Kendall Rumsey	_	Vice-Chair
Christiane Francois	_	Board Member
Steven Hockman	_	Board Member
Jeanine Longtin		Board Member
Sue-Ellen Mosler	_	Board Member
Tim Stevens		Board Member
Dale S. Sugerman, Ph.D.		Executive Director
Thomas J. Baird, Esq.		Agency Attorney
Vivian Mendez Lemley, CMC		Agency 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. <u>CALL TO ORDER</u>
- B. <u>PLEDGE OF ALLEGIANCE</u>
- C. ROLL CALL
- D. <u>ADDITIONS/DELETIONS APPROVAL OF AGENDA</u>
- E. <u>PRESENTATION:</u>

1. CRA Updates

Tab 1

F. PUBLIC COMMENT

This time is provided for audience members to address items that <u>do not</u> appear on the Agenda. Please complete a comment card and provide it to the Agency Clerk so speakers may be announced. Please remember comments are limited to a <u>TOTAL</u> of three minutes.

G. 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 Board member 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 Agency Clerk. Cards must be submitted before the item is discussed.

Consent Agenda Items Recommended For Approval:

Approval of CRA Board Meeting Minutes of August 1, 2012
 Tab 2

 RESOLUTIONS:
 Resolution No. 20-09-12 Approval of Final CRA Budget for Fiscal Year 2012/2013
 Tab 3

 Resolution No. 21-09-12 Renewal for FY 2013 of the Florida League of Cities Florida Municipal Insurance Trust property, Casualty, and General Liability Insurance

I. <u>DISCUSSION AND POSSIBLE ACTION:</u>

- 5. Resolution No. 22-09-12 License Agreement with Artists of Palm Beach
 County for Occupancy of 800 Park Avenue (Art on Park)
 Tab 5

 6. Security Guard Services for CRA
- J. BOARD MEMBER COMMENTS
- K. EXECUTIVE DIRECTOR COMMENTS
- L. <u>ADJOURNMENT</u>

H.