



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, July 18, 2018, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, July 18, 2018 at 6:32 p.m. Present were Mayor Michael O'Rourke (arrived at 6:36 p.m.), Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Anne Lynch, Roger Michaud, Assistant Town Manager/Human Resources Director Bambi Turner, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Vice-Mayor Glas-Castro led the pledge of allegiance. The Commission reordered the agenda to wait for the Mayor to arrive to present Commissioner Michaud with the Certificate of Completion.

PUBLIC COMMENT: None

CONSENT AGENDA:

2. Regular Commission Meeting Minutes of June 20, 2018
3. Resolution No. 38-07-18 Honoring 50-Years of Municipal Home Rule in Florida

Motion: Commissioner Flaherty moved to approve the consent agenda; Commissioner Michaud seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O'Rourke			Absent at time of vote

Motion passed 4-0.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

4. Ordinance No. 07-2018 Amending Chapter 18 Section 18-120 Pertaining to the Special Events Permit Requirements and Section 18-120(b) Frequency of Special Events.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, SECTION 18-120 OF THE TOWN CODE PERTAINING TO SPECIAL EVENT PERMIT REQUIREMENTS; PROVIDING FOR THE AMENDMENT OF SECTION 18-120(b) RELATED TO THE FREQUENCY OF SPECIAL EVENTS; PROVIDING

FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Nadia DiTommaso presented the item (see Exhibit “A”). Commissioner Flaherty asked how the number of participants were based. Community Development Director DiTommaso explained that it was based on what was stated in the Special Event Application. Commissioner Michaud asked if third-party promoters were allowed four events per year. Community Development Director DiTommaso explained that it would be based on participant levels. Mayor O’Rourke gave several examples of events and participant levels to help everyone understand what the proposed language would allow. The Commission asked questions regarding events on private property versus public property, participate levels, and the total number of events per year. Community Development Director DiTommaso explained that private property events go through the Special Events Department under a separate process. Mayor O’Rourke felt that the Town only had a few public areas in which a large event could be held. Assistant Town Manager/Human Resources Director Bambi Turner asked what the intent of Town sponsored events was. Community Development Director DiTommaso explained that by practice Town sponsored events go through the Special Events Department. She stated that certain portions of this section of the Code pertained to private property. She gave an example of the maximum amount of events per year held on private property. Discussion ensued between staff and the Commission regarding the Commissions desire for the total number of events per year, types of events, maximum number of participant levels, and specific designated areas.

Community Development Director DiTommaso recapped the desire of the Commission of the existing limitations of 12 events per year per property with four events per year from the same applicant, which would be modified to keep the 12 events per year and the four events per year except that the 12 events per year are at a maximum of two consecutive days and the four events per year at a maximum of two days.

She explained that the issues that the Community Development Department has encountered has been the limit of four (4) events from the same applicant. The Commission continued to discuss the issue and revised their desire to the following: eliminating the four events per year and modifying the 12 events per year at a maximum of two-days.

Motion: Commissioner Flaherty moved to continue Ordinance 07-2018; Commissioner Lynch seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 5-0.

SPECIAL PRESENTATIONS/REPORTS:

1. Presentation of Certificate of Completion for Commissioner Roger Michaud.

Mayor O'Rourke presented Commissioner Michaud with the Certificate of Completion from the Scott Dailey Florida Institute of Government and the Florida League of Cities for the completion of the Advanced Institute for Elected Municipal Officials training.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

5. Ordinance No. 08-2018 Modifying the Definition of Recovery Residence Administrator.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 78, ARTICLE I, SECTION 78-6 OF THE LAKE PARK TOWN CODE, AMENDING THE DEFINITION OF RECOVERY RESIDENCE ADMINISTRATOR TO CONFORM WITH THE DEFINITION IN FLORIDA STATUTE 397.311(6); PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Baird explained that an error was found in the original Ordinance. It read that the certification of a recovery residence administrator would be through the Florida Association of Recovery Residence (FARR) and it should read from the Florida Certification Commission.

Motion: Commissioner Michaud moved to adopt Ordinance 08-2018; Commissioner Lynch seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O'Rourke	X		

Motion passed 5-0.

Town Attorney read the Ordinance by title only.

6. Ordinance No. 09-2018 Amending Chapter 78, Article III, Section 78-70 "Park Avenue Downtown District" Creation of Section 78-70(n)(19) Related to Alleyway Access for Certain Parcels in the Park Avenue Downtown District.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-70 "PARK AVENUE DOWNTOWN DISTRICT"; PROVIDING FOR THE

CREATION OF SECTION 78-70(n)(19) RELATED TO ALLEYWAY ACCESS FOR CERTAIN PARCELS IN THE PARK AVENUE DOWNTOWN DISTRICT; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director DiTommaso explained the item (see Exhibit “B”). Vice-Mayor Glas-Castro asked if a waiver was being given to all properties on Park Avenue. Community Development Director DiTommaso explained that the waiver was only for those properties that were unable to achieve access to Park Avenue or one of the side streets. She explained that for the most part all properties have access directly to the street. She stated that even if 918 Park Avenue were to be redeveloped it could not be reconstructed because of its Historical Designation, the only access the property has was to the alleyway. Mayor O’Rourke asked if the property were redeveloped would they then need a Cross-Access agreement. Attorney Baird explained that the Town Code currently provides for the Cross-Access requirement. However in this case, there were a unique set of circumstances and the proposed Ordinance was created to address those unique circumstances. He stated that without this Ordinance the property would be unable to redevelop. Mayor O’Rourke asked what impact would this Ordinance have on the other areas of the Park Avenue Downtown District (PADD). Community Development Director DiTommaso explained that in reviewing the other properties identified in the aerials, all properties have legal access to Park Avenue, and if they do not, then they have joint Cross-Access agreements. Mayor O’Rourke expressed concern with the impact of other properties in the area and asked if the Ordinance could be modified for only the 900 block on the south side of Park Avenue. The Commission agreed with the modification to the language.

Motion: Commissioner Michaud moved to adopt Ordinance 09-2018; Commissioner Lynch seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 5-0.

Town Attorney read the Ordinance by title only.

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

7. Ordinance No. 06-2018 Hours of Operation of Town Parks.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE III, OF THE TOWN CODE ENTITLED “PARK REGULATIONS”; PROVIDING FOR THE

AMENDMENT OF SECTION 18-63 PERTAINING TO THE HOURS OF OPERATION OF TOWN PARKS; PROVIDING FOR AN EXCEPTION FOR THE HOURS OF OPERATION OF TOWN PARKS WHERE THE TOWN HAS APPROVED A SPECIAL PERMIT OR EXECUTED A FACILITY RENTAL AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director DiTommaso explained that the Town Commission unanimously approved the proposed Ordinance on 1st reading with a request to add facility rental agreements in the exception to the park hours. This change was incorporated.

Motion: Commissioner Michaud moved to adopt Ordinance 06-2018 on second reading; Commissioner Lynch seconded the motion.

Vice-Mayor Glas-Castro made an inquiry regarding when the restrooms are locked at the park. She has received reports from residents that the restrooms are being locked at 3:30 p.m. She stated that if the parks are going to be opened until a certain hour then the restrooms should remain open until that hour. Mayor O'Rourke understanding was that the Tennis Professional locks the restrooms when he leaves, which could be as early as 3:30 p.m. Assistant Town Manager/Human Resources Director Turner explained that the Town Manager and staff were aware of the situation and were working on a solution. Mayor O'Rourke stated that children are seen playing in the park late at night. With this Ordinance, the park hours could now be enforced.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O'Rourke	X		

Motion passed 5-0.

Town Attorney read the Ordinance by title only.

OLD BUSINESS:

8. Grant Award over \$500.00 by Town Commission.

Assistant Town Manager/Human Resources Director Turner explained the item (see Exhibit "C"). Commissioner Flaherty asked if JA SPARKS had produced its 501(c)(3). Vice-Mayor Glas-Castro asked what was the timing for the JA SPARKS program, since the documents stated that they would run through the summer. The Operation Hope documents also indicate a summer program. If those programs are currently running, why are they unable to identify how many Lake Park residents are participating. She was not comfortable with either application. Assistant Town Manager/Human Resources Director Turner stated that she was unable to find the 501 (c)(3) submittal. Mayor O'Rourke was

in favor of both programs but expressed concern with the applications. Members of the Commission expressed concerns with both applications. Vice-Mayor Glas-Castro suggested that in the future applicants attend the meetings to answer questions. She asked if Operation Hope have been operating a Summer Camp. Assistant Town Manager/Human Resources Director Turner suggested that the agenda item be postponed to another meeting in which the applicants could answer questions of the Commission. Assistant Town Manager/Human Resources Director Turner recapped that the item would be placed on the August 1, 2018 Regular Commission meeting and invitations would be extended to both applicants to respond to questions regarding their programs.

NEW BUSINESS:

9. Resolution No. 39-07-18 Amending the Schedule of Fees for Development Review Applications, Increase and Modification of Certain Fee Categories, Creation of a Unity of Title Fee, Creation of a Development Pre-Application Meeting, and Creation of a Zoning Inspection Fee.

Community Development Director DiTommaso explained the item (see Exhibit “D”).

Motion: Vice-Mayor Glas-Castro moved to approve Resolution 39-07-18; Commissioner Michaud seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 5-0.

10. Resolution No. 40-07-18 Authorizing and Directing the Mayor to Execute an Agreement with Vac-con Inc., to Provide for the Refurbishment of the Town’s Vac-con Truck.

Public Works Director Richard Scherle explained the item.

Motion: Vice-Mayor Glas-Castro moved to approve Resolution No. 40-07-18; Commissioner Flaherty seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 5-0.

11. Resolution No. 41-07-18 Authorizing and Directing the Mayor to Execute an Emergency Change Order with Hinterland Group, Inc., to Provide Cure-in-Place Pipe Lining (CIPP) for Stormwater Pipe Underlying at the intersection of Cypress Drive and Third Street.

Public Works Director Richard Scherle explained the item (see Exhibit “E”).

Motion: Commissioner Michaud moved to approve Resolution 41-07-18; Commissioner Lynch seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 5-0.

12. Resolution No. 42-07-18 Fiscal Year 2017/2018 Budget Adjustments.

Finance Director Lourdes Cariseo explained the item (see Exhibit “F”).

Motion: Vice-Mayor Glas-Castro moved to approve Resolution 42-07-18; Commissioner Lynch seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Lynch	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 5-0.

PUBLIC COMMENT: None

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird provided an update about the five (5) Sober House Operators appeal denials of Reasonable Accommodations to the Palm Beach County Office of Equal Opportunity. The Palm Beach County Office of Equal Opportunity has made a Finding that in essence the Town of Lake Park’s Special Magistrate, in denying those Reasonable Accommodations, discriminated against them based on marital status, and familial status. Mayor O’Rourke asked if Palm Beach County was taking the position that unmarried people that live in a Sober Home are considered a family. Attorney Baird stated that “yes that was part of it”. He gave his perspective that a fairly convoluted reasoning was given. He shared the Findings with Palm Beach County Board of County

Commission Mayor McKinlay, who was disappointed with her department. He has not received any movement out of the County Administrator or Attorney to revisit those Findings. The Town has been offered a form of mediation through the County Ordinance called "Conciliation", which he intends to pursue. He has maintained to the Office of Equal Opportunity that the Town was only requesting that Sober Home Operators have their homes certified by Florida Association of Recovery Residence (FARR). He explained that it would be the position he takes on behalf of the Town in the upcoming mediation, which may take place next week. He along with other attorneys at his firm have extensively reviewed the Palm Beach County Human Rights Ordinance and have concluded that the County has usurping the Home Rule Authority of the Town by reaching this conclusion. He has prepared a substantial letter to the County Attorney in this regard. He wants to represent in the letter that if the County was going to maintain this position then that puts the Town in a position to assert its Home Rule Authority with the County. He referenced Florida State Statue 164 (entitled Government Disputes), which states that when one governmental entity sues another they would have to go through a public mediation process. Based on conversations with County Mayor McKinlay, the Board of County Commissioner would not want to go through a public process in which the Town is saying you (County) are frustrating our ability to get a handle on the Sober Home issues. He stated that its time the Town make a strong stand. Mayor O'Rourke asked what the normal process would be. Attorney Baird stated that the Town Code states that a case as such would go to the Circuit Court, not Palm Beach County. Mayor O'Rourke asked if the Sober Home Operators circumvented the Town's Code. Attorney Baird explained that the Sober Home Operators attorney position was that the Office of Equal Opportunity has separate jurisdictions over discriminatory practices. The Commission thanked Attorney Baird.

Assistant Town Manager/Human Resources Director Turner announced that in preparation of hurricane season, Florida Power and Light would be conducting tree-trimming efforts around the Town from July 19, 20th and 23, 2018, additional information was available on the Town's website. The Sunset Celebration would be on July 27, 2018 at the Lake Park Harbor Marina from 6:00 p.m. – 9:00 p.m. The Kids Fishing Day would take place from July 18 – 20, 2018 at the Lake Park Harbor Marina. She announced that the Back to School Explosion was scheduled for August 11, 2018 at Town Hall. The Property of the Month has been identified. Lastly, the Town Manager Administrative Assistant has asked that the travel documentation for the Florida League of Cities Annual Conference be signed and the entire packet be returned to the Town Clerk this evening.

Commissioner Lynch announced that she volunteer at the Kids Fishing Day and the children were having a great time catching fish and eating hotdogs.

Commissioner Flaherty had no comments.

Commissioner Michaud announced that the Lake Park Kiwanis was working at the St. George Center in Rivera Beach serving food to those in hardship. He thanked Costco for providing the food. He announced that if anyone were interested in joining the Lake Park Kiwanis Club to contact him.

Vice-Mayor Glas-Castro announced that she attended the Palm Beach North Chamber Breakfast Before Hours which was a legislative update session. It was announced at the meeting that the Chamber was still interested in a Hack-a-thon. She had an opportunity to speak with House Representative Al Jacquet and Senator Bobby Powell and Legislative Assistant Kesnel Theus, who reminder her that any legislative appropriation, or list of priorities the Town wants to propose should be turned in early. Mayor O'Rourke asked that the discussion of legislative priorities be added to the August 1, 2018 meeting.

Mayor O'Rourke hoped that it would not rain for the Sunset Celebration this month. Reminded everyone that donations are needed for the Back to School Explosion.

Commissioner Michaud announced that the Lake Park Kiwanis Club would be holding a garage sale on August 11, 2018 from 7:00 a.m. until 10:00 a.m. at his home. They are still accepting donations.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Flaherty and seconded by Commissioner Michaud, and by unanimous vote, the meeting adjourned at 8:30 p.m.



Mayor Michael O'Rourke



Town Clerk, Vivian Mendez, CMC



Approved on this 1 of August, 2018



Exhibit "A"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 18, 2018

Agenda Item No. Tab 4

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, SECTION 18-120 OF THE TOWN CODE PERTAINING TO SPECIAL EVENT PERMIT REQUIREMENTS; PROVIDING FOR THE AMENDMENT OF SECTION 18-120(b) RELATED TO THE FREQUENCY OF SPECIAL EVENTS; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- ORDINANCE ON 1st READING**
- NEW BUSINESS
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *[Signature]* Date: 7-2-18

Nadia Di Tommaso / Community Development Director
Name/Title

Originating Department: <p style="text-align: center;">Community Development</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: → Ordinance 07-2018 → Sample Ordinances from other municipalities
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required on 1 st Reading	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>ND</i> Please initial one.

Summary Explanation/Background:

At a previous Town Commission meeting it was recommended that Town staff revisit the existing limitations in Chapter 18 of the Town Code regarding the frequency of special events in an attempt to increase the allowable frequency based on the number of anticipated participants. In doing so, staff also researched special event Ordinances from some of our neighboring municipalities (enclosed with this agenda item).

- The special event Ordinance in North Palm Beach was adopted in 1969 and has not been updated since. It does not limit the number of special events per calendar year.

- The special event Ordinance in Palm Beach Gardens was last updated in 2010 and limits special events to 4 times per calendar year (per applicant per location) similar to Lake Park's existing Ordinance, unless otherwise approved by their City Council.
- The special event Ordinance in Tequesta was last updated in 2014 and limits special events to 4 times per calendar year (per address or per business) similar to Lake Park's existing Ordinance.
- The special event Ordinance in Jupiter was last updated in 2010 and categorizes events by event "use" types and provides for individualized regulations for each "use" type. The maximum number of event permitted per calendar year is 12 times/year for certain "use" types to 6 times/year and 4 times/year for other "use" types.

While it may not be necessary to recreate our Ordinance to reflect the many different categories identified in the Jupiter Ordinance given their size and needs, we do have an opportunity to increase the frequency of events based on anticipated attendance per the Town Commission's desire and Palm Beach Gardens provides a good "attendee" guideline that can be utilized.

Consequently, in an effort to accommodate an increased number of special events per year, per same location, whose impacts are not substantial based on the estimated number of attendees, staff recommends modifications to Town Code Section 18-120(b) as follows:

Sec. 18-120. - Special event permit required.

(b) Special event permits may be issued by the town for single use special events and for multiple special events. **A property owner who applies to host or consents to hosting special events with an expected attendance of 1,000 persons or less as reflected by applications submitted to the town for a special event permit not to exceed more than is limited to 12 special events per property per calendar year. Events with an expected attendance of 5,000 persons or less, but greater than 1,000 persons shall not exceed 4 special events per property per calendar year. Events with an expected attendance of more than 5,000 persons are limited to 2 special events per property per calendar year. The three attendance threshold permit allowances identified in this section can be combined per property, per calendar year, provided however the special events do not exceed any of the three attendance thresholds established herein, with not more than four special events per calendar year per the same applicant, or any person or entity affiliated with a prior permit holder.** Special event permits are not intended, nor shall the issuance of a special event permit by the town be deemed or construed to waive or supersede existing zoning, and other town laws or regulations.

For example, if the above changes were to be adopted and the maximums are applied, a property could potentially have a promotional type event such as a product sale or launch or weekend market that generally draws less than 1,000 attendees at least once per month, **PLUS** a larger type event such as a local art festival that draws less than 5,000 attendees at least quarterly every year, **PLUS** an event of wider impact such as a music festival that draws over 5,000 attendees twice per year...for a total of 18 events per property per calendar year if the event allowances are maximized.

For all events described above, all the special event review criteria will still apply, and this includes the review of traffic impacts (if any), the review of public safety requirements and implementation of requirements (as deemed necessary by the Palm Beach County's Sheriff's Office), along with other review components as outlined in the existing special event Ordinance which is utilized as part of the application review.

Recommended Motion: I move to **APPROVE** Ordinance 07-2018 on 1st reading.



Exhibit "B"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 18, 2018

Agenda Item No. *Tab 6*

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-70 "PARK AVENUE DOWNTOWN DISTRICT"; PROVIDING FOR THE CREATION OF SECTION 78-70(n)(19) RELATED TO ALLEYWAY ACCESS FOR CERTAIN PARCELS IN THE PARK AVENUE DOWNTOWN DISTRICT; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON 1st READING
- NEW BUSINESS
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager

[Signature]

Date:

7-11-18

Nadia Di Tommaso / Community Development Director
Name/Title

[Signature]

Originating Department: Community Development	Costs: \$ Legal Fee Funding Source: Legal Budget Acct. #105 <input type="checkbox"/> Finance _____	Attachments: → Ordinance <i>09</i> -2018 → Traffic circulation aerial images
Advertised: Date: <i>N/A on first reading</i> Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u>ND</u> or Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

Staff has been working through the redevelopment of the 918 Park Avenue building for well over a year with the owners and their representatives. The main obstacle the owners encountered was the inability to enter into an easement agreement with the neighboring property at 904 Park Avenue to

allow access onto the 918 Park Avenue property from Park Avenue. While this access was historically shared many years ago, it was never officially recorded. Consequently, after many failed attempts to negotiate access, staff developed a Code provision with the Town Attorney that would permit alleyway access for certain site conditions. In the case of the 918 Park Avenue redevelopment, these site conditions are quite unique in that: *the 918 building is historically designated and cannot be demolished and reconstructed; an additional curb cut along Park Avenue is prohibited by Code and is contrary to the separation requirements between driveways; prescriptive easement does not apply since the property has been vacant for at least a decade; the parties cannot agree on an easement to share the existing access; and the Town cannot force a private landowner to grant an access easement to an adjoining landowner (unless the Town wants to condemn a portion of the landowner's property to allow for the access and, of course, pay the private landowner for that taking).*

In addition, staff also put together some aerial images that identify traffic circulation patterns for the commercial blocks adjacent to Park Avenue. For the most part, all individual sites rely on their own access to Park Avenue, or as in the case for 700/748/754 Park Avenue, have an executed cross and joint access easement agreement.

The Planning & Zoning discussed the text amendment at their May 15, 2018 meeting and again as an official agenda item at their July 9, 2018 meeting when the Board Members voted (5-0) in favor of approving the following modification to create Section **78-70(n)(19)** in the Town Code:

Properties in the PADD which were developed prior to its enactment, and which did not have legal access directly to Park Avenue may, upon re-development use an adjacent public alleyway as the primary ingress/egress to the property.

Recommended Motion: I move to APPROVE Ordinance 09-2018 on first reading.



Exhibit "C"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 18, 2018

Agenda Item No. Tab 8

Agenda Title: Grant Awards over \$500.00 by Town Commission

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

Approved by Town Manager [Signature] Date: 6-28-18
John O. D'Agostino, Town Manager

Name/Title

Table with 3 columns: Originating Department, Costs, Attachments, Advertised, and notification status. Includes handwritten notes like 'Finance Course 6/28/18' and 'Not applicable in this case JOD'.

Summary Explanation/Background: The Town Commission at the June 20, 2018 meeting requested follow up information from both organizations to determine the number of students or residents served by the program.

Operation Hope will provide camperships to Lake Park youth and the distribution of food will occur at two locations 300 10th Street and at Operation Hope at 1253 10th Street. Both locations are in the Town of Lake Park. The program serves over 200 residents per week. It is difficult to determine the exact number of Lake Park residents, as some are homeless. With respect to the summer camp program, funds to purchase three computers for the Lake Park location. The Program Director invites Commissioners to tour the 1253 10th street location at any time to see the students served by the program. Many of the students live near the 1253 10th Street location.

Recommended Motion: Move to support the expenditure of \$10,000 for the JA Sparks Program. The second motion if so decided would be to support the expenditure of \$5,000 for Operation Hope's Summer Camp, After School and Food Distribution program.



Exhibit "D"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 18, 2018

Agenda Item No. Tab 9

Agenda Title: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING THE SCHEDULE OF FEES FOR DEVELOPMENT REVIEW APPLICATIONS; PROVIDING FOR THE INCREASE AND MODIFICATION OF CERTAIN FEE CATEGORIES; PROVIDING FOR THE CREATION OF A UNITY OF TITLE FEE; PROVIDING FOR THE CREATION OF A DEVELOPMENT PRE-APPLICATION MEETING FEE; PROVIDING FOR THE CREATION OF A ZONING INSPECTION FEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- ORDINANCE ON 1st READING
- NEW BUSINESS - RESOLUTION**
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager

[Signature]

Date:

7-2-18

Nadia Di Tammasso / Community Development Director

[Signature]

Name/Title

<p>Originating Department:</p> <p>Community Development</p>	<p>Costs: \$ Legal Review</p> <p>Funding Source: Legal</p> <p>Acct. # Legal (GF 108)</p> <p><input type="checkbox"/> Finance _____</p>	<p>Attachments:</p> <p>Resolution ³⁹07-18</p> <p>Exhibit "A" – Fee Schedule</p> <p>Sample Jupiter Fee Schedule</p>
<p>Advertised:</p> <p>Date: _____</p> <p>Paper: _____</p> <p><input checked="" type="checkbox"/> Not Required</p>	<p>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.</p>	<p>Yes I have notified everyone _____</p> <p>or</p> <p>Not applicable in this case <i>ND</i></p> <p>Please initial one.</p>

Summary Explanation/Background:

The Town has not updated its Development Fee Schedule since 2007. Many of the application types listed on the schedule require a significant amount of staff time to process, review and implement. Consequently, staff reviewed several neighboring fee schedules particularly, North Palm Beach, Riviera Beach, Tequesta, Palm Beach Gardens and Jupiter for comparison and since Jupiter's fee schedule including many of their categories and operation standards being similar to the Town's application structure, this schedule was closely used in an effort to propose increased fees in certain categories. In addition, since the Town never included fees for "Pre-Application Meetings" which are commonly coordinated and conducted by Town staff in advance of application submittals; or for "Zoning Inspections" which are conducted by staff on either an as-needed basis to verify zoning requirements, or as part of the Business Tax Receipt process (*note: staff will look to expand the inspection requirement in the Town Code and will bring forward a separate Ordinance in this regard*); or for the processing of "Unity of Title" paperwork which is applicable to developments that propose to develop on multiple legally platted lots, or utilize multiple lots for shared purposes (rather than re-platting) – staff is also proposing the incorporation of these three fee categories in the proposed Schedule enclosed as Exhibit "A" to the Resolution.

Recommended Motion: I move to APPROVE Resolution 39-07-18.



Exhibit "E"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 18, 2018

Agenda Item No. *Tab 11*

Agenda Title: Resolution Authorizing and Directing the Mayor to Execute an Emergency Change Order with Hinterland Group, Inc. to Provide Cure-in-Place Pipe Lining (CIPP) for Stormwater Pipe Underlying Cypress and Third.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON ____ READING
- NEW BUSINESS**
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager

[Signature]

Date:

7-11-18

[Signature]
Richard Scherle / Public Works Director

Originating Department: Public Works	Costs: \$107,360.00 Funding Source: Stormwater Fund Acct. # 402-63010 <input type="checkbox"/> Finance <i>Raise</i>	Attachments: 1. Resolution <i>41-07-18</i> 2. Proposal/Change Order Document
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>[Signature]</i> Please initial one.

Summary Explanation/Background:

The Public Works Department has recently become aware of a worsening sinkhole, caused by a damaged stormwater pipe, located in the vicinity of Cypress and Third Street. The sinkhole is becoming worse by the day due to the deterioration of this section of the pipe at several locations, and constitutes an emergency. Without remediation, the sinkhole may become extreme. Because of this emergency, we authorized our stormwater infrastructure repair contractor, Hinterland Group, to begin preparations for lining the pipe. Those preparations include the production of the pipe liner needed to restore the integrity of a 200 foot section of 60 inch concrete pipe. We authorized this because the

pipe liner itself requires 3-4 weeks to build before it can be installed. This agenda item presents a resolution that would authorize and direct the Mayor to execute an emergency change order to the previously executed contract with Hinterland Group, Inc. so that the Town can proceed with lining the damaged pipe per the terms of our original contract. The installation of the liner is anticipated to take several days once the construction team is onsite.

Recommended Motion: I move to adopt Resolution no. 41-07-18



Exhibit "F"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: 7/18/2018

Agenda Item No. Tab 12

Agenda Title: Resolution No. 42-07-18 FISCAL YEAR 2017/2018 BUDGET ADJUSTMENTS

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS
- OTHER: _____

Approved by Town Manager *[Signature]* Date: 7-11-18

Lourdes Cariseo Finance Director
Name/Title

Originating Department: FINANCE	Costs: See attachment "A" Funding Source: Acct. # <input checked="" type="checkbox"/> Finance _LCariseo_	Attachments: Resolution, Narrative, and Attachment A-C
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _LC Please initial one.

Summary Explanation/Background:

At mid-year during each fiscal year, the Town Finance Director analyzes the balances of the General Fund (GF) revenue accounts and each of the GF department's accounts, Special Revenue Funds, and Enterprise Funds, to determine where adjustments need to be made. This review has been conducted and attached are schedules (Attachment "A" - "C") that list the items that need to be adjusted for the Town of Lake Park 2017/18 budget. The attached adjustments also include the annual wage adjustment distribution budgeted in Fiscal Year 2017/2018. Against a GF budget of \$7.7 million, this mid-year adjustment is for \$49,350 a difference of just .06%.

In addition, the Stormwater Fund has an emergency pipe repair at 3rd and Cypress which requires a budget adjustment of \$107,360. The Streets and Roads Fund also needs a budget adjustment of \$44,000 for Traffic changes on 10th Ave.

Recommended Motion
 I move to adapt Resolution No. 42-07-18