



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, August 3, 2016, 6:30 PM,
Lake Park Town Hall
535 Park Avenue

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

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

- A. CALL TO ORDER/ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. SPECIAL PRESENTATIONS/REPORTS
 - 1. Wounded Warriors of South Florida
- D. PUBLIC COMMENT:

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

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

2. Budget Meeting minutes of July 13, 2016

Tab 2

3. Regular Commission Meeting minutes of July 20, 2016

Tab 3

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

None

G. PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

None

H. NEW BUSINESS:

4. Request for Town Commission approval to initiate foreclosure action against Water Tower Enterprises, LLC pursuant to Case Number 13100035

Tab 4

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, September 7, 2016

**Special
Presentations
/Reports**

TAB 1



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 3, 2016

Agenda Item No. Tab 1

Agenda Title: Wounded Warriors of South Florida Presentation

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

Approved by Town Manager Bambi McElhoy-Sumner Date: 7/25/2016
 ACTING TOWN MANAGER

Name/Title

Originating Department: Town Manager	Costs: \$ -0- Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: None
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 BMT _____ OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

Mike Durkee, Executive Director of Wounded Warriors of South Florida, will be present to give a presentation regarding this Lake Park-based organization, which has as its mission the provision of temporary, immediate, financial assistance to service connected disabled veterans from Operation Iraqi Freedom, Operation Enduring Freedom and Operation New Dawn. Wounded Warriors of South Florida assists veterans returning from the above mentioned combat areas, while maintaining a high degree of respect for the privacy of the veterans and their families.

Founded in 2009, this organization is located at 1335 Old Dixie Highway #3 in Lake Park, and participated in the June 24, 2016 Sunset Celebration. Drew Lofton, a Desert Storm veteran, won the fishing kayak at that event.

For further information regarding Wounded Warriors of South Florida, the Commission is invited to visit the following website: <http://www.wwofsf.org/wounded-warrior-impact-success-stories/>

Recommended Motion: No motion is required.

Consent Agenda

TAB 2



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 3, 2016

Agenda Item No. Tab 2

Agenda Title: Commission Budget Meeting Minutes of July 13, 2016

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

Approved by Town Manager *Ronnie McAllen* Date: 7/20/2016
ACTING TOWN MANAGER

Shaquita Edwards, Administrative Assistant

Name/Title

Originating Department: Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: <ul style="list-style-type: none"> • Agenda • Meeting Minutes • Exhibits "A and B"
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 <u><i>S.E.</i></u> Please initial one.

Summary Explanation/Background:

Recommended Motion:

To approve the Commission Budget Meeting Minutes of July 13, 2016.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Town Commission
Budget Meeting
Wednesday, July 13, 2016, 6:30 P.M.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Anne Lynch	—	Commissioner
Michael O'Rourke	—	Commissioner
<hr style="border-top: 1px dashed black;"/>		
John O. D'Agostino	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez, CMC	—	Town Clerk

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

B. **PLEDGE OF ALLEGIANCE**

C. **DISCUSSION**

1. **Presentation of the Preliminary Fiscal Year 2016/2017 Budget** **Tab 1**
 - 1a. **Commission Discussion of the Presented Preliminary Fiscal Year 2016/2017 Budget**

2. **Setting the Current Year Proposed Operating Millage Rate, and Restating the Date, Time, and Location for the First Public Budget Hearing.** **Tab 2**

D. PUBLIC COMMENT

This time is provided for audience members to address items related to the Fiscal Year 2016/2017 Budget. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a **TOTAL** of three minutes.

E. ADJOURNMENT

Next Scheduled Budget Meeting will be held on Wednesday, August 10, 2016



Minutes
Town of Lake Park, Florida
Commission Budget Meeting
Wednesday, July 13, 2016, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Commission Budget Meeting on Wednesday, July 13, 2016 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, and Anne Lynch, Town Manager John O. D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Commissioner Michael O'Rourke was absent.

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

DISCUSSION:

- 1. Presentation of the preliminary fiscal year 2016/2017 Budget.**
 - 1a. Commission Discussion of the presented preliminary fiscal year 2016/2017 budget.**

Town Manager D'Agostino explained the proposed budget (see Exhibit "A"). He acknowledged the efforts of all staff members involved throughout the budget process. He announced that there would be no increase in the budget proposed Ad-Valorem millage rate. He also announced that there would be no increase in the Municipal Service Taxing Unit (MSTU) millage rate for the Fire Department. Finance Director Blake Rane summarized the budget (see Exhibit "B"). He emphasized what action the Commission needed to take this evening. He stated that the Commission needed to set the proposed millage rate and the First Public Hearing on the Budget date, time, and location of the meeting.

Commissioner Flaherty asked about the change in anticipated revenue for the party package. Town Manager D'Agostino explained that the party package entails linens, tablecloths and additional supplies for rental. He explained that the party package supplies have not been rented on a regular basis and that the change in anticipated revenue reflects a realistic figure.

Commissioner Flaherty asked about plans for the Community Improvement Funds. Town Manager D'Agostino explained that the Community Improvement Funds are projected grant funds that would allow for the rehabilitation of homes in particular areas of the Town of Lake Park that have code violations. Commissioner Lynch asked how recipients of the funds were determined. Finance Director Rane explained that recipients would need to complete the application process through the Community Development Department for owner occupants who were within certain income guidelines. Commissioner Flaherty asked if there was an advertisement in Community Development that provides information to the public about the Community Improvement Funds. Town Manager D'Agostino explained that the information would be made readily available to residents via the Community Development Department.

Commissioner Flaherty asked about the increase of constant contact. Town Manager D'Agostino explained that there was an anticipated increase of constant contact based on the amount of names provided and entered into the system. Commissioner Flaherty asked about the State of Florida Level Funded Fiscal Year 2016 as it applies to the budget initiative listed for a phone system in the Human Resources Department. Finance Director Rane explained that the Town of Lake Park was contractually bound with the State of Florida for phones provided in each department. Town Manager D'Agostino explained that the Town of Lake Park seeks partnership with Palm Beach County to become a part of the countywide phone system that would be serviced by the County.

Commissioner Flaherty asked about professional services listed for air-condition studies. Town Manager D'Agostino explained that the budgeted professional services for air-condition studies included the municipal complex and the Library. Public Works Director David Hunt explained that the Palm Beach County Sheriff's Office sub-station, Town Hall and the Library each have separate air-conditioning systems that are well aged. He explained that Town Hall has a chiller unit and suggested the removal of the roof top units and freon air handlers and placing all buildings on a centralized chiller. Town Manager D'Agostino explained the added benefit and necessity of having a grant writer if funds were available for such a project.

Commissioner Flaherty asked about the projected increase of facility rentals. Town Manager D'Agostino explained that the projected increase is due to the hiring of a Special Events Director and a Recreation Supervisor. He explained that the anticipated increase was primarily associated with the rental of Town facilities for private events.

Commissioner Flaherty asked about the decrease of gasoline and diesel at the Marina as it related to the occupancy of the Marina. Town Manager D'Agostino explained that the decrease was due to the lowered cost of gasoline and diesel. Finance Director Rane explained that sailboats are a part of the total occupancy of the Marina and that they do not require gasoline. Commissioner Flaherty asked about the increase in salary for Dock Attendants at the Marina as compared to Fiscal Year 2015/2016 Budget. Town Manager D'Agostino explained that the increase in salary for Dock Attendants had been brought before the Commission and that the increase was due to the percentage increase and the projected cost of living for Fiscal Year 2016/2017.

Commissioner Lynch asked about the estimated salaries for the Library. Town Manager D'Agostino explained that the existing pay schedule reflected an increase of hours. He explained correspondence with the Library Director of North Palm Beach in regards to a survey analysis of pay schedules for Library Departments and sought like salaries of comparable communities based on population and budget. Commissioner Lynch suggested that the Town complete a comprehensive survey to establish competitive salaries for the Library. Town Manager D'Agostino explained that corrections were to be made to the salary ranges of the Library Department prior to the advertisement of positions.

Vice-Mayor Glas-Castro asked if personnel services assumed the projected cost of living. Town Manager D'Agostino explained that the projected cost of living adjustment is

reflected on page 4 of 5 (see Exhibit "A") in a non-governmental General Fund 900. Vice-Mayor Glas-Castro asked if the listed amount assumed the cost of living adjustment for everyone. Town Manager explained that the listed amount assumed the projected cost of living and merit increases. Vice-Mayor Glas-Castro asked the percentages of cost of living and merit increases. Finance Director Rane explained that the cost of living and merit increases were listed at 2% and were based on a 50% delivery rate and that merit increases were subject to performance appraisals.

Vice-Mayor Glas-Castro asked about the benefit of retaining Hy-Byrd, Inc., for building permit consultation services. Finance Director Rane explained that the Town was in the process of re-negotiating its contract with Hy-Byrd, Inc., for favorable outcomes.

Vice-Mayor Glas-Castro asked how the Town planned to narrow objectives to fund drainage improvements for Lake Shore Drive without a Lobbyist. Town Manager D'Agostino explained that the Town was optimistic in working with the legislative delegate to identify available funds. He explained that there would be a greater challenge not having a lobbyist but with the help of legislative delegations and a potential grant writer, the Town should be able to present a financial plan to the State for fiscal year 2017/2018. Mayor DuBois asked if Town Manager D'Agostino had considered a Lobbyist. Town Manager D'Agostino explained that he had considered Richard Pinsky. Mayor DuBois asked if Mr. Pinsky was a Lobbyist for the City of West Palm or the City of Tallahassee. Town Manager D'Agostino explained that Mr. Pinsky was a Lobbyist for the City of West Palm Beach but was well known in Tallahassee, Florida. Vice-Mayor Glas-Castro asked if there was an increase of funds for travel expenses to and from Tallahassee, Florida, as the Mayor and Town Manager would need to travel. Town Manager D'Agostino explained the anticipated increase was listed for additional travel.

Vice-Mayor Glas-Castro asked about the unfunded initiatives for the refurbishment of vehicles she referred to the Vac-Con trucks. Finance Director Rane explained that fans had been replaced as of the current fiscal year and that the Vac-Con truck was expected to last another year. Town Manager D'Agostino explained that the Vac-Con truck was a part of the master plan for Stormwater and decided to provide for the refurbishment and suggested the purchase of a new truck in the future.

Town Manager D'Agostino explained that staff would meet with Commission members individually to explain the budget in detail.

Mayor DuBois asked if the engineering services of Calvin Giordano & Associates were budgeted. Finance Director Rane explained that various projects have engineering and construction expenses budgeted. Public Works Director Hunt explained that those expenses were listed as professional services with respect to the specified project.

PUBLIC COMMENT:

None

2. **Setting the current year proposed operating millage rate, and restating the date, time, and location for the First Public Hearing on the Budget.**

Motion: Vice-Mayor Glas-Castro moved to set the proposed millage rate at 5.3474 mills and restated the First Public Budget Hearing would held on September 8, 2016 at 6:30 p.m. in the Town Hall Commission Chamber; Commissioner Flaherty seconded the motion.

Vice-Mayor Glas-Castro informed the Commission that she would not be present at the September 8, 2016 First Public Hearing of the Budget Meeting.

Vote on Motion:

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

Motion passed 4-0.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments

Town Manager D'Agostino announced that the Kelsey and Lake Shore Park restroom improvement plans were available on Dropbox for review by the Commission. He explained that the Commission had until August 3, 2016 to review the plans in preparation for discussion at the August 3, 2016 Regular Commission Meeting.

Commissioner Lynch had no comments.

Commissioner O'Rourke was absent.

Commissioner Flaherty had no comments.

Vice-Mayor Glas-Castro had no comments.

Mayor DuBois had no comments.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Flaherty and seconded by Commissioner Lynch, and by unanimous vote, the meeting adjourned at 7:43 p.m.

Mayor James DuBois

Town Clerk, Vivian Mendez, CMC

Administrative Assistant, Shaquita Edwards

Town Seal

Approved on this _____ of _____, 2016



Office of the
Town Manager

July 1, 2016

Town Commission
Town of Lake Park

Re: Draft Budget Transmittal Letter

Dear Mayor James DuBois and Members of the Town Commission of Lake Park:

The purpose of the Town Manager's Transmittal Letter is to highlight the recommended changes to the Operating Budget and the proposed funding of Departmental Initiatives for the FY 16-17 Fiscal Year that will begin on October 1, 2016. I am recommending that the Millage Rate remain the same for FY 16-17 as was proposed for FY 15-16. The rate of 8.8055 which includes the Fire MSTU of 3.458. Therefore, the proposed Millage Rate without the Fire MSTU calculation is 5.3474. The millage rate has remained the same for the past three fiscal years. The increase in the General Fund Budget is due to the increase in property values from FY 15-16 to FY 16-17; however, I must caution you that the proposed increase in value is the preliminary number provided to our Finance Director by the Palm Beach County Property Appraiser's Office. The actual numbers will be available through that office on or about July 1, 2016.

The Ad Valorem Tax increase is projected at \$167,497. The total General Fund Revenue increase is projected at \$580,774 from all revenue accounts. The revenue drivers for the General Fund include an Ad Valorem CRA increase of \$93,029, a Communications Tax Increase of \$7,891, an increase of \$27,798 increase in the Electric Franchise Fee (resulting from an estimated rate increase of 7% from Florida Power and Light, an increase in Penalties for Building Permits of \$5,500 (with the addition of a Part-Time Code Enforcement position to the budget). We expect an increase in Tennis Program revenue of \$19,000. Pursuant to the RFP which the Town has recently issued for the provision of Tennis Center Management and Maintenance Services, the new tennis professional will be required to pay a license fee to the Town. We estimate that fee to be \$19,000 higher than the previous Tennis Professional. With an uptick in permits and construction in the Town of Lake Park, the percentage amount the Town of Hy-Byrd Inspections reimburses the Town at 20% of the fee will increase by \$110,000. We are also projecting an increase in investment income due to rate increases of \$11,500. The information contained in this portion of my transmittal letter is taken from General Fund Revenue.

535 Park Avenue
Lake Park, FL 33403
Phone: (561) 881-3304
Fax: (561) 881-3314

www.lakeparkflorida.gov

General Fund Initiatives

The following departmental initiatives are being presented as part of the Town Manager's proposed budget for the FY 16-17 Fiscal Year:

Town Commission Budget:

The administration has proposed to fund \$18,495 in initiatives for the Town Commission Budget. Those initiatives consist of \$5,000 for Special Events for Commissioners to attend important network functions as official representatives of the Town of Lake Park. Further, the administration has proposed to fund the redesign of the Town's official website at \$10,000 in order to make it more intuitive and customer-friendly and the purchase of five new iPads for the Mayor and each Commissioner at \$3,495.00.

Town Manager Department Budget:

The Town Manager's budget initiative is \$53,000 to fund a Grants Writer position, which is a position which currently exists in the Town's Uniform Classification System but which has remained vacant since April of 2012.

The consensus expressed by the Commission at its June 15, 2016 meeting was to fund education reimbursements under one line item. Accordingly, it is being proposed that an initiative be funded for this purpose in the amount of \$14,500 as part of the Human Resource Department budget. Such education reimbursement initiatives will be listed separately in each department budget which will be for informational purposes only.

Human Resources Department Budget:

The Human Resource Department initiatives include \$14,500 for education reimbursements referenced above. Additionally, the initiative to provide a payment to each eligible employee for refusing the Town's health insurance coverage at \$3,960 for two employees in the Town operating budget totaling \$7,920 appears in the Human Resource budget. The following departments Sanitation, and Marina will bear, this expense at \$3,960 each.

Town Clerk Department Budget:

The Town Clerk Department initiative is \$2,275 which represents 5% increase to upgrade the current Administrative Assistant position to Deputy Town Clerk, which will constitute a promotion. This initiative was not listed among the initial initiatives presented to the Commission on June 15, 2016.

Information Technology Department Budget:

The initiatives for the Information Technology Department include \$13,700 for Disaster Recovery at \$1,800, \$2,700 for Work Station Management Agent and Web Protection, \$6,000 to purchase new emergency management lap top computers to augment the Town's Emergency Operations Center at Station 68 in the event of a natural disaster and the purchase of a spare server at \$3,200.

Finance Department Budget:

The initiatives for the Finance Department include \$8,428 to reclassify the Chief Accountant to the Assistant Finance Director and to adjust the Town's pay plan for employees of the Finance Department to correspond to the recent salary/wage survey conducted by the Public Employers Personnel Information Exchange (PEPIE)..

Public Works Department Budget (Administration Division):

The initiatives for the Public Works Administration Division consist of \$3,000 to purchase two desk top computers, and \$25,078 for the hiring of a full-time Administrative Assistant half way through the FY 16-17 budget at the mid-year budget adjustment period.

Public Works Department Budget (General Maintenance Division):

The initiative for the Public Works Grounds Maintenance Division is \$20,000 to purchase a new 72-inch mulch mower (Toro Grounds Master).

Community Development Department Budget:

The initiative for the Community Development Department is \$22,391 to fund a part-time Code Compliance Officer position to work nights and weekends. Revenue has been increased by \$5,500 in anticipation of hiring the part time Code Compliance Officer.

Special Events (Formerly Parks and Recreation) Department Budget:

The initiative for the Special Events Department is \$60,544 for a full-time Recreation Supervisor which was mislabeled at our June 16, 2016 initiatives review as an Assistant Events Supervisor. The actual position is a Recreation Supervisor. The figure of \$60,544 includes benefits and FICA.

Library Budget:

The initiatives for the Library are \$23,297 to meet the personnel needs of the Library as recommended by the Library Director, i.e.: A \$3,000 increase for the Librarian I; and, an increase of \$7,580 to bring the part-time Library Accounting Clerk up to full time and to fund an additional part-time Library Assistant I at \$12,717 (including FICA). The increase requested by the Library Director of the current part-time Library Assistant I hours from 10 hours to 25 hours is not necessary as this position was reclassified to full-time position during this current fiscal year. The total operating budget for the Library increased from \$260,389 to \$290,000 (rounded up). The purchase of material for the Library and the Children's Room as requested by the Library Director.

Roads Fund and Enterprise Funded Initiatives

Public Works Department Streets and Road Fund Budget:

The Public Works Department Road Fund Budget increase of \$190,000 is proposed by using Earl Stewart Funds for road projects. . The Park Avenue Streetscape redesign, the Park Avenue driveway turn-outs between the 700 to 900 blocks will be completed using Earl Stewart Funds as well as the Park Avenue mill and overlay between the 800 and 900 block.

Further, the purchase of a self-propelled line striping machine and a used Palm Beach County dump truck is proposed for purchase. The Earl Stewart Funds will be used for actual road construction and reconstruction projects and not the purchase of equipment. The cost of the Park Avenue streetscape, sidewalk and driveway turn-outs as well as the mill and overlay of Park Avenue between the 700 to 900 blocks will cost \$165,000.

Public Works Facilities Maintenance Division Budget:

The Public Works Facilities Maintenance Division Budget is proposed to increase by \$44,787 (including FICA) to add one additional full-time Facilities Maintenance Worker II position. The purpose of this position is to begin a rigorous maintenance schedule for all Town-owned public buildings. Our public buildings are the largest investment our community has made throughout the years in the Town of Lake Park. The preservation and upkeep of public buildings is paramount to protecting the public investment made by our taxpayers.

Marina Fund Budget:

The Marina Fund will realize a proposed increase in revenue of \$63,155. The Marina is expecting an increase of \$40,000 in wet slip income. The projected increase in costs to rent slips at the Riviera Beach Marina will permit the Lake Park Marina to increase wet slip rental fees an estimated 5.7%. With the implementation of a flat rate utility charge, the Marina expects to see an increase of \$42,500 in electric revenue over the fiscal year.

With the purchase of a self-propelled line striping machine for the Streets and Roads Fund, the Marina can have the parking lots re-striped and pay an internal fee for the service to the Streets and Roads Fund for such services. The Marina has decided to keep the part-time Dock Attendant position currently budgeted in the Marina Fund budget rather than increase that position from part-time to full-time.

Stormwater Utility Fund Budget:

The Stormwater Utility Fund proposes to transfer \$190,000 from fund balance to achieve two very important objectives: To update the 1999 Master Drainage Plan (phase I, Town-wide) and to replace the deep drainage structure and outfall line at the Earman River. As directed by the Town Commission, I will be work with all parties and stakeholders responsible to discuss and agree upon monetary contributions from them for the cost of this project.

Sanitation Fund Budget:

The Sanitation Fund proposes to replace the clam shell truck at \$140,000 from the Sanitation Fund balance. The other initiatives as proposed in the Sanitation Fund will be completed using fund balance.

Conclusion:

In conclusion, the proposed Town Manager's Budget is balanced **without an increase in the Millage Rate**. The proposed budget provides funding for key personnel for the Library, Facilities Maintenance, and the Special Events Department. The addition of such personnel will ensure program continuity and expansion. Further, the addition of a part-time Grants Writer will enable the Town to identify and attract much needed grant funding to supplement projects and services throughout the Town of Lake Park. The Grants Writer position will provide grant support across the organizational structure. With the purchase of a self-propelled line painting machine, Public Works personnel can now paint road lines throughout the Town. The roadwork planned for the 700 to 900 block of Park Avenue along with sidewalk reconstruction between the 700 to 900 block and a new landscape plan for Park Avenue will serve to attract new business possibilities to Park Avenue.

As we begin the budget deliberation process, the attached budget is now balanced and addresses the important initiatives of the administration and hopefully the Town Commission. The Commission's budget deliberation will enhance the budget as together we formulate a budget document that meets the needs of the entire Lake Park community.

Sincerely Yours,

John O. D'Agostino

John O. D'Agostino
Town Manager, Town of Lake Park

TOWN OF LAKE PARK

Summary of items by Department for the fiscal year 2016-2017 Proposed Budget

	Major Changes from proposed Budget	Initiatives that remain funded	Initiatives that were removed between the Dept. Proposal and the Mgr.
General Fund Revenue			
Ad Valorem Millage at 5.3474	\$ 167,496	None	None
Ad Valorem for the CRA	\$ 93,029		
Franchise Fees - Electric / Gas / Solid Waste	\$ 32,198		
Various Taxes	\$ 99,670		
Fines - Code Violations	\$ 110,000		
Event Sponsorship	\$ 25,000		
Cost Recovery	\$ 30,000		
TOTALS	\$ 557,393		
General Fund Expenses			
TOWN COMMISSION (GF 100)			
Web design and hosting services	\$ 10,000	\$ 10,000	
Funds for Commission to represent the Town at events	\$ 5,000	\$ 5,000	\$ 7,500
New I-Pads	\$ 3,495	\$ 3,495	
Constant Contact Email Blasts	\$ 11,000		
TOWN MANAGER (GF 104)			
Grant Writer (part time)	\$ 53,000	\$ 53,000	
Tuition Reimbursement			\$ 4,000
Lobbyist			\$ 20,000
Support for Town Organizations			\$ 10,000
HUMAN RESOURCES (GF 105)			
Tuition Reimbursement	\$ 14,500	\$ 14,500	
Insurance Opt Out Payments (included in the effected departments)		\$ 7,920	
TOWN CLERK (GF 106)			
Tuition Reimbursement			\$ 6,500
Licenses for Laserfiche			\$ 25,000
Promotion of the Admin to Deputy Town Clerk	\$ 2,275	\$ 2,275	

Exhibit "B"

TOWN OF LAKE PARK			
Summary of items by Department for the fiscal year 2016-2017 Proposed Budget			
	Major Changes from proposed Budget	Initiatives that remain funded	Initiatives that were removed between the Dept. Proposal and the Mgr.
INFORMATION TECHNOLOGY (GF 110)			
New Voice over IP Telephone System			\$ 50,000
Disaster Recovery	\$ 1,800	\$ 1,800	
Work Station Management Agents and Web Protection	\$ 2,700	\$ 2,700	
Purchase of new Laptop Computers	\$ 6,000	\$ 6,000	
Purchase Spare Server	\$ 3,200	\$ 3,200	
Purchase Commission Chamber Monitors			\$ 10,000
Web Streaming			\$ 10,300
Purchase L.PTV 18 Camera for Commission Chamber			\$ 25,000
Purchase new Library Monitors			\$ 2,400
Install Free Wi-Fi in Town Hall			\$ 2,000
Lambda Rail Fiber Optic			\$ 214,507
FINANCE DEPARTMENT (General Fund 150)			
Job Descriptions and Pay Plan Changes	\$ 8,428	\$ 8,428	
Conversion to ADP to latest version			\$ 5,000
Consultant to help with Procedures			\$ 20,000
LAW ENFOCEMENT SERVICES			
Twelfth Addendum to the contract	\$ 54,446		
PUBLIC WORKS ADMIN			
Administrative Assistant			\$ 40,163
2 Desktop computers	\$ 3,000	\$ 3,000	
GROUNDS MAINTENANCE			
Replace turf mower	\$ 20,000	\$ 20,000	
Upgrade irrigation controls			\$ 9,000
Additional Staff			\$ 76,549
FACILITIES MAINTENCE			
Paint and Seal Town Hall			\$ 85,000
Additional Staff	\$ 41,570	\$ 41,570	

TOWN OF LAKE PARK			
Summary of items by Department for the fiscal year 2016-2017 Proposed Budget			
	Major Changes from proposed Budget	Initiatives that remain funded	Initiatives that were removed between the Dept. Proposal and the Mgr.
VECHICAL MAINTENANCE			
Replace Aging Fleet 5 vehicles or			\$ 40,000
Replace Aging Fleet 2 pick-up trucks			\$ 55,000
Shop Tools	\$ 3,000	\$ 3,000	
COMMUNITY DEVELOPMENT			
Personnel - promotion to Office Manager			\$ 8,424
Personnel - part-time GIS tech			\$ 18,616
Personnel - part-time Code Compliance Officer	\$ 22,391	\$ 22,391	
Additional Revenue from annual housing inspections			\$ (14,000)
Potential Housing Grants			\$ 20,000
Car mounted Laptops for Code Officer Vehicles			\$ 5,000
Zoning Certificate Application fee increase			\$ (7,200)
SPECIAL EVENTS			
4th of July Event			\$ 40,000
Special Events Supervisor	\$ 60,544	\$ 60,544	
LIBRARY (GF 600)			
Technical Upgrades - 3 tablets in the main area			\$ 2,100
Technical Upgrades - 4 tablets in the children's room			\$ 4,000
Technical Upgrades - wireless printer			\$ 2,600
Technical Upgrades - databases accessible to the public			\$ 3,600
Increase Librarian's salary	\$ 3,010	\$ 3,010	
Increase Library Accounting Clerk from 30 to 40 hours	\$ 7,580	\$ 7,580	
Increase part time Library Assistant I from 10 to 25 hours			\$ 8,689
One additional Library Assistant I			\$ 12,718
Part-time Technical Assistant			\$ 6,900

TOWN OF LAKE PARK			
Summary of items by Department for the fiscal year 2016-2017 Proposed Budget			
	Major Changes from proposed Budget	Initiatives that remain funded	Initiatives that were removed between the Dept. Proposal and the Mgr.
NON-DEPARTMENTAL (GF 900)			
Wage adjustment	\$ 72,872		
CRA	\$ 93,029		
Retired Police Officers Pension	\$ 36,832		
General Fund Health Insurance increase (est. at 10%)	\$ 34,776		
Miscellaneous Others	\$ 14,051		
TOTALS	\$ 588,499	\$ 279,413	\$ 829,366

TOWN OF LAKE PARK			
Summary of items by Department for the fiscal year 2016-2017 Proposed Budget			
	Major Changes from proposed Budget	Initiatives that remain funded	Initiatives that were removed between the Dept. Proposal and the Mgr.
STREETS AND ROADS			
Reconstruct 10th St.			\$ 165,000
Replace decorative streetlight bulbs with L.E.D. - US 1			\$ 27,500
Replace decorative streetlight bulbs with L.E.D. - Town Hall and Parks			\$ 13,500
Park Avenue Streetscape Renovation			
Redesign	\$ 35,000	\$ 35,000	
Repair lifted Sidewalk	\$ 60,000	\$ 60,000	
Park Avenue Mill & Overlay	\$ 70,000	\$ 70,000	
Purchase towable boom lift			\$ 25,500
Purchase self-propelled line striping machine	\$ 23,500	\$ 23,500	
Used Dump Truck	\$ 8,000	\$ 8,000	
	\$ 196,500	\$ 196,500	\$ 231,500
MARINA			
Marina Office Improvements	\$ 5,500	\$ 5,500	
Deck Furniture	\$ 7,200	\$ 7,200	
Ramp Area Improvements	\$ 7,300	\$ 7,300	
Flag Pole			\$ 20,731
Customer Business Center			\$ 3,980
Deck Furniture			\$ 7,200
Two full time dock attendants			\$ 62,400
	\$ 20,000	\$ 20,000	\$ 94,311

TOWN OF LAKE PARK

Summary of items by Department for the fiscal year 2016-2017 Proposed Budget

	Major Changes from proposed Budget	Initiatives that remain funded	Initiatives that were removed between the Dept. Proposal and the Mgr.
STORMWATER			
Master Drainage Plan	\$ 100,000	\$ 100,000	
Firestone outfall remediation	\$ 90,000	\$ 90,000	
Vac-con Refurbishment			\$ 90,000
10th Street Drainage Improvement			\$ 50,000
Lap top 'air card'	\$ 500	\$ 500	
	\$ 190,500	\$ 190,500	\$ 140,000
SANITATION			
Replacement clam shell trash truck	\$ 160,000	\$ 160,000	
Refurbish front loader (Veh. No. 47)	\$ 25,000	\$ 25,000	
Replace cart tippers on rear loader (Veh. No. 42)			\$ 9,000
Place lift gate on pickup truck (Veh. No. 36)			\$ 3,000
Lap top 'air card'	\$ 500	\$ 500	
	\$ 185,500	\$ 185,500	\$ 12,000
		\$ 871,913	\$ 1,307,177
E:\2016-2017 BUDGET\INITIATIVES included & proposed.xlsx Sheet1			

TAB 3



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 3, 2016

Agenda Item No. *Tab 3*

Agenda Title: Regular Commission Meeting Minutes of July 20, 2016

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

Approved by Town Manager: *Berli M. Kibben* **Date:** *7/22/2016*
ACTING TOWN MANAGER

Vivian Mendez - Town Clerk
 Name/Title

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda meeting minutes Exhibits "A-B"
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>UM</i> Please initial one.

Summary Explanation/Background:

Recommended Motion:

To approve the Regular Commission Meeting Minutes of July 20, 2016.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, July 20, 2016, 6:30 PM,
Lake Park Town Hall
535 Park Avenue

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

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

- A. CALL TO ORDER/ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. SPECIAL PRESENTATIONS/REPORTS
 - 1. Wounded Warriors of South Florida
- D. PUBLIC COMMENT:

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

Tab 1

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

- 2. Regular Commission Meeting minutes of July 6, 2016 Tab 2
- 3. Resolution No. 24-07-16 Cancellation of the August 17, 2016 Regular Commission Meeting Tab 3
- 4. Authorizing the Mayor to sign a letter of support to Palm Beach County for the Allocation of \$333,395.00 for the Edward Byrne Memorial Justice Assistance Grant. Tab 4

F. **PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:**
None

G. **PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:**
5. Ordinance No. 4-2016 Amending the Town Code at Chapter 2, Article V, Division 2, Entitled "Purchasing". Tab 5

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN CODE AT CHAPTER 2, ARTICLE V, DIVISION 2, ENTITLED "PURCHASING"; PROVIDING FOR THE AMENDMENT OF SECTION 2-242 TO PROVIDE PREFERENCES TO CERTIFIED MINORITY OWNED BUSINESSES; PROVIDING FOR THE AMENDMENT OF SECTION 2-244; PROVIDING FOR THE AMENDMENT OF SECTION 2-245 TO AMEND AND ADD DEFINITIONS; PROVIDING FOR THE AMENDMENT OF SECTION 2-246 DESIGNATING THE TOWN MANAGER AS THE TOWN'S PURCHASING AGENT; PROVIDING FOR THE AMENDMENT OF SECTION 2-247 MAKING MINOR CHANGES TO THE TEXT; PROVIDING FOR THE AMENDMENT OF SECTION 2-248 TO CHANGE THE TERM BIDDER TO "OFFEROR"; PROVIDING FOR THE AMENDMENT TO SECTION 2-249 PERTAINING TO CONSULTANTS NOT SUBJECT TO THE CCNA; PROVIDING FOR THE AMENDMENT TO SECTION 2-250 DELETING FIELD PURCHASE ORDERS; PROVIDING FOR THE AMENDMENT TO SECTION 2-251 TO LIMIT THE TERM OF THE RENEWAL OF A CONTRACT; PROVIDING FOR THE AMENDMENT OF SECTION 2-256 PERTAINING TO "BID PREFERENCES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Ordinance No. 5-2016 Approval of the staff initiated text Amendment to Chapter 2, Article IV, Section 2-112(K) of the Town of Lake Park Code of Ordinances to eliminate outdated language related to Board Member Residency Requirements.

Tab 6

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-112 PERTAINING TO THE RESIDENCY REQUIREMENT FOR MEMBERSHIP ON TOWN BOARDS AND COMMITTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

H. NEW BUSINESS:

7. Resolution No. 25-07-16 Special Events Separation Schedule of One Month

Tab 7

8. Resolution No. 26-07-16 Fiscal Year 2015/2016 Budget Adjustment for Sanitation Insurance Claim

Tab 8

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, August 3, 2016



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, July 20, 2016, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, July 20, 2016 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Anne Lynch and Michael O'Rourke, Acting Town Manager Bambi Turner, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Town Manager John O. D'Agostino was absent.

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

SPECIAL PRESENTATIONS/REPORTS

1. Wounded Warriors of South Florida.

This agenda item was moved to the next possible meeting.

PUBLIC COMMENT:

None

CONSENT AGENDA:

- 2. Regular Commission meeting minutes of July 6, 2016.**
- 3. Resolution No. 24-07-16 Cancellation of the August 17, 2016 Regular Commission Meeting.**
- 4. Authorizing the Mayor to sign a letter of support to Palm Beach County for the Allocation of \$333,395.00 for the Edward Byrne Memorial Justice Assistance Grant.**

Motion: Vice-Mayor Glas-Castro moved to approve the consent agenda; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

None

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

5. Ordinance No. 04-2016 Amending the Town Code at Chapter 2, Article V, Division 2, Entitled “Purchasing”.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN CODE AT CHAPTER 2, ARTICLE V, DIVISION 2, ENTITLED “PURCHASING”; PROVIDING FOR THE AMENDMENT OF SECTION 2-242 TO PROVIDE PREFERENCES TO CERTIFIED MINORITY OWNED BUSINESSES; PROVIDING FOR THE AMENDMENT OF SECTION 2-244; PROVIDING FOR THE AMENDMENT OF SECTION 2-245 TO AMEND AND ADD DEFINITIONS; PROVIDING FOR THE AMENDMENT OF SECTION 2-246 DESIGNATING THE TOWN MANAGER AS THE TOWN’S PURCHASING AGENT; PROVIDING FOR THE AMENDMENT OF SECTION 2-247 MAKING MINOR CHANGES TO THE TEXT; PROVIDING FOR THE AMENDMENT OF SECTION 2-248 TO CHANGE THE TERM BIDDER TO “OFFEROR”; PROVIDING FOR THE AMENDMENT TO SECTION 2-249 PERTAINING TO CONSULTANTS NOT SUBJECT TO THE CCNA; PROVIDING FOR THE AMENDMENT TO SECTION 2-250 DELETING FIELD PURCHASE ORDERS; PROVIDING FOR THE AMENDMENT TO SECTION 2-251 TO LIMIT THE TERM OF THE RENEWAL OF A CONTRACT; PROVIDING FOR THE AMENDMENT OF SECTION 2-256 PERTAINING TO “BID PREFERENCES”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Opened:

None

Public Comment Closed:

Motion: Commissioner Lynch moved to approve Ordinance 04-2016 on second reading; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

Attorney Baird read the Ordinance by title only.

6. Ordinance No. 05-206 Approval of the staff initiated text Amendment to Chapter 2, Article IV, Section 2-112(k) of the Town of Lake Park Code of Ordinances to eliminate outdated language related to Board Member Residency Requirements.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-112 PERTAINING TO THE RESIDENCY REQUIREMENT FOR MEMBERSHIP ON TOWN BOARDS AND COMMITTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Opened:

None

Public Comment Closed:

Motion: Commissioner Lynch moved to approve Ordinance 05-2016 on second reading; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

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

Motion passed 5-0

Attorney Baird read the Ordinance by title only.

NEW BUSINESS:

7. Resolution No. 25-07-16 Special Events Separation Schedule of One Month.

Acting Town Manager Turner requested that the item be administratively pulled from the agenda so that staff could make changes regarding the inconsistencies with the Resolution and the Town Code. The item would be schedule on a future agenda.

Vice-Mayor Glas-Castro expressed concern with the amount of attendees listed in the Resolution that would constitute a large event and was not sure what the magic number of attendees would be. She stated that in a previous discussion "like event" with music, food, like characteristics would be restricted from being held in the same month so that they do not compete with one another. She suggested that the Resolution be rewritten and though out.

8. Resolution No. 26-07-16 Fiscal Year 2015/2016 Budget Adjustment for Sanitation Insurance Claim.

Finance Director Blake Rane explained the item (see Exhibit "A").

Motion: Commissioner O'Rourke moved to adopt Resolution 26-07-16; Vice-Mayor Glas-Castro seconded the motion.

Commissioner O'Rourke asked for clarification on the amount of the insurance settlement. Finance Director Rane explained that the amount would be \$15,327.

Vote on Motion:

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

Motion passed 5-0.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird reported that the States Attorney first Sober House Task Force meeting was very encouraging. He explained that there are two (2) components to the Task Force. The first was that would address criminal issues, such as patient fraud, patient brokering, statutes that are not enforced, or statutes that need to be created to address some of the issues that have been emerging with respect to the operation of the facilities. He explained that the component that he serves on was the civil component. He stated that his group was largely composed of operators of recovery facilities. He stated that their interest was the same as the Town's interest to the extent that they would like to see the operators of the Sober Homes that are not affiliated with recovery facilities to have to meet certain minimum regulatory requirements in order to operate. He continues to believe that Sober Houses like the other license components in the recovery industry need to be licensed. There needs to be a regulatory arm of the State that looks over and supervises, and regulates Sober Homes. The second component was that the operator of Sober Homes need to have some minimum standards that they need to meet. He suggested to the Task Force to look at the Department of Professional Regulation (DPR). He gave some examples of other industries that the DPR serves such as regulating barbers, nail technicians, and an entire professional and service industry individuals that are subject to fines and administrative hearing if they are not operating consistent with their profession. He shared testimonies from Fire Fighters and Law Enforcement agencies regarding what they are facing and dealing with on a daily bases as a result of the proliferation of the unsupervised facilities. He explained that the Task Force's next meeting would be August 9, 2016, where he expects to have draft legislation to the State Attorney's Office. He hopes to bring the information to the next Commission meeting. He stated that his aspect of the Task Force would begin to deal with the issue. The Task Force exceeds what he anticipated would be going on. He distributed a Toll Free Tip Line business cards (see Exhibit "B") to the States Attorney's Office, for criminal infractions of law. He believes that the Task Force was at the beginning of a yearlong study, which would result in legislation in March 2017 on both the criminal and civil side. He thinks that the landscape for citizens in the Town of Lake Park and elsewhere in Florida would be improved. He stated that there was some activity from Lois Frankel's Office that he was not prepared to share at this time, but there seems to be a lot of momentum moving in the right direction, which was very encouraging.

He announced that several meeting ago he shared the proposed Stipulation of Final Order with Park Avenue BBQ. He stated that the Commission added to the Stipulation that a requirement that the owner enter into a cross-access easement with the adjoining property owner. Mr. Lavelle was not eager to sign the Stipulation and his attorney slightly modified it. He stated that the modification was significant enough for him to bring it to the Commission's attention. He stated that Mr. Lavell has an interest in outdoor front seating of his facility. The amendment to the proposed Stipulation was "That the scope of the cross-access easement shall not be inconsistent with the intension of the respondents to apply for authorization from the Town to install an outdoor seating area on the property to the front of the building to the maximum allowable outdoor seating area under the Code". He explained that staff has not had an opportunity to review the language, but he expects that it mean that if seating were placed outside of a facility then there would be less parking. Mr. Lavelle has consistently expressed his interest in making up the lack of parking using the Town's property, which was being used by the Seeds of Hope Community Garden. He explained that the Commission was in a position of predetermining that they would allow Mr. Lavelle to use the Town property for parking. He explained that if the Commission believes that the Stipulation should not be modified as Mr. Lavelle suggested then that statement would be shared with Mr. Lavelle. He explained that if the Stipulation was not what the Commission desired then the Special Magistrate would hear the Stipulation.

Vice-Mayor Glas-Castro stated that Mr. Lavelle was trying to circumvent the site plan process, while his property might allow a few tables; it sounds as though he was trying to get around a thorough review that complies with Code, which reviews other impacts, such as parking. She asked if the Town Code already requires that Mr. Lavelle grant the easement through the site plan process.

Attorney Baird explained that Mr. Lavelle was requesting the "maximum allowable outdoor seating area under the Code". Since staff has not had an opportunity to review, we are not sure what that means. He stated that the Commission would make the decision when a site plan were presented to the Commission. He stated that it goes against the entire Quasi-Judicial process. He stated that the Town Code does require that when a property comes in for redevelopment to the site plan that the cross-access easement be provided. He explained that even if the Commission did not include the provision in the Stipulation if a change were made to the site plan, as a condition of the site plan approval, Mr. Lavelle would have to obtain a cross-access easement anyway. He stated that if the Town entered into the Stipulation the Commission would be waiving between \$280,000 and \$300,000 in fines.

Vice-Mayor Glas-Castro stated that she was not inclined to accept the language. Mayor DuBois agreed. Commissioner Flaherty asked if the cross-access was being removed from the Stipulation. Vice-Mayor Glas-Castro felt it should remain in the Stipulation. Commissioner O'Rourke hesitated to not accept the language because the building has remained empty for so many years. He felt that the additional language would present the Commission with an issue that cannot be overcome later. He felt that it did not tie the Commission hands and there may be a Stipulation that could be approved to include outdoor seating. He stated that he would approve the Stipulation without the additional language that was added at the previous Commission meeting. He would like to see this

project move forward. Vice-Mayor Glas-Castro stated that she would rather have the language stricken all together and not have language regarding the easement included and let the Town Code prevail. Attorney Baird agreed. Commissioner O'Rourke asked if included was the cross-access easement or would, the access only be from the property going west. Attorney Baird explained that if the requirement were removed entirely then the Stipulation required Mr. Lavelle to go through a site planning process including timeframes to opening the facility and fines if the facility were not opened according to the Stipulation. He explained what would be required as part of the site plan process. Vice-Mayor Glas-Castro asked what would happen if Mr. Lavelle does not meet the timeframe outlined. Town Attorney Baird explained that the Stipulation states, "If it's not open and continuously operated through December 15, 2019 Mr. Lavelle would pay an additional \$20,000". He explained what could happen if it plays out that Mr. Lavelle does not comply with the Stipulation then the Special Magistrate would hear the case. He stated that another alternative would be that the Town could foreclose against the property. Commissioner Flaherty reviewed the timeline and stated that a site plan needs to be submitted by November 1 and be open by December 15, 2019. Town Attorney Baird corrected Commissioner Flaherty stating that the facility would have to be open by December 15, 2017. He stated that the Town Manager and Mr. Lavelle negotiated the agreement. Mayor DuBois asked for consensus to remove the proposed language regarding the cross-access easement and go forward with the original document as proposed. Commissioner O'Rourke asked if the proposed language were removed, was Mr. Lavelle prepared to sign the Stipulation. Attorney Baird stated "yes".

Motion: Commissioner O'Rourke moved to remove the language out of paragraph 5 that would include reference to cross-access easement; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

Commissioner O'Rourke asked Attorney Baird if the new legislation regarding Sober Homes would go through the State Legislature. Attorney Baird stated "yes". He explained that what the legislature did was to create the Task Force to study the issues and develop legislation that might be brought to the legislature at its next session for adoption. Commissioner O'Rourke asked if the Task Force was funded by the State. Town Attorney Baird stated "yes".

Acting Town Manager Turner introduced Riunite Franks as the Special Events Director. Ms. Franks introduced herself and explained that she was looking forward to putting on wonderful events for the Town. She invited everyone to the Sunset Celebration on Friday, July 29, 2016 at the Marina.

Acting Town Manager Turner explained that the 29th Annual Kids Fishing Day hosted by the Palm Beach County Fishing Foundation and the Florida Fish and Wildlife Conservation Commission would be taking place at the Marina from Tuesday, July 26 – Thursday, July 28 from 7:30 a.m. – 7:00 p.m. They are looking for volunteers that could put a hook-on-a-line. All volunteers are required to fill out a Volunteer Application and it to the Human Resources Department. Mayor DuBois asked if Peg Perez from Club 100 Charities had been contacted regarding the event. Acting Town Manager Turner stated that she had not. Mayor DuBois stated that if anyone wants to volunteer to take the kids fishing from the Town associated with the Club 100 Charities Group, their summer program, they could communicate with Peg Perez.

Acting Town Manager Turner announced that the Artist of Palm Beach County Art on Park Gallery was presenting its Photography 2016 Exhibit. The Art on Park Gallery would hold the open reception on Friday, August 19, 2016 from 5:00 p.m. – 8:00 p.m. it would incorporating a solo exhibit by Durga Garcia. She Turner announced that the August Property of the Month has been awarded to 128 E. Ilex Drive. She announced that the Sunset Celebration would be held on Friday, July 29th with performance by Whisky Six at the Marina from 5:00 p.m. through 9:00 p.m.

Vice-Mayor Glas-Castro asked if someone had time to volunteer for the Kids Fishing Days, besides filling out the volunteer form, did they need to call someone to express interest in volunteering. Acting Town Manager Turner stated that they could call the Marina Director, however, the volunteer application must be filled out and submitted.

Commissioner Lynch tentatively announced that she has spoken with Jo Brockman from the Brew House Gallery who was open to the idea of a monthly Green Market inside using the theatre venue and was speaking with Commissioner Flaherty. She stated that it would take volunteers and time to develop the Green Market sometime in the fall.

Commissioner O'Rourke had no comments.

Commissioner Flaherty had no comments.

Vice-Mayor Glas-Castro announced that the next Palm Beach County League of Cities meeting would be held in Lake Worth at the Casino. She stated that there was a break-in at 401 Lake Shore Drive over the weekend, so each of the condominium associations would be meeting to discuss the intruder situation and invited Palm Beach County Sheriff's Office (PBSO) to attend. Lt. Gendreau stated that he would be attending along with other representatives. The meeting would take place on Tuesday, July 26, 2016 at 6:30 p.m. in the 801 Lake Shore Drive building.

Mayor DuBois announced that the Economic Development Government Affairs Committee meeting went well with the Town Manager and Community Development Director presenting the Lake Shore Drive plans. He stated that Cutler & Herring, Don Herring was very enthusiastic about the project. He stated that the following week there was Economic Development Meeting with a representative from P.A.C.E. and contact information has been provided to staff to follow-up with the organization regarding their

program. He explained that they have an interesting way of financing improvements to homes and businesses that does not involve a mortgage, but instead as a tax assessment.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Flaherty and seconded by Vice-Mayor Glas-Castro, and by unanimous vote, the meeting adjourned at 7:22 p.m.

Mayor James DuBois

Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2016



Exhibit "A"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: 7/20/2016 Agenda Item No. Tab 8

Agenda Title: FISCAL YEAR 2015/2016 BUDGET ADJUSTMENT FOR SANITATION INSURANCE CLAIM

- Special Presentation/Reports, Board Appointment, Public Hearing Ordinance, New Business, Other, Consent Agenda, Old Business.

Approved by Town Manager [Signature] Date: 7-12-16

Blake K. Rane BKR Finance Director Name/Title

Table with 3 columns: Originating Department (FINANCE), Costs/Funding Source (Acct. #, Finance BKR), Attachments (Resolution, Budget Adjustment Itemization), Advertised (Date, Paper, Not Required), and notification status (Yes/No, Please initial one).

Summary Explanation/Background:

The Town submitted an Insurance Claim for fire damages to Sanitation Sideloader number 50, and the funds have been received. There currently exists no budget to post the receipt of those funds, this resolution creates that budget. This item also creates the budget to establish the expense account for the repair of Sideloader number 50. Attached is a schedule (Attachment "A") that lists the line items that are to be adjusted for the Town of Lake Park 2015/16 Budget.

Recommended Motion:

I move to adopt Resolution 26-7-16.

Budget Adjustment Itemization

July 20, 2016

ATTACHMENT "A"

Sanitation Fund

Item	Account Number	Proposed Change	Totals
	Total Sanitation Fund Budgeted Revenue		\$ 1,676,065
(1)	Settlements - Insurance 404-369.330	\$ 15,327	
	Total of Revenue Changes	\$ 15,327	15,327
	Proposed Budget		\$ 1,691,392
	Total Sanitation Fund Budgeted Expense		\$ 1,676,065
(1)	Repair and Maintenance 404-53-534-404-46000	\$ 15,327	
	Total of Expense Changes	\$ 15,327	15,327
	Proposed Budget		\$ 1,691,392

Exhibit "B"



State Attorney Dave Aronberg
15th Judicial Circuit, Palm Beach County, FL.

TOLL FREE TIP LINE
1-844-324-5463

P.B.C. SOBER HOMES TASK FORCE

New Business

TAB 4



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 3, 2016

Agenda Item No. *Tab 4*

Agenda Title: Request for Town Commission approval to initiate foreclosure action against Water Tower Enterprises, LLC pursuant to Case Number 13100035.

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

Approved by Town Manager *John D'Agostino* Date: *7/22/2016*
ACTING TOWN MANAGER

John D'Agostino / Town Manager
 Name/Title

Originating Department: <p style="text-align: center;">Town Manager</p>	Costs: <i>None at this time – foreclosure action will incur costs</i> Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: → Property Appraiser Property Information → Florida Corporations Listing → Copy of "Order Granting Extension of Time"
Advertised: Date: <i>N/A</i> _____ 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>JD</i> Please initial one.

Summary

Explanation/Background:

Water Tower Enterprises, LLC owns a property located one parcel south of the southeast corner of Water Tower Road and 15th Street, identified as follows →

Property Control Number:
 36-43-42-20-22-000-0260



In November 2013, the subject property was found in violation by the Special Magistrate for operating a prohibited outdoor storage of large construction equipment business on an unimproved parcel without first obtaining the necessary site plan approvals. At the time, the Owner, Mr. Daniel Coston – registered agent of Water Tower Enterprises, LLC, expressed willingness to cease his operations and work with staff through the site plan approval process to appropriately improve the site per the code requirements with a boat office, repair and storage facility. Mr. Coston had hired H&L Planning & Development consultants to submit a site plan application on his behalf. While this was done in mid-2014 and staff initiated the review process for the plans that had been submitted, the applicant ceased responding to comments in late 2014, which effectively put the site plan at a standstill and resulted in recording a lien against the property for lack of compliance with the Special Magistrate Order (attached) which required (following an additional extension that was granted by the Magistrate):

CASE NUMBER 13100035

Code Section 78-75

Corrective Action Required: Clear Equipment and Sod or obtain site plan approval for the construction of a commercial building

Ordered Compliance Date: September 19, 2014

Daily Fine Amount: \$200.00

\$136,800.00 + \$12,177.07 interest through August 3, 2016 = \$148,977.07

Code Sections 78-253 and 72-2

Corrective Action Required: Obtain a building permit to construct a commercial building or clear equipment and sod site

Ordered Compliance Date: November 1, 2014

Daily Fine Amount: \$200.00

\$128,200.00 + \$10,694.16 interest through August 3, 2016 = \$138,894.16

Code Sections 78-253 and 72-2

Corrective Action Required: Obtain a Certificate of Occupancy for a commercial building or clear equipment and sod site

Ordered Compliance Date: March 9, 2015

Daily Fine Amount: \$200.00

(Refer to the above Daily Fine amount as these are the same Code Sections)

The final correspondence between the Owner's agent, H&L Planning and Development, and Staff occurred in October 2015 whereby Staff was informed that they too had not heard from their client in months even after advising their client that the project must move forward in order to meet the necessary deadlines.

The property is still in violation and is currently assessed at \$90,480. The total fines with interest through August 3, 2016 have accrued to \$287,871.23. Staff is requesting that the Town Attorney is granted permission to move forward with foreclosure action on this property.

Recommended Motion: I MOVE TO APPROVE STAFF'S REQUEST TO ALLOW THE TOWN ATTORNEY TO INITIATE FORECLOSURE ACTION AGAINST WATER TOWER ENTERPRISES, LLC PURSUANT TO CASE NUMBER 13100035.



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file** ▶



Location Address

Municipality **LAKE PARK**
 Parcel Control Number **36-43-42-20-22-000-0260**
 Subdivision **WATER TOWER INDUSTRIAL PARK**
 Official Records Book **25306** Page **922**
 Sale Date **JUN-2012**
 Legal Description **WATER TOWER INDUSTRIAL PARK LT 26**

Owners

WATER TOWER ENTERPRISES LLC

Mailing address

228 HIBISCUS ST STE 4
 JUPITER FL 33458 3523

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUN-2012	\$450,000	25306 / 0922	WARRANTY DEED	WATER TOWER ENTERPRISES LLC
JUL-2004	\$450,000	17385 / 1685	WARRANTY DEED	WATERTOWER COMMONS LLC
SEP-2003	\$10	15918 / 0824	QUIT CLAIM	RYFOS JACOB TR &

No Exemption Information Available.

Number of Units **0** *Total Square Feet **0** Acres **0.3329**
 Use Code **4000 - VACANT INDUSTRIAL** Zoning **CLIC - Campus Light Ind' & Comm' (36-LAKE PARK)**

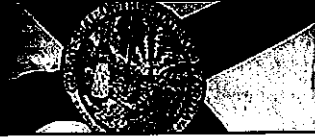
Tax Year	2015	2014	2013
Improvement Value	\$0	\$0	\$0
Land Value	\$90,480	\$90,480	\$87,000
Total Market Value	\$90,480	\$90,480	\$87,000

All values are as of January 1st each year

Tax Year	2015	2014	2013
Assessed Value	\$90,480	\$90,480	\$87,000
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$90,480	\$90,480	\$87,000

Tax Year	2015	2014	2013
Ad Valorem	\$2,251	\$2,281	\$2,205
Non Ad Valorem	\$78	\$78	\$78
Total tax	\$2,329	\$2,359	\$2,283

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



Detail by Entity Name

Florida Limited Liability Company

WATER TOWER ENTERPRISES, L.L.C.

Filing Information

Document Number L12000075491
FEI/EIN Number N/A
Date Filed 06/06/2012
Effective Date 06/06/2012
State FL
Status ACTIVE

Principal Address

228 HIBISCUS ST.
 SUITE 4
 JUPITER, FL 33458

Mailing Address

228 HIBISCUS ST.
 SUITE 4
 JUPITER, FL 33458

Registered Agent Name & Address

COSTON, DANIEL L
 7721 Maywood Crest Dr.
 West Palm Beach, FL 33412

Address Changed: 03/07/2016

Authorized Person(s) Detail

Name & Address

Title MGR.

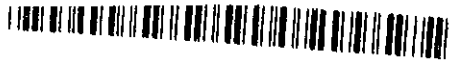
COSTON, DANIEL L
 228 HIBISCUS ST., SUITE 4
 JUPITER, FL 33458

Annual Reports

Report Year	Filed Date
2014	04/19/2014
2015	03/21/2015
2016	03/07/2016

Document Images

03/07/2016 -- ANNUAL REPORT	View image in PDF format
03/21/2015 -- ANNUAL REPORT	View image in PDF format
04/19/2014 -- ANNUAL REPORT	View image in PDF format



**TOWN OF LAKE PARK, FLORIDA
CODE COMPLIANCE DIVISION**

CASE NO. 13100035

TOWN OF LAKE PARK, FLORIDA

Petitioner

v.

WATERTOWER ENTERPRISES, LLC.

Respondent



PCN: 36-43-42-20-22-000-0260

CFN 20150001780
OR BK 27256 PG 0937
RECORDED 01/05/2015 11:58:12
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0937 - 939; (3pgs)

ORDER GRANTING EXTENSION OF TIME

THIS CAUSE, having come before the Special Magistrate for the Town of Lake Park, Florida, on **July 3, 2014**, on a *Request for Extension of Time* to come into compliance with an *Order Granting Extension of Time*, and the Special Magistrate having heard the testimony of the parties, and having considered the evidence presented by the parties; and having been fully apprised of the circumstances, does find as follows:

FINDINGS OF FACT

The Respondent is the owner of the real property located at: **WATERTOWER ROAD, LAKE PARK, FL, 33403** ("Property"), and which is legally described as follows: **WATERTOWER INDUSTRIAL PARK LT 26.**

The Special Magistrate entered an *Order Finding Violation* on November 7, 2013, and the Respondent was issued the following compliance dates:

On or before February 7, 2014, the Respondent shall come into compliance with Code Section 78-75 of the Town of Lake Park Code of Ordinances, by clearing equipment and sodding site; or having obtained site plan approval for construction of a commercial building.

On or before April 7, 2014, the Respondent shall come into compliance with Code Sections 78-253 and 72-2 of the Town of Lake Park Code of Ordinances by obtaining a building permit to construct a commercial building or have cleared equipment and sodded site.

On or before October 10, 2014, the Respondent shall come into compliance with Code Sections 78-253 and 72-2 of the Town of Lake Park Code of Ordinances by obtaining a Certificate of Occupancy for a commercial building or have cleared and sodded the site.

The Special Magistrate entered an *Order Granting Extension of Time* on February 6, 2014, and the Respondent was granted the following compliance dates:

On or before June 9, 2014, the Respondent shall come into compliance with Code Section 78-75 of the Town of Lake Park Code of Ordinances, by clearing equipment and sodding site; or having obtained site plan approval for construction of a commercial building.

On or before September 9, 2014, the Respondent shall come into compliance with Code Sections 78-253 and 72-2 of the Town of Lake Park Code of Ordinances by obtaining a building permit to construct a commercial building or have cleared equipment and sodded site.

On or before March 9, 2015, the Respondent shall come into compliance with Code Sections 78-253 and 72-2 of the Town of Lake Park Code of Ordinances by obtaining a Certificate of Occupancy for a commercial building or have cleared and sodded the site.

~~An extension of time has been requested as follows:~~

On or before September 19, 2014, the Respondent shall come into compliance with Code Section 78-75 of the Town of Lake Park Code of Ordinances, by clearing equipment and sodding site; or having obtained site plan approval for construction of a commercial building. If the Respondent fails to comply by the Compliance Date specified herein, a fine in the amount of \$200 per day is hereby imposed for each and every day of non-compliance.

On or before November 1, 2014, the Respondent shall come into compliance with Code Sections 78-253 and 72-2 of the Town of Lake Park Code of Ordinances by obtaining a building permit to construct a commercial building or have cleared equipment and sodded site. If the Respondent fails to comply by the Compliance Date specified herein, a fine in the amount of \$200 per day is hereby imposed for each and every day of non-compliance.

On or before March 9, 2015, the Respondent shall come into compliance with Code Sections 78-253 and 72-2 of the Town of Lake Park Code of Ordinances by obtaining a Certificate of Occupancy for a commercial building or have cleared equipment and sodded the site. If the Respondent fails to comply by the Compliance Date specified herein, a fine in the amount of \$200 per day is hereby imposed for each and every day of non-compliance.

CONCLUSIONS OF LAW

Based upon the gravity of the violation, actions taken by the Respondent to correct the violation, any previous violations committed by the Respondent, the request for an extension of time, any accompanying documentation submitted under oath by the Respondent, recommendations and testimony of staff, and other evidence presented at the Hearing, **IT IS HEREBY ORDERED AND ADJUDGED:**

A. THE EXTENSION OF TIME IS HEREBY GRANTED.

B. THE EXTENSION OF TIME IS HEREBY DENIED. The original Order of the Special Magistrate shall be recorded forthwith in the Public Records of Palm Beach County, and shall constitute a lien against the Property, and any other real or personal property owned by the Respondent. In addition, a recorded copy of that Order shall constitute notice that the findings contained herein are binding any subsequent purchasers, successors-in-interest, or assigns of the Respondent.

CASE NO. 1310035
JULY 3, 2014

DONE AND ORDERED this 3rd day of July, 2014.



Gary M. Brandenburg, Special Magistrate
Town of Lake Park, Florida

Copies furnished to the Parties, by  _____

TOWN OF LAKE PARK, FLORIDA
CODE COMPLIANCE DIVISION

Case No. 13100035

TOWN OF LAKE PARK, FLORIDA

Petitioner,

v.

WATERTOWER ENTERPRISES, LLC

Respondent



PCN: 36-43-42-20-22-000-0260

ORDER FINDING VIOLATION

THIS CAUSE, having come before the Special Magistrate for the Town of Lake Park, Florida, on **November 7, 2013**, and the Special Magistrate having heard the testimony of the Parties, and having considered the evidence presented by the Parties; and having been fully apprised of the circumstances, does hereby find as follows:

FINDINGS OF FACT

The Respondent is the owner of the real property located at **WATERTOWER ROAD, LAKE PARK, FL, 33403** ("Property"), and which is legally described as follows: **WATERTOWER INDUSTRIAL PARK LT 26**.

A Town of Lake Park Code Compliance Officer conducted a personal inspection of the Property on **10/28/2013** and determined that violations of the Town of Lake Park Code of Ordinances, as charged in the Notice of Violation, existed on the Property. The Respondent was given a reasonable time in which to correct the violations, but failed to comply within the allotted time period. As of the date of this Order, the Property remains in violation.

CONCLUSIONS OF LAW

The Findings of Fact support, by a preponderance of the evidence, that the Respondent has violated **Code Section 78-75 of the Town of Lake Park Code of Ordinances**, as charged in the Notice of Violation issued in this case. The Town of Lake Park is entitled to recover all costs, including attorney's fees and Special Magistrate fees, incurred in successfully prosecuting this action.

IT IS HEREBY ORDERED, that the Respondent shall comply with **Code Section 78-75 of the Town of Lake Park Code of Ordinances**, as charged in the Notice of Violation, as follows:

COMPLIANCE DATE: On or before **February 7, 2014**, the Respondent shall come into compliance with **Code Section 78-75 of the Town of Lake Park Code of Ordinances**, by clearing equipment and sodding site; or having obtained site plan approval for construction of a commercial building.

COMPLIANCE DATE: On or before April 7, 2014, the Respondent shall come into compliance with Code Sections 78-253 and 72-2 of the Town of Lake Park Code of Ordinances by obtaining a building permit to construct a commercial building or have cleared equipment and sodded site.

COMPLIANCE DATE: On or before October 10, 2014, the Respondent shall come into compliance with Code Sections 78-253 and 72-2 of the Town of Lake Park Code of Ordinances by obtaining a Certificate of Occupancy for a commercial building or have cleared and sodded the site.

IMPORTANT: IT IS THE RESPONSIBILITY OF THE RESPONDENT TO REQUEST AN INSPECTION OF THE PROPERTY AS SOON AS COMPLIANCE IS ACHIEVED BY CALLING THE TOWN CODE COMPLIANCE OFFICE AT (561) 881-3321, OR IN-PERSON DURING REGULAR BUSINESS HOURS AT 535 PARK AVENUE, LAKE PARK, FLORIDA 33403, CODE COMPLIANCE DIVISION. A request for inspection must be made at least 1 day prior to the requested inspection. If the Respondent fails to bring the Property into compliance by any of the foregoing Compliance Dates specified herein, a fine in the amount of \$200 per day, per violation, is hereby imposed for each and every day of non-compliance thereafter. Pursuant to Chapter 162, Florida Statutes, if the fines are not paid by the date specified herein, a Certified Copy of this Order shall be recorded in the Public Records of Palm Beach County, Florida, and shall constitute a lien against the Property upon which the violation exists, and any other real or personal property owned by the Respondent. In addition, a recorded copy of this Order shall constitute notice that the findings contained herein are binding any subsequent purchasers, successors-in-interest, or assigns of the Respondent.

The Respondent may submit a written request for a hearing to challenge the fine imposed by this Order and the resulting Lien within 20 days from the date of this Order. If the Respondent fails to timely request such a hearing in writing to the Town within the 20-day period, and the violation remains uncorrected by the compliance date established herein, the Town may record a certified copy of the Order in the Public Records of Palm Beach County, Florida, and thereafter the Order shall constitute a Lien of the Town against the real and/or personal property owned by the Respondent. If such a hearing is requested, the Town shall notify the Respondent of the hearing date by regular U.S. mail. The Respondent will not be entitled to a rehearing of the case, and at such hearing there shall be no presentation of evidence by either Parties as to the existence or non-existence of the violation charged. Instead, the Respondent shall bear the burden of proof, and shall be required to Show Cause why this Order and the fines and cost imposed herein should not be recorded as a Lien in the Public Records of Palm Beach County, Florida. The hearing shall be limited only to procedural due process issues, such as the sufficiency of the notice of the violation and hearing, and the Respondent's opportunity to be heard.

Should the Respondent come into compliance in accordance with this Order, and subsequently violate the same Code Section within a five (5) year period, such reoccurrence of the violation shall subject the Respondent to the imposition of a fine for a Repeat Violation of up to \$500.00 per day, for each and every day the violation continues commencing upon discovery of the violation by the Town.

Case No. 13100035
November 7, 2013

IT IS FURTHER ORDERED THAT the Respondent is assessed the administrative costs of this action in the amount of **\$243.92**, as provided by law, and shall pay the same to the Town Clerk, at 535 Park Avenue, Lake Park, Florida, **by no later than** November 21st, **2013.**

DONE AND ORDERED this 7th day of November, 2013.



**Gary M. Brandenburg, Special Magistrate
Town of Lake Park, Florida**

Copies Furnished to Parties by: KP
Date: 11/15/13



Town of Lake Park
 535 Park Avenue
 Lake Park, FL 33403

Case No. 13100035

NOTICE OF VIOLATION

Issued Date	10/21/2013
Recipient	WATER TOWER ENTERPRISES LLC
Address	228 HIBISCUS ST STE 4 JUPITER, FL 33458
Folio	36434220220000260
Legal Description	WATER TOWER INDUSTRIAL PARK LT 26
Property Address	No Address


The Undersigned certifies that he/she has just and reasonable grounds to believe, and does believe that the following offenses were committed:

Ordinance/Regulation	Section	Description	Days to Comply
Chapter 78 ZONING*	Sec. 78-75	CLIC-1 campus light industrial/commercial district. Within the CLIC campus light industrial/commercial district, the following regulations shall apply: (1) Purpose and intent. It is the purpose of the CLIC district to allow the development of...	5

Corrective Action:

PROHIBITED STORAGE,; BUILDING/CONSTRUCTION MATERIAL ON UNIMPROVED SURFACE WITHIN THE CLIC DISTRICT.

The Town of Lake Park has adopted a Special Magistrate procedure pursuant to the provisions contained in Chapter 162, Florida Statutes. Therefore if the referenced violations are corrected within the number of days noted above from the date of issuance of this citation, you must contact the Code Compliance Officer at 561-881-3321. If the violations are not corrected within the time specified, you will be notified of the Special Magistrate Hearing date, time and location.

 Greg Durgin Town of Lake Park Phone (561) 881-3321 Fax (561) 881-3323 CC Tenant	Signature is not an admission of guilt but verification of receipt of this notice.
---	--



Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

**NOTICE OF HEARING
SPECIAL MAGISTRATE**

Issue Date: Monday, October 28, 2013
WATER TOWER ENTERPRISES LLC
228 HIBISCUS ST STE 4 JUPITER, FL 33458
WATER TOWER INDUSTRIAL PARK LT 26
Violation Address: No Address

Case No. **13100035**
via Hand Delivery

Pursuant to Chapter 162, Florida Statutes, the Town of Lake Park has adopted the Special Magistrate system for enforcement of the Town's Code of Ordinances. The Special Magistrate will quickly and fairly render decisions concerning violations of these codes.

You are hereby notified of a hearing concerning the following code violations recorded on 10/21/2013:

Ordinance/Regulation	Section	Description	Days to Comply
Chapter 78 ZONING*	Sec. 78-75	<p>CLIC-1 campus light industrial/commercial district.</p> <p>Within the CLIC campus light industrial/commercial district, the following regulations shall apply:</p> <p>(1) Purpose and intent. It is the purpose of the CLIC district to allow the development of a mixed-use, campus light industrial/commercial employment center. The location of this district abutting the MU mixed-use residential/commercial/light industrial district provides opportunities for employment in close proximity to higher population densities, thereby promoting walk-to-work activity and reduced traffic congestion. The regulations for this district are intended to encourage development compatible with surrounding or abutting zoning districts, with suitable open spaces, on-site landscaping and parking areas. A landscape buffer along Silver Beach Road is required so that this district will not be incompatible with residential land uses on the south side of Silver Beach Road.</p> <p>(2) Uses permitted. Within the CLIC zoning district, no building, structure, land or water use shall be permitted and no building shall be erected, structurally altered or enlarged, except for the following uses:</p> <p>a. Any of the following uses shall be permitted:</p> <ol style="list-style-type: none">1. Freighting or trucking yard or terminal.2. Utility substations, easements, rights-of-way and alleys, transportation easements, alleys and rights-of-way.3. Building suppliers, including lumberyards and milling of wood products, but excluding sawmills and planing mills.4. Business offices and studios.5. Dance instruction.6. Electronic equipment, sales and manufacturing.7. Hardware, paint and garden supplies.	5

8.
Laboratories, medical and dental.
 9.
Monuments, sales.
 10.
Nurseries and greenhouses.
 11.
Personal services, including but not limited to barbershops, beauty shops, masseurs and health studios.
 12.
Precision instruments and optics.
 13.
Printing and publishing plants.
 14.
Public and private utility services.
 15.
Retail sale, leasing or renting of vehicles, trailers, or boats.
 16.
By special exception, substance abuse treatment facilities, provided that the operator of any such facility obtains a business tax receipt from the town and any such facility shall not be located within a radius of 1,000 feet of another existing facility.
 17.
Transient residential use.
 18.
Community residential homes, provided that any such community residential home is not located within a radius of 1,200 feet of another such home.
 19.
Group home is a permitted use provided that any group home is not located within a radius of 1,000 feet of another existing group home.
- b.
The following uses are permitted uses when conducted within a completely enclosed building and when they conform to this Code:
1.
The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.
 2.
The manufacture, compounding, assembly or treatment of articles of merchandise from the following previously prepared materials: Aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, rubber, textiles, tin, iron, steel, tobacco, wood (excluding sawmill or planing mill), yarns, and paint not involving a boiling process.
 3.
The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.
 4.
The manufacture and maintenance of signs.
 5.
Light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like.
 6.
The manufacture of musical instruments, toys, novelties, and rubber or metal stamps.
 7.
Automobile assembling, painting, and upholstering, rebuilding, reconditioning, body and fender works, truck repairing and overhauling.

8. Automobile recycling center, with the following conditions:

i. The facility must comply with all rules or be licensed and/or permitted (if required) and in compliance with all governmental agencies having jurisdiction over this type of business, including but not limited to the South Florida Water Management District, the state department of environmental protection and the state department of environmental resources management.

ii. As consistent with this section regarding the permitted uses being conducted within a completely enclosed building, any operations involving mechanisms which contain fluids, including but not limited to the working on or removal of the drive train, including engine removal, transmission removal; removal of the gas tank, radiator, the removal of the brake master cylinder or wheel cylinders or calipers, or power steering mechanism, must be done in a completely enclosed space. Any salvage operations other than those listed above may be done out of doors.

iii. All Freon removal from air conditioning systems must be done pursuant to MACS standards. No Freon shall be released into the atmosphere.

iv. Storage of cars used for stock may be out of doors.

v. No use of this kind may be within one mile of like use.

9. Machine shop.

10. Foundry casting lightweight nonferrous metals.

11. Wholesale or warehousing enterprises.

12. Research, experimental or testing laboratories.

13. Auctions.

14. Appliance stores, including sales and service.

15. Boats, sales, service, manufacturing, storage.

16. Chemicals, sales and manufacturing.

17. Furniture, sales.

18. Machinery, sales and manufacturing.

19. Mobile homes and recreational vehicles sales, service, maintenance and storage.

20. Storage warehouses.

21. Taxidermists.

22. Upholstery shops.

c. The following uses are permitted on parcels which front on the ultimate right-of-way of Park Avenue as extended:

1. Retail and commercial stores and shops.

2.

Mixed-use projects which include a residential component and at least two other types of land use, such as retail stores and studios.

3. Residential multifamily to a density of 15.78 units per acre.

4. Educational facilities and schools. Shall also be permitted along parcels which front the ultimate right-of-way of Watertown Road. Conditional use approval is required by the town commission.

d. Accessory uses. Accessory uses customarily incidental and subordinate to the main use or building shall be permitted in the CLIC zoning district. Accessory uses shall not be located within any required setbacks.

e. Additional regulations for permitted and accessory uses. The uses permitted in this section shall be conducted in such a manner that no noxious odor, fumes, glare or dust will be emitted beyond the property line of the lot on which the use is located. Any article or material stored temporarily outside of an enclosed building as an incidental part of the primary operation shall be screened by ornamental walls and fences and in no case shall materials be stacked or stored so as to exceed the height of the screen.

(3) Prohibited uses and structures. The following are strictly prohibited: churches; cement, lime or gypsum manufacture; disposal plants of all types including trash and garbage, and sewage treatment plants, brewing or distillation of malt beverages or liquors, with the exception of minibreweries or microbreweries that are part of a restaurant and cover no more than 30 percent of the total floor area; acid manufacture of any kind; garbage, offal, or animal reduction, incineration or processing; metal or ore reduction, refining, smelting, or alloying; outdoor salvage operations or for processing of any scrap, salvage, or secondhand automobile parts; aboveground bulk fuel storage facility; all uses and/or structures not specifically permitted herein.

(4) Area regulations. The following requirements shall apply to all uses permitted in this district:

a. Front yard. All buildings shall set back from all ultimate street right-of-way lines not less than 25 feet, with the exception of buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall be set back a minimum of five feet and a maximum of 20 feet.

b. Side yard. No building or structure shall be located closer than ten feet or a distance equal to one-half the building height, whichever is the greater, to a side yard line, with one of said side setback being paved for its entire length; provided, however, that for buildings 24 feet high or less of type one or type two construction, no building or structure shall be located closer than two feet from one of the side yard lines and no closer than 12 feet from the other side yard line. An exception shall apply to buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall have no minimum side yard.

c. Rear yard. No building or structure shall be located closer than 20 feet from a rear yard line. No rear yard is required where the lot abuts on an existing or proposed railroad right-of-way or spur that is utilized by the facility, provided suitable fire apparatus access is provided.

d. Maximum lot coverage. Main and accessory buildings and loading facilities shall not cover more than 50 percent of the lot area. An exception shall apply to buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall have no maximum lot coverage.

(5) Height regulations. No building or structure shall exceed four stories.

(6) Minimum off-street parking and loading requirements. See section 78-142 for all development on parcels which do not front on the ultimate right-of-way of Park Avenue extended. For all development on parcels

which front on the ultimate right-of-way of Park Avenue extended, all off-street parking shall be located behind the buildings.

(7)

Screening and landscaping. As regulated in the Lake Park Code. Furthermore, with specific reference to that portion of this zoning district which fronts along Silver Beach Road, there shall be constructed and maintained along Silver Beach Road a landscape berm or combined berm and wall which shall serve as a buffer and screen between the CLIC-1 zoning district and the residential zoning district on the south side of Silver Beach Road. The berm or berm and wall shall be constructed to meet the following standards:

a.

The berm shall be located within a strip having a minimum width of 20 feet, located adjacent to and paralleling the ultimate right-of-way of Silver Beach Road.

b.

The berm alignment can vary within the 20-foot strip.

c.

The height of the berm shall be a minimum of five feet but it can vary to greater heights.

d.

The landscaping scheme shall consist of xeriscape plant materials, shade trees and shall utilize low-volume irrigation techniques and equipment.

e.

Any vehicular access from Silver Beach Road through the berm or berm and wall shall meet the requirements of section 7B-254, sight distance for landscaping adjacent to public rights-of-way and points of access.

(8)

Requirement for platting. All development or redevelopment in this zoning district shall be duly platted and recorded according to standards and procedures set out in this subpart B of the Code. At the time of platting, a declaration of the covenants and restrictions to run with the land shall be filed of record whereby the individual lots, plots and building sites thereby created and the common areas, open spaces, easements, and rights-of-way appurtenant thereto shall be made subject to the development criteria of the Code and of the conditions of approval of the applicant's petition for development.

(Code 1966, § 45-38; Ord. No. 28-1973, § II, 11-7-1973; Ord. No. 31-1974, § I, 11-6-1974; Ord. No. 32-1974, § I, 11-6-1974; Ord. No. 13-1976, § 1, 9-1-1976; Ord. No. 4-1987, § 1, 4-15-1987; Ord. No. 10-1988, §§ I, II, 4-20-1988; Ord. No. 20-1991, § 3, 12-4-1991; Ord. No. 7-1992, § XII, 8-5-1992; Ord. No. 7-1999, § 1, 5-19-1999; Ord. No. 21-2001, § 1, 11-7-2001; Code 1978, § 32-53; Ord. No. 28-2007, § 2, 10-17-2007; Ord. No. 12-2009, § 3, 9-16-2009; Ord. No. 09-2012, § 2, 8-1-2012)

Violation:

PROHIBITED STORAGE,; BUILDING/CONSTRUCTION MATERIAL ON UNIMPROVED SURFACE WITHIN THE CLIC DISTRICT.

If these violations remain unresolved within the required time this hearing will take place on Thursday, November 7, 2013 at 10:00 a.m. before the Special Magistrate at Town Hall, 535 Park Ave, Town of Lake Park Florida 33403.

YOU ARE HEREBY ORDERED to appear and answer the above charges. Your failure to appear may result in the Special Magistrate proceeding in your absence. To avoid a hearing in this case, it is your obligation to notify the undersigned Code Compliance Officer of compliance, no later than 10 DAYS PRIOR TO THE HEARING DATE at 561-881-3321. If you fail to comply ten(10) days prior to the hearing date, a hearing will nonetheless be held and you will be subject to all administrative costs required to obtain compliance, including attorney's fees.

During the hearing, you will be allowed to testify regarding the violation and to present witnesses and evidence in your defense. At your own expense, you have the right to obtain an attorney to represent you before the Special Magistrate. If you obtain an attorney, you or your attorney must notify the Town Clerk in writing of the representation at least 5 working days prior to your hearing. In addition, you will have the opportunity to present evidence at the hearing regarding the amount of time you will need to correct the alleged violation. In the event that you decide to appeal any decision of the Special Magistrate, you will need a record of the proceedings and that for such purpose, you 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. Although a recording of the proceedings is made by the Town, you may elect to have a Court Reporter present.

Please be advised that if you have not complied with the Notice of Violation and if the Special Magistrate Board finds you to be in violation, the Special Magistrate can levy a fine of up to \$250.00 per day for each day that the violation continues past the date set by the Special Magistrate, whether you appear at the hearing or not. THIS CASE MAY BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATION(S) IS (ARE) CORRECTED PRIOR TO THE HEARING. Section 162.09, Florida Statutes, provides that repeat violations may result in the assessment of a fine up to \$500.00 per day. A Final Order imposing a fine will be recorded in the Public Records of Palm Beach County, Florida and will constitute a lien against your property, which can be enforced by legal action.

Sincerely,

A handwritten signature in black ink that reads "Greg Durgin". The signature is written in a cursive, flowing style.

Greg Durgin

Town of Lake Park

Phone (561) 881-3321 Fax (561) 881-3323

CC Tenant