



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, March 5, 2014, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
Kathleen Rapoza	—	Commissioner
<hr/>		
Dale S. Sugerman, Ph.D.	—	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. Presentation by Club 100 Charities, Inc. on their Plans for Programming in the Town of Lake Park

Tab 1

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. Regular Commission Meeting Minutes of February 19, 2014

Tab 2

F. PUBLIC HEARINGS - ORDINANCE ON FIRST READING:

None

G. PUBLIC HEARINGS – ORDINANCE ON SECOND READING:

None

H. NEW BUSINESS:

None

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, March 19, 2014

**SPECIAL
PRESENTATION/
REPORT**

TAB 1



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 5, 2014

Agenda Item No. Tab 1

Agenda Title: Presentation by Club 100 Charities, Inc. on their Plans for Programming in the Town of Lake Park

- | | |
|--|---|
| <input type="checkbox"/> CONSENT AGENDA | <input type="checkbox"/> DISCUSSION/POSSIBLE ACTION |
| <input checked="" type="checkbox"/> PRESENTATION/PROCLAMATION | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> ORDINANCE ON ____ READING |
| <input type="checkbox"/> BID/RFP AWARD | <input type="checkbox"/> OTHER: |

Approved by Town Manager DSS **Date:** 2/14/14

Dale S. Sugerman, Ph.D./ Town Manager
Name/Title

Originating Department: Commissioner Kathleen Rapoza	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Club 100 Charities, Inc. Briefing Paper
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>DSS</u> Please initial one.

Summary Explanation/Background:

Commissioner Kathleen Rapoza has asked the Club 100 Charities, Inc. to make a presentation to the Town Commission on their upcoming plans for programming within the Town of Lake Park.

An outline of their presentation is attached.

Recommended Motion: No motion is necessary as this is a presentation item only.

CLUB 100 CHARITIES, INC BRIEFING PAPER

Town of Lake Park Commission

March 5, 2014

OUTLINE

I. Club 100 Its mission and history

- *Our Mission Statement is...*
- *Been in operation for 10 years...501c3 Non-Profit Organization*

II. Major accomplishments since inception

- *Similar operation in use at Cabana Colony Youth Center for the past 8 years*
- *Boxing Program helped moved gangs off the street and reduce crime*
- *After school Program that showed a 1.3 pt. improvement in grades*
- *Mentoring & Tutoring ,program that helped those with special needs*
- *Reading assessment and tutoring a success*
- *Recreation and Leisure Program to bring caring and enjoyment to children's lives*
- *Approximately 1200 children have passed through our program in Cabana Colony*
- *All possible with the support of PAL, The community, The Town commission and our 125 current Volunteers*

Youth Center Experience in Partnership with Palm Beach Sheriff's Office and County

III. Have Provided family and youth services into Lake Park since 2005

1. *Food Pantry & Clothes Closet At Haitian Church providing assistance to 400+ families*
2. *Food pantry and Thrift store set up for St John's Lutheran Church*
3. *Community Garden now in progress in partnership with church*

IV. Plans for Community Service Center in Lake Park

Previous meetings with Town of Lake Park

Three year plan for Center Implementation

Suggested working relationships with Town Departments Planned and underway with

Library, Parks and Recreation, and Sheriff's Department

Other planned working relationships, Corporations, Churches, Agencies and Organizations

Seeking advice Cooperation, and Support from Community Center Operations

V SUMMARY *What are the benefits of the proposed center to Lake Park*

V1 Questions & Answers

Dale Sugerman

From: Kathleen Rapoza
Sent: Friday, February 14, 2014 6:37 AM
To: Dale Sugerman
Subject: Fwd: March 5 Commission presentaton by Club 100
Attachments: BRIEFING PAPER FOR COMMISSION 2-10-2014.docx; ATT00001.htm

Dale; just sent to me per my request to send their outline to you. Let me know your comments.

Best regards,

Kathy Rapoza,
Commissioner, Lake Park

Begin forwarded message:

From: "DrierH@aol.com" <DrierH@aol.com>
Date: February 13, 2014 at 10:49:35 AM EST
To: Michael O'Rourke <mo'rourke@lakeparkflorida.gov>, "erintflaherty@gmail.com" <erintflaherty@gmail.com>, Kathleen Rapoza <krapoza@lakeparkflorida.gov>, Kim Glas-Castro <kglas-castro@lakeparkflorida.gov>
Cc: "vilnetvilse@yahoo.com" <vilnetvilse@yahoo.com>
Subject: **March 5 Commission presentaton by Club 100**

Honorable Commissionaires I have been asked to send you an outline of points we like to cover during our time together on March 5th at your commission meeting. We are excited about the opportunity. If you want to go on line to check out the activities of the CLUB 100 Charities please go to our web site www.club100usa.org

Harry Drier, Past President
Club 100 Charities, Inc 501c3
5380 Ocean Drive 6 D
Singer Island, Fl 33404
cell 561 601 8211
Home 561 842 4335
Fax 561 844 3082

Consent Agenda

TAB 2



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 5, 2014

Agenda Item No. *Tab 2*

Agenda Title: Regular Commission Meeting Minutes of February 19, 2014

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

Approved by Town Manager *[Signature]* **Date:** *2/25/14*

Shari Canada, CMC, Deputy Town Clerk
 Name/Title _____

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda Minutes Exhibit "A" Exhibit "B" Exhibit "C" Exhibit "D" Exhibit "E" Exhibit "F" Exhibit "G"
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>SC</i> Please initial one.

Summary Explanation/Background:

Recommended Motion: To approve the Regular Commission meeting minutes of February 19, 2014.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 19, 2014, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
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- A. **CALL TO ORDER/ROLL CALL**
- B. **PLEDGE OF ALLEGIANCE**
- C. **SPECIAL PRESENTATIONS/REPORTS**
1. **Presentation of the Recommendations of the Lake Park Marina Seawall Remediation Engineering Report and Outline of Range of Potential Costs to Repair** Tab 1
- 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. Regular Commission Meeting Minutes of January 15, 2014 Tab 2
- 3. Commission Workshop Minutes of January 15, 2014 Tab 3
- 4. Regular Commission Meeting Minutes of February 5, 2014 Tab 4

F. PUBLIC HEARINGS - ORDINANCE ON FIRST READING:
None

G. PUBLIC HEARINGS – ORDINANCE ON SECOND READING:

- 5. Ordinance No. 02-2014 Amending Ordinance 05-2012 Duties of the Town Manager Tab 5

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE III OF THE TOWN CODE, ENTITLED “OFFICERS AND EMPLOYEES”; PROVIDING FOR THE AMENDMENT OF SECTION 2-82 ENTITLED “POWERS AND DUTIES OF TOWN MANAGER”; PROVIDING FOR THE AMENDMENT OF SECTION 2-87 ENTITLED “POWERS AND DUTIES OF TOWN ATTORNEY”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

H. NEW BUSINESS:

- 6. Resolution No. 04-02-14 To Change the Employee Pension Plan and Deferred Compensation Plan Administrator from the Variable Annuity Life Insurance Company to the International City/County Management Association – Retirement Corporation Tab 6
- 7. Resolution No. 05-02-14 Authorizing the Mayor to Execute a Revised Dockage Agreement to Lease Slips to Freedom Adventures, LLC (dba Freedom Boat Club) at Lake Park Harbor Marina Tab 7
- 8. Authorizing the Mayor to Execute a Revised License Agreement with the Burt Reynolds Institute for Film and Theatre, Inc. (BRIFT) Tab 8
- 9. Authorizing the Town Manager to Execute the Order Form with Pitney Bowes for a New Postage Meter Tab 9
- 10. Resolution No. 06-02-14 Establishing an Application Process and an Effective Date for Authorization of Non-Exclusive Franchise for Roll-off Container Tab 10

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, March 5, 2014



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 19, 2014, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 19, 2014 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager Dale S. Sugerman, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

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

SPECIAL PRESENTATIONS/REPORTS

1. Presentation of the Recommendations of the Lake Park Marina Seawall Remediation Engineering Report and Outline of Range of Potential Costs to Repair

Town Manager Sugerman, Project Manager Richard Pittman, and Public Works Director Dave Hunt presented the item (see attached Exhibit "A").

Commissioner Flaherty asked if there is a problem with losing fill underneath the seawall.

Project Manager Pittman explained that during the demonstration projects, there was no evidence of loss of fill underneath the seawall. However, that situation could be found during excavation and probing, If a void between two (2) pilings is found it could be because of loss of fill under the panel.

Commissioner Flaherty asked if there is filter fabric at the bottom of the seawall panels.

Project Manager Pittman explained that the filter fabric is used to cover up where the two (2) panels join together and lean against the king pile. There was no intention to have fabric at the bottom of the panel the entire length of the panel.

Vice-Mayor Glas-Castro stated if pavers are used future problems could be detected because settlement of the pavers would be seen and asked how would future problems be detected if a concrete slab was installed.

Project Manager Pittman stated that annual or biannual inspections would be done with ground penetrating radar.

Vice-Mayor Glas-Castro asked what the cost differential is between colored stamped concrete versus regular grey concrete.

Project Manager Pittman stated that staff does not have that information. He stated that if stamped concrete was used and a repair was needed it would be difficult to match the appearance. If the Commission would like a price for stamped or colored concrete to be included in the bid specifications so that a bid difference between the stamped concrete and regular concrete could be obtained.

Mayor DuBois asked if the intention is to remove all the pavers throughout the entire Marina and replace the pavers with concrete sidewalk.

Project Manager Pittman stated “yes” that is the recommendation.

Mayor DuBois stated that his understanding was that because the areas that leaked are not uniform and scattered throughout the seawall length, that those area might be able to be “triage” without having to remove all of the pavers.

Project Manager Pittman stated that is one of the options. He explained that there are some known voids but that they expect to find more when the paver bricks and the base is removed and the soil is probed.

Mayor DuBois asked if what the Commission was approving now was the Design and Bid Phase and if it would be coming back to the Commission to approve the Construction Phase.

Project Manager Pittman explained that staff is requesting the Commission approve the design based on the recommendations, then when the design was finished it would go out to bid and the bids would be brought to the Commission for approval.

Mayor DuBois stated that the construction contingency is \$80,000 to \$100,000 which is 20% to 25% and that is kind of high for a construction contingency. He asked if that is because it is unknown what will be found once the layers are pulled back.

Project Manager Pittman stated “yes”. He explained that staff anticipates that between seventy (70) and eighty (80) joints will be repaired and at this time it is unknown how many will be on the land side versus the water side and there is a price difference.

Mayor DuBois asked if the filter fabric and chemical grouting method were comparable in cost.

Project Manager Pittman stated that in the report the engineer did stated the chemical grout method was more expensive. However, there are a lot of intangible with the filter fabric installation. He stated that the filter fabric method was tested in an area where there was plenty of room to bring in dump truck to haul off bad material, concrete debris and equipment to load the material. He explained that the space is not available along the entire seawall where remediation is needed. He explained that the filter fabric has the advantage when there is a lot of space to work with but most of the area that needs remediation there is not enough space and it would take longer. He stated that the benefit of the foam is that when it is injected and reacts with moist it expands so not only does it cover the joint but it tightens up the soil around it and it also binds to the soil.

Town Manager Sugerman stated that when staff met to come up with the final recommendation for the staff report, staff was concerned that the filter fabric method is incredibly disruptive to the operations of the Marina. He explained that the removal of all the debris as opposed to grit fill took a lot longer than anticipated and if that method was utilized throughout the Marina the project would probably take two (2) to three (3) times as long to complete as the chemical injection. He stated that staff made the decision that the chemical grout method was acceptable and worked well and that the filter fabric worked well but was not worth the disruption to the Marina at this point in time. He stated that utilizing the filter fabric method would shut everything down completely and cause a complete mess. He explained that the filter fabric demonstration project was projected to last five (5) days and it lasted approximately thirteen (13) days and staff was afraid it would be this way throughout the Marina. He stated that both methods were successful and even though one is a little more expensive staff wanted to go with the method that was least disruptive to the Marina.

Public Works Director Hunt explained staff's methodology regarding the recommendation of a self-supporting concrete walkway versus paver bricks which included aspects such as risk, safety, maintenance, cost and unexpected situations.

Commissioner O'Rourke asked if the paver bricks are held in place mostly by sand.

Public Works Director Hunt stated "yes".

Commissioner O'Rourke stated that he observed the two locations where the demonstration projects were done. He stated that at the eastern site he stated that the paver bricks were replaced but that he noticed that there was some deterioration of the sand around where the utility posts are and that it appeared to him that the water spigot was the cause of the problem.

Public Works Director Hunt explained that any water side structure is a very dynamic operation and that fresh water is constantly trying to move out through the seawall into the intracoastal. There is water at the spigots and it would be very difficult to keep the filter fabric tight enough to the underside of the pile cap to prevent that soil from leaking. He stated that this would also be true with rain water.

Commissioner O'Rourke asked if there was any drainage that could elevate this problem.

Public Works Director Hunt stated that the filter fabric allows the ground water to seek its natural level and the chemical grout stops that process and exfiltration drains will have to be installed at the top panels to allow that water to escape and keeps the soil in place.

Town Manager Sugerman explained the costs related to the project as outlined in the staff report (attached as Exhibit "A"). He stated that he will have a funding plan in place before the Commission would consider awarding the construction phase of the project.

Commissioner Rapoza asked if the Town had the funding in place how long would it take to complete the project.

Town Manager Sugerman stated that his goal would be to have the project completed by December 31, 2014.

Motion: A motion was made by Commissioner O'Rourke to proceed to the Design & Bidding Phase of the project based upon the repair and restoration recommendations provided in the Engineering Report; Commissioner Rapoza made the second.

Mayor DuBois requested that the motion be amended to including pricing for the stamped concrete option for the walkway.

Town Manager Sugerman stated that it was the intention to have stamped and colored sidewalks and it will be included in the bid specification and an amendment to the motion in not necessary.

Vote on Motion:

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

PUBLIC COMMENT:

Robert Trepp, 15427 8th Lane North, Loxahatchee Groves, stated that he will be hosting a Chili Cookoff in Lake Park in coordination with the Lake Park Kiwanis Club. He requested barricades from the Town to block of roadways.

Mayor DuBois stated that based on his conversation with Town Manager Sugerman that the Town is not likely to loan the barricades to someone not associated to the Town for a few reasons. These reasons include liability issues. He stated that if it is Lake Park equipment then Lake Park personnel would be in charge of it and it would be up to the Commission to allow Public Works to set up and remove the barricades.

Commissioner O'Rourke asked when and where the event will be held.

Mayor DuBois stated the event is on April 5, 2014 at Kelsey Park.

Mr. Trepp asked about hanging a sign over US Highway 1.

Mayor DuBois stated that due to the intricacies of hanging a sign over US Highway 1 and other entities involved, he does not think that is it possible. However the smaller banner signs can be put up by Kelsey Park.

Mr. Trepp stated that if hanging a sign over US Highway 1 is not feasible then it is not feasible.

Mayor DuBois asked if the request is to waive the cost of setting up and taking down the barricades.

Mr. Trepp stated “no” that he does not want to cost the Town any money because if the fee is waived and the Town pays employees to put out the barricade. He stated that he will figure it out.

Vice-Mayor Glas-Castro asked if the request is for Lake Shore Drive to be closed between Kelsey and Lake Shore Park.

Mr. Trepp explained that he would like to block off between the north side of the entrance to the parking lot to the north tip of Kelsey Park. There will still be access to the parking lot but they will have to drive around the park to get into the parking lot. The area would be used to park the chili cooks to keep them off the grass.

Commissioner O’Rourke asked if these things have been discussed with Town Manager Sugerman.

Town Manager Sugerman stated that a special event permit application has not been received for this event.

Mr. Trepp advised that he turned in the special event permit application to the Community Development Department upon arrival to this meeting. He explained that he met with staff previously to discuss the event.

Town Manager Sugerman explained that he is aware that Mr. Trepp has been in to talk to Parks and Recreation and Community Development Departments. Mr. Trepp has been in touch with the staff and he has requested from Public Works Director Dave Hunt to calculate the cost for putting up and taking down barricades.

Public Works Director Hunt stated in past special events similar to this one the Town requested that the promoter submit maintenance of traffic (MOT) prepared by a competent person to limit the Town’s and promoter’s liability. Based on the MOT Public Works contributed the equipment on hand, set up and took down the barricades including setting up and taking down rented equipment. He stated that for the parking for the Pirate Fest it took Public Works thirteen (13) hours to set up and tear down the barricade at an approximate cost of \$300. If this was done on the weekend there would be overtime costs as well.

Commissioner O’Rourke stated that during the Fourth of July in June event that Lake Shore Drive was closed.

Public Works Director Hunt explained the Fourth of July event was a complete Town sponsored event and that he was given the green light to provide all services requested by staff who promoted the event.

Commissioner O’Rourke asked if there is some way to put that plan into place for this event.

Town Manager Sugerman stated that if roads are going to be closed and barricades up and it is not going to be done by Town personnel the Town has severe liability exposure. He stated that a professional needs to provide a MOT plan.

Mr. Trepp stated that given the complexity that he will have the vendors parking elsewhere within walking distance.

CONSENT AGENDA:

- 2. **Regular Commission Meeting Minutes of January 15, 2014**
- 3. **Commission Workshop Minutes of January 15, 2014**
- 4. **Regular Commission Meeting Minutes of February 5, 2014**

Motion: A motion was made by Commissioner O'Rourke to approve the Consent Agenda; Commissioner Rapoza made the second.

Vote on Motion:

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

Motion passed 5-0.

PUBLIC HEARINGS - ORDINANCES ON FIRST READING:

None

PUBLIC HEARINGS - ORDINANCE ON SECOND READING:

- 5. **Ordinance No. 02-2014 Amending Ordinance 05-2012 Duties of the Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE III OF THE TOWN CODE, ENTITLED "OFFICERS AND EMPLOYEES"; PROVIDING FOR THE AMENDMENT OF SECTION 2-82 ENTITLED "POWERS AND DUTIES OF TOWN MANAGER"; PROVIDING FOR THE AMENDMENT OF SECTION 2-87 ENTITLED "POWERS AND DUTIES OF TOWN ATTORNEY"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Public Comment:

Mayor DuBois opened public comment.

Sue Duchene, 134 Park Avenue, asked about the monthly department reports being eliminated.

Mayor DuBois stated that removing the monthly reports was part of the proposal.

Ms. Duchene suggested that there be at least a quarterly report.

Mayor DuBois explained that a monthly report is provided from the Town Manager, which covers all the departments, any major changes and events happening within the Town.

Mayor DuBois closed public comment.

Town Manager Sugerman explained the item (see attached Exhibit "B").

Mayor DuBois asked about having a quarterly, biannually, or annual report from Department Directors to the Commission.

Town Manager Sugerman stated that he would not ask the staff to do that because it is his belief under the Commissioner-Manager form of Government that the staff works for the Town Manager and their reports are to be to the Town Manager. It is his job, duty and responsibility as the Town Manager to report anything that he is aware of to the Town Commission because he is the Commission's direct report. In his opinion that section of the Ordinance was created as a very strong signal that the Commission, at the time, did not trust the ability of the Town Manager to convey to the Commission all of the information that needed to be conveyed. Therefore, the Commission, at the time, added the requirement that Department Directors would report in writing directly to the Town Commission and the Town Manager, at the time, could not amend, modify or change any of those reports but could comment.

Mayor DuBois stated that Commission has been invited to individually attend the Senior Staff weekly meeting. He stated that he is satisfied with Town Manager Sugerman's response.

Motion: A motion was made by Commissioner O'Rourke to approve Ordinance 02-2014 on Second Reading; Vice-Mayor Glas-Castro made the second.

Vice-Mayor Glas-Castro stated that she finds the Town Manager's monthly reports informative with full disclosure. She stated that the information in the Departmental level was not a level that was helpful to her and she knew if she had a question she could call the Town Manager for the answer. She does not have a problem with eliminating the language.

Commissioner O'Rourke stated that he echoes Town Manager Sugerman's comments and thinks that based on issues with a previous Town Manager there was a reaction and thinks that it is time that the Town start growing out of that process. He stated that he find the Town Manager's monthly report very informative and thinks that it is more effective than having individual Departmental reports.

Commissioner Rapoza stated that she find the Town Manager’s reports informative and understandable. She likes the chain of command and thinks it equals strength in the community.

Vote on Motion:

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

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

NEW BUSINESS:

6. Resolution No. 04-02-14 To Change the Employee Pension Plan and Deferred Compensation Plan Administrator from the Variable Annuity Life Insurance Company to the International City/County Management Association – Retirement Corporation (ICMA-RC)

Human Resources Director Bambi Turner explained the item (see attached Exhibit “C”).

Mayor DuBois asked if the administrative costs are less expensive than the current plan.

Human Resources Director Bambi Turner stated “yes”.

Mayor DuBois stated that the letter from the Federation of Public Employees is dated June 17, 2010 and asked if the position of the Federation of Public Employees position has not changed in four (4) years.

Human Resources Director Bambi Turner explained that all of the provisions of the proposed change over have remained the same as what was proposed in 2010.

Commissioner Flaherty asked if with VALIC employees were permitted to take cash advances on their 401(a).

Human Resources Director Bambi Turner explained that the Town’s current 401(a) pension plan does not allow employees to take out loans. The Town’s current 457 Deferred Compensation Plan has an emergency withdrawal provision that could be continued. However, the IRS has very streak regulations that must be followed in administering those withdrawals and will continue to be done under the proposed plan.

Vice-Mayor Glas-Castro asked if an employee’s VALIC account will be rolled over to a ICMA-RC account or if the employee will keep the VALIC account and nothing more will be contributed to the account.

Human Resources Director Bambi Turner explained that the employee's VALIC account would be rolled over to a comparable ICMA-RC account.

Steve Feigelis, ICMA-RC Representative, stated that the entire account balances would be rolled over at no cost to the participants. He provided background information on ICMA-RC.

Mayor DuBois asked if ICMA-RC offers comparable accounts in terms of type of investments as currently offered by VALIC.

Mr. Feigelis explained how the process of moving the accounts over to ICMA-RC and that the account types would be mapped to ensure that the funds remain in same style funds or that he would meet each participant and create a new portfolio. The way the funds will be moved over has not been determined.

Mayor DuBois asked if the administrative fee is paid by the Town or the participant.

Mr. Feigelis stated that the administrative fee is charged to the participant and that there is no charge to the Town on any of the plans.

Commissioner Flaherty asked if the employees can be provided a migration period or is the change over all at once.

Town Manager Sugerman stated that the change over is all or nothing.

Commissioner Rapoza asked how often will Mr. Feigelis will meet with employees.

Mr. Feigelis stated that a schedule has not been developed yet but at the least four (4) times a year.

Commissioner Rapoza asked if ICMA-RC has a percentage rate of how often they change their funds.

Mr. Feigelis stated that they have half proprietary funds such as ICMA-RC fund, T Rowe, Fidelity and others and there is a review board that reviews these funds performance. If a fund is not performing it is removed however they do not do this often because stability is important.

Commissioner Rapoza stated that her greatest concern is that the Town employees benefit greatly and earn the "maximum".

Motion: A motion was made by Commissioner O'Rourke to approve Resolution No. 04-02-14 To Change the Employee Pension Plan and Deferred Compensation Plan Administrator from the Variable Annuity Life Insurance Company to the International City/County Management Association – Retirement Corporation (ICMA-RC); Commissioner Rapoza made the second.

Vote on Motion:

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

Motion passed 5-0.

7. Resolution No. 05-02-14 Authorizing the Mayor to Execute a Revised Dockage Agreement to Lease Slips to Freedom Adventures, LLC (dba Freedom Boat Club) at Lake Park Harbor Marina

Town Manager Sugerman explained the item (see attached Exhibit "D").

Vice-Mayor Glas-Castro asked what is the bulk rate discount on the slips.

Town Manager Sugerman stated that the rate is \$20 per foot on monthly contract and it \$17 per foot on an annual contract. He stated that the rate being charged is based on the annual contract rate. It is the lowest rate the Town offers.

Vice-Mayor Glas-Castro asked if there is a clause for the rate to be adjusted if the Town changes the rate.

Town Manager Sugerman stated "yes".

Commissioner O'Rourke asked if there is any language in the contract related to if a person were injured while using the equipment of Freedom Boat Club that would release the Town from liability.

Town Manager Sugerman stated that there is not a separate clause in the contract dealing with the Freedom Boat Club naming the Town as an additionally insured.

Mayor DuBois asked if that is part of the dockage agreement and will the Freedom Boat Club be required to sign the tenancy agreement.

Marina Director Jamie Hart stated that there is a hold harmless agreement as part of the dockage agreement that the Freedom Boat Club will sign in addition to this agreement.

Attorney Baird stated that paragraph 13 of the Dockage Terms specifies that the Freedom Boat Club shall comply with all the requirements of the Town's standard dockage agreement.

Commissioner Flaherty asked what is the standard protocol for late payment and how far behind are they allowed to get before action is taken.

Town Manager Sugerman stated that it becomes an issue as soon as they are late and it depends on how aggressive the Marina and Finance staff wants to be with the slip holders.

Commissioner Flaherty asked if it is covered by the standard dockage agreement or something that needs to be added to this agreement.

Town Manager Sugerman stated that it is in the standard dockage agreement. He explained when the payment is late the Town can take action. He stated that being late could be considered default on the dockage agreement.

Commissioner O'Rourke asked what bank they are going through.

Dan Lund with Freedom Boat Club, stated Paradise Bank located in Boca Raton, Florida.

Motion: A motion was made by Commissioner O'Rourke to approve Resolution No. 05-02-14 and Authorizing the Mayor to Execute a Revised Dockage Agreement to Lease Slips to Freedom Adventures, LLC (dba Freedom Boat Club) at Lake Park Harbor Marina; Commissioner Rapoza made the second.

Vice-Mayor Glas-Castro stated that previously the term of the lease was one (1) year and that she saw this as a pilot project. She is concerned that a boat member takes out a different boat every time they go out and each boat reacts differently that there could be bumping and wear and tear on the facilities. She stated that it is just general concern about additional impact to the Marina facilities as a result of Freedom Boat Club being at the Marina for five (5) years.

Mr. Lund stated that one of procedures is that the member will get on the boat and be checked out by the Club staff and will drive out of the Marina. When the member returns to the Marina they will call ahead and a Freedom Boat Club dock master will meet them at the gas stock and the dock master will fill up the gas and will drive the boat back to the slip. He stated that the dock masters will be proficient in handling small craft and will be certified. He stated that from a Town prospective the Town does not want to have the Marina facilities "beaten up" and they do not want to have the boats "beaten up" by having less skilled boaters.

Commissioner Flaherty expressed concern that if this grows to greater than ten (10) slips and consume the space that there will not be public access to the water anymore. He stated that the revenue is great but he is worried about the long term affect of the appearance and the people that have been at the Marina since the beginning and when they come back and see how busy the Marina is will they stay. He stated that he does not want to lose people to gain this new business and lose the public access that is provided to the Town residents and surrounding communities.

Mr. Lund asked if Commissioner Flaherty is concerned that Freedom Boat Club will grow beyond ten (10) slips.

Commissioner Flaherty explained that is concerned with the future growth of Freedom Boat Club. He visited the North Palm Beach Marina where there are seventy (70) slips leased to a similar operation.

Mr. Lund stated that their business model allows for a maximum number of boats to be approximately twenty (20) to twenty-five (25) boats. He explained that from a service stand point having more people than that show up to take a boat out would not allow them to provide great service. He stated that they have the exclusive right to all of Palm Beach County from Freedom Boat Club and they can open multiple locations throughout the County in the coming years which is their intent. He stated that as the business expands they are going to have other locations and Lake Park Marina will serve as the base of operations.

Commissioner Rapoza asked how many members do they feel that can serve from the Lake Park Marina.

Mr. Lund explained that the magic number is the number of boats in the water and that number is between twenty (20) and twenty-five (25). He stated that beyond twenty-five (25) boats it becomes difficult to serve the members. He stated that their business model is one (1) boat for every ten (10) members and on an order of magnitude, it would be between 180 and 250 members.

Vice-Mayor Glas-Castro asked about the facility fee that Mayor DuBois previously proposed and with the concerns she and Commissioner Flaherty raised she suggested that the fee be revisited.

Mayor DuBois stated that his sense from the previous meeting when the Commission discussed this item was that rebuked from even suggesting a fee and therefore he did not bring it up at this meeting. He thinks that once you are working with a business partner if you ask too much there can be a breach of trust and there is quite a bit of trust in developing a working relationship with a business partner. He stated that he has a lot of faith in the Town's Marina management and operations and think that issues of wear and tear would be addressed if it is in excess of what would be ordinarily expected on a day to day basis. He thinks that is something that could be worked out with this particular business partner. He stated that there is a termination clause in the contract if there is fault and if a tenant were causing undue damage to the Marina by crashing into the docks would be a problem that the Town could pursue. He thinks he can support this with the view to developing a long term relationship with a business partner that is interested in the Town and what the Town has to offer. He stated that with the cap of twenty (20) to twenty-five boats and then they expand to a new location has satisfied him.

Vote on Motion:

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

Motion passed 4-1.

8. Authorizing the Mayor to Execute a Revised License Agreement with the Burt Reynolds Institute for Film and Theatre, Inc. (BRIFT)

Town Manager Sugerman explained the item (see attached Exhibit “E”).

Motion: A motion was made by Commissioner O’Rourke to approve a Revised License Agreement with the Burt Reynolds Institute for Film and Theatre, Inc. (BRIFT) and Authorizing the Mayor to Execute the Agreement; Commissioner Rapoza made the second.

Vote on Motion:

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

Motion passed 5-0.

9. Authorizing the Town Manager to Execute the Order Form with Pitney Bowes for a New Postage Meter

Finance Director Blake Rane explained the item (see attached Exhibit “F”).

Mayor DuBois asked if the agreement could be canceled at any time.

Finance Director Rane stated “yes” the service can be canceled at any time however, he does not see a reason that the Town would cancel the service. He stated that it is one of the requirements under the State of Florida contract is to not have a lease but to require only that a purchase order be executed and the service will be month to month.

Commissioner Rapoza likes that the proposed postage meter because it will save the Town \$500 this fiscal year.

Motion: A motion was made by Commissioner O’Rourke to Authorizing the Town Manager to Execute the Order Form with Pitney Bowes for a New Postage Meter; Commissioner Rapoza made the second.

Vote on Motion:

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

Motion passed 5-0.

10. Resolution No. 06-02-14 Establishing an Application Process and an Effective Date for Authorization of Non-Exclusive Franchise for Roll-off Container

Town Manager Sugerman explained the item (see attached Exhibit "G").

Public Works Director Dave Hunt advised that the date in Section 5 of the resolution needs to be corrected to February 25, 2014.

Mayor DuBois asked if all the applicants are lined up for the submittal.

Public Works Director Hunt explained that a public notice for the application went out approximately one (1) month ago and applications have been received and the Commission approval of this item will form the basis of the contract.

Mayor DuBois asked if it is a non-exclusive contract what would be the down side of having an application period and what happens in a year when another person comes along and wants to apply.

Town Manager Sugerman stated that if four (4) companies apply and meet the qualification then four (4) can be awarded non-exclusive contracts.

Mayor DuBois asked what is the point of application period if it is a non-exclusive contract. He asked why would it not be open in such a way that any hauler could come and pay the fee and haul.

Public Works Director Hunt stated that he wants to make sure that the vendors are pre-approved and that they demonstrate that they are a competent firm and pay a franchise fee and that fee is based on an annual basis. The pre-approved vendors will be brought before the Commission for approval. He thought it would be transparent to bring the pre-approved vendors before the Commission once for the three year period.

Mayor DuBois asked why the approval of the vendors would not be an administrative function.

Public Works Director Hunt stated that this was the methodology that was used the last time this non-exclusive contract was done and he was attempting to duplicate that process.

Town Manager Sugerman stated that this could become an administrative process. However, there is a history in Palm Beach County and part of that history is that there is a concern regarding transparency in the awarding of franchise contracts. While this could be administrative, the Town is trying to be as transparent as possible and do this through a public process and thought it was healthy to do so every three (3) years.

Motion: A motion was made by Commissioner O'Rourke to approve Resolution No. 06-02-14 Establishing an Application Process and an Effective Date for

Authorization of Non-Exclusive Franchise for Roll-off Container; Commissioner Rapoza made the second.

Vote on Motion:

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

Motion passed 5-0.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager Sugerman stated that a group of Town Employees volunteered to painted the interior lobby of Town Hall on Saturday, February 8, 2014 and that the paint was donated. He thanked the volunteers and the person that donated the paint.

Commissioner O'Rourke had no comments.

Commissioner Rapoza congratulated the property of the month located at 400 Greenbrier Drive. She stated that the Town partners with Lowe's and that they donated a \$50 gift card to the property of the month.

Town Manager Sugerman explained that the Town does not partner with Lowe's on the Property of the Month and that the gift card is being provided by an anonymous donor.

Commissioner Flaherty thanked the staff that worked on the seawall report it was very informative. He congratulated the candidate running for Mayor and stated that the election will be held on March 11, 2014. He thanked Mr. Trepp for his previous donation to the Community Garden and happy to see him back in the Lake Park community. He stated that the Community Garden has taken three (3) donations of vegetables over to the Haitian United Church and that they will be joining the Community Garden on Saturday, February 22, 2014. He stated volunteers from the Holy Spirit Lutheran Church have been out the last few Sundays. He stated that the project is coming together and that he appreciates all the help from individuals in the community.

Vice-Mayor Glas-Castro had no comments.

Mayor DuBois thanked staff for their work on the agenda. Additionally he thanked Freedom Boat Club, Mr. Trepp and BRIFT for coming to the meeting.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 9:08 p.m.

Mayor James DuBois

Deputy Town Clerk, Shari Canada, CMC

Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2014



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 19, 2014

Agenda Item No. Tab 1

Agenda Title: Presentation of the Recommendations of the Lake Park Marina Seawall Remediation Engineering Report and Outline of Range of Potential Costs to Repair.

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

Approved by Town Manager [Signature] Date: 2/3/14

Richard Pittman/ Project Manager
Name/Title

Table with 3 columns: Originating Department (Public Works), Costs (\$500,000-\$600,000), Attachments (Engineers Report, DVD, etc.), and Advertised status.

Summary Explanation/Background:

The Lake Park Marina has soil and brick paver settlement along the seawall. This soil settlement can be attributed to soil leakage at seawall panel joints. In 2013 the Commission approved funding for two demonstration projects which provided several methods of sealing the seawall joints. The results of the demonstration methods and final report along with recommendations have been

prepared by Simmons & White Engineers under an agreement approved by the Commission on March 27, 2013.

The report provides some history of the soil leakage problem and the findings of the two demonstration projects. The two distinct remediation methods of chemical grouting and filter fabric retrofit each have their own pros and cons which are described in the report. Key members of the Town staff have worked through the outline of remediation methods outlined by the consulting engineer and will present a report to the Town Commission on our best recommendations for undertaking the repair. Those recommendations are:

Repair and Restoration Recommendations (see pages 17 thru 21 of Engineers Report):

- A. Remove all of the plywood, outdoor carpeting, and brick paver pedestrian walkway.
- B. Use the chemical grouting technique to remediate the panel joint leakage.
- C. Remediate only those panel joints identified to have leakage. Underlying base material to be removed to allow for better assessment of settlement/voids at panel joints.
- D. Reinforced concrete self-supporting slab to be constructed as the replacement for the paver brick pedestrian walkway.

Finally, the replacement of the brick paver pedestrian walkway with a reinforced concrete self-supporting slab has been recommended. Staff fully concurs with this recommendation. However, if the Commission would like to consider keeping the paver brick walkway, project cost estimates would be reduced but the initial cost savings would be negated by on-going maintenance expenses.

The project can be broken down into three cost categories. The estimated range of costs for each category is as follows:

1). Design & Bidding Phase.....	\$ 40,000	---	\$50,000
2). Construction Contract "Order of Magnitude".....	350,000	---	400,000
Construction Contract Contingency.....	80,000	---	100,000
3). Construction Phase Service (Inspection, Testing, Misc. Support).....	<u>45,000</u>	---	<u>55,000</u>

Overall Project Estimated Cost **\$515,000 --- \$605,000**

At present, the Commission has set aside approximately \$380,000 of remaining lawsuit settlement proceeds for this repair project. It is obvious that we do not have enough cash on hand to award all of the contracts for repair that are estimated to range from \$500,000 to \$600,000, so this will have to be an item for further discussion at a later date should the Commission wish to move forward with this project. However, we do have enough cash on hand to at least move into the design & bidding phase of this repair project.

Recommended Motion: I move that the project move into the Design & Bidding Phase based upon the repair and restoration recommendations provided in the Engineering Report.

Exhibit "B"



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 19, 2014

Agenda Item No. Tab 5

Agenda Title: Amending Ordinance No. 05-2012 Duties of the Town Manager.

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

Approved by Town Manager [Signature] Date: 2/6/14

Dale S. Sugerman, Ph.D./Town Manager Name/Title

Table with 3 columns: Originating Department (Town Manager), Costs (None), Attachments (Final amendment to Ordinance No. 05-2012), Advertised (Not Required), and notification status (Yes I have notified everyone).

Summary Explanation/Background:

Recently, there has been discussion about adjusting the spending authority of the town manager such that it will only be necessary for the town manager to seek Town Commission approval for expenditures that exceed \$10,000.00.

While looking at Ordinance No. 05-2012, besides the spending authority issue, there were also a few grammatical errors found which are now being proposed to be corrected, as well as some recommended modifications to the existing language of the ordinance.

Recommended Motion: I move to approve Ordinance No. 02-2014.



Exhibit "C"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 19, 2014

Agenda Item No. *Tab 6*

Agenda Title: Resolution to Change the Employee Pension Plan and Deferred Compensation Plan Administrator from the Variable Annuity Life Insurance Company to the International City/County Management Association – Retirement Corporation

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

Approved by Town Manager *[Signature]* Date: *2/14/14*

BLAKE RAME, FINANCE DIRECTOR
 Name/Title *Bambi McKibben-Turner, Human Resources Director*

<p>Originating Department:</p> <p>Finance and Human Resources</p>	<p>The Total value of the Town's contribution to the employees' pension plans is \$98,473, which is already budgeted for Fiscal Year 2014</p> <p>Acct. # Various Accounts</p> <p><input checked="" type="checkbox"/> Finance <u><i>BKR</i></u></p>	<p>Attachments: Resolution; Administrative Service Agreement appointing ICMA-RC as the administrator of the Town's employee 401(a) pension plan; Administrative Service Agreement appointing ICMA-RC as the administrator of the Town's employee 457(b) deferred compensation plan; and, copy of the June 17, 2010 letter signed by the Federation of Public Employees, a Division of the National Federation of Public and Private Employees (AFL-CIO)</p>
<p>Advertised:</p> <p>Date: _____</p> <p>Paper: _____</p> <p><input checked="" type="checkbox"/> Not Required</p>	<p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p>	<p>Yes I have notified everyone <u><i>BMT</i></u></p> <p>or</p> <p>Not applicable in this case _____</p> <p>Please initial one.</p>

Summary Explanation/Background:

Since 1998, the Variable Annuity Life Insurance Company ("VALIC") has served as the administrator of the Town-sponsored 401(a) defined contribution pension plan, which is the regular full-time employees' pension plan to which the Town contributes.

VALIC has also served as the administrator of the Town-sponsored 457(b) deferred compensation plan which is a voluntary opportunity for regular full-time employees to save toward their retirement on a tax deferred basis.

Staff believes that it is in the best interest of Town employees to change its Town-sponsored 401(a) pension plan and 457(b) deferred compensation plan from VALIC to ICMA-RC. ICMA-RC is not an unfamiliar pension plan administrator to the Town inasmuch as since 2008, they have administered an alternative 457(b) deferred compensation plan and since 2013 have administered the Vantagepoint Payroll Deduction Roth Individual Retirement Account.

Town management met with representatives of the Federation of Public Employees, a Division of the National Federation of Public and Private Employees (AFL-CIO) (the "Union"), which is the collective bargaining unit for certain employee positions in the Town's Public Works Department and the Lake Park Harbor Marina, and their counsel to review the proposed change in pension plan administration services and they have approved the adoption of the ICMA-RC pension plan and deferred compensation plan to replace the Town's current plans, contingent upon approval by the Town Commission. A copy of the letter signed by the Union approving such adoption is attached. Town management has also met with all non-union general employees to discuss this proposal, and all employee feedback was positive.

Section 2-244(a)(1) of the Lake Park Code of Ordinances, the Town's Purchasing Policy and Procedures, provides that agreements between the Town Commission and nonprofit organizations or governmental entities including the procurement, transfer, sale or exchange of goods and/or services are excluded from the Town's purchasing requirements. Inasmuch as ICMA-RC is a not-for-profit association, no Request for Proposals was necessary.

Recommended Motion: I move to approve Resolution 04-02-14

Exhibit "D"



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 19, 2014

Agenda Item No. Tab 7

Agenda Title: Authorizing the Mayor to Execute a Revised Dockage Agreement to Lease Slips to Freedom Adventures, LLC (dba Freedom Boat Club) at Lake Park Harbor Marina.

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

Approved by Town Manager [Signature] Date: 1/23/14

Dale S. Sugerman, Ph.D./Town Manager Name/Title

Table with 3 columns: Originating Department (Town Manager), Costs (None), Attachments (Revised Dockage Agreement, Enabling Resolution), Advertised (Not Required), and notification details.

Summary Explanation/Background:

On December 4, 2013 the Town Commission gave approval (Resolution 46-12-13) for the Mayor to sign a Dockage Agreement to lease slips to Freedom Adventures, LLC (dba Freedom Boat Club) at the Lake Park Harbor Marina.

After reviewing the terms and conditions of the Dockage Agreement, the bank had three requests. First, since the loan to the franchise holders was a 10 year loan, the bank did not feel that their loan would be secure enough if Freedom Boat Club was only offered a one-

year lease (which is what the Commission approved). Subsequently, the bank has asked that the lease be for five (5) years. The bank is not asking for the lease to be a blanket five year lease guarantee under any circumstances. The bank understands that if the lease holder defaults on any condition of the dockage agreement, then and only then could the lease be terminated by the Town. If the lease holder lives up to all of the terms and conditions of the lease, then the lease would automatically renew after one year for two additional two-year terms (for a total of five (5) years). Second, the bank wanted an additional 5 year extension after the initial 5 year term, but they said that the additional 5 years could be at the sole discretion of the Town.

Lastly, the bank asked that the Town sign a Lessor's Acknowledgement and Subordination letter, although if the Town chose not to sign such a letter, all the bank would need is some type of written communication letting the bank know that we would not be signing such a letter. In having a discussion with the town attorney, he has advised that it would not be in the Town's best interest to sign such a letter.

Attached is a revised Dockage Agreement which highlights the changes that the bank is looking for in Section 2-Term. There is one other clarifying section (Section 8) dealing with signage which is not an issue for the bank, but is rather a clarification issue with Freedom Boat Club which came up after the original Agreement was crafted.

Recommended Motion: I move to approve Resolution 05-02-14 which authorizes the Mayor to sign the revised Dockage Agreement to Lease Slips to Freedom Adventures, LLC (dba Freedom Boat Club) at the Lake Park Harbor Marina.

Exhibit "E"



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 19, 2014

Agenda Item No. Tab 8

Agenda Title: Authorizing the Mayor to Execute a Revised License Agreement with the Burt Reynolds Institute for Film and Theatre, Inc. (BRIFT).

- Checkboxes for SPECIAL PRESENTATION/REPORTS, BOARD APPOINTMENT, PUBLIC HEARING ORDINANCE ON READING, NEW BUSINESS/RESOLUTION, and OTHER.

Approved by Town Manager [Signature] Date: 2/14/14

Dale S. Sugeran, Ph.D./Town Manager Name/Title

Table with 3 columns: Originating Department (Town Manager), Costs/Funding Source, Attachments (* Revised License Agreement), Advertised, and Yes I have notified everyone (DSS).

Summary Explanation/Background:

In November of 2012, the Town Commission granted a License Agreement to the Burt Reynolds Institute for Film and Theatre, Inc. (BRIFT) to use the Mirror Ballroom, the Town Commission Chambers, and a small office off of the Town Commission Chambers to operate their school, including instructional classes and performances. To date, the relationship has been one of mutual cooperation.

Now that we have a little more than one year "under our belt" in this partnership, the staff and BRIFT thought that we should modify the arrangement slightly, based upon the last year of experience between the parties. Attached is a revised license agreement which is being presented to the Town Commission for consideration. Modifications include:

Section 6. Maintenance of Premises. The initial start-up language has been eliminated, and new language has been placed in the Agreement calling for BRIFT to provide an on-site facilities manager each time they hold a function within Town Hall.

Section 7. Use of Premises/Hours of Operation. It turns out that BRIFT has a significant number of classes that they would like to run on Sundays. The original Agreement excluded Sunday use of the facilities. The modified Agreement will allow them to use the facilities on Sundays.

Also, if the Town is able to rent the facilities to a third party (where a fee is paid to the Town for that rental), we will give BRIFT notice of that rental 16 days in advance, rather than the 14 days the Agreement presently calls for. This will give BRIFT more advanced notice of their need to cancel a class, and the Town will have a slightly larger window for renting our facilities, rather than making them available to BRIFT without charge.

Section 13. Promotion. This is a new section, and it calls for BRIFT to use its contacts to promote the Town of Lake Park more than they have in the past. This section also calls for BRIFT to sponsor two Open House events for the general public in order to give Lake Park residents an opportunity to see what it is that BRIFT does. This new section also calls for a discount off of class fees for Lake Park residents with proper proof of residency.

The only other changes are to sequencing of the document and the updated name of the Town Clerk.

Recommended Motion: I move to authorize the Mayor to sign the Revised License Agreement with BRIFT.

Exhibit "F"



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 19, 2014 Agenda Item No. Tab 9

Agenda Title: Authorizing the Town Manager to Execute the Order Form with Pitney Bowes for a New Postage Meter

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

Approved by Town Manager [Signature] Date: 2/16/14

Blake K. Rane Finance Director Name/Title [Signature]

Form with three sections: Originating Department (FINANCE), Advertised (Not Required), and Attachments/Proposals (Pitney Bowes, Postal Logic, Neopost, and Modular Mailing Systems).

Summary Explanation/Background:

The Town has solicited proposals for a postage meter to replace the existing machine. The Town's lease with Postal Logic for the current postage machine expires March 31, 2014. The Town received proposals from Postal Logic, Pitney Bowes, Neopost, and Modular Mailing Systems as follows:

Table with 3 columns: Proposal Name, Monthly Cost, Annual Cost. Rows include Current Postal Logic Lease, Postal Logic, Pitney Bowes, Neopost, and Modular Mailing Systems.

A copy of each proposal is attached.

The models quoted have performance capabilities very similar to the machine that the Town has used for the last five years.

Staff has reviewed the proposals and has determined that not only has Pitney Bowes proposed the lowest cost, but is doing so under a "State of Florida Contract" which only requires the issuance of a purchase order and does not tie the Town to a long term lease commitment.

Recommended Motion:

I move that we authorize the Town Manager to execute the State of Florida Contract #600-760-11-1 Order Form with Pitney Bowes.

Exhibit "G"



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 19, 2014

Agenda Item No. Tab 10

Agenda Title: Resolution Establishing an Application Process and an Effective Date For Authorization of Non-Exclusive Franchises for Roll-off Container Collection Services

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

Approved by Town Manager [Signature] Date: 2/7/14

David Hunt / Public Works Director

Table with 3 columns: Originating Department (Public Works), Costs/Funding (N/A), Attachments (Resolution 06-02-14 and Resolution 41-09-10), Advertised (Not Required), and notification status (Not applicable).

Summary Explanation/Background: On September 15, 2010, the Town of Lake Park Commission approved Resolution No. 41-09-10 that established an application process for authorizing non-exclusive franchises for roll-off container collection services for a period of three years.

Resolution No. 41-09-10 set specific dates in 2010 by which applicants for a franchise had to fill out an application with the Town and for the term of the franchises. The term of the franchises expired December 31, 2013. The Resolution now before the Commission continues the existing program with only the franchise application deadline and the term of the franchise changed to February 20, 2014 and March 31, 2017 respectively.

This program of allowing several roll-off container service vendors to operate within the Town under non-exclusive franchise agreements has proven to be effective and staff recommends that the program be extended for another three year term.

Recommended Motion:

I move to approve Resolution 06 -02-14.