



# AGENDA

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

<b>James DuBois</b>	—	<b>Mayor</b>
<b>Kimberly Glas-Castro</b>	—	<b>Vice-Mayor</b>
<b>Erin T. Flaherty</b>	—	<b>Commissioner</b>
<b>Michael O'Rourke</b>	—	<b>Commissioner</b>
<b>Kathleen Rapoza</b>	—	<b>Commissioner</b>
.....		
<b>Dale S. Sugerman, Ph.D.</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian Mendez, CMC</b>	—	<b>Town Clerk</b>

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

None

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.

1. Regular Commission Meeting Minutes of July 16, 2014 Tab 1
2. Commission Budget Meeting Minutes of July 17, 2014 Tab 2
3. Request for Approval of the Settlement of the Lawsuit Resulting from a March 12, 2013 Trip and Fall Accident. Tab 3
4. Palm Beach County Criminal Justice Commission Fiscal Year 2015 Allocation of Justice Assistance Grant Funds in the Amount of \$341,227 Tab 4

**F. PUBLIC HEARINGS - ORDINANCE ON FIRST READING:**

None

**G. PUBLIC HEARINGS – ORDINANCE ON SECOND READING:**

5. ORDINANCE NO. 10-2014 Amending Chapter 78, Article I, Section 78-2 to Modify the Definition for “Substance Abuse, Treatment Facility” and Amending Chapter 78, Article III, Section 78-71 (2)(F) to Eliminate the Distance Separation Requirement to Residential Properties for Substance Abuse Treatment Facilities. Tab 5

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 PERTAINING TO THE DEFINITION OF SUBSTANCE ABUSE FACILITY; PROVIDING FOR THE SEPARATION REQUIREMENTS FOR THE AMENDMENT OF CHAPTER 78, ARTICLE III, SECTION 78-71(2)(F) ELIMINATING THE DISTANCE SEPARATION REQUIREMENT BETWEEN SUBSTANCE ABUSE TREATMENT FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; ; AND PROVIDING FOR AN EFFECTIVE DATE.

**H. NEW BUSINESS:**

6. Award of Annual Budgeted Sidewalk Replacement Contract Tab 6
7. Commission Discussion on the Subject of Relaxing Town Codes in Order to be more “Business Friendly” Tab 7

**I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

**J. ADJOURNMENT**

**Next Scheduled Regular Commission Meeting will be held on Wednesday, August 20, 2014**

# **Consent Agenda**

# TAB 1



**Town of Lake Park Town Commission**

**Agenda Request Form**

Meeting Date: **August 6, 2014**

Agenda Item No. **1**

**Agenda Title: Regular Commission Meeting Minutes of July 16, 2014**

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

Approved by Town Manager  Date: 7/28/14

*Vivian Mendez - Town Clerk*  
Name/Title

<b>Originating Department:</b>  <p style="text-align: center;"><b>Town Clerk</b></p>	<b>Costs: \$ 0.00</b> <b>Funding Source:</b> Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <b>Agenda</b> <b>Meeting Minutes</b> <b>Exhibit "A"</b> <b>Exhibit "B"</b> <b>Exhibit "C"</b> <b>Exhibit "D"</b>
<b>Advertised:</b> 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>V.M.</i> <b>Please initial one.</b>

**Summary Explanation/Background:**

**Recommended Motion:**

To approve the Regular Commission Meeting Minutes of July 16, 2014.



**Minutes  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, July 16, 2014, 6:30 PM  
Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, July, 16, 2014 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, and Kathleen Rapoza, Town Manager Dale S. Sugerman, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Commissioner Michael O'Rourke arrived at 6:33 p.m.

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

**SPECIAL PRESENTATIONS/REPORTS**

None

**PUBLIC COMMENT:**

None

**CONSENT AGENDA:**

1. **Regular Commission Meeting Minutes of July 2, 2014.**

**Motion: Commissioner Flaherty moved to approve the Consent Agenda; Commissioner Rapoza seconded the motion.**

Vote on Motion:

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

Motion passed 4-0.

**PUBLIC HEARINGS - ORDINANCES ON FIRST READING:**

2. **ORDINANCE NO. 10-2014 Amending Chapter 78, Article I, Section 78-2 to Modify the Definition for "Substance Abuse, Treatment Facility" and Amending Chapter 78, Article III, Section 78-71 (2)(F) to Eliminate the Distance Separation Requirement to Residential Properties for Substance Abuse Treatment Facilities**

Community Development Director Nadia DiTommaso explained the item (see attached Exhibit "A").

Vice-Mayor Glas-Castro asked if the Town's Code Special Exception language was strong enough to place the obligation on an applicant and allow the Town to say no when necessary.

Attorney Baird explained that the language proposed is standard.

Commissioner O'Rourke asked why the agenda item was placed on the agenda.

Community Development Director DiTommaso explained that staff received an application from an individual that would like to open a professional counseling office along Northlake Boulevard, along with a letter from the applicant's attorney questioning the existing Code language as possibly being discriminatory.

Mayor DuBois asked if the application was being considered under a Special Exception use.

Community Development Director DiTommaso explained that several inconsistencies in the Town Code were brought to staff's attention, which was what triggered this agenda item.

**Public Comment Open:**

None

**Public Comment Closed:**

**Motion: Commissioner Rapoza moved to approve Ordinance 10-2014 on first reading; Vice-Mayor Glas-Castro seconded the motion.**

Commissioner O'Rourke expressed concern with the proposed Ordinance.

The Commission and Town Attorney discussed the difference between substance abuse, treatment facilities, and sober homes.

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 3-2.

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

**PUBLIC HEARINGS - ORDINANCE ON SECOND READING:**

**3. Ordinance No. 08-2014 Amending Chapter 2, Article II, Division 1, Section 2-32,**

**Entitled "Mayor and Vice-Mayor" Pertaining to the Declaration of a State of Emergency.**

**Public Comment:**

None

**Public Comment Closed:**

**Motion: Commissioner Flaherty moved to approve Ordinance 08-2014 on second reading; Commissioner Rapoza seconded the motion.**

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.

**4. Ordinance No. 09-2014 Repealing Chapter 78, Appendix A, Article 1, Division 4, Section 4-3(D) of the Town Code of Ordinances Thereby Eliminating the Compliance Date of July 5, 2014 for Nonconforming Landscape Parcels that Do Not Meet the Definition of a Substantial Modification or New Development.**

**Public Comment:**

None

**Public Comment Closed:**

**Motion: Commissioner Flaherty moved to approve Ordinance 09-2014 on second reading; Commissioner Rapoza seconded the motion.**

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:**

**5. Resolution No. 20-07-14 Establishing Sanitation Rates in Support of a Vehicle Replacement Program.**

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

Vice-Mayor Glas-Castro expressed concern with the proposed language such that it would possibly encourage an increase in the amount of trash being put out to the new proposed limit of 20 cubic yards.

Public Works Director Dave Hunt explained that it is important that the language pertaining to the collection schedule and fines remain in place. The goal of the Sanitation Division is to maintain clean streets by collecting the trash loads as soon as possible. He advised the Commission that even though this revised rate schedule will allow for additional trash being put out for no additional fee (up to 20 cubic yards), the Sanitation Division will make sure that all trash is picked up in a timely manner and that the streets of the community will remain clear of trash and debris.

Commissioner O'Rourke asked for clarification about the commercial accounts.

Public Works Director Hunt explained that when a commercial account calls for a special pickup they are charged a special pickup fee. The commercial accounts would maintain their current pickup schedule, but unless their trash load exceeds 20 cubic yards, they would not be charged the special pickup fees.

Town Manager Sugerman clarified that a portion of the commercial rates are also being adjusted so additional revenue would be generated.

Commissioner O'Rourke asked when the fees would take effect.

Town Manager Sugerman explained that they would take effect as of October 1, 2014.

Mayor DuBois commented that the last time the rate was adjusted was in 2009. He stated that it might have been easier on residents to have the rates increased slowly overtime versus one large amount.

Town Manager Sugerman stated that staff did try to develop a rate that would generate the revenue needed for this program in smaller increments over the next few years, but that pace would not generate the revenue necessary to properly fund the proposed vehicle replacement schedule, which would be implemented over the next 14 years. He explained that the plan is a combination of both the purchase of new vehicles, as well as the refurbishment of packer arms and container replace parts on the vehicles that still have good chassis.

**Motion: Commissioner Rapoza moved to approve Resolution 20-07-14; Vice-Mayor Glas-Castro seconded the motion.**

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.

#### **6. Setting the 2014-2015 Non-Ad Valorem Assessed Stormwater Rates**

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

**Motion: Commissioner O'Rourke moved to approve the 2014/2015 Non-Ad Valorem Assessed Stormwater Rates; Vice-Mayor Glas-Castro seconded the motion.**

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. Authorizing the Mayor to Execute the Tenth Addendum to the Law Enforcement Services Agreement between the Town of Lake Park and Sheriff Ric L. Bradshaw For the Period beginning October 1, 2014 through September 30, 2015**

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

The Commission questioned the cost of additional deputies, the possibility of going with another law enforcement agency, and the increase of costs from the Palm Beach County Sheriff's Office each year. Town Manager Sugerman addressed all of those concerns.

**Motion: Commissioner Rapoza moved to approve the Tenth Addendum to the Law Enforcement Agreement; Commissioner O'Rourke seconded the motion.**

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** asked the Commission if his attendance was necessary at the budget meeting scheduled for Thursday, July 17, 2014. The Commission stated that his attendance was not necessary. He provided an update on the Town's Voting Rights case. He explained that he had a good conversation with one of the attorney's from the Department of Justice (DOJ) that was involved in the Town's original Voting Rights Act case. He stated that this attorney is the last one left at the DOJ that worked on the case. He explained to this attorney what has occurred in the past few elections in Town and the issues that the residents have with the Limited Voting system. The attorney was sympathetic and surprised that the system did not produce the results that were intended. They agreed that the attorney would speak with his superior and then contact him (Tom Baird) back if they felt it was appropriate to meet with the Commission.

**Town Manager Sugerman** updated the Commission on his conversation with the Northern Palm Beach County Chamber of Commerce President and CEO Beth Kiegel regarding the Branding Initiative. He explained that they are still in the exploratory stage and have not chosen a specific theme for the brand. Ms. Kiegel stated that the Town could be a sponsor at the \$1000 level. He announced that the next Sunset Celebration would be held on July 25, 2014 from 6:00 p.m. through 9:00 p.m. at the Lake Park Harbor Marina. The Commission discussed the event and budgeting of the Sunset Celebration.

**Commissioner O'Rourke** thanked Public Works Director Hunt, and his staff for all their work on the new Sanitation program. He announced some of the businesses on Park Avenue and other events that are taking place in town: Sunset Celebration; Brew House Gallery; Artist of Palm Beach County. He apologized for not attending the past two meetings because he was away on vacation during the first meeting and was in trial during the second meeting.

**Commissioner Rapoza** explained that she spoke with Josh Stewart of Earl Stewart Toyota, who proposed a free movie night at Kelsey Park. She thanked Public Works Director Hunt for the great work on the Sanitation plan.

**Commissioner Flaherty** announced that Thursday, July 17, 2014 would be a budget meeting at 6:30 p.m. He stated that he was concerned when he saw that the Sanitation rates were being adjusted, but after hearing the presentation, he agrees that it would be a great program for the Town.

**Vice-Mayor Glas-Castro** had no comments.

**Mayor DuBois** asked if the Town Manager had an opportunity to speak with Shellco Construction Corporation regarding the condition of the roads on Gateway Road.

Town Manager Sugerman explained that he has developed a working relationship with Jean Chardon, the president of Shellco Construction Corporation and they have developed an action plan for how to deal with some of the activities that are taking place in the neighborhood.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Vice-Mayor Glas-Castro, and by unanimous vote, the meeting adjourned at 8:11 p.m.

\_\_\_\_\_  
Mayor James DuBois

\_\_\_\_\_  
Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2014



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "A"

Meeting Date: July 16, 2014

Agenda Item No.

Agenda Title: AN ORDINANCE AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 TO MODIFY THE DEFINITION FOR "SUBSTANCE ABUSE TREATMENT FACILITY" AND AMENDING CHAPTER 78, ARTICLE III, SECTION 78-71 (2)(F) TO ELIMINATE THE DISTANCE SEPARATION REQUIREMENT TO RESIDENTIAL PROPERTIES FOR SUBSTANCE ABUSE TREATMENT FACILITIES.

- [ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] PUBLIC HEARING ORDINANCE ON 1st READING
[ ] NEW BUSINESS
[ ] OTHER:

Approved by Town Manager [Signature] Date: 6/30/14

Nadia Di Tommaso / Community Development Director [Signature]

Table with 3 columns: Originating Department, Costs, Attachments, Advertised, and notification status.

Summary Explanation/Background:

Every now and again staff comes across certain regulations of the Town Code of Ordinances that are inconsistent with other sections of the Town Code and brings them forward to the Town Commission for consideration. In this case, a third-party attorney working alongside a new business applicant, alerted staff of certain inconsistencies in the Code.

As the Town Commission is probably already aware, all properties in Town are regulated pursuant to their corresponding zoning district designations. A majority of the south side of Northlake Boulevard is designated as a Commercial-1 (C-1) zoning district. As with all zoning districts, there is a list of permitted uses (for example, professional offices, restaurants, etc.) which may operate within the zoning district "by right". That is, no special permission is needed for any type of use that is on the list of permitted uses for that zoning district. Additionally, there are other types of uses that are allowed in a particular zoning district, but those uses are not allowed to operate "by right" but rather, they need permission to operate as part of a special exception use which requires an additional public hearing review process based on their potential impacts to the surrounding neighborhood where they are proposing to locate the particular use.

A "substance abuse treatment facility" is one of the special exception uses permitted in the C-1 zoning district under Section 78-71(2)(f). However, this is the **ONLY** zoning district that lists the use of a "substance abuse treatment facility" with an additional distance separation requirement of 1,500 feet to residential properties. This additional separation requirement is problematic due to the fact that all but maybe a few properties located along Northlake Boulevard are immediately adjacent to residential properties. That is, virtually all property fronting the south side of Northlake Boulevard is basically separated by 0 (zero) feet from residential property. It is further problematic in that substance abuse treatment facilities are actually **PERMITTED BY SPECIAL EXCEPTION APPROVAL** in ALL RESIDENTIAL zoning districts. This therefore creates an unsustainable conflict in the Town Code. To that end, staff recommends eliminating the distance separation language as follows:

*Chapter 78, Article III*

*Sec. 78-71. C-1 business district.*

***(2)(f) Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility ~~or within 1,500 feet of a residential zoning district~~***

Finally, understanding that each zoning district has certain uses that are permitted by right (in other words, can be approved administratively by staff) and other uses that are permitted by special exception use application (Town Commission approval required), staff is also proposing to modify the *substance abuse treatment facility* definition in Section 78-2, as follows:

**CHAPTER 78, ARTICLE I**

**SECTION 78-2**

***Substance abuse treatment facility means a facility having one or more service components that are not otherwise permitted by right by the governing zoning district and that are operated by service providers licensed by the state as defined in F.S. ch. 397.***

This modification would prevent the "double-obstruction" effect from taking place. For example, if a Doctor of Psychology proposes a 'professional office' to counsel individuals with eating disorders, this would currently be classified as a "professional office" in the C-1 zoning district and would be permitted to locate in this zoning district "by right". However, if this same Doctor of Psychology also counsels patients in recovery, which is considered *one* component of a 'substance abuse treatment facility' licensed by the State of Florida, this service would not be permitted "by right" solely based on the 'type' of individual being counseled. The only way to rectify this "double-obstruction" regulation is to modify the definition in Section 78-2 as proposed above. If it is not modified, the Code, as it is currently written, essentially provides for an approval by right for certain patients and an approval *only* by special exception use application for individuals in recovery. This double obstruction is inconsistent and could potentially be deemed discriminatory. Consequently, staff recommends modifying the definition in Section 78-2.

**Recommended Motion:** I move to APPROVE Ordinance 10-2014 on first reading.



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "B"

Meeting Date: July 16, 2014

Agenda Item No. 1051

Agenda Title: Establishing Sanitation Rates in Support of a Vehicle Replacement Program

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

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager DSS Date: 7/3/14

David Hunt  
David Hunt / Public Works Director

<p><b>Originating Department:</b>  Public Works</p>	<p><b>Costs:</b> Program will generate approximately \$166,000 per year in additional revenue.</p> <p><b>Funding Source:</b> Non-ad valorem assessments</p> <p><b>Fund Receiving Revenues:</b> Sanitation</p> <p><input checked="" type="checkbox"/> Finance <u>SR</u></p>	<p><b>Attachments:</b></p> <ul style="list-style-type: none"> <li>- Vehicle Replacement Schedule</li> <li>- Schedule of Adjustments</li> <li>- Resolution No. 20-07-14, Adopting New Rates for Services</li> </ul>
<p><b>Advertised:</b> Date: <u>July 6, 2014</u> Paper: <u>Palm Beach Post</u> <input 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><b>Yes I have notified everyone</b> _____ or Not applicable in this case  <b>Please initial one.</b></p>

Summary Explanation/Background:

As the Commission is aware, the vehicles within the Sanitation Fund are aging rapidly, are breaking down more frequently, and we continue to be plagued by unexpected repair bills. There are two annual budget line items that reflect the condition of the aging sanitation fleet. The Repair & Maintenance (404-46000) and Vehicle Parts & Supplies (404-46300) budget lines have been steadily increasing over the past three years and are now creating a budget shortfall in the Sanitation enterprise fund. In Fiscal Year 2012, the repair and maintenance line item and the vehicle parts and supplies line item expenses totaled \$103,000. It is



estimated that the Fund will have to spend \$178,800 through the remainder of Fiscal Year 2014 while only \$114,000 was budgeted at the beginning of the year.

In order to halt this escalating budget trend, the Public Works Department has crafted a vehicle replacement and refurbishment plan that is designed to keep the fleet as up to date as possible, based upon a replacement plan for the next 10+ years. The plan is designed to avoid any surprises in the condition of the fleet. As outlined in all of the attachments, this plan calls for a sanitation fee adjustment which, if approved by the Town Commission, will allow the Sanitation Division to immediately lease/purchase two badly needed new pieces of equipment. In the following five years, two additional pieces of equipment will be purchased outright along with five vehicles receiving major refurbishments. Once the lease obligations are satisfied in Fiscal Year 2020, a vehicle purchase can be made every year thereafter without the need for an interest bearing loan. As the fleet is refurbished and new equipment comes on line, the annual expenditures for repair and maintenance and vehicle parts and supplies should stabilize and eventually start to decline.

The proposed vehicle replacement program will require adjustment of the annual sanitation rates based upon the amount of garbage and trash generated by each type of residential dwelling unit and commercial classification. By increasing residential collection rates by four dollars per month per household, the Sanitation Fund would realize additional revenue of 28.7% over current receipts from this category of customer. Currently, single family residences and multi-family dwellings with less than 5 units pay \$167.49 per year (\$13.96 per month). This rate was set in 2009 and was raised slightly from the 2002 rate of \$164.00 per year (\$13.67 per month). The Town of Lake Park's new rate would be \$17.96 per month. This is competitive with other Palm Beach County municipalities' monthly rates:

- Boca Raton	\$16.90
- Boynton Beach	\$14.00
- Lake Worth	\$20.48
- Lantana	\$18.98
- West Palm Beach	\$18.35

In addition, in order to meet the goals of the vehicle refurbishment and replacement plan as presented herein, revenues from the annual commercial assessments would need to be adjusted by 25%. This once a year payment would allow the monthly commercial collection rates to remain stable at the current 2009 levels.

If approved by the Town Commission, this program of residential and commercial rate adjustments would generate an additional estimated annual amount of \$166,000.

Along with the proposed rate adjustments, and recognizing the importance of providing our customers with the best municipal waste collection service that the Town of Lake Park can provide, the Sanitation Division wants to increase the level of service that is being offered. The amount of vegetation and bulk trash that will be collected, at no additional charge, will be expanded to 20 cubic yards from the current two cubic yard pile. Any trash pile over 20 cubic yards (one full truck load) will be collected for a flat rate of \$35 plus the Solid Waste Authority's charge for the disposal (based upon weight and classification of the load). The current fee structure requires that any pile collected over two cubic yards be charged back to the homeowner at \$5.00 per cubic yard. We also propose that any fines for putting vegetation and bulk trash out on the wrong day will still be assessed at the current rate of \$25 but the late fee will be increased to \$15.00 or 1.5% (whichever is greater) per month (from the current rate of 1.0% per month) on any outstanding balance in order to recoup processing costs.

### **Recommended Motion:**

**I move approval of Resolution No. 20-07-14.**

PUBLIC WORKS  
SAMPLING DIVISION  
LONG-BRIDGE BRIDGE IMPROVEMENT (R-501)

FISCAL YEAR	VEHICLE NO. BEING REPLACED, YEAR / MAKE / TYPE	EST. COST	COST PER YR. (15% DEFERRED)	VEHICLE NO. BEING REPLACED, YEAR / MAKE / TYPE	EST. COST	AMOUNT PAID IN FULL PER YEAR	AMOUNT PAID IN FULL PER YEAR	ADDITIONAL FUND REQUIRED AFTER 5 YEAR PERIOD	AVAILABLE RESOURCES TO COLLECT AN ADDITIONAL \$100,000 PER YEAR
2015	Imp: 2005 #43 2005 MAZDA/HVIL FRONT LOADER #44 2005 MAZDA/HVIL FRONT LOADER #45 2005 STEEL/BMG/HVIL SIDE LOADER	\$375,000 (inc. interest) 317,500 (inc. interest)	50 0			\$60,000	\$60,000	\$60,000	510,000
2016			55,000						
2017			64,000						
2018	#64 2005 HIC/PETERSEN T13 #65 2005 HIC/PETERSEN T13	1,460,000 1,460,000	57,000 64,000			60,000	349,000	236,000	52,000
2019			55,000			70,000	309,000	104,000	70,000
2020			64,000			50,000	214,000	107,000	70,000
2021			55,000			50,000	204,000	91,000	70,000
2022	#49 2005 STEEL/BMG/HVIL SIDE LOADER #45 2005 AUTO CAR/HVIL FRONT LOADER	315,000 275,000				61,000	300,000	207,000	84,000
2023	#54 2005 HIC/LARNE BICYCLE BODY #62 2005 HIC/LARNE REAR LOADER	195,000 150,000				61,000	288,000	177,000	42,000
2024						61,000	185,000	83,000	94,000
2025	#67 2005 HIC/LARNE BICYCLE BODY #49 2005 AUTO CAR/HVIL SIDE LOADER	200,000 375,000				60,000	316,000	217,000	112,000
2026						60,000	307,000	257,000	25,000
2027	#63 2005 HIC/LARNE BICYCLE BODY	175,000				60,000	235,000	122,000	10,000
2028	#67 2005 HIC/LARNE REAR LOADER	190,000				60,000	270,000	109,000	29,000
								5,112,700	TOTAL FOR 15 YRS.
								5,112,700	AMOUNT REQUIRED EACH YEAR

**SANITATION CAPITAL EQUIPMENT  
FUNDING CAPABILITIES  
AFTER FISCAL YEAR 2015 RATE ADJUSTMENT**

<b>Categories 1 &amp; 2; single family and multi-family residences &lt; 5 units</b>		
<b>CURRENT ANNUAL PROCEEDS</b>	<b>ANNUAL PROCEEDS w/28.7% ADJUSTMENT</b>	<b>TOTAL ADD. ANNUAL REVENUES</b>
\$297,900	\$377,700	\$79,800
<b>Category 4; multi-family residences &gt;4 units</b>		
<b>CURRENT ANNUAL PROCEEDS</b>	<b>ANNUAL PROCEEDS w/ 28.7% ADJUSTMENT</b>	<b>TOTAL ADD. ANNUAL REVENUES</b>
\$150,500	\$188,125	\$37,625
<b>Commercial Property; All categories</b>		
<b>CURRENT ANNUAL PROCEEDS</b>	<b>ANNUAL PROCEEDS w/ 25.0% ADJUSTMENT</b>	<b>TOTAL ADD. ANNUAL REVENUES</b>
\$194,265	\$242,831	\$48,566
<b>TOTAL ANNUAL FUNDS AVAILABLE FOR CAPITAL EQUIPMENT PURCHASES:</b>		<b>\$165,991</b>



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "C"

Meeting Date: July 16, 2014

Agenda Item No. \_\_\_\_\_

Agenda Title: Setting the 2014-2015 Non-Ad Valorem Assessed Stormwater Rates

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

Approved by Town Manager \_\_\_\_\_

*[Handwritten signature]*  
*BKR*

Date: \_\_\_\_\_

*6/30/14*

Blake K. Rane Finance Director  
Name/Title

<b>Originating Department:</b>  <b>FINANCE</b>	Costs: \$ Funding Source: Acct. # <input checked="" type="checkbox"/> Finance ___ BKR ___	<b>Attachments:</b>  <b>Copy of Resolution</b> <b>33-08-09</b>
<b>Advertised:</b> 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>_BKR_</u> <b>Please initial one.</b>

**Summary Explanation/Background:**

Each fiscal year, the Commission must either renew the existing non-Ad Valorem stormwater rate by motion or adjust the rate as it sees fit by Resolution.

The existing (FY 2013-2014) rate of \$6.50 per month for each Equivalent Stormwater Unit (ESU) was established in August 2009 pursuant to Resolution 33-08-09, a copy of which is attached. Staff recommends that no adjustment be made to the rate and that it be held constant at \$6.50 per ESU per month.

**Recommended Motion:**

I move that the existing non-Ad Valorem stormwater rate for fiscal year 2014-15 be set at \$6.50 per ESU per month.

RESOLUTION NO. 33-08-09

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA SETTING THE FINAL RATE FOR AN EQUIVALENT STORMWATER UNIT (ESU) TO BE CHARGED FOR STORMWATER MANAGEMENT FOR FISCAL YEAR 2009-2010; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** The Town of Lake Park ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS,** Ordinance No. 09-2008, once adopted by the Town Commission establishes a Stormwater Utility for the Town of Lake Park; and

**WHEREAS,** this ordinance provides that the rate for an Equivalent Stormwater Unit (ESU) shall be established by resolution; and

**WHEREAS,** the Town Manager has recommended to the Town Commission a rate schedule ; and

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:**

**Section 1.** The foregoing whereas clauses are hereby ratified and confirmed as being true and correct and are incorporated herein.

**Section 2.** An Equivalent Stormwater Unit (ESU) shall be equal to five thousand two hundred two (5,202) square feet of impervious area. The number of ESU's for a given parcel shall be calculated by dividing the sum of impervious area plus 25 percent of the pervious area of a parcel by 5,202 square feet.

**Section 3.** The Town Commission hereby establishes that the rate for an Equivalent Stormwater Unit (ESU) shall be \$6.50 per month.

**Section 4.** The rates shall be applied to the various classes of property within the benefited areas according to the terms of Section 4(D)1 of this ordinance.

**Section 5.** This Resolution shall become effective immediately upon adoption.

**TOWN OF LAKE PARK**  
**SEAL**  
Certification  
I, Jessica S. [Signature], Clerk of the Town of Lake Park, Florida, do hereby certify that the foregoing is a true and correct copy of the original instrument as contained in the official records of the Town. Witness my hand and the Official Seal of the Town of Lake Park This 20th day of August 2009.  
Town Seal  
[Signature]  
Town Clerk

The foregoing Resolution was offered by Vice-Mayor Carey who moved its adoption. The motion was seconded by Commissioner Rumsey and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	<u>—</u>
VICE-MAYOR JEFF CAREY	<u>/</u>	<u>—</u>
COMMISSIONER ED DALY	<u>/</u>	<u>—</u>
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	<u>—</u>
COMMISSIONER KENDALL RUMSEY	<u>/</u>	<u>—</u>

The Town Commission thereupon declared the foregoing Resolution NO. 33-08-09 duly passed and adopted this 19 day of August, 2009.

TOWN OF LAKE PARK, FLORIDA

BY: Desca Dubois  
DESCA DUBOIS  
MAYOR

ATTEST:

Vivian M. Lemley  
VIVIAN M. LEMLEY  
TOWN CLERK

TOWN OF LAKE PARK  
(TOWN SEAL)  
SEAL  
FLORIDA

Approved as to form and legal sufficiency:

BY: Thomas L. Baird  
THOMAS L. BAIRD  
TOWN ATTORNEY



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "D"

Meeting Date: July 16, 2014

Agenda Item No. 2.3.3

**Agenda Title: Authorizing the Mayor to Execute the Tenth Addendum to the Law Enforcement Services Agreement between the Town of Lake Park and Sheriff Ric L. Bradshaw for the period beginning October 1, 2014 through September 30, 2015.**

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

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *DSS* Date: 7/1/14

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

<b>Originating Department:</b>  <p style="text-align: center;"><b>Town Manager</b></p>	Costs: \$ 2,648,850.00 Funding Source: Acct. # 001-52-521-200-34010 <input checked="" type="checkbox"/> Finance <u><i>DSS</i></u>	<b>Attachments:</b>  <p style="text-align: center;">Copy of the Tenth Addendum</p> <p style="text-align: center;">Base Agreement</p>
<b>Advertised:</b> 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>  <b>Please initial one.</b>

**Summary Explanation/Background:**

Sheriff Ric L. Bradshaw and his Palm Beach County Sheriff's Office (PBSO) have offered to continue to provide police protection services to the Town of Lake Park for the fiscal year beginning October 1, 2014 and continuing through September 30, 2015. The cost for the next year of police protection services of \$2,648,850.00 is an increase of \$26,226 over the current year contract of \$2,622,624 (a 1% increase year-over-year) and compares favorably to last year's increase of \$51,424.00 over the prior year's contract expense of

\$2,571,200.00 (which was a 2% increase year-over-year). In all other respects the contractual relationship is not changing.

Attached to this agenda item is the original base agreement (October 1, 2001) which is now being proposed with its tenth addendum.

If the Commission desires to terminate the contract with PBSO, such termination would be governed by Section 11.1 Notice and Section 11.7 Termination of the base agreement. Section 11.7 reads as follows:

*11.7 Termination. The TOWN shall retain the right to terminate this Agreement without cause upon one hundred eighty (180) days notice to PBSO pursuant to Article 11.1 of its desire to cancel.*

Should the Town Commission desire to cancel the proposed agreement prior to its expiration, it would have to provide PBSO with appropriate notice before March 29, 2015.

**Recommended Motion:** I move to authorize the Mayor to execute the tenth Addendum to the Law Enforcement Service Agreement between Sheriff Ric L. Bradshaw and the Town of Lake Park.





# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, July 16, 2014, 6:30 p.m.  
Lake Park Town Hall  
535 Park Avenue

<b>James DuBois</b>	—	<b>Mayor</b>
<b>Kimberly Glas-Castro</b>	—	<b>Vice-Mayor</b>
<b>Erin T. Flaherty</b>	—	<b>Commissioner</b>
<b>Michael O'Rourke</b>	—	<b>Commissioner</b>
<b>Kathleen Rapoza</b>	—	<b>Commissioner</b>
.....		
<b>Dale S. Sugerman, Ph.D.</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian Mendez, CMC</b>	—	<b>Town Clerk</b>

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**

None

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.

1. Regular Commission Meeting Minutes of July 2, 2014

Tab 1

F. PUBLIC HEARINGS - ORDINANCE ON FIRST READING:

2. ORDINANCE NO. 10-2014 Amending Chapter 78, Article I, Section 78-2 to Modify the Definition for "Substance Abuse, Treatment Facility" and Amending Chapter 78, Article III, Section 78-71 (2)(F) to Eliminate the Distance Separation Requirement to Residential Properties for Substance Abuse Treatment Facilities.

Tab 2

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 TO MODIFY THE DEFINITION FOR "SUBSTANCE ABUSE TREATMENT FACILITY" AND AMENDING CHAPTER 78, ARTICLE III, SECTION 78-71 (2)(F) TO ELIMINATE THE DISTANCE SEPARATION REQUIREMENT TO RESIDENTIAL PROPERTIES FOR SUBSTANCE ABUSE TREATMENT FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. PUBLIC HEARINGS – ORDINANCE ON SECOND READING:

3. Ordinance No. 08-2014 Amending Chapter 2, Article II, Division 1, Section 2-32, Entitled "Mayor and Vice-Mayor" Pertaining to the Declaration of a State of Emergency.

Tab 3

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE II, DIVISION 1, SECTION 2-32, ENTITLED "MAYOR AND VICE MAYOR" PERTAINING TO THE DECLARATION OF A STATE OF EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinance No. 09-2014 Repealing Chapter 78, Appendix A, Article I, Division 4, Section 4-3(D) of the Town Code of Ordinances Thereby Eliminating the Compliance Date of July 5, 2014 for Nonconforming Landscape Parcels that Do Not Meet the Definition of a Substantial Modification or New Development .

Tab 4

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, APPENDIX A, ARTICLE I, DIVISION 4, SECTION 4-3 OF THE TOWN'S CODE OF ORDINANCES TO ELIMINATE SUBSECTION 'D' THEREOF REQUIRING LANDSCAPING COMPLIANCE WITHIN A PRESCRIBED TIMEFRAME; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- H. NEW BUSINESS:**
- 5. Resolution No. 20-07-14 Establishing Sanitation Rates in Support of a Vehicle Replacement Program** **Tab 5**
- 6. Setting the 2014-2015 Non-Ad Valorem Assessed Stormwater Rates** **Tab 6**
- 7. Authorizing the Mayor to Execute the Tenth Addendum to the Law Enforcement Services Agreement between the Town of Lake Park and Sheriff Ric L. Bradshaw For the Period beginning October 1, 2014 through September 30, 2015** **Tab 7**
- I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**
- J. ADJOURNMENT**

**Next Scheduled Regular Commission Meeting will be held on Wednesday, August 6, 2014**

# TAB 2



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** August 6, 2014

**Agenda Item No.** 2

**Agenda Title: Commission Budget Meeting Minutes of July 17, 2014**

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

**Approved by Town Manager**  **Date:** 7/28/14

*Vivian Mendez - Town Clerk*  
 Name/Title \_\_\_\_\_

<b>Originating Department:</b>  Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # _____ <input type="checkbox"/> Finance _____	<b>Attachments:</b> Agenda Meeting Minutes Exhibit "A"
<b>Advertised:</b> 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>U.M.</i> <b>Please initial one.</b>

**Summary Explanation/Background:**

**Recommended Motion:**

To approve the Commission Budget Meeting Minutes of July 17, 2014.



**Minutes**  
**Town of Lake Park, Florida**  
**Commission Budget Meeting**  
**Thursday, July 17, 2014, 6:30 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Commission budget meeting on Thursday, July 17, 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, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Mayor DuBois led the Pledge of Allegiance.

**DISCUSSION:**

- 1. Presentation of the Preliminary Fiscal Year 2014/2015 Budget.**
  - 1.a Commission Discussion of the Presented Preliminary Fiscal Year 2014/2015 Budget.**

Town Manager Sugerman presented the 2014/2015 proposed budget (see attached Exhibit "A").

Mayor DuBois asked what this year's roll back rate would be.

Town Manager Sugerman stated that this year's roll back rate would be 8.2066.

Mayor DuBois asked what the cost-of-living-adjustment (COLA) would be.

Town Manager Sugerman stated that the proposed COLA would be 2 percent.

Mayor DuBois pointed out that the proposed budget would only cover the cost of the lobbyist through February 28, 2015.

Town Manager Sugerman agreed that the proposed budget would only cover the cost of the lobbyist through the end of the current contract, which expires on February 28, 2015. He stated that he had not included the expense for a lobbyist beyond the expiration of the current contract in the proposed budget.

Mayor DuBois clarified that the Town Manager's budget showed an increase in his salary of \$10,000, but that the increase was not a raise.

Town Manager Sugerman explained that during the preparation of the 2013/2014 budget there was a significant struggle to balance the General Fund. He explained that he voluntarily took an \$11,000 salary and benefits cut to assist in balancing the budget. He stated that the current proposed budget is balanced and therefore he has restored his compensation in the budget back to the amounts for which he was originally hired.

Commissioner O'Rourke asked for clarification on a line item identified as the Special Projects Funds.

Town Manager Sugerman explained that the Special Projects Fund is the fund where one-time special projects reside. For example, next fiscal year the Town will receive \$334,700 on a seven-year rotation basis from Palm Beach County money under the Special Area of Hope grant program. He stated that these funds are part of the Community Development Block Grant program, which are to be used for special projects. This is also the fund where the annual CDBG allocation of approximately \$40,650 is kept. During Fiscal Year 2014-2015, all of these funds will be combined and used to upgrade the bathrooms at Kelsey and Lake Shore Park's as well as used to install new tennis court lighting.

Commissioner O'Rourke questioned the significance of transferring the Sunset Celebration expense from the Marina budget to the Commission budget.

Town Manager Sugerman explained that the Sunset Celebrations was established as a means to generate attention and additional boat slip patrons at the Marina. The significance of transferring the Sunset Celebration expense to the General Fund was because the event has not generated any additional boat slip patrons for the Marina. This monthly community-engaging event could be budgeted anywhere within the General Fund versus the Marina Enterprise Fund.

Commissioner O'Rourke asked what the possibilities were for bringing back the Fourth of July event.

Town Manager Sugerman explained that staff worked diligently to bring back the Fourth of July event, but was unable to raise enough sponsorship support to fund the event. He stated that a fireworks display would cost approximately \$25,000 and the Town did not have the funds to support the event. He stated that it might be possible to allocate funds in this year's budget to fund the event if the Commission chose to do so.

He explained that after balancing the budget there are \$48,644 of unallocated funds in the General Fund. He explained that this number will likely change between this first budget workshop and the second budget workshop in that final figures are expected for Workers' Compensation premiums; property and casualty insurance premiums; health insurance premiums; and if the Commission so chooses to fund the expense of a lobbyist, that expense would need to be added as well.

Commissioner Flaherty spoke in favor of funding the expense of a lobbyist.

Commissioner O'Rourke commented that the Mayor and Vice-Mayor are great lobbyists for the Town.

Mayor DuBois explained that often times, to get something accomplished in the Legislature, one needs to get out of Palm Beach County and have another representative assist in getting the point across on a particular piece of legislation.

The Commission discussed the sober home legislation.

Vice-Mayor Glas-Castro stated that with the elimination of the parking meter debt that it would be a good opportunity to remove the meters and present a better imagine to the residents. She explained that she was not in favor of funding a lobbyist because the Town has the lobbyist through the Florida League of Cities at its disposal. She was offended that the Town's lobbyist told the Commission what their legislative priorities should be and he did not keep the Commission updated on the session until it was over. She stated that she was in favor of some type of community event, such as the monthly Sunset Celebration, to keep the community engaged.

On a consensus indication of a 3-2 vote, the Commission decided not to fund a lobbyist in the FY 2014-2015 annual operating budget beyond the current contract, which is set to expire on February 28, 2015.

Commissioner Flaherty asked what the budget would be going with the roll back rate.

Town Manager Sugerman explained that to reach the roll back rate of 8.2066 mills, the General Fund budget would have to be lowered by approximately \$250,000 from the proposed budget.

**2. Commission Action on Proposed Fiscal Year 2014/2015 Annual Budget**  
**2a. Setting the Next Budget Workshop Date.**

**Motion: Vice-Mayor Glas-Castro moved to set the next Budget Workshop date as Wednesday, August 20, 2014 at 6:30 p.m. in the Town Hall Commission Chamber; Commissioner Rapoza seconded the motion.**

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.

**2b. Setting the "Current Year Proposed Operating Millage Rate" and Setting the "First Public Budget Hearing" Date, Time, and Place.**

**Motion: Commissioner O'Rourke moved to set the current year proposed operating Millage Rate to 8.8055 as the maximum amount and to set the First Public Budget Hearing date, time, and place as September 8, 2014 at 6:30 p.m. in the Town Hall Commission Chamber; Commissioner Rapoza seconded the motion.**



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 COMMENT:**

None

**TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

**Town Attorney Baird** was absent.

**Town Manager Sugerman** had no comments.

**Commissioner O'Rourke** had no comments.

**Commissioner Rapoza** stated that the Citizens on Patrol (COP) serve the citizens of the Town as an in-kind service.

**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 Rapoza and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 8:26 p.m.

\_\_\_\_\_  
Mayor James DuBois

\_\_\_\_\_  
Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2014

Exhibit "A"

Good evening Honorable Mayor, Vice-Mayor, Commissioners, Residents of the Town of Lake Park, and Town staff.

There are a number of specific duties assigned to the town manager, and one of them is spelled out in Chapter 2, Article III, Section 2-82 (3) of the Lake Park Code of Ordinances, which requires the town manager "to prepare, with the assistance of the finance director an annual budget and present the same to the town commission with a message describing the important features, and be responsible for its administration after adoption". That is the purpose of this evening's meeting. On Thursday of last week, one day ahead of schedule, we sent to the Town Commission and published on the Town's web site an outline of the tentative fiscal year 2014-2015 operating budget. One might ask what is meant by a "tentative" budget document? Tonight's presentation and the budget book published last week were collaboratively put together by my office with the full support of the Finance Department and all of the department heads. What we have is a great starting point for preliminary discussions on next year's operating budget. We welcome your feedback, input and direction on this tentative budget document this evening. My intent tonight is to give you a global overview of what has been proposed, and then allow the Commission and the public to digest the recommendations. Over the course of the next month we will gladly accept any questions, comments, ideas and suggestions which will lead up to the next budget workshop session where we can go into as much detail as the Commission and the public would like. After the second budget workshop meeting, staff will put the finishing touches on the budget document, such that we will then hold two, formal, public hearings during the month of September, before the 2014-2015 annual budget is actually adopted.

Now, a little bit of context.

Last year at this time I reported to the Town Commission that property values in the Town of Lake Park, as established by the Palm Beach County Property Appraiser, had finally increased slightly; after four years of continued decline. Over the course of the period from 2009 through 2012, the value of all property in the Town of Lake Park has decreased in value by nearly 47%, losing more than \$2,400,000 in annual property tax receipts available for use in the

General Fund. Going into last year's budget process, we had the first positive news in five years. We saw the assessed value of the community actually improve by approximately 2.9% year-over-year. For fiscal year 2014-2015, things have improved yet again.

For the next fiscal year, it is estimated (as of July 1, 2014) that the total taxable value of all property in the Town of Lake Park will increase by just over \$ 32,500,000. According to the Palm Beach County Property Appraiser's Office, the Town of Lake Park's taxable values for all property will increase by 7.3% over the current year. At the current millage rate of 8.8055 mils, this increase in value would result in \$206,419 of additional revenue to the General Fund. While nowhere near the additional \$2.4 million dollars we use to receive in ad valorem taxes just 6 years ago, it appears that the housing market has finally reached a bottom in the Town of Lake Park and that future assessed values, hopefully, will continue to rise.

I am very pleased to report to you that this preliminary budget is being presented to the Town Commission with all funds being balanced. Unlike last year where the Marina Fund needed a one-time cash infusion from the General Fund to complete its year in balance, we are projecting that all operating funds of the Town will have enough revenue to cover all of their expenses. However, this assumption has been made based upon the Town Commission taking supportive action on rate adjustments, prior to the beginning of the fiscal year, in both the Marina Fund and the Sanitation Fund.

I am further pleased to advise the Commission that this proposed budget is being advanced for your consideration without a request for an increase in the tax rate. Last year at this time, there were four reasons why I had to request an increase in the ad valorem tax rate, including increased costs due to the annual contract with the Palm Beach County Sheriff's Office, increased costs due to the annual contract with Palm Beach County Fire Rescue, increased costs because we are an employer that provides health insurance for our employees, and health insurance costs have been skyrocketing, along with the costs associated with our need to maintain an adequate level of property, casualty, and liability insurance. And then finally, last year, there was a need to infuse the Marina Fund with cash so that it could balance its books. While we still have increased costs for police and fire services, and increased costs for health

insurance and property, casualty, and liability insurance, and even though we do not need to assist the Marina Fund this next budget year, all of the additional costs that we will be experiencing next budget year can be covered by the increase in expected ad valorem tax revenues which will flow our way beginning in December of this year. One could say we have finally turned the corner. Whew!

I would now like to switch gears a bit and talk with you about one of our greatest assets here at the Town of Lake Park; our employees. While there are just a few structural changes that I am recommending regarding personnel in the proposed budget (and I will get to that in a minute), the biggest impact that I ask the Commission to support has to do with compensation for all employees that are not covered by a collective bargaining agreement. Our Town employees have not received any type of adjustment to their pay during the past five budget cycles. There have been no cost-of-living adjustments and no merit increases granted to employees. And just as a reminder, during two prior fiscal years (2009-2010 and 2010-2011), employees actually had to take furlough days where the Town reduced the hours worked by employees and thereby reduced the annual earnings of employees (a practice which was eliminated during the prior budget year). Also, during the prior budget year, there was the elimination of three full time positions and a series of layoffs (and bumping) occurred in the Public Works Department. We are finally in a position where we no longer need to ask for furlough days, nor for the layoff of any employees in order to balance the budget.

This recommended budget does two things for those employees that are not covered by a collective bargaining agreement. First, the Human Resources Department has conducted a salary survey of approximately 25 other municipalities in the tri-county area. We have compared our minimum salaries here at the Town of Lake Park, with all other salaries of those municipalities that could competitively “steal away” some of our best and brightest employees. We have put together an analysis of how we pay our employees compared to the employees working for the other municipalities that were surveyed. What we discovered was that the Town of Lake Park falls virtually at the bottom of the list in nearly all job titles. To rectify that situation, and to make sure that I can keep our current team in place, I am recommending that the Town Commission authorize salary adjustments for those employees who fall at the bottom of the list. By no means

am I suggesting that these employees need to be moved to the top of the survey list. Actually, my recommendation is that salaries be adjusted to place these employees, at the top, of the bottom quartile of the surveyed municipalities. Between this first budget workshop meeting and the second workshop meeting, I will share with each member of the Town Commission the calculations that have been developed to support this recommendation.

In addition to salary adjustments, I will be recommending that the Town Commission offer a cost-of-living adjustment to all employees not covered by a collective bargaining agreement. The details of this recommendation will also be shared with members of the Town Commission between the two workshop meetings as well.

The adjustments that I have just mentioned are generic across the workforce. More specifically, there are a handful of individual personnel moves that I plan to make within this recommended budget. First is to eliminate the position of Administrative Assistant to the Town Manager. Currently, that position, while doing some very important tasks, tends to do those tasks mostly for other General Fund departments; and at least one enterprise fund. There is no need for my office to have a full-time administrative assistant. Second, I propose reclassifying the position of Deputy Town Clerk to an Administrative Assistant position. Doing so will give the Town Clerk/Deputy Town Manager greater flexibility in supervising her areas of responsibility which include her office, the Library operations and the Recreation program. Third, as related to these two personnel changes, the Human Resources Department is re-writing the general job description for the position title of Administrative Assistant (AA). Currently, we have a few job titles which list the AA as being assigned to a specific department. With the re-write of the AA job title, none will carry a title limiting them to one specific department and will instead just carry the Administrative Assistant title. That way they can work in any department where they are needed. No one will be displaced from their current position or their current assignment. The change in job description will just give us greater flexibility in the future. Fourth, the recommended budget allows for three reclassifications. The first reclassification is changing the Administrative Secretary position in the Human Resources Department to an Administrative Assistant position. The second reclassification is to change the job title of the Recreation Director to Recreation Manager (since this position does not supervise any full-time staff; thus

the title of Director is inappropriate). Lastly, I am recommending that one of the Accountant II positions in the Finance Department be switched from part-time (30 hours per week) to full-time (40 hours per week). Doing so will round out all of the staff support that is needed in the Finance Department.

Switching gears once again, the budget development process is not done without some identification of operational and planning needs for the community. Each year I ask department heads to provide me with a list of initiatives that they would like to undertake if money were to be available to support those initiatives. Most of the operating departments submitted a number of initiatives that they would like to have funded.

All of the requested initiatives can be found on Schedule 5 of each department's individual budget request tab. Some of those initiatives have been funded with this recommended budget. Many others, due to their high costs, have not. Specifically, some of the initiatives which have been funded include:

- Placing an AED machine in Lake Shore Park to support the Tennis Center, the Pavilion, and the Recreation Department office.
- The purchase of software and hardware to accommodate the placement of new Microsoft Office Pro 2013 desktop computers in a variety of departments (including General Fund departments as well as Enterprise Fund departments).
- The purchase and installation of a computer server at Fire Station #68 to support the Town's Emergency Operations Center (EOC)/Disaster Recovery program, and to serve as an alternative backup server.
- Treatment/tenting of Town Hall due to evidence of infestation.
- Replacement of the existing carpeting in Town Hall, including the main staircase and the Commission Chambers.
- Replacement of the West entry doorway and the placement of copper rain hoods over entry doors.
- Purchase of a pressure steam cleaner (Stormwater Fund)

There are just a few more funds that I want to mention as I close out my presentation this evening and then open up the floor for any questions or discussion.

### **Marina Fund**

Over the course of the past two years, the Lake Park Harbor Marina operation has seen its occupancy grow from approximately 31% to nearly 69% (as of June 30, 2014). This has been accomplished through a variety of factors including a very aggressive marketing and promotional campaign as well as the hard work and dedication of the Marina staff. Last year the Town Commission authorized a modification to the rate structure at the Marina, and we believe that the current rate structure has been one of the reasons that there has been a positive impact on the occupancy rate at the Marina. Prior to the October 1<sup>st</sup> implementation of the proposed budget for Fiscal Year 2014-2015, the staff will be bringing forward another recommendation for a further modification to the rate structure. The proposed Marina Fund budget has been built on the assumption that as of October 1, 2014 the staff's new recommended rate structure will be implemented by the Commission. If our assumptions about the proposed rate structure are correct, then during fiscal Year 2014-2015 the Marina Fund will generate enough revenue to cover all of its expenses, and will actually turn a slight profit for the year. The recommendation for modifying the rate structure at the Marina will be presented to the Town Commission during the month of August.

### **Streets & Roads Fund**

The Streets & Roads Fund receives virtually all of its revenues from State of Florida sources, including local option gas taxes, fuel taxes and FDOT lighting maintenance payments. The 2014-2015 recommended budget contains \$30,000.00 for sidewalk improvements.

### **Stormwater Fund**

The Stormwater Fund receives virtually all of its revenues from a non-ad valorem stormwater assessment imposed on each parcel within the Town. Its budget funds the personnel and equipment needed to maintain the stormwater infrastructure on Town owned and controlled properties. Activities include roadway street sweeping, roadway storm pipe maintenance, and the maintenance and upkeep of roadway swales and stormwater detention ponds. Stormwater control within the Town of Lake Park is regulated under a permit (NPDES) which is monitored by Palm Beach County, the State of Florida, and the Federal Environmental Protection Agency.



### **Sanitation Fund**

The Sanitation Fund generates most of its revenue from residential, multi-family and commercial fees for service. As the Commission is painfully aware, many pieces of equipment based in the Sanitation Fund operation have reached the end of their useful life. Frankly, over the past two years, Town staff has been doing the best job possible to keep the Sanitation Fund fleet operating by patching and pasting vehicles where we could. We have also been forced to rent equipment and staff from outside the organization to keep up with the needs of the Sanitation Department. This has become problematic and completely unsustainable. To that end, staff developed a 14 year vehicle replacement program to modernize the fleet. To do so, however, would take a modification to both the residential and the commercial rate structures. The recommendation for modifying the sanitation rate structure was presented to the Town Commission for consideration at last night's Town Commission meeting and it was approved unanimously. The proposed Sanitation Fund budget was built with the assumption that as of October 1, 2014 the new rate structure to support the proposed 14 year vehicle replacement program would have been implemented by the Commission.

### **Community Redevelopment Agency**

As with the General Fund, the Community Redevelopment Agency (CRA) has seen a slight increase in its revenue generated through the Tax Increment Financing (TIF) mechanism which supports the CRA. The increase in revenue for Fiscal Year 2014-2015 is just under an additional \$50,000.00 for the CRA. There are no new initiatives planned for the proposed budget year. Instead, the CRA Fund will be using virtually all of its proceeds to support its principal and interest payments on debt issued in prior years, paying for the upkeep and maintenance of the landscaping in the CRA, paying for the utilities associated with the landscaping in the CRA, and covering a portion of the cost of General Fund staff which support the activities of the CRA throughout the year.

One thing that the Commission might want to consider is looking forward to the 2015-2016 budget year (one year from now), when the TIF may generate enough revenue to support both a part-time employee to provide guidance and direction for the CRA on a daily basis, as well as fund some improvement and/or grant programs once again within the CRA.

So, in summary:

With the presentation of the proposed 2014-2015 annual operating budget we have done our best to present to you a balanced budget. In order to do that, I had to make two assumptions in particular. First, that the Town Commission would support a modification to the rate structure for annual dockage agreements at the Marina. Also, I assumed that the Commission would support a modification to the sanitation rate structure to allow us to carry out the proposed 14 year vehicle replacement program; and I thank you for that support last evening.

We still have an opportunity to modify this budget in any manner as the Commission sees fit, and I look forward to working with the Town Commission on the completion of the budget process over the next two months. This budget proposal has come with some very specific recommendations on my part. Of course, I am always open to other ways of thinking and to any creative ideas which could improve upon what is contained within the proposed budget document.

I would like to conclude with a few words of thanks to Blake Rane, Finance Director, Bambi Turner, Human Resources Director, Vivian Mendez, Town Clerk/Deputy Town Manager, all of the department heads who met with me during the budget preparation time to try to work through their portion of this document, and all of the Town staff who, day in and day out, continue to work hard and who do the right thing for the citizens of the Town of Lake Park. Without their efforts, my job would be impossible.

Thank you for allowing me to make this presentation. We are now available to answer any questions you may have, or engage in any depth of discussion about the proposed 2014-2015 annual operating budget as you would like to undertake.

# TAB 3



Town of Lake Park Town Commission

Agenda Request Form

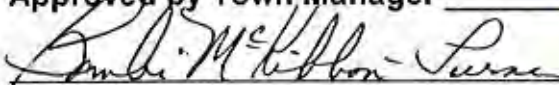
Meeting Date: August 6, 2014

Agenda Item No. 3

Agenda Title: Request for Approval of the Settlement of the Lawsuit Resulting from a March 12, 2013 Trip and Fall Accident

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

Approved by Town Manager  Date: 7/10/14

  
 Name/Title HUMAN RESOURCES DIRECTOR

<b>Originating Department:</b>  Human Resources	Costs: \$3,000.00 Funding Source: FY 2014 Insurance Claims Deductibles Acct. #900-49500 <input checked="" type="checkbox"/> Finance <u></u>	Attachments: Copy of Demand from Plaintiff's Attorney in the Amount of \$7,500.00
<b>Advertised:</b> 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 <b>Not applicable in this case</b> <u>BMT</u> Please initial one.

**Summary Explanation/Background:**

On March 27, 2014, the Town of Lake Park was served with a Summons and Complaint on behalf of an individual who is suing the Town for injuries that she claimed resulted from a March 12, 2013 trip and fall accident which occurred on an uneven section of the sidewalk located at 791 Park Avenue in Lake Park. The sidewalk was damaged by the roots of a tree growing on the premises of the Park Avenue Condominium Association, which is the Co-Defendant in this lawsuit. The Town's property and casualty insurer is the Florida League of Cities/Florida Municipal Insurance Trust, which assigned the law firm of Johnson, Anselmo, Murdock, Burke, Piper & Hochman, P.A. as counsel to represent the Town in this lawsuit.

The Town's Code of Ordinances at Section 72-2(b) pertaining to the obligation of property owners to maintain public sidewalks, driveways, alleys, driveway aprons, or curbs adjacent to a property owner's property provides that where such areas are damaged by roots from trees on the private property side of the right-of-way, any damage to the sidewalk shall be considered attributable to the property owner.

Despite the above Code provision, counsel is recommending settlement of this lawsuit in the amount of \$3,000.00.

In accordance with Ordinance 6-2014, the Town's current purchasing policy, all legal settlements must be approved by the Town Commission. Staff believes it is in the best interest of the Town to settle this lawsuit, and recommends approval of the settlement in the amount of \$3,000.00.

**Recommended Motion: I move to authorize approval of the settlement of this lawsuit in the amount of \$3,000.00.**



## Danford v. Town of Lake Park

Jonathan T. Levy <jlevy@rosenthallevy.com>  
To: "Chrisa@jambg.com" <Chrisa@jambg.com>  
Cc: amarys reyes <amarys@rosenthallevy.com>

Mon, Jun 16, 2014 at 2:33 PM

Chris,

I left a message for you a few moments ago. My client has given me permission to resolve her claim against the Town of Lake Park for \$7500 in its entirety. If you would like to discuss the matter further, please call me today or tomorrow. I will be out of town the rest of the week. Please let me know if your client accepts this offer of settlement.

My best,

Jon



### Jonathan T. Levy

*Board Certified Civil Trial Attorney*  
Rosenthal, Levy, Simon & Ryles

1401 Forum Way, 6th Floor  
West Palm Beach, FL 33401  
P: 561.478.2500  
F: 561.478.3111  
jlevy@rosenthallevy.com



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# TAB 4



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 6, 2014

Agenda Item No. 4

Agenda Title: Palm Beach County Criminal Justice Commission Fiscal Year 2015 Allocation of Justice Assistance Grant Funds in the Amount of \$341,227.

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

Approved by Town Manager  Date: 7/28/14

*Vivian Mendez - Town Clerk*

Name/Title		
<b>Originating Department:</b>  <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> Palm Beach County Letter; Sample Letter of Support; Letter of Support for Mayor's signature
<b>Advertised:</b> 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>VM</u> <b>Please initial one.</b>

**Summary Explanation/Background:** The Criminal Justice Commission seeks approval in the allocation of fiscal year 2015 Justice Assistance Grant funds. The total allocation to Palm Beach County is \$341,227. The Justice Assistance Grant blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most. The recommended allocation is as follows:

Palm Beach County Drug Court Treatment for \$181,003, County-wide Re-entry Services for \$110,224, and Law Enforcement Exchange for \$50,000.

A letter of support for the Mayor's signature has been provided should the Commission wish to support the allocation of these funds.

**Recommended Motion:** I move to approve the Mayor signing the letter of support for the Palm Beach County Criminal Justice Commission Fiscal Year 2015 allocation of Justice Assistance Grant Funds for \$341,227.





**Criminal Justice Commission**

301 North Olive Avenue, Suite 1001

West Palm Beach, FL 33401-4705

(561) 355-4943

FAX: (561) 355-4941

[www.pbcgov.com/criminaljustice](http://www.pbcgov.com/criminaljustice)



**Palm Beach County  
Board of County  
Commissioners**

Priscilla A. Taylor, Mayor

Paulette Burdick, Vice Mayor

Hal R. Valeche

Shelley Vana

Steven L. Abrams

Mary Lou Berger

Jess R. Santamaria

**County Administrator**

Robert Weisman

July 23, 2014

**To All Palm Beach County Mayors:**

The Criminal Justice Commission (CJC) seeks your approval in the allocation of FY2015 (Federal Fiscal Year 2014) Justice Assistance Grant (JAG) funds. The total FY2015 allocation to Palm Beach County is **\$341,227**.

The JAG funds provide agencies with the flexibility to prioritize and place justice funds where they are needed most. The CJC voted to support continuation of existing programs. The recommendation for the FY2015 allocation is as follows:

<b>SUBGRANTEE</b>	<b>PROJECT TITLE</b>	<b>FEDERAL FUNDS RECOMMENDED</b>
Palm Beach County	Palm Beach County Drug Court Treatment	181,003
Palm Beach County	County-wide Reentry Services	110,224
Palm Beach County	Law Enforcement Exchange	50,000
<b>TOTAL</b>		<b>\$341,227</b>

The Florida Department of Law Enforcement (FDLE) requires that fifty-one percent (51%) of the local units of government representing at least fifty-one percent (51%) of the county's population agree on the allocation of these funds.

For your convenience, we have prepared the attached sample letter for your use. Due to the application deadline, we ask that this letter be received at the Criminal Justice Commission Office, **no later than August 11, 2014**.

Please send the letter to:

Palm Beach County Criminal Justice Commission  
Attn: Arlene Griffiths  
301 North Olive Avenue, Suite 1001  
West Palm Beach, FL 33401

If you should require additional information or have any questions, please contact Michael Rodriguez at (561) 355-4943. Your immediate attention to this matter is greatly appreciated.

Sincerely,



Michael L. Rodriguez  
Executive Director

Cc: Mr. William Kramer, CJC Chairman  
All Palm Beach County Police Chiefs



Office of the Mayor  
James DuBois

August 6, 2014

Ms. Petrina Herring, Administrator  
Florida Department of Law Enforcement  
Office of Criminal Justice Grants  
2331 Phillips Road  
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with the State of Florida *Rule 11D-9, F.A.C.*, the Town of Lake Park approves the distribution of \$341,227 of Federal Fiscal Year 2014 (FY2015) Edward Byrne Memorial Justice Assistance Grant (JAG) for the following projects within Palm Beach County:

SUBGRANTEE	PROJECT TITLE	FEDERAL FUNDS RECOMMENDED
Palm Beach County	Palm Beach County Drug Court Treatment	181,003
Palm Beach County	County-wide Re-entry Services	110,224
Palm Beach County	Law Enforcement Exchange	50,000
<b>TOTAL</b>		<b>\$341,227</b>

Sincerely,

James DuBois, Mayor  
Town of Lake Park

535 Park Avenue  
Lake Park, FL 33403  
Phone: (561) 881-3300  
Fax: (561) 881-3314

[www.lakeparkflorida.gov](http://www.lakeparkflorida.gov)

# TAB 5

# **Ordinance on Second Reading**



Town of Lake Park Town Commission  
Agenda Request Form


Meeting Date: August 6, 2014


Agenda Item No. 5

**Agenda Title:** AN ORDINANCE AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 TO MODIFY THE DEFINITION FOR "SUBSTANCE ABUSE TREATMENT FACILITY" AND AMENDING CHAPTER 78, ARTICLE III, SECTION 78-71 (2)(F) TO ELIMINATE THE DISTANCE SEPARATION REQUIREMENT TO RESIDENTIAL PROPERTIES FOR SUBSTANCE ABUSE TREATMENT FACILITIES.

- SPECIAL PRESENTATION/REPORTS     CONSENT AGENDA  
 BOARD APPOINTMENT                     OLD BUSINESS  
 PUBLIC HEARING ORDINANCE ON 2<sup>nd</sup> READING  
 NEW BUSINESS  
 OTHER: \_\_\_\_\_

Approved by Town Manager  Date: 7/28/14

Nadia Di Tommaso / Community Development Director   
 Name/Title

<b>Originating Department:</b>  Community Development	Costs: \$ Legal Ad Funding Source: Town Clerk Acct. # 106-48100 <input type="checkbox"/> Finance _____	<b>Attachments:</b>  →ORDINANCE 10-2014 →Town Code Excerpts for Substance Abuse Treatment Facilities →Legal Ad
<b>Advertised:</b> Date: July 27, 2014 Paper: Palm Beach Post <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u></u> or Not applicable in this case ____ <b>Please initial one.</b>

Summary Explanation/Background:

**APPROVED (3-2) on 1<sup>st</sup> Reading – Wednesday, July 16, 2014**

Every now and again staff comes across certain regulations of the Town Code of Ordinances that are inconsistent with other sections of the Town Code and brings them forward to the Town Commission for consideration. In this case, a third-party attorney working alongside a new business applicant, alerted staff of certain inconsistencies in the Code.

As the Town Commission is probably already aware, all properties in Town are regulated pursuant to their corresponding zoning district designations. A majority of the south side of Northlake Boulevard is designated as a Commercial-1 (C-1) zoning district. As with all zoning districts, there is a list of permitted uses (for example, professional offices, restaurants, etc.) which may operate within the zoning district "by right". That is, no special permission is needed for any type of use that is on the list of permitted uses for that zoning district. Additionally, there are other types of uses that are allowed in a particular zoning district, but those uses are not allowed to operate "by right" but rather, they need permission to operate as part of a special exception use which requires an additional public hearing review process based on their potential impacts to the surrounding neighborhood where they are proposing to locate the particular use.

A "substance abuse treatment facility" is one of the special exception uses permitted in the C-1 zoning district under Section 78-71(2)(f). However, this is the ONLY zoning district that lists the use of a "substance abuse treatment facility" with an additional distance separation requirement of 1,500 feet to residential properties. This additional separation requirement is problematic due to the fact that all but maybe a few properties located along Northlake Boulevard are immediately adjacent to residential properties. That is, virtually all property fronting the south side of Northlake Boulevard is basically separated by 0 (zero) feet from residential property. It is further problematic in that substance abuse treatment facilities are actually PERMITTED BY SPECIAL EXCEPTION APPROVAL in ALL RESIDENTIAL zoning districts. This therefore creates an unsustainable conflict in the Town Code. To that end, staff recommends eliminating the distance separation language as follows:

*Chapter 78, Article III*

*Sec. 78-71. C-1 business district.*

*(2)(f) Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility **or within 1,500 feet of a residential zoning district***

Finally, understanding that each zoning district has certain uses that are permitted by right (in other words, can be approved administratively by staff) and other uses that are permitted by special exception use application (Town Commission approval required), staff is also proposing to modify the *substance abuse treatment facility* definition in Section 78-2, as follows:

*CHAPTER 78, ARTICLE I*

*SECTION 78-2*

*Substance abuse treatment facility means a facility having one or more service components **that are not otherwise permitted by right by the governing zoning district and that are operated by service providers licensed by the state as defined in F.S. ch. 397.***

This modification would prevent the "double-obstruction" effect from taking place. For example, if a Doctor of Psychology proposes a 'professional office' to counsel individuals with eating disorders, this would currently be classified as a "professional office" in the C-1 zoning district and would be permitted to locate in this zoning district "by right". However, if this same Doctor of Psychology also counsels patients in recovery, which is considered *one* component of a 'substance abuse treatment facility' licensed by the State of Florida, this service would not be permitted "by right" solely based on the 'type' of individual being counseled. The only way to rectify this "double-obstruction" regulation is to modify the definition in Section 78-2 as proposed above. If it is not modified, the Code, as it is currently written, essentially provides for an approval by right for certain patients and an approval *only* by special exception use application for individuals in recovery. This double obstruction is inconsistent and could potentially be deemed discriminatory. Consequently, staff recommends modifying the definition in Section 78-2.

**Recommended Motion: I move to ADOPT Ordinance 10-2014 on second reading.**



**ORDINANCE NO. 10-2014**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 PERTAINING TO THE DEFINITION OF SUBSTANCE ABUSE FACILITY; PROVIDING FOR THE SEPARATION REQUIREMENTS FOR THE AMENDMENT OF CHAPTER 78, ARTICLE III, SECTION 78-71(2)(f) ELIMINATING THE DISTANCE SEPARATION REQUIREMENT BETWEEN SUBSTANCE ABUSE TREATMENT FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has adopted general provisions pertaining to land development, including zoning uses both permitted by right and by special exception; and

**WHEREAS**, Section 78-2 of the Town's Code of Ordinances provides for zoning use definitions, and Section 78-71 provides regulation for the Commercial-1 Zoning District; and

**WHEREAS**, the Town's Community Development Department has recommended amendments to Chapter 78, Article I, Section 78-2 and Chapter 78, Article III, Section 78-71(2)(f) of the Code of Ordinances pertaining to the definition of substance abuse treatment facility and the substance abuse treatment facility special exception use category in the Commercial-1 zoning district, so as to eliminate inconsistent language; and

**WHEREAS**, the Town Commission has determined that the recommended amendments would further the public's health, safety and general welfare.

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

**Section 1.** The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

**Section 2.** Chapter 78, Article I, Section 78-2 and Chapter 78, Article III, Section 78-71(2)(f) are hereby amended as follows:

**CHAPTER 78, ARTICLE I  
SECTION 78-2**

*Substance abuse treatment facility* means a facility having one or more service components that are not otherwise permitted by right by the governing zoning district and that are operated by service providers licensed by the state as defined in F.S. ch. 397.

**Chapter 78, Article III  
Sec. 78-71. C-1 business district.**

**(2)(f)** Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility ~~or within 1,500 feet of a residential zoning district~~

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 4. Repeal of Laws in Conflict.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5. Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Section 6. Effective Date.** This Ordinance shall take effect immediately upon adoption.

**CHAPTER 78, ARTICLE I**

**SECTION 78-2**

(...)

*Substance abuse treatment facility* means a facility having one or more service components that are not otherwise permitted by right by the governing zoning district and that are operated by service providers licensed by the state as defined in F.S. ch. 397.

(...)

---

**Chapter 78, Article III**

**Sec. 78-71. C-1 business district.**

(2)(f) **Substance abuse** treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility ~~or within 1,500 feet of a residential zoning district~~

---

**ADDITIONAL CODE SECTIONS NOT INCLUDED IN THE PROPOSED ORDINANCE**

**Sec. 78-61. R-1AA residence districts.**

(2)(f) By special exception, **substance abuse** treatment facility that provides room and board for six or fewer residents, provided that it is not located within a radius of 1,000 feet of another such existing **substance abuse** treatment facility;  
and **substance abuse** treatment facility that provides room and board for seven to fourteen residents, provided that it is not located within a radius of 1,200 feet of another such existing **substance abuse** treatment facility, and further provided that the operator of any such facility obtains a business tax receipt from the town

## TOWN CODE EXCERPTS

### Sec. 78-62. R-1A residence districts.

(1) (e) By special exception, **substance abuse** treatment facility that provides room and board for six or fewer residents, provided that it is not located within a radius of 1,000 feet of another such existing **substance abuse** treatment facility and further provided that the operator of any such facility obtains a business tax receipt from the town.

### Sec. 78-63. R-1B residence districts.

(1) (i) By special exception, **substance abuse** treatment facility that provides room and board for six or fewer residents, provided that it is not located within a radius of 1,000 feet of another such existing **substance abuse** treatment facility and further provided that the operator of any such facility obtains a business tax receipt from the town.

### Sec. 78-64. R-1 residence districts.

(1)(g) By special exception, **substance abuse** treatment facility that provides room and board for six or fewer residents, provided that it is not located within a radius of 1,000 feet of another such existing **substance abuse** treatment facility and further provided that the operator of any such facility obtains a business tax receipt from the town.

### Sec. 78-65. R-2A residence districts.

(1)(i) By special exception, **substance abuse** treatment facility that provides room and board for six or fewer residents, provided that it is not located within a radius of 1,000 feet of another such existing **substance abuse** treatment facility;  
and **substance abuse** treatment facility that provides room and board for seven to fourteen residents, provided that it is not located within a radius of 1,200 feet of another such existing **substance abuse** treatment [facility], and further provided that the operator of any such facility obtains a business tax receipt from the town

### Sec. 78-66. R-2 residence districts.

(1)(m) By special exception, **substance abuse** treatment facility that provides room and board for six or fewer residents, provided that it is not located within a radius of 1,000 feet of another such existing **substance abuse** treatment facility;  
and **substance abuse** treatment facility that provides room and board for seven to

## TOWN CODE EXCERPTS

fourteen residents, provided that it is not located within a radius of 1,200 feet of another such existing **substance abuse** treatment facility, and further provided that the operator of any such facility obtains a business tax receipt from the town.

### Sec. 78-67. R-3 residence districts.

(1)(o) By special exception, **substance abuse** treatment facility, 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

### Sec. 78-69. C-1B business districts.

(1)(t) By special exception, **substance abuse** treatment facility, 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.

### Sec. 78-72. C-2 business districts.

(1)(q) 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.

### Sec. 78-73. C-3 regional business district.

(1)(j) 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

### Sec. 78-75. CLIC-1 campus light industrial/commercial district.

(2)(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

**Palm Beach Post, The**

**July 27, 2014**

**Miscellaneous Notices**

**LEGAL NOTICE OF PROPOSED ORDINANCE**

**TOWN OF LAKE PARK**

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

**ORDINANCE NO. 10-2014**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 PERTAINING TO THE DEFINITION OF SUBSTANCE ABUSE FACILITY; PROVIDING FOR THE SEPARATION REQUIREMENTS FOR THE AMENDMENT OF CHAPTER 78, ARTICLE III, SECTION 78-71(2)(f) ELIMINATING THE DISTANCE SEPARATION REQUIREMENT BETWEEN SUBSTANCE ABUSE TREATMENT FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

**Vivian Mendez, CMC, Town Clerk**

**Town of Lake Park, Florida**

**PUB: The Palm Beach Post**

**7-27/ 2014 #276628**

# **New Business**



# TAB 6



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 6, 2014

Agenda Item No. 6

Agenda Title: Award of Annual Budgeted Sidewalk Replacement Contract

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

Approved by Town Manager  Date: 7/21/14

  
David Hunt / Public Works Director

<p><b>Originating Department:</b>  Public Works</p>	<p>Costs: \$20,030.00 Funding Source: Streets &amp; Roads, FY '13/'14 Budget  Acct. # 190-63050  [X] Finance <u>BKR</u></p>	<p>Attachments: Replacement Location Spreadsheet - Contractor Quote Sheets w/ Unit Costs - Town Quote Sheets - Florida Department of State Printout Stating the Active Corporate Status of Dunworth Construction, Inc, - A Copy of Dunworth's Florida Contractor's License</p>
<p><b>Advertised:</b> Date: _____ Paper: _____ [X] 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>JDK</u> or Not applicable in this case _____  Please initial one.</p>

Summary Explanation/Background:

The Fiscal Year 2013-2014 Streets & Roads Fund contains a line item for sidewalk improvements. Every year, a list is compiled of areas in need of sidewalk replacement based upon citizens reporting unsafe conditions to the Town as well as field observations made by Code Compliance Officers and Public Works personnel. The Town Code of Ordinances,

**Section 72-2, addresses the obligation of property owners to maintain the public sidewalks adjacent to their property. However there are instances when it cannot be determined that the property owner has caused the unsafe condition of the sidewalk and the Town uses the budgeted funds to make the necessary repairs.**

**Upon inspection, a sidewalk that has been reported to Town staff is given a rating between one and five, with five being the most severely damaged. Sidewalks with either a rating of four or five are targeted annually for replacement by a contractor submitting a low, competitive quote.**

**This year, four contractors were solicited to provide unit price quotes. One of these contractors was non-responsive. The attached spreadsheet reflects the three responding contractors' prices calculated to the nearest tenth of a foot. Two of the contractors submitted unit prices but there were quantity rounding errors. The low bidder, Dunworth Construction, Inc., has agreed to perform the work for the amount of \$18,209.09 using the Town's calculated quantities. If additional work is performed, it shall be paid using the submitted unit prices. When performing demolition and replacement of sidewalks it is prudent to allow a ten percent contingency. For this project, the contingency would be \$1,820.90.**

**Recommended Motion: I move to award the Annual Sidewalk Improvement Project to Dunworth Construction, Inc. in the amount of \$18,209.09 and to provide for contingencies in the amount of \$1,820.90.**

REQUEST FOR WRITTEN QUOTE  
TOWN OF LAKE PARK, FLORIDA

Date 7/16/14

Awarded to DUNWORTH CONST,

Description of Work SIDEWALK REMOVE AND  
REPLACE

---

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---

---

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---

---

Bidder DUNWORTH CONST.

Phone # 561-966-0089

Amount ~~\$19,166~~

\$18,209.00

QUOTE USING  
TOWN QUANTITIES  
CONTRACTOR'S  
UNIT PRICES

Bidder ALLIANCE CURB

Phone # 561-795-0649

Amount NO BID

Bidder GALLIANO CONCRETE

Phone # 561-745-3774

Amount ~~\$21,682.00~~

\$19,001.00

Bidder PATHWAYS CONST,

Phone # 561-478-4822

Amount \$23,200.00

UNABLE TO DETERMINE  
ADA RAMP QUANTITIES

The Town of  
Lake Park



FAX COVER SHEET

TO: SHAWN CUNNINGHAM COMPANY DUNWORTH CONST.

FAX# 561-784-4972 PHONE# 561-966-0089

FROM: HOWARD BUTTS COMPANY TOWN OF LAKE PARK

FAX# 561-881-3349 PHONE# 561-722-9379

RE: SIDEWALK REPLACEMENT LIST

DATE: 6/30/14 TOTAL PAGES INCLUDING COVER 7

SHAWN.

THIS IS REPLACEMENT LIST FOR  
"2014".

NOTE; AREAS ON CRESCENT DR.  
ARE NEW POUR AND CURVED.

Dunworth Construction, Inc.

11924 W Foresthill Blvd.  
 Suite 22-386  
 Wellington, Florida 33414

# Estimate

Date	Estimate #
6/30/2014	24647

Name / Address
Town of Lake Park 535 Park Avenue Lake Park, Florida 33403 Attn: Mr. Butts

Ship To
Sidewalk replacement list 2014

Project

Description	Qty	Cost	Units	Total
REMOVE 4" CONCRETE	1,510	2.00	sf	3,020.00
FORM AND POUR 4" CONCRETE	1,510	3.75	sf	5,662.50
REMOVE 6" CONCRETE	1,000.5	2.50	sf	2,501.25
FORM AND FINISH FLATWORK 6"	1,330.5	4.50	sf	5,987.25
INSTALL NEW ADA HANDICAP RAMP 6"	56	30.00	sf	1,680.00
MISC MATERIALS EXPANSION JOINT	80	0.50	lf	40.00
PROCURE PERMIT WITH CUSTOMERS PROVIDED SURVEY.	1	275.00	each	275.00

Thank you for your business.	<b>Total</b>	\$19,166.00
------------------------------	--------------	-------------



[Events](#)   [Name History](#)

dunworth c

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## Detail by Entity Name

Florida Profit Corporation DUNWORTH CONSTRUCTION, INC.

### Filing Information

Document Number P01000007272 FEI/EIN Number 651070173 Date Filed 01/18/2001 State FL  
Status ACTIVE Last Event REINSTATEMENT Event Date Filed 01/06/2003 Event Effective  
Date NONE

### Principal Address

11924 W FORESTHILL BLVD  
22-386  
WELLINGTON, FL 33414

Changed: 02/19/2010

### Mailing Address

11924 W FORESTHILL BLVD  
22-386  
WELLINGTON, FL 33414

Changed: 02/19/2010

Registered Agent Name & Address DUNWORTH, ROY F  
625 SW SALERNO ROAD  
STUART, FL 34997

### Officer/Director Detail Name & Address

#### Title PTS

DUNWORTH, ROY F  
625 SW SALERNO ROAD  
STUART, FL 34997

#### Title V

CUNNINGHAM, SHAWN E  
625 SW SALERNO RD  
STUART, FL 34997

## Annual Reports

### Report Year Filed Date

2012 01/26/2012

2013 04/14/2013

2014 04/21/2014

## Document Images

[04/21/2014 -- ANNUAL REPORT](#) [View image in PDF format](#)

[04/14/2013 -- ANNUAL REPORT](#) [View image in PDF format](#)

[01/26/2012 -- ANNUAL REPORT](#) [View image in PDF format](#)

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[01/06/2003 -- REINSTATEMENT](#) [View image in PDF format](#)

[12/12/2001 -- Name Change](#) [View image in PDF format](#)

[01/18/2001 -- Domestic Profit](#) [View image in PDF format](#)

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STATE OF FLORIDA  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 CONSTRUCTION INDUSTRY LICENSING BOARD  
 1940 NORTH MORRIS STREET  
 TALLAHASSEE FL 32399-0700

(850) 487-1335

DUNWORTH, ROY FREDERICK  
 DUNWORTH CONSTRUCTION INC  
 625 SW BALERMO ROAD  
 STUART FL 34997

Construction! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from bartenders to barbecue restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you best. For information about our services, please log onto [www.myfloridareg.com](http://www.myfloridareg.com). There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



DETACH HERE

AC# 6260852

08/20/2012 120012079 CROSSER  
 BEQ# 120012079

The BUILDING CONTRACTOR  
 Named below is CERTIFIED  
 under the provisions of Chapter  
 Expiration date: AUG 31, 2014

DUNWORTH, ROY FREDERICK  
 DUNWORTH CONSTRUCTION INC  
 625 SW BALERMO ROAD  
 STUART FL 34997

RICK SCOTT GOVERNOR

KEN TAYLOR

# TOWN OF LAKE PARK

6/9/14

INITIALS: S DATE: 6/9/14

SIDEWALK REPLACEMENT LOCATIONS	WIDTH	LENGTH	THICKNESS	ADA MAT OR ADA STAMP		EXP. JOINT	ROOTS	RAT
359 10TH ST. (NORTH SIDE)	5'	90'	6"	NO	NO	YES	?	5
CRESCENT DR. AND REDWOOD DR.	SEE	DIAGRAM	6"	YES	YES	NO	NO	NEW SQA
CRESCENT DR. AND TRAK DR	SEE	DIAGRAM	6"	YES	YES	NO	?	NEW POCA
1400 OLD DIXIE HWY (REAR) ON N. KILLIAN DR	SEE	DIAGRAM	6"	NO	NO	YES	NO	4
1368 N. KILLIAN DR.	5'	14'	4"	NO	NO	NO	YES	5
)))	5'	15' 1"	4"	NO	NO	NO	YES	5
)))	6'	2' 9"	6"	NO	NO	NO	?	4

4 = 1/2"-3/4" lip or elevation drop; multiple cracks; Trip Haz  
5 = >3/4" lip; severely crushed; In need of "immediate Rep

2 = Narrow crack/shallow spall; potential trip hazard  
3 = Cracks >1/8" w and/or deep spalls; 1/4"-1/2" lip

# TOWN OF LAKE PARK

6/9/14

INITIALS SD DATE 6/9/14

SIDEWALK REPLACEMENT LOCATIONS	WIDTH	LENGTH	THICKNESS	ADA MAI OR ADA STAMP		EXP. JOINT	ROOTS	RATI
				ADA MAI OR ADA STAMP	ADA STAMP			
356 CYPRESS DR.	5'	47' 4"	6"	NO	NO	NO	?	5
400 CYPRESS DR.	5'	14'	6"	NO	NO	NO	?	4
330 FEDERAL HWY	5'	5' 8"	6"	NO	NO	NO	?	5
203 FORESTERIA	5'	25' 9"	4"	NO	NO	NO	?	5
307 HAWTHORNE DR.	5'	45'	4"	NO	NO	NO	YES	4
315 HAWTHORNE DR.	5'	10'	4"	NO	NO	NO	YES	4
323 HAWTHORNE DR.	5'	100'	4"	NO	NO	NO	YES	4
323 HAWTHORNE DR.	5'	15'	6"	NO	NO	YES	YES	4
341 HAWTHORNE DR.	5'	25'	4"	NO	NO	NO	YES	4
244 GREENBRIAR DR.	5'	24' 8"	4"	NO	NO	NO	NO	4
254 GREENBRIAR DR.	5'	10'	4"	NO	NO	NO	NO	4
810 LAKESHORE DR.	5'	14' 7"	4"	NO	NO	NO	NO	5
650 PALMETTO RD. "ON JASMINE"	5'	17' 6"	4"	NO	NO	NO	NO	5
741 LAUREL DR.	5'	4'	4"	NO	NO	NO	NO	5
1457 FLAGLER BLVD.	5'	4' 6"	4"	NO	NO	NO	NO	5

4 = 1/2" - 3/4" lip or elevation drop; multiple cracks; Trip Hazard  
 5 = > 3/4" lip; severely crushed; in need of immediate Repa

2 = Narrow crack/shallow spall; potential trip hazard  
 3 = Cracks > 1/8" w and/or deep spalls; 1/4" - 1/2" lip

(N)

INITIAL (S) DATE 11/30

(E)

CRESCENT DR.

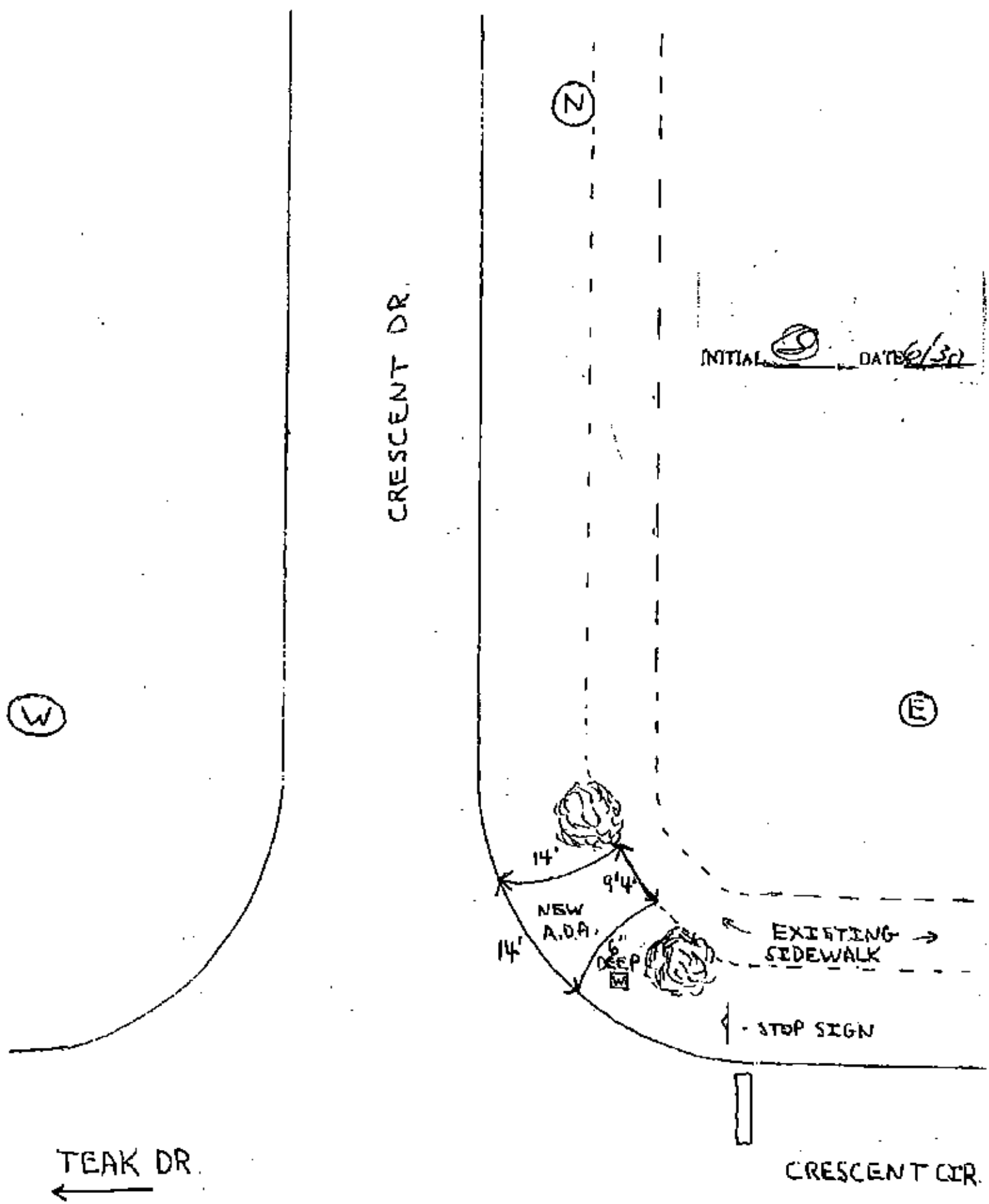
(W)



← EXISTING SIDEWALK →

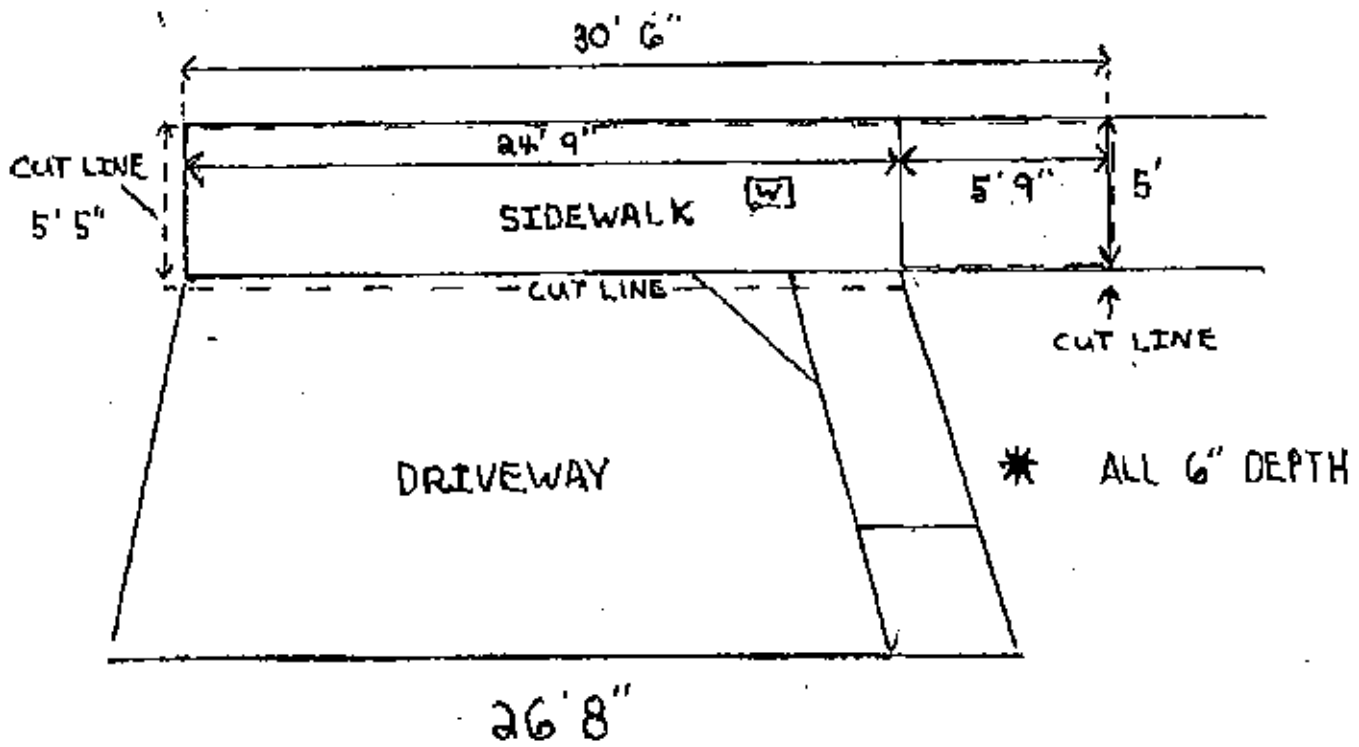
REDWOOD DR.  
←

CRESCENT CIRCLE



BLVD. PAINT (REAR)  
1400 OLD DIXIE HWY.

INITIAL ES DATE 2/30



N. KILLIAN DR.

NOTE (---) AREA TO CUT, REMOVE AND REPLACE

INITIAL

*S*

DATE

1/30

**TOWN OF LAKE PARK  
SCOPE OF WORK  
SIDEWALK REPAIR/REPLACEMENT**

Contractor to supply all materials.

Contractor responsible for all underground locates.

All contractors must register with the Town of Lake Park Community Development Department for a permit.

~~Contractor must supply barricades, cones, caution tape and/or any signage to protect work site.~~

Areas to be saw cut by contractor, remove and dispose of all materials.

All A.D.A. areas to meet current code as per Palm Beach County.

Install forms, compact loose soil, remove any tree roots that may cause future damage.

Forms to be inspected by Town of Lake Park before pouring.

All locations to be marked with orange paint by Town of Lake Park.

Contractor to replace any sprinkler parts that are damaged during removal.

All sidewalks/driveways to be hand tooled joints every 5' with light broom finish.

Contractors to supply expansion joints where needed - as per location sheet.

Keep concrete truck on roadway, DO NOT RUT SWALE AREAS.

Clean up all debris after pour.

3,000 PSI concrete.

Back fill after forms removed.

Thickness to be noted on location sheet.

Width to be noted on location sheet.

# The Town of Lake Park



### FAX COVER SHEET

TO: GARY GALLIANO COMPANY GALLIANO CONCRETE

FAX# 561-529-2203 PHONE# 561-745-8774

FROM: HOWARD BUTTS COMPANY TOWN OF LAKE PARK

FAX# 561-881-3349 PHONE# 561-722-9379

RE: SIDEWALK REMOVE/REPLACE

DATE: 7/8/14 TOTAL PAGES INCLUDING COVER 7

GARY, I WANTED TO GET A QUOTE  
ON SIDEWALK REPLACEMENT FROM  
YOU IF POSSIBLE, YOU CAME VERY  
CLOSE LAST YEAR.

CHECK EVERYTHING AND SEND ME  
A QUOTE AS SOON AS POSSIBLE, IF  
YOU NEED TO MEET WITH ME TO GO  
OVER THESE AREAS, CALL ME AT  
561-722-9379. A PERMIT WILL NEED  
TO BE PULLED, BUT THE FEE WILL BE WAIVED.

\* PLEASE INITIAL AT THE TOP OF  
ALL PAGES AND SEND BACK - THANKS.

*Department of Public Works* - HOWARD



# TOWN OF LAKE PARK

6/9/14

INITIALS *SS* DATE *7/5*

SEWALK PLACEMENT CATIONS	WIDTH	LENGTH	THICKNESS	ADA MAI OR ADA STAMP		EXP. JOINT	ROOTS	RATING
				ADA STAMP	ADA STAMP			
56 CYPRESS DR.	5'	47' 4"	X 6" 240	NO	NO	NO	?	5
00 CYPRESS DR.	5'	14'	X 6" 70	NO	NO	NO	?	4
30 FEDERAL HWY.	5'	5' 8"	X 6" 30	NO	NO	NO	?	5
33 FORESTIA	5'	25' 9"	4" 130	NO	NO	NO	?	5
37 HAWTHORNE DR.	5'	45'	4" 225	NO	NO	NO	YES	4
5 HAWTHORNE DR.	5'	10'	4" 50	NO	NO	NO	YES	4
13 HAWTHORNE DR.	5'	100'	4" 500	NO	NO	NO	YES	4
23 HAWTHORNE DR.	5'	15'	X 6" 75	NO	YES	YES	YES	4
41 HAWTHORNE DR.	5'	25'	4" 125	NO	NO	NO	YES	4
44 GREENBRIAR DR.	5'	24' 8"	4" 125	NO	NO	NO	NO	4
34 GREENBRIAR DR.	5'	10'	4" 50	NO	NO	NO	NO	4
0 LAKESHORE DR.	5'	14' 7"	4" <del>75</del> 75	NO	NO	NO	NO	5
30 PALMETTO RD. "ON JESSIE'S"	5'	17' 6"	4" 90	NO	NO	NO	NO	5
41 LAUREL DR.	5'	4'	4" 20	NO	NO	NO	NO	5
57 FLAGLER BLVD.	5'	4' 6"	4" 25	NO	NO	NO	NO	5

4 = 1/2" - 3/4" lip or elevation drop; multiple cracks; Trip Hazard  
 5 = >3/4" lip; severely crushed; in need of "Immediate Repair"

2 = Narrow crack/shallow spall; potential trip hazard  
 3 = Cracks >1/8" and/or deep spalls; 1/4" - 1/2" lip

# TOWN OF LAKE PARK

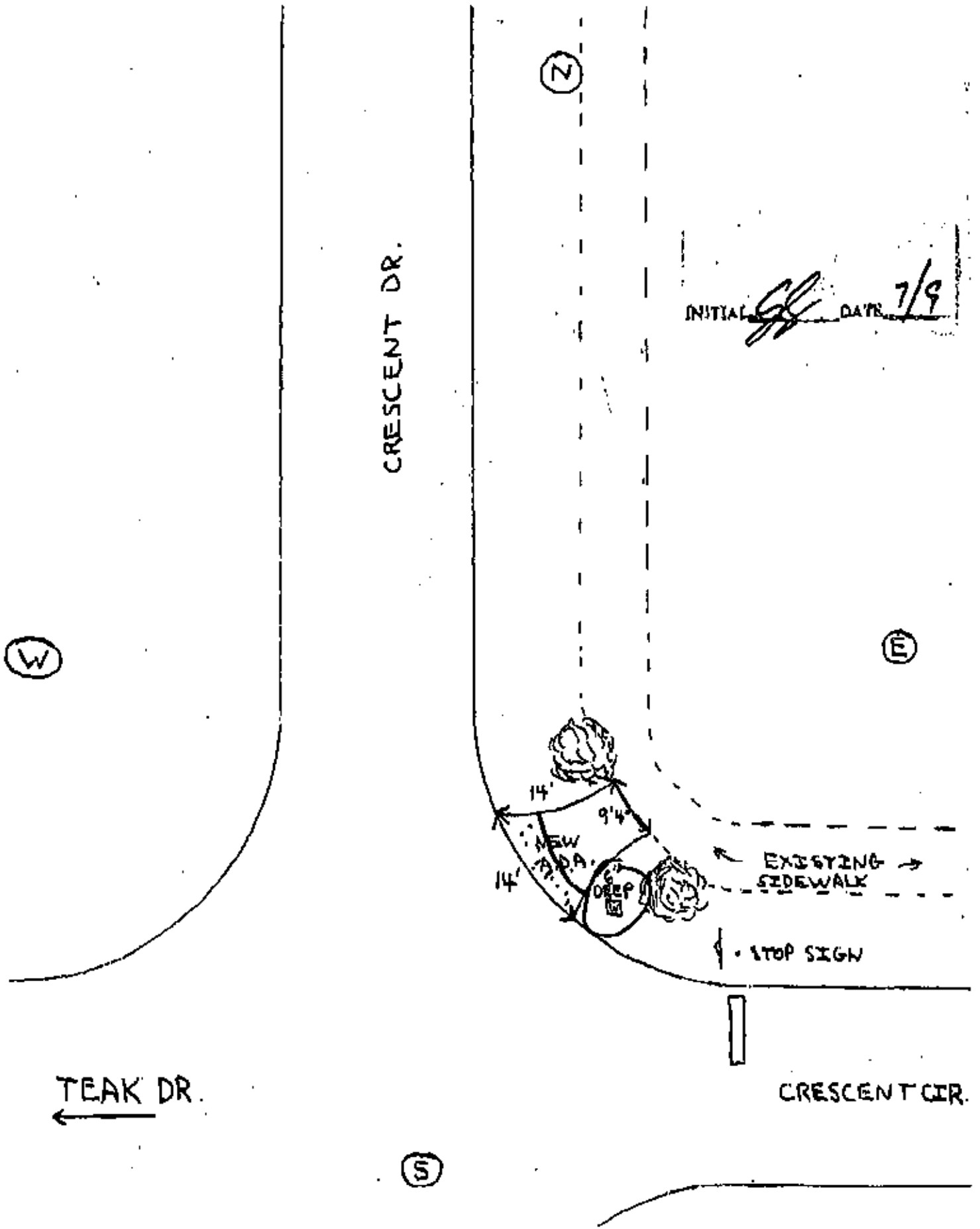
6/9/14

INITIALS *SS* DATE *7/3*

DEWALK PLACEMENT LOCATIONS	WIDTH	LENGTH	THICKNESS	ADA MAT OR ADA STAMP		EXP. JOINT	ROOTS	RATING
				ADA MAT	ADA STAMP			
359 10TH ST. (NORTH SIDE)	5'	90'	X 6" 450	NO	NO	YES	?	5
RESCENT DR. AND REDWOOD DR.	SEE	DIAGRAM	X 6" 182	YES	YES	NO	NO	NEW POUR
RESCENT DR. AND TEAK DR.	SEE	DIAGRAM	X 6" 182	YES	YES	NO	?	NEW POUR
100 OLD DIXIE HWY (N) ON H. KELLEHER DR.	SEE	DIAGRAM	X 6" 155	NO	NO	YES	NO	4
368 McKILLIAN DR.	5'	14'	4" 70	NO	NO	NO	YES	5
{ { {	5'	15' 1"	4" 75	NO	NO	NO	YES	5
{ { {	6'	2' 9"	X 6" 18	NO	NO	NO	?	4
<div style="border: 2px solid black; border-radius: 50%; padding: 10px; display: inline-block;"> <b>TOTAL BID</b>  <b>\$ 21,682.00</b> </div>								
					ADA MAT			2400.00
					4025 @ 6" Thick @ 1.00			= 9875.00
					1578 SF @ 4" Thick @ 6.00			= 9468.00

4 = 1/2"-3/4" lip or elevation drop; multiple cracks; Trip Hazard.  
 5 = >3/4" lip; severely crushed; in need of "immediate repair".

2 = Narrow crack/shallow spall; potential trip hazard  
 3 = Cracks >1/8" w and/or deep spalls; 1/4"-1/2" lip



(N)

INITIAL *JS* DATE *7/5*

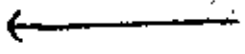
CRESCENT DR.

(W)

(E)



REDWOOD DR.

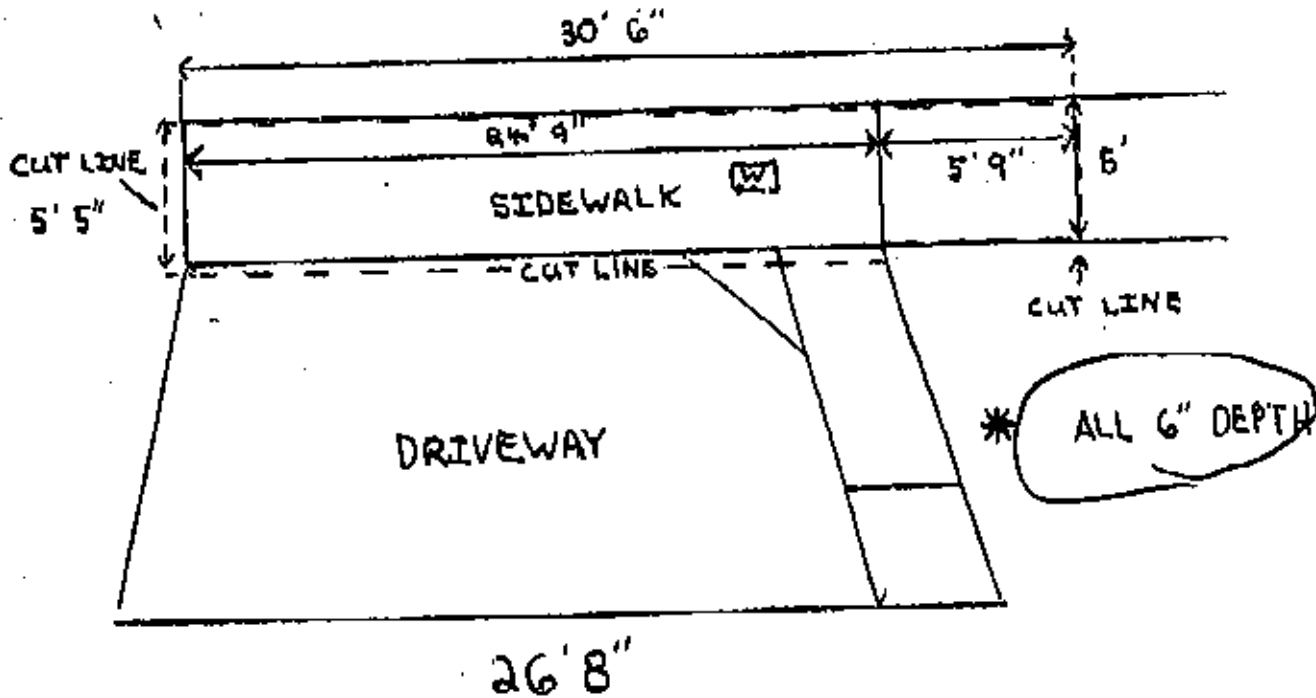


CRESCENT CIRCLE

(S)

BLVD. PAINT (REAR)  
1400 OLD DIXIE HWY.

INITIAL *SL* DATE *7/5*



N. KILLIAN DR.

NOTE (-----) AREA TO CUT, REMOVE AND REPLACE

INITIALS *SS* DATE *7/9*

TOWN OF LAKE PARK  
SCOPE OF WORK  
SIDEWALK REPAIR/REPLACEMENT

Contractor to supply all materials.

Contractor responsible for all underground locates.

All contractors must register with the Town of Lake Park Community Development Department for a permit.

~~Contractor must supply barricades, cones, caution tape and/or any signage to protect work site.~~

Areas to be saw cut by contractor, remove and dispose of all materials.

All A.D.A. areas to meet current code as per Palm Beach County.

Install forms, compact loose soil, remove any tree roots that may cause future damage.

Forms to be inspected by Town of Lake Park before pouring.

All locations to be marked with orange paint by Town of Lake Park.

Contractor to replace any sprinkler parts that are damaged during removal.

All sidewalks/driveways to be hand tooled joints every 3' with light broom finish.

Contractors to supply expansion joint where needed - as per location sheet.

Keep concrete truck on roadway, DO NOT RUT SWALE AREAS.

Clean up all debris after pour.

3,000 PSI concrete.

Back fill after forms removed.

Thickness to be noted on location sheet.

Width to be noted on location sheet.

The Town of  
Lake Park



FAX COVER SHEET

TO: JIM COMPANY PATHWAYS CONST.  
FAX# 561-684-1179 PHONE# 561-478-4822  
FROM: HOWARD BUTTS COMPANY TOWN OF LAKE PARK  
FAX# 561-881-3349 PHONE# 561-881-3345  
RE: SIDEWALK REPLACEMENT CELL - 561-722-9379  
DATE: 7/1/14 TOTAL PAGES INCLUDING COVER 7

JIM;

THIS IS THE REMOVE/REPLACE  
SIDEWALK LIST.

IF YOU WANT TO MEET ME  
TO GO OVER LOCATIONS CALL  
561-722-9379.

AFTER REVIEW INITIAL AND DATE  
TOP OF PAGE AND FAX BACK WITH  
QUOTE.

NOTE; CRESCENT LOCATIONS ARE  
NEW POUR AREAS

Department of Public Works

\*FDOY/DBE CERTIFIED\*  
 \*SBE CERTIFIED PB COUNTY\*  
 \*SBE CERTIFIED WPB\*

# Pathway Enterprises, Inc.

7236 Westport Place \* Suite B \* West Palm Beach \* FL \* 33411  
 561-478-4822 \* 561-684-1179 Fax  
 EMAIL: WEDOCURB31@AOL.COM

\*DRIVEWAYS\* \*MEDIANS\*  
 \*CURBING\* \*SIDEWALKS\*  
 \*BARRIER WALL\* \*TRAFFIC RAIL\*  
 \*WALLS: RETAINING & GRAVITY\*

## CONTRACT/PROPOSAL

SUBMITTED TO: <b>TOWN OF LAKE PARK</b>	ATTN: <b>HOWARD BUTTS</b>	PHONE: <b>561-881-3345</b>	FAX: <b>561-881-3349</b>	DATE: <b>7/15/2014</b>
---	------------------------------	-------------------------------	-----------------------------	---------------------------

CITY, STATE, ZIP CODE	JOB NAME: <b>TOWN OF LAKE PARK SIDEWALK REPAIR/REPLACEMENT</b>
WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR:	LOCATION: <b>R WILSON @ LAKE PARK FLORIDA . 90V</b>

Description	Quantity	Unit	Price	Total
REMOVE & REPLACE CONCRETE SIDEWALKS 4" & 6" THICK **	Approx. 2,900	SF	\$8.00	\$ 23,200.00

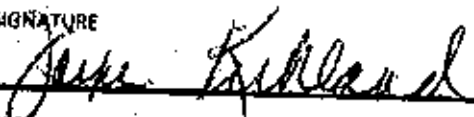
\*\*Price Includes Barricades, Cones,  
Caution Tape & Signage

Prices are valid through 12/31/14

Qualifications: SEE ADDENDUM A

WE PROPOSE IN ACCORDANCE WITH THE ABOVE SPECIFICATIONS FOR THE SUM OF:  
**TO BE BASED ON ACTUAL FIELD MEASUREMENT** DOLLARS **\$23,200.00**  
 BILLED BY THE 30TH TO BE PAID BY THE 20TH OF THE FOLLOWING MONTH.  
**TO BE BASED ON ACTUAL FIELD MEASUREMENT.**

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED. ALL WORK TO BE COMPLETED IN A WORKMANLIKE MANNER ACCORDING TO STANDARD PRACTICES. ANY ALTERATIONS OR DEVIATIONS FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA COSTS WILL BE EXECUTED ONLY UPON WRITTEN ORDERS AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS OR DELAYS BEYOND OUR CONTROL. OWNER TO CARRY FLEET, HIND DAMAGE AND OTHER NECESSARY INSURANCE. OUR WORKERS ARE FULLY COVERED BY WORKMAN'S COMPENSATION INSURANCE.

AUTHORIZED SIGNATURE  


NOTE: THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 30 DAYS

### ACCEPTANCE OF PROPOSAL -

THE ABOVE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE. IN THE EVENT OF NON-PAYMENT, YOU AGREE TO PAY ALL COST OF COLLECTION, ATTORNEY FEES AND COURT COSTS. PAST DUE ACCOUNTS ARE SUBJECT TO A 1.5% SERVICE CHARGE MONTHLY AFTER DUE DATE.

AUTHORIZED SIGNATURE  
 \_\_\_\_\_

DATE OF ACCEPTANCE \_\_\_\_\_



LOCATION	WIDTH (FEET)	LENGTH (FEET)	Total Square Footage	THICKNESS (INCHES)	RATING	CONTRACTORS' QUOTES TO REMOVE AND REPLACE				COST PER SQUARE FOOT		
						Kemper Construction Inc.		Gibson Concrete Inc.			Kemper Construction Inc.	
						3"	6"	4"	6"		4"	6"
356 Cypress Drive	5	47.30	236.50	6	3	\$5.75	\$7.00	\$6.00	\$7.00	\$8,000	\$6,000	
400 Cypress Drive	5	14.00	70.00	6	4		1,655.50		1,655.50			
510 Federal HWY	5	5.60	28.00	6	5		490.00		490.00			
203 Forestarts	5	24.75	123.75	6	5		196.00		196.00			
307 Hawthorne	5	45.00	225.00	4	4		712.50		712.50			
315 Hawthorne	5	10.00	50.00	4	4		1,293.75		1,293.75			
323 Hawthorne	5	100.00	500.00	4	4		287.50		300.00			
323 Hawthorne	5	100.00	500.00	4	4		2,875.00		3,000.00			
323 Hawthorne	5	15.00	75.00	6	4		1,25.00		525.00			
341 Hawthorne	5	25.00	125.00	4	4		718.75		750.00			
244 Greenbird	5	24.60	123.00	4	4		707.25		738.00			
254 Greenbird	5	10.00	50.00	4	4		287.50		300.00			
810 Lashburn	5	14.50	72.50	4	5		416.82		435.00			
600 Palmetto Rd "on Jarvine"	5	17.50	87.50	4	5		503.13		525.00			
743 Laurel Dr	5	4.00	20.00	4	5		115.00		120.00			
1457 Flagler Blvd	5	4.50	22.50	4	5		129.28		135.00			
359 10th St. (North side)	5	90.00	450.00	6	5		3,120.00		3,150.00			
Dorset Dr. and Redwood Dr. (Redwood & Teak; compare bid quote price)	diagram	diagram		6	New		1,600.00		2,400.00			
Creeper Dr. and Teak Dr.	diagram	diagram		6	New							
1000 Old Dixie Hwy (near) on N. Millan Dr	diagram	diagram	167.20	6	4		1,273.90		1,173.90			
1368 N. Millan Drive	5	14.00	70.00	4	5		407.50		420.00			
1368 N. Millan Drive	5	15.00	75.00	4	5		431.25		450.00			
1368 N. Millan Drive	6	2.75	16.50	6	4		115.50		115.50			
UNIT COST TOTALS:												
MISC. COSTS (EXPANSION JOINT, ETC.):												
							8,908.10		8,908.10	2900 Sq. Ft. (contractor estimate)		
							315.00		n/a			
TOTAL:							\$18,209.09		\$18,209.40			\$29,200.00

2 = Narrow crack/shallow spall; potential trip hazard  
 3 = Cracks > 1/8" wide and/or deep spalls; 3/4" - 1/2" lip  
 4 = 1/2" - 3/4" lip or elevation drop; multiple cracks; Trip Hazard  
 5 = > 3/4" lip; severely cracked; in need of "Immediate Repair".

# TAB 7



**Town of Lake Park Town Commission**

**Agenda Request Form**

Meeting Date: August 6, 2014

Agenda Item No. 7

**Agenda Title: Commission Discussion on the Subject of Relaxing Town Codes in Order to be more "Business Friendly".**

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

Approved by Town Manager *DSS* Date: 7/10/14

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

<b>Originating Department:</b>  <b>Commissioner Rapoza</b>	Costs: None Funding Source: Acct. <input type="checkbox"/> Finance _____	<b>Attachments:</b>
<b>Advertised:</b> 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> <b>Please initial one.</b>

**Summary Explanation/Background:**

Commissioner Rapoza has asked that the Commission discuss the topic of modifying the Town Code by eliminating many of the current restrictions on Northlake Boulevard, U.S. 1, and all industrial zoned land which could help to make the Town more "business friendly".

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