



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, August 7, 2013, 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**

1. Presentation of Plaque to Commissioner Kathleen Rapoza by the Palm Beach County Sheriff's Office Tab 1

2. A Presentation by Kristen Solomon, Circuit Director for the Palm Beach County Guardian ad Litem Program Tab 2

**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.

- 3. Commission Budget Meeting Minutes of July 17, 2013 Tab 3
- 4. Regular Commission Meeting Minutes of July 17, 2013 Tab 4
- 5. Resolution No. 16-08-13 To Approve Letter of Agreement for Renewal of Partnership between Children's Home Society and the Town of Lake Park Tab 5
- 6. Approval of Quote for Repairs to Fuel Pump System at Lake Park Harbor Marina Tab 6

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

- 7. Ordinance No. 10-2013 Changing the Board Appointment Process Tab 7

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, DIVISION 1, SECTION 2-112 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, PERTAINING TO THE APPOINTMENT OF MEMBERS TO TOWN BOARDS AND COMMITTEES; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

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

- 8. Ordinance No. 09-2013 An Ordinance Initiated by the Town's Community Development Department Proposing Modifications to Section 54-1 of the Town of Lake Park Code of Ordinances to modify the Address Number/Letter Height Requirement for Residential Buildings from Four to Six Inches in Height and the Address Number/Letter Height Requirement for Non-Residential Buildings from Six to Eight Inches in Height; and the Repeal of Section 70-61 (g) of the Town of Lake Park Code of Ordinances because it duplicates the Requirements of Section 54-1. Tab 8

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-1 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "BUILDINGS AND BUILDING REGULATIONS" TO INCREASE THE HEIGHT OF THE STREET NUMBERS FOR RESIDENTIAL BUILDINGS FROM FOUR INCHES TO SIX INCHES, AND NON-RESIDENTIAL BUILDINGS FROM SIX INCHES TO EIGHT INCHES; PROVIDING FOR THE REPEAL OF CHAPTER 70, ARTICLE III, SECTION 70-61(G), ENTITLED "SIGNS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**H. NEW BUSINESS:**

- 9. Amendment to the Fiscal Year 2012/2013 Budget Allowing the Removal of Debts Owed by the Marina Fund to the General Fund and the Sanitation Fund. Tab 9

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

**J. ADJOURNMENT**

**Next Scheduled Regular Commission Meeting will be held on Wednesday, August 21, 2013**

**Special  
Presentations/  
Reports**

# TAB 1



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** August 7, 2013

**Agenda Item No.** *Tab 1*

**Agenda Title: Presentation of Plaque to Commissioner Kathleen Rapoza by the Palm Beach County Sheriff's Office**

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

**Approved by Town Manager** *[Signature]* **Date:** *7/31/2013*

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

<b>Originating Department:</b>  <p style="text-align: center;"><b>Town Clerk</b></p>	Costs: \$ Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <b>Copy of Plaque</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 <i>sc</i> OR Not applicable in this case ____ <b>Please initial one.</b>

**Summary Explanation/Background:**

Commissioner Kathleen Rapoza has served as a volunteer Citizen on Patrol (COP) member for the Palm Beach County Sheriff's Office District 10 in Lake Park. The District 10 Command Staff will be presenting to Commissioner Rapoza a plaque from the Palm Beach County Sheriff's Office in recognition of and appreciation for her dedicated service.

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



Presented To

*Kathy Rapoza*



In Appreciation & Recognition  
Of Your Dedicated Service to the  
Palm Beach County Sheriff's Office  
& District 10 Lake Park

Sincere Thanks,  
Command Personnel  
& Your Friends at District 10



# TAB 2



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 7, 2013

Agenda Item No. *Tab 2*

Agenda Title: A Presentation By Kristen Solomon, Circuit Director for the Palm Beach County Guardian ad Litem Program

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

Approved by Town Manager *DSS* Date: *7/15/13*

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

<b>Originating Department:</b>  <p style="text-align: center;"><b>Town Manager</b></p>	Costs: \$ <b>0.00</b> Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b>  <p style="text-align: center;"><b>None</b></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><i>DSS</i></u>  <b>Please initial one.</b>

Summary Explanation/Background:

Kristen Solomon, Esq., the Circuit Director for the Palm Beach County Guardian ad Litem Program has asked to make a brief presentation to the Town Commission. The Guardian ad Litem Program is a state agency that is primarily run by volunteer child advocates. The program is set up to represent the best interest of minor children when they enter the dependency system (i.e. they have been abused, abandoned or neglected). The volunteers that participate in the program, along with trained Child Advocacy Coordinators and Child Best Interest Attorneys advocate as a team to achieve permanency, stability, security and normalcy for the children they are assigned to represent.



Ms. Solomon, on behalf of the Guardian ad Litem Program is reaching out to many of the jurisdictions throughout Palm Beach County to help these children as they believe that it takes a "village" to raise our children and by raising awareness about the needs of our children within the community they will be able to achieve their goals. Ms. Solomon has asked for the opportunity to present to the Mayor, Commissioners and the entire Lake Park community an outline of their program and their needs. They are looking for various volunteers within the community to become child advocates and speak up on behalf of a child but they are also looking to forge a network of community resources to fulfill the needs and wishes of their kids. Not everyone may be able to become a volunteer but they might know someone who can be or will be able to support the program with resources (i.e. camp, clothing, musical instruments, etc). Ms. Solomon has suggested that one never knows who one might meet and what they will be able to do in order to help a child and she is hoping that by working with the Town of Lake Park and its citizens we will all be able to make a difference in the lives of many.

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

# **Consent Agenda**

# TAB 3



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** August 7, 2013

**Agenda Item No.** *Tab 3*

**Agenda Title: Commission Budget Meeting Minutes of July 17, 2013**

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

**Approved by Town Manager** *DKR for PSS* **Date:** *7/22/2013*

Shari Canada, CMC, Deputy Town Clerk  
 Name/Title

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

**Summary Explanation/Background:**

**Recommended Motion:** To approve the Commission Budget Meeting Minutes of July 17, 2013.



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Town Commission  
Budget Meeting  
Wednesday, July 17, 2013, 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. DISCUSSION

1. Presentation of the Preliminary Fiscal Year 2013/2014 Budget Tab 1
  - 1a. Commission Discussion of the Presented Preliminary Fiscal Year 2013/2014 Budget
  
2. Commission Action on Proposed Fiscal Year 2013-2014 Annual Budget
  - 2a. Setting the next Budget Workshop Date Tab 2a
  - 2b. Setting the "Current Year Proposed Operating Millage Rate" and Setting the "First Public Budget Hearing" Date, Time, and Place Tab 2b

D. PUBLIC COMMENT

**This time is provided for audience members to address items related to the Fiscal Year 2013/2014 Budget. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.**

**E. ADJOURNMENT**

**Next Scheduled Regular Commission Meeting will be held on Wednesday, August 7, 2013**



**Minutes**  
**Town of Lake Park, Florida**  
**Commission Budget Meeting**  
**Wednesday, July 17, 2013, 6:30 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Commission Budget Meeting on Wednesday, July 17, 2013 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, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Vivian Mendez performed the Roll Call. Mayor DuBois led the pledge of allegiance.

**C. DISCUSSION:**

**1. Presentation of the Preliminary Fiscal Year 2013/2014 Budget**

Town Manager Sugerman presented the Preliminary Fiscal Year 2013/2014 Budget (see attached Exhibit "A").

**1a. Commission Discussion of the Presented Preliminary Fiscal Year 2013/2014 Budget**

Commissioner O'Rourke asked what would it mean if the Commission did not forgive the debt of the Marina Fund to the General and Sanitation Funds.

Town Manager Sugerman explained that if the debt is not forgiven then there would not be approximately \$76,000 available to balance the General Fund.

Commissioner O'Rourke asked if the debt forgiveness was a bookkeeping action.

Town Manager Sugerman stated "yes" it is a bookkeeping action for the \$76,000 to balance the budget, but the letter from the external auditors states that having the debt out there continues to place a "cloud" over all the funds. He provided the example that five (5) to six (6) months ago staff went out to the market to find out if any bank would assist the Town in refinancing existing outstanding debt. Sixteen (16) banks were sent the request. Four (4) responses were received and all four (4) responded that they were not interested. Two (2) of the four (4) respondents provided direct feedback related to the condition of the Town's books and that because of the "cloud" over the Town's books they were not interested.

Vice-Mayor Glas-Castro stated the external auditors recommended the forgiveness of the debt last year and asked why that action was not taken at that time.

Town Manager Sugerman believes that not all the Commissioner at the time understood the issue. He explained that the Marina Fund is an operating fund under the control of the Commission and that if in two (2) years the Marina is profitable the Commission can choose at that time to transfer funds and pay back the debt. He stated that if there is positive cash flow in the Marina Fund it is up to the Commission to determine how that positive cash flow is used.

Vice-Mayor Glas-Castro thanked Town Manager Sugerman for the summary memo. She stated that she is struggling with the good news of the increased property values and that the Marina deficit is more than the increased values. In addition, the increase in the Palm Beach Sheriff's Office contract, the Palm Beach Fire Rescue contract, and insurance costs will create a major deficit unless the millage rate is increased. She stated that presenting the impact on residents of the increased millage rate of \$60 or \$70 for the year will make it easier to sell to the taxpayers with no decrease in the level of service that they receive. She stated that the hard sell is that the Town will have to increase taxes and take from the reserves to balance the budget with nothing tangible being received by the residents other than status quo. She stated that the true asset picture needs to be shared with the residents to support the proposed budget and millage rate. She stated that she is also struggling with the personal changes and the matching pension contribution. She stated that while she wants to reward the employees the \$35,000 for the contribution match could be saved by not having that kind of program. She stated that she does not know if the Commission is far enough along in visioning and consensus building to justify moving the planner from part-time to full-time this year and suggested it might be more beneficial to the Town to have the funds for planning consultants. She stated that she is ok with the change in personnel at the Marina. She stated that she is having trouble with adding the Deputy Town Manager based on Emergency Management needs. She suggested it be combat pay and given only in times of emergency and it is not justified as daily assistance with regular Town business. She stated that she is concerned that there is not any funds in the budget for the maintenance of the garbage trucks and that there is no capital outlay other than for some sidewalks and thinks that the Town is heading in the wrong direction if some money is not put towards maintenance of Town equipment.

Commissioner Flaherty stated that the County Commission is going to approve the Palm Beach County Sheriff (PBSO) and Palm Beach County Fire Rescue (PBCFR) on September 9, 2013. He asked if the Commission could attend the meeting and voice their opinion to put the brakes on the millage rate change for them to prevent the increases in these two (2) contracts from taking all the Town's extra funds in this budget.

Town Manager Sugerman stated "yes", but that the push back the Town will receive is that in the prior two (2) years PBSO has not raised their rates and this will be the first time in three (3) years that they have increased their rates. However, the Commission is more than welcome to lobby the County Commission to see if they will hold the line. He stated that regarding the Palm Beach County Fire Rescue contract there is no holding the line. The Town is charged based on the millage rate set for their service and they have already announced that there will be an increase across the entire County in the Palm Beach County Fire Rescue millage rate. He stated that in reference to the Palm Beach County Sheriff's Office, that lobbying the County Commission would not be successful and that the Commission would have to lobby the Sheriff's Office directly as that



position is a Constitutional Officer and sets their own budget. He advised that he has lobbied the Sheriff's Office and the response he has received is that they have held off for two (2) years and it is time for the Town to receive an increase.

Commissioner Flaherty asked how hard is it going to be to get by on the roll-back millage.

Town Manager Sugerman stated that the Town could get by on the roll back millage but the Commission would have to identify which services to cut.

Commissioner Flaherty stated that he concurs regarding the personnel change at the Marina and that the change could be key to the Marina's success.

Commissioner Rapoza stated that the millage rate increase is partially because the Town does not want to decrease certain services and that the increase in the Palm Beach Sheriff's Office and Palm Beach County Fire Rescue services are below the cost of living rate. She stated that it is reasonable and that the Town could live with that increase. She stated that the accountability of the Marina personnel and safety is job one. But she does feel that the change in personnel staffing will place more pressure on the staff to fill the boat slips. She wants to see the staff at the Marina be extremely aggressive in filling the Marina. She stated that regarding the Deputy Town Manager position and the 5% pay increase, emergencies are not just hurricanes and that the 5% increase to take on these duties is a low figure and fully concurs with the personnel change and that the increase in pay should be during the emergency only.

Commissioner O'Rourke stated that a \$64,000 increase is expected in revenue from increased property values. He stated that it is an important part of the budget that the debt service be paid. He does not agree in increasing the millage rate and he will oppose that increase. He stated that the increase is being asked for four (4) reasons: first the increase in the Sheriff's contract, second being the increase in the Palm Beach County Fire Rescue contract, third the shortfall in revenues at the Marina and fourth because of the increase in insurance costs. He asked if the Town will be putting out bids for insurance.

Town Manager Sugerman stated "yes", it is already underway.

Commissioner O'Rourke asked why as part of the process the Town does not try to hold the line of these items.

Town Manager Sugerman stated that the Town could hold the line in the budget, but reminded the Commission that the budget is a plan. You try to stick to the plan and what has been done in the preliminary budget is to plan for a 12% increase in premiums year over year because that is what the Town's consultants has advised to expect. If the increase comes in less than 12% then the Town would have a little extra cash, but if the increase comes in over 12% then there is not enough money budgeted.

Commissioner O'Rourke stated that Lake Park is already the sixth (6<sup>th</sup>) highest millage rate in the County. He stated that in his opinion that the vision of the Town should require the Commission to look for new sources of revenue. He stated that there is a line item of

\$165,000 for the Recreation Department and asked what the Town has done for \$165,000. He stated that the Summer Camp brought in \$10,000 and expended \$30,000 and he suggested that the things done in the Recreation Department be done with a least an equal balance instead of a negative balance. He asked if the Town has spent \$165,000 on Recreation.

Town Manager stated “yes” and the total expenditure in Recreation is closer to \$185,000 because of salaries for one (1) full-time employee and a handful of part-time employees, and a lot of money is spent on utilities and insurance for the ballfield and parks.

Commissioner O’Rourke stated that the facilities are not being used.

Town Manager Sugerman concurred and stated that it is why he has suggested that the Commission look at alternatives for the Recreation Program in the Town. He stated that he has had conversations with Recreation Director Kathleen Carroll and they are just not getting responsiveness to the program.

Commissioner O’Rourke stated that the reason he brings it up is because it is equal to the amount being discussed to transfer to balance the budget.

Town Manager Sugerman stated that the Town pays for Police and Fire Services directly out of the General Fund and collect Ad Valorem Taxes to pay for those services. He stated that most other communities do not pay for Police and Fire Services on a contract basis and instead have set up special taxing units (MTSU) and it is a separate line item on the tax bill. He provided the example of the Fire millage rate of 3.4581 and suggested that taking the Town’s millage rate and subtract out the 3.4581 mills, when doing that the Town would compare favorably to other municipalities in Palm Beach County. He stated that most other municipalities charge contract Fire services outside their Ad Valorem rate and the same with Sheriff’s office. He stated that when Police and Fire are paid through an MTSU that the payer does not get to deduct that off their income taxes, but when it is in the assessed property tax it is deductible.

Commissioner O’Rourke stated that the residents in his condominium do not want an increase in the millage rate. He stated that he has had discussion with Town Manager Sugerman regarding doing something with the Recreation Program and suggested that maybe this is not the time to do that yet. He stated that a balanced budget needs to be put together and that he is not sure that increasing revenue through taxes is the way to do it. He suggested that the millage remain the same and that throughout the year alternative revenue sources be put together through a program that would increase the property values of the Town. He provided the example of a Palm Beach Gardens Program where they invited people from “Second Level Professionals” such as nurses, teachers, firefighters, and police officers and offered them foreclosed properties at discounted rates through a cooperative program through the realtors. He thinks a similar program would increase the property values within the Town.

Mayor DuBois asked if the budget includes continuing the lobbyist contract with Gomez Barker.

Town Manager Sugerman stated that the current contract expires in February 2014 and that there are funds through the current contract period, but has not included any funds for any future legislative effort.

Mayor DuBois stated that he does not see the lobbyist as a big bill and wants to see it included in the budget. He discussed the need for master planning and capital improvement planning. He discussed the personnel change of changing the planner from part-time to full-time in the Community Development Department. He discussed the hiring of consultants regarding master planning and capital improvement planning. He stated that he anticipates an increase in permit applications for development, maintenance, and improvement.

Town Manager Sugerman concurred that anecdotally he would agree that there will be an increase in permit applications.

Mayor DuBois asked if the increase in permit fees covers the increase in the expenditure for the Planner changing from a part-time to a full-time employee.

Town Manager Sugerman stated that he has not done that analysis and that he would provide that information at the next budget workshop.

Mayor DuBois asked what the roll-back millage rate is.

Town Manager Sugerman stated that the roll-back millage rate is 8.1707 and explained that the concept of a roll-back millage rate is to bring in the same amount of revenue year over year from Ad Valorem taxes as the prior year. He stated that because the assessed value increased the roll-back millage rate is lower than the current millage rate of 8.200 mills.

Mayor DuBois stated that for the past few years the Town had decreasing assessed values and decreasing millage rates. He stated that previous Commissions either kept the same millage rate or reduced the millage rate while the property values of the Town decreased. He stated that it is nice politically to be able to do that and kick the ball down the road because it forces an administration to look for resources it has not been able to find before or make cuts. He stated that the choice is to cut services and previously one of the things cut was the health insurance plan and it shifted some of the cost to the employees. He stated in the past several years staff has been reduced from approximately 75 persons to 55 persons.

Town Manager Sugerman stated that there are 37 full-time staff and a number of part-time staff.

Mayor DuBois explained that fertilization was reduced from four (4) times a year to two (2) times a year and reduced the number of resetting of landscaping and has been a continuing deferred maintenance. He stated that even at 8.9 mills there will be at least another year of deferred maintenance and this is still a very stressed economy.

Vice-Mayor Glas-Castro stated that the parking meters are expected to continue to operate at a deficit and the residents have told her that they do not like the parking meters. She suggested calling the parking meter program a loss and see if the equipment can be sold.

Mayor DuBois asked if the debt related to the parking meters has been paid off.

Town Manager Sugerman stated that the debt related to the parking meters would be paid off at the end of next year. He stated that once the debt service is paid the parking meters would be a net generator of revenue. He stated that a big part of the parking meter program will be focused on the Marina. He stated that the plan at the Marina is to allow free boat launching and to charge for parking and that plan is anticipated to be a net generator of revenue. He stated that if the Commission decides to not continue with the parking meter program, a decision would need to be made regarding activities at the Marina and parking at Kelsey Park.

Commissioner Flaherty asked if the parking at the Marina would be a kiosk or coin operated.

Town Manager Sugerman stated it would be a kiosk.

Commissioner Rapoza asked if there would be an annual permit for parking offered for boaters or residents.

Town Manager Sugerman stated the Commission would make that decision and an annual permit for parking was a suggestion of the Marina Task Force.

Commissioner Rapoza asked what the debt is on the parking meters.

Town Manager Sugerman stated that the debt is approximately \$32,000.

Commissioner Rapoza asked what the expenses are compared to revenue for the parking meters.

Town Manager Sugerman stated that the total expenses are \$75,000 and the revenues are \$63,500 making a difference of \$12,000.

Commissioner Rapoza asked if there are any limitations to the Marina generating the proposed revenue and how will those projections be reached.

Town Manager Sugerman stated that the budget is a plan and the numbers are not etched in stone. He stated that the numbers in the budget are reasonable and reachable.

Commissioner Rapoza asked if there is a plan to increase the revenue at the Marina.

Town Manager Sugerman stated that there is a plan to generate revenue in the parking lot, promotional money is being spent going to boat shows, enhancing the once a month Sunset Celebration, promoting the Marina, which staff is working very hard at.

Commissioner Rapoza asked about the 12% increase in insurance and requested that staff work hard to negotiate a better deal.

Town Manager Sugerman stated that the Town is out in the market place competitively bidding health insurance coverage.

Commissioner Rapoza stated that in regards to the increase in the millage rate, it is a matter of accountability in keeping down costs and increasing other revenues.

Commissioner Flaherty asked about the recycling income and the reduction in that amount since 2010 and reminded everyone to recycle as often as possible.

Town Manager Sugerman stated that the greatest amount of rebate from the Solid Waste Authority is from cardboard not plastic bottles and cans.

Mayor DuBois asked for a profile on non-residential properties.

Town Manager Sugerman stated that it would be more difficult to provide that information and he is not sure that the Town has the database with that information.

Mayor DuBois asked what percentage of Ad Valorem taxes are anticipated to come from non-residential properties.

Finance Director Blake Rane stated that the preliminary information provided by the Palm Beach County Tax Collector does not provide that level of detail and that in a month when the full database is provided that type of analysis can be done.

Commissioner O'Rourke asked about the change in personnel from part-time to full-time at the Marina and if the \$6,000 included the cost for health insurance.

Town Manager Sugerman stated "yes" the amount is the full net cost.

Mayor DuBois discussed the possibility of setting up a Police and Fire Authority and the function would be a Municipal Special Taxing Unit (MTSU) and it would shift the cost of those expenses from Ad Valorem to Non-Ad Valorem and he thinks it provides the taxpayer a direct look at what they are paying for and what they are receiving. He requested that it be looked into by staff over the next year.

Vice-Mayor Glas-Castro asked if it takes legislative action to set up an MTSU.

Town Manager Sugerman stated "yes", it would take local legislative action.

## **2. Commission Action on Proposed Fiscal Year 2013/2014 Annual Budget**

### **2a. Setting the next Budget Workshop Date**

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

**Motion: A motion was made by Commissioner O'Rourke to set the next Budget Workshop Date for Tuesday, August 13, 2013 at 6:30 pm; Vice-Mayor Glas-Castro made the second.**

Vote on Motion:

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

Motion passed 5-0.

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

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

**Motion: A motion was made by Vice-Mayor Glas-Castro to set the current year Proposed Operating Millage Rate at 8.9000 mills and to set the date, time and place for the First Public Budget Hearing for Tuesday, September 10, 2013 at 6:30 pm in the Commission Chambers at Town Hall; Commissioner Rapoza made the second.**

Vice-Mayor Glas-Castro stated that this is the tentative maximum millage rate and after further review of the budget the millage rate may not be this high.

Town Manager Sugerman explained that the Commission is setting the tentative maximum millage rate and that the final millage rate will be set at the Final Budget Hearing scheduled for September 25, 2013.

Vice-Mayor Glas-Castro stated that this is the highest millage rate and the Commission can always go down but not higher, so it is better to set it high and come down.

Mayor DuBois clarified that the Commission could go higher but the process to do so is very complicated and most municipalities will not undertake the effort.

Town Manager Sugerman stated that the mailing cost alone would be cost prohibitive and that is why it is better to start high and go lower.

Vote on Motion:

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

Motion passed 4-1.

**PUBLIC COMMENT:**

*Sue Duchene, 134 Park Avenue*, asked if the proposed budget includes privatizing the library and/or recreation services.

Mayor DuBois stated that he has not seen a proposal to privatize the library or recreation.

Town Manager Sugerman stated that the current budget does not include either of those actions but that if the Commission want to change around the operations there are alternatives and that he mentioned including privatizing those operations for purposes of discussion.

Ms. Duchene suggested taking the privatization of the library and recreation off the table for discussion. She stated that the Town needs strong Library and Recreation Departments.

*Representative Bobby Powell*, stated that the budget is one of the toughest things that elected officials do. He suggested that the Town provide additional projects to be funded through the State for the next State Fiscal Year. He discussed the actions of the legislature during the 2012 season.

Mayor DuBois stated that there are Master Planning and other projects coming up in the Town and invited Representative Powell to be a part of the discussions.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner O'Rourke and seconded by Commissioner Rapoza, and by unanimous vote, the meeting adjourned at 8:26 p.m.

---

Mayor James DuBois

---

Deputy Town Clerk, Shari Canada, CMC

---

Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2013



Exhibit "A"  
7/17/2013

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 Wednesday of last week we sent to the Town Commission and published on the Town's web site an outline of the tentative fiscal year 2013-2014 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 2013-2014 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 continued to decrease for the fourth year in a row. Last year's valuation decrease over the prior year was a negative 3.55%. This was a continuing trend going all the way back to 2009. From 2009 through 2012, the Town's assessed value plummeted by more than 35%; losing close to \$2,400,000 in annual property tax receipts available for use in the General Fund. Going into the new budget

year we seem to have a bit of encouraging news. We have been advised by the Property Appraiser's Office that the estimated value of property in the Town of Lake Park has actually increased slightly year-over-year.

For the next fiscal year, it is estimated (as of June 1, 2013) that the total taxable value of all property in the Town of Lake Park will increase by just over \$12,300,000.00 in taxable value. For the first time in 5 years we can report that our taxable values will actually increase by 2.89% over the prior year. At the current millage rate of 8.5 mils, this increase in value would result in \$64,110.00 of additional revenue to the General Fund. While nowhere near the additional \$2.4 million dollars we used to receive in ad valorem taxes just 5 years ago, it appears that the housing market has finally reached a bottom in the Town of Lake Park and that future assessed values may begin to rise.

I am pleased to report to you that, unlike last year at this time, this preliminary budget is being presented to the Town Commission with all funds being balanced. That does not, however, mean that the picture is completely rosy. The effort to balance all of the funds has not come without some difficult decisions. Let's start with the most difficult fund of all: the Marina Fund. It was quite easy to balance the Marina Fund during the current budget year due to the infusion of \$880,000.00 of cash from the settlement proceeds of the Marina lawsuit. Not only was it easy to balance the Marina Fund this year, but the Marina Fund also helped cover some of the expenses of the General Fund during the current fiscal year. The Marina Fund actually transferred more than \$110,000.00 to the General Fund this year to help balance that fund.

For the upcoming 2013-2014 budget year, there will be no one-time infusion of new cash to help balance the Marina Fund. Therefore, in the Marina Fund, after all of the revenues and expenses have been projected we find that the anticipated expenses exceed the anticipated revenues by \$68,788.00 and therefore, in order to present a balanced budget, the Marina Fund will need to rely on the General Fund to make up that difference. This budget proposal includes a transfer of \$68,788.00 from the General Fund to the Marina Fund. This is due to the fact that the Marina operation is still not profitable. As was shared with the Commission in my June Monthly Update report it looks as though the Marina operation is headed in the right direction. That is,

occupancy rates are trending upward and revenues continue to increase. However, it will be at least another year before revenues get close to outpacing expenses. Rather than having the Marina Fund support the General Fund (as it has done this past year with the infusion of a portion of the lawsuit settlement proceeds), the General Fund will once again have to support the Marina Fund. However, within this proposed budget, and with the transfer of \$68,788.00 from the General Fund, the Marina Fund will be in balance.

The General Fund is the next fund which has not been easy to balance. But it has been balanced with two specific assumptions made on my part. First is the assumption that the Town Commission will take an action during the current fiscal year (2012-2013) to forgive the debt owed by the Marina Fund both to the General Fund and the Sanitation Fund. The second assumption on my part is that the Town Commission will approve a General Fund millage rate of 8.90 mils (compared to the current rate of 8.50 mils). Allow me an opportunity to provide you with some details surrounding both of these assumptions that I have made.

The Marina Fund owes the General Fund \$2,480,000.00 and it owes the Sanitation Fund \$400,000.00. These amounts, for the most part, were the funds that were used to cover the costs for bringing the lawsuit against the various contractors who undertook the most recent construction at the Marina. It is unlikely that the Marina Fund will be able to pay these obligations back any time soon. It will only be able to do so once the Marina operation becomes profitable. In the meantime, because that debt is outstanding (Marina to General Fund and Marina to Sanitation Fund), the external auditors have continued to report that the outstanding debt of the Marina Fund and its relationship to the General Fund have put a cloud over both funds, and although the law has recently changed, keeping that outstanding debt on the books could potentially put the Town in a State of Financial Emergency according to section 218.503(1)(e), Florida Statutes. In addition, because of this outstanding debt, the General Fund cannot report most of its cash balance as being available as an "unrestricted" reserve (but for \$20,643.00 identified in the most recent CAFR). Instead, virtually all available cash in the General Fund's "rainy day" account is reported as being "restricted" as it needs to be available to cover the obligation (outstanding debt) of the Marina Fund to the General Fund.

Last year at this time, it was recommended that the Town Commission take an action to forgive the debt of the Marina Fund to both the General Fund and to the Sanitation Fund. According to the external auditor, doing so would help the financial picture of the Marina Fund, the General Fund, and the Sanitation Fund. It would eliminate the audit comment of the Town potentially being in a Condition of Financial Emergency and it would also free up “restricted” reserves in the General Fund which could be used to balance any shortfall in revenues compared to expenses. Once again, the external auditor has made the same recommendation, and a copy of their July 3, 2013 letter outlining their recommendation about the advisability of the Town Commission approving a forgiveness of debt by the General Fund and the Sanitation Fund to the Marina Fund can be found in your budget book as well as in the on-line version of the budget document. I concur with the external auditor and recommend that the Town Commission take an action to authorize the forgiveness of this debt. To that end, the August 7<sup>th</sup> Town Commission meeting will have an agenda item entitled *Budget adjustments allowing the removal of debts owed by the Marina Fund to the General Fund and the Sanitation Fund*. With the presentation of the proposed budget, I am making an assumption that the Town Commission will approve the forgiveness of debt owed by the Marina Fund to the General Fund and to the Sanitation Fund at the August 7<sup>th</sup> Commission meeting, such that we will have a much cleaner balance sheet going into the proposed budget year. Of course, the Commission can choose to allow the forgiveness, or it can choose not to allow the forgiveness. But if the debt forgiveness is approved, the General Fund can use some of its unrestricted reserves to balance the various operating funds that need help this next fiscal year.

Even if the debt forgiveness is approved by the Town Commission, we will still need to transfer in \$70,648.00 from unrestricted reserves to bring the 2013-2014 General Fund budget into balance. And once the funds from unrestricted reserves are brought into the General Fund in order to put it into balance, it will be done so with just a very small contingency line item of \$25,000.00. It is the contingency line item which has funds appropriated for the entire year without having a particular expense tied to it. That is, if something unexpected comes up during the year which was not thought about within the context of the proposed budget, we will only have an additional \$25,000.00 throughout the entire year to draw upon.

But the balancing act for the General Fund does not stop there. I have also made an assumption, and it is my recommendation that for the 2013-2014 fiscal year the Town Commission will adopt a General Fund millage rate of 8.90 mills (compared to the current 8.50 mills). Adjusting the millage rate to 8.90 mills will raise an additional \$159,084.00 for the General Fund and that new revenue will also be used to balance the budget as presented. This \$159,084.00 in proposed new revenue will be in addition to the \$70,648.00 which needs to be taken from unrestricted reserves (assuming the forgiveness of the Marina Debt) in order to balance the General Fund.

While no one likes to have their millage rate increased, there are four (4) very clear-cut reasons why the millage rate is being recommended to be set at 8.90 mills.

The first reason for the need to raise an additional \$159,084.00 in ad valorem revenue (with a millage rate of 8.90 mills) is because the annual cost for engaging the Palm Beach County Sheriff's office will increase by \$51,574.00 over the prior year. Included as an exhibit to the budget document is a letter from PBSO advising us that their charge to us for police services next fiscal year will be increased by 2% over the current year.

The second reason for the need to raise the additional ad valorem revenue is because the annual cost for engaging Palm Beach County Fire Rescue will increase by \$59,529.00 over the prior year. Included as an exhibit to the budget document is a letter from PBC/FR advising us that their charge to us for fire/rescue services next fiscal year will be increased by 2.3% over the current year.

The third reason for the need to raise the additional ad valorem revenue is because of the previously mentioned \$68,788.00 shortfall in revenues over expenditures at the Marina. This will need to be a contribution from the General Fund to the Marina Fund to ensure that their budget is balanced.

Finally, it is anticipated that the Town's insurance costs will be going up fairly significantly, with employee health insurance costs increasing by approximately \$27,230.00 over

the prior year and property/casualty insurance costs increasing approximately \$16,450.00 year-over year.

Just these four items alone account for an additional expense of approximately \$223,500.00 in the General Fund over the prior year and that is why it is my recommendation to adjust the ad valorem millage rate from 8.50 mils to 8.90 mils. Obviously, raising the millage rate to 8.90 mils (which adds \$159,084.00 in new General Fund revenue) does not even cover the increased cost of the four items that I have just outlined. So any additional expenses over and above the \$159,084.00 of new revenues from a millage rate of 8.90 mils are covered by a combination of further cuts in operating expenses in other departments and transferring funds from the General Fund fund balance.

If the Town Commission were to accept my recommendation for setting the ad valorem millage rate at 8.90 mils, one might ask how will that affect the average Lake Park resident. Contained in your budget book is a chart which shows the impact of my recommendation on Lake Park residents. I thought it important to show that chart here this evening as well.

[show the chart]

Allow me to drill down just a little bit more, spending some time talking about one of our greatest assets here at the Town of Lake Park; our employees. This next year will, hopefully, be a watershed year compared to the last four years of our annual budget process. Over those last four years a number of decisions had to be made that impacted all of our employees. First, the Town has not given any pay raises nor a cost of living adjustment during the last four years. Second, during the prior two fiscal years (2009-2010 and 2010-2011), employees had to take furlough days (a practice which was eliminated during the current budget year). Also, during the current budget year, there was the elimination of three full time positions and a series of layoffs (and bumping) occurring in the Public Works Department. Lastly, the Town has not made a matching pension contribution for any of our employees over the last three years.

This recommended budget does not offer any salary increases nor does it offer cost of living adjustments for our employees. On the other hand, it does not recommend any furlough days nor any further layoffs as was done over the past two years. It does, however, include enough funds to reinstate a 2.5% match to employee voluntary pension contributions. That is, if an employee makes a voluntary payroll contribution into their 457 deferred contribution pension fund account, the Town will match that contribution up to 2.5%. The cost of doing so would be approximately \$21,997.00 to the General Fund and approximately \$13,667.00 to the Enterprise Funds.

The recommended budget also has three personnel changes which are recommended as improvements to our operations. First, it is recommended that the part-time Planner in the Community Development Department be moved into a full-time position. This is a result of the desire of the Town Commission to have the staff do more planning (master planning in the Western and Eastern corridors, as well as roadway and transportation planning throughout the community). The Planner is currently working 30 hours per week and this recommended change will put her at 40 hours per week. The total cost to the General Fund for moving the Planner from part-time to full-time is \$20,275.00.

The recommended budget also includes moving a part-time dock attendant to full-time (and eliminating one of the current part-time positions). This is a result of our desire to have better coverage at the Marina (three full-time employees and two part-time employees as opposed to two full-time employees and three part-time employees). Moving one of our part-time employees to full time will give us an opportunity to concentrate more on promotional programs for bringing folks down to the Marina, event planning, marketing, and safety inspections. Since this personnel change adds just a few hours to one existing part-time employee (making him a full-time employee) and eliminates another part-time employee, the net cost to the Marina Fund operations is just \$6,602.00.

The final change to the budget is an administrative change with an assignment to an existing position. At present, there is not a second-in-command formally designated behind the Town Manager. This is a critical issue, especially as it relates to emergency preparedness and our

response to any emergency which may occur in Town. Should the Town Manager (who is the Incident Commander) not be available during any emergency event, it is important to have someone designated, in advance, to step right in and take responsibility for the overall response. To that end, I am asking the Town Commission to modify the duties and responsibilities of the Town Clerk to also serve in the role of Deputy Town Manager. This does not create a new position within the organizational structure, but rather assigns the additional duties of Deputy Town Manager to the Town Clerk. This is an assignment which is compensated with an additional 5% in pay. In this case, that would equate to an annual expense of \$2,875.00.

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. However, since funds will be extremely tight next year, just four initiatives are actually being funded in the recommended budget.

The four initiatives include the previously outlined personnel changes (part-time to full-time planner, part-time to full-time dock attendant, and title change/assignment for the Town Clerk). The only other funded initiative is a replacement program for the 7 year old computers in all of the offices of Town Hall. An allocation of \$20,000.00 has been put into the Information Technology Department budget to replace 20 desktop computers. The budget document also includes an outline of all of the initiatives requested by the departments, but left unfunded in the recommended budget due to the lack of extra funds.

There are a number of areas where we could modify programming and/or reduce costs in the General Fund. This includes a reformatting or possible elimination of our recreation program, contracting out Library Services instead of supporting it as a General Fund operating department, and also setting up a more equitable "allowance" program for the payment of employee health insurance. While I won't take any time to discuss those options in any detail this evening, those are all ideas which the Town Commission might want to explore if it is your desire to reduce operating expenditures even further.



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.

The Streets & Roads Fund, the Stormwater Fund, and the Sanitation Fund are three stand-alone funds which have their own funding source and their own separate expenses. Each of these funds will remain relatively unchanged during the upcoming fiscal year. That is, there are no new initiatives, nor any modifications to staffing and it is my recommendation that rates remain the same year-over-year. That being said, there are two expenses within the Sanitation Fund which need to be brought to the attention of the Town Commission.

First, in order to balance the Sanitation Fund, we have reduced the amount of “contribution” from the Sanitation Fund to the General Fund by \$50,000.00 over the prior year. Second, in an effort to further balance the Sanitation Fund, and in an effort to not raise sanitation rates, we have reduced the Administrative Fee charged by the General Fund to the Sanitation Fund by \$28,135.00. Both of these reductions in costs to the Sanitation Fund were done in an effort to provide better clarity (truer cost accounting) and transparency for operating the Sanitation Fund; but together, these two modifications in Sanitation Fund expenses have further reduced income to the General Fund by \$78,135.00.

Finally, there are no capital improvements planned in any of these three funds during the upcoming budget year. The Town Commission may want to begin to think about future capital improvement projects within each of these distinct funds. The Commission may want to see major road repairs made, increased stormwater control throughout the Town, and will clearly need to consider the idea of beginning to replace an aging fleet of sanitation vehicles. All of these funds are supported by user taxes and user fees. Therefore, in order to do any capital improvements, an enhanced source of funding will have to be identified in upcoming years.

#### The Marina Fund

For the most part, I have already covered what we intend to do with the Marina Fund. As previously mentioned, revenues are not strong enough to cover expenses; however the trend is

encouraging and it is anticipated that in succeeding budget years the Marina will finally be able to stand on its own.

#### The Community Redevelopment Agency

During this next budget year, the Community Redevelopment Agency is being funded nearly the same as it was funded during the current fiscal year. That is, there are minimal staff expenses being assigned to the CRA budget (except that 15% of the Administrative Assistant to the Town Manager is being charged as an expense to the CRA). Most of the expenses associated with the CRA budget are to cover insurance, maintenance, utilities, and contract landscaping services. The CRA budget will be presented to the Town Commission and the CRA Board as a separate and distinct budget.

Finally, the Town Commission no doubt knows that the Town has a considerable Debt Service burden. With the proposed budget, as it is being presented herein, all debt service payments will be made in full and made on a timely basis.

So, in summary:

As best we can, with the presentation of the proposed 2013-2014 annual operating budget we have done our best to present to you a balanced budget. It has not been easy doing so; but all of the funds are in balance. In order to do that, I had to make two assumptions in particular. First, that the Town Commission would take an action to forgive the debt of the Marina Fund. Also, I have assumed that you will support an ad valorem millage rate of 8.90 mils. Further, we have gone over each line item in each departmental budget, and we have reduced anticipated expenses either by deferring some maintenance on equipment and infrastructure for the next year or we have taken an outright reduction in expenditures. For example, I have reduced the request for purchase of library materials made by the Library Director by \$10,000.00. While deferring maintenance on equipment and infrastructure is never a healthy thing, part of this next budget year will be to assess just how much maintenance deferral we have chosen to take over the past

few years. I plan to report that information out to the Commission during this next year so that we do not lose track of just how far we have possibly fallen behind on this issue.

We still have quite a bit of work to do 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 and Lourdes Cariseo of the Finance Department, 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.



Exhibit "B"  
7/17/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 17, 2013

Agenda Item No. *Tab 2a*

**Agenda Title:** Setting the Date for the Next Budget Workshop

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

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *[Signature]* Date: 7/2/13

Blake K. Rane Finance Director *BKR*  
Name/Title

<b>Originating Department:</b>  <p style="text-align: center;"><b>FINANCE</b></p>	Costs: \$ -0- Funding Source: Acct. # <input checked="" type="checkbox"/> Finance ___BKR_____	<b>Attachments:</b>  2013/14 Budget Calendar, With proposed Commission Dates
<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 ___BKR___  <b>Please initial one.</b>

**Summary Explanation/Background:**

Tonight we have begun the public discussions of the Town of Lake Park Fiscal Year 2013/14 Budget. This item anticipates that the Commission will desire a second, in-depth, discussion of all the individual departments and of each individual fund. It has been proposed by staff that the workshop could be scheduled for August 13, 2013 at 6:30 pm.

**Recommended Motion:**

I move that we schedule a Budget Work Shop for Tuesday August 13 at 6:30 pm.

## **Town of Lake Park**

### **2013/14 Budget Calendar With proposed Commission Dates**

<b><u>Dates</u></b>	<b><u>Required Budget Action</u></b>
April 30	Budget worksheets and instructions communicated to all departments
May 15	Property Appraiser provides estimated preliminary taxable base for next budget year per FS 200.065
May 15	Budgets due back to Finance for review
June 1	Estimate of Taxable Value received from Property Appraiser
June 14	Completion of budget (revenue and expense) projections.
June 17-28	Budget are presented to the Town Manager who with the Finance Director analyzes the information and prioritizes
July 1	Property Appraiser submits Certificate of Taxable Value (DR420)
July 1-5	Final budgets are reviewed with Department Directors
July 12	Town Commission receives preliminary budgets in general and a discussion of the tentative millage rate and other necessary fee or rate adjustments
July 17	Town Commission holds a Budget Workshop to review the budget and at the Town Commission Meeting sets the proposed millage rate, any other fee or rate adjustments, and sets the date, time and place of the first public hearing (September 10)
August 1	Proposed millage rate & calculation of rolled back rate and date for first public hearing on budget due to Property Appraiser (within 35 days of receipt of taxable value)
August 13	Town Commission holds a second Budget Workshop to hear public comment, review the Fund Budgets, and discuss Town Initiatives
September 10	First Public Hearing on budget at 6:30 in the Town Commission Chambers; adoption of a tentative millage rate and proposed operating budget
September 19-21	Run TRIM budget ad in newspaper
September 25	Final public hearing on budget; adoption of millage rate and 2013/14 budget



Exhibit "C"  
7/17/2013

**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** July 17, 2013

**Agenda Item No.** Tab 2b

**Agenda Title:** Setting the Current Year Proposed Operating Millage Rate, and Setting the Date, Time, and Location for the First Public Budget Hearing

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

**Approved by Town Manager** \_\_\_\_\_ *[Signature]* **Date:** 7/2/13

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

<b>Originating Department:</b>  <p style="text-align: center;"><b>FINANCE</b></p>	Costs: \$ -0- Funding Source: Acct. # <input checked="" type="checkbox"/> Finance ___ BKR _____	<b>Attachments:</b>  Certification of Taxable Value – DR-420
<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 ___ BKR ___ <b>Please initial one.</b>

**Summary Explanation/Background:**

Florida Statute requires each municipality to establish a "Current Year Proposed Operating Millage Rate". This millage rate is the highest rate that could be enacted at the budget hearings without the municipality having to send a separate mailing to each resident. Florida Statute also requires each municipality to set by motion the date, time and place of the first public budget hearing.

**Recommended Motion:**

I move that we set the current year proposed millage rate at 8.9000 mills, and that we set the date, time and place for the first public budget hearing for September 10, 2013, at 6:30 pm, here in the Town Commission Chambers.



# CERTIFICATION OF TAXABLE VALUE

Reset Form

Print Form

DR-420  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year: 2013	County: PALM BEACH
Principal Authority: Lake Park	Taxing Authority: Lake Park

## SECTION I: COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	413,287,398	(1)
2.	Current year taxable value of personal property for operating purposes	\$	34,170,809	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	910,799	(3)
4.	Current year gross taxable value for operating purposes (Line 1 plus Line 2 plus Line 3)	\$	448,369,006	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	459,082	(5)
6.	Current year adjusted taxable value (Line 4 minus Line 5)	\$	447,909,924	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	430,557,630	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Number 1 (8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, Certification of Voted Debt Millage forms attached. If none, enter 0	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Number 1 (9)

<b>Property Appraiser Certification</b>	I certify the taxable values above are correct to the best of my knowledge.		
<b>SIGN HERE</b>	Signature of Property Appraiser :	Date :	
	Electronically Certified by Property Appraiser	6/27/2013 8:20 AM	

## SECTION II: COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.

10.	Prior year operating millage levy (If prior year millage was adjusted then use adjusted millage from Form DR-422)	8.5000	per \$1,000	(10)
11.	Prior year ad valorem proceeds (Line 7 multiplied by Line 10, divided by 1,000)	\$	3,659,740	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value (Sum of either Lines 6c or Line 7a for all DR-420TIF forms)	\$	0	(12)
13.	Adjusted prior year ad valorem proceeds (Line 11 minus Line 12)	\$	3,659,740	(13)
14.	Dedicated increment value, if any (Sum of either Line 6b or Line 7e for all DR-420TIF forms)	\$	0	(14)
15.	Adjusted current year taxable value (Line 6 minus Line 14)	\$	447,909,924	(15)
16.	Current year rolled-back rate (Line 13 divided by Line 15, multiplied by 1,000)		8.1707 per \$1000	(16)
17.	Current year proposed operating millage rate		8.9000 per \$1000	(17)
18.	Total taxes to be levied at proposed millage rate (Line 17 multiplied by Line 4, divided by 1,000)	\$	3,990,484	(18)

19.	TYPE of principal authority (check one)	<input type="checkbox"/> County	<input type="checkbox"/> Independent Special District	(19)
		<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Water Management District	
20.	Applicable taxing authority (check one)	<input checked="" type="checkbox"/> Principal Authority	<input type="checkbox"/> Dependent Special District	(20)
		<input type="checkbox"/> MSTU	<input type="checkbox"/> Water Management District Basin	
21.	Is millage levied in more than one county? (check one)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(21)

**DEPENDENT SPECIAL DISTRICTS AND MSTUS**  **STOP HERE SIGN AND SUBMIT**

22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. (The sum of Line 13 from all DR-420 forms)	\$	3,659,740	(22)
23.	Current year aggregate rolled-back rate (Line 22 divided by Line 15, multiplied by 1,000)		8.1707 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes (Line 4 multiplied by Line 23, divided by 1,000)	\$	3,663,489	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. (The sum of Line 18 from all DR-420 forms)	\$	3,990,484	(25)
26.	Current year proposed aggregate millage rate (Line 25 divided by Line 4, multiplied by 1,000)		8.9000 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate (Line 26 divided by Line 23, <u>minus 1</u> , multiplied by 100)		8.93 %	(27)

<b>First public budget hearing</b>	Date :	Time :	Place :
------------------------------------	--------	--------	---------

<b>S I G N H E R E</b>	<b>Taxing Authority Certification</b>	I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.	
	Signature of Chief Administrative Officer :		Date :
	Title :	Contact Name and Contact Title :	
	DALE S. SUGERMAN, Ph.D., TOWN MANAGER	BLAKE K RANE, FINANCE DIRECTOR	
	Mailing Address :	Physical Address :	
535 PARK AVENUE	535 PARK AVENUE		
City, State, Zip :	Phone Number :	Fax Number :	
LAKE PARK, FLORIDA 33403	561-881-3350	561-881-3358	



**CERTIFICATION OF TAXABLE VALUE  
INSTRUCTIONS**

"Principal Authority" is a county, municipality, or independent special district (including water management districts).

"Taxing Authority" is the entity levying the millage. This includes the principal authority, any special district dependent to the principal authority, any county municipal service taxing unit (MSTU), and water management district basins.

Each taxing authority must submit to their property appraiser a DR-420 and the following forms, as applicable:

- DR-420TIF, Tax Increment Adjustment Worksheet
- DR-420DEBT, Certification of Voted Debt Millage
- DR-420MM-P, Maximum Millage Levy Calculation - Preliminary Disclosure

**Section I: Property Appraiser**

Use this DR-420 form for all taxing authorities except school districts. Complete Section I, Lines 1 through 9, for each county, municipality, independent special district, dependent special district, MSTU, and multicounty taxing authority. Enter only taxable values that apply to the taxing authority indicated. Use a separate form for the principal authority and each dependent district, MSTU and water management district basin.

**Line 8**

Complete a DR-420TIF for each taxing authority making payments to a redevelopment trust fund under Section 163.387 (2)(a), Florida Statutes or by an ordinance, resolution or agreement to fund a project or to finance essential infrastructure.

Check "Yes" if the taxing authority makes payments to a redevelopment trust fund. Enter the number of DR-420TIF forms attached for the taxing authority on Line 8. Enter 0 if none.

**Line 9**

Complete a DR-420DEBT for each taxing authority levying either a voted debt service millage (s. 12, Article VII, State Constitution) or a levy voted for two years or less (s. 9(b), Article VII, State Constitution).

Check "Yes" if the taxing authority levies either a voted debt service millage or a levy voted for 2 years or less (s. 9(b), Article VII, State Constitution). These levies do not include levies approved by a voter referendum not required by the State Constitution. Complete and attach DR-420DEBT. Do not complete a separate DR-420 for these levies.

Send a copy to each taxing authority and keep a copy. When the taxing authority returns the DR-420 and the accompanying forms, immediately send the original to:

Florida Department of Revenue  
Property Tax Oversight - TRIM Section  
P. O. Box 3000  
Tallahassee, Florida 32315-3000

**Section II: Taxing Authority**

Complete Section II. Keep one copy, return the original and one copy to your property appraiser with the applicable DR-420TIF, DR-420DEBT, and DR-420MM-P within 35 days of certification. Send one copy to the tax collector. "Dependent special district" (ss. 200.001(8)(d) and 189.403(2), F.S.) means a special district that meets at least one of the following criteria:

- The membership of its governing body is identical to that of the governing body of a single county or a single municipality.
- All members of its governing body are appointed by the governing body of a single county or a single municipality.
- During their unexpired terms, members of the special district's governing body are subject to removal at will by the governing body of a single county or a single municipality.
- The district has a budget that requires approval through an affirmative vote or can be vetoed by the governing body of a single county or a single municipality.

"Independent special district" (ss. 200.001(8)(e) and 189.403(3), F.S.) means a special district that is not a dependent special district as defined above. A district that includes more than one county is an independent special district unless the district lies wholly within the boundaries of a single municipality.

"Non-voted millage" is any millage not defined as a "voted millage" in s. 200.001(8)(f), F.S.

**Lines 12 and 14**

Adjust the calculation of the rolled-back rate for tax increment values and payment amounts. See the instructions for DR-420TIF. On Lines 12 and 14, carry forward values from the DR-420TIF forms.

**Line 24**

Include only those levies derived from millage rates.

# TAB 4



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date: August 7, 2013**

**Agenda Item No.** *Tab 4*

**Agenda Title: Regular Commission Meeting Minutes of July 17, 2013**

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

**Approved by Town Manager** *BKR for DSS* **Date:** *7/22/13*  
 Shari Canada, CMC, Deputy Town Clerk  
 Name/Title

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

**Summary Explanation/Background:**

**Recommended Motion:** To approve the Regular Commission Meeting Minutes of July 17, 2013.



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, July 17, 2013,  
Immediately Following the  
Budget Meeting  
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. Commission Workshop Minutes of June 26, 2013 Tab 1
- 2. Regular Commission Meeting Minutes of July 3, 2013 Tab 2
- 3. Palm Beach County Criminal Justice Commission Fiscal Year 2014 Allocation of Justice Assistance Grant Funds in the Amount of \$342,929 Tab 3

**F. OLD BUSINESS:  
None**

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

**4. Ordinance No. 09-2013 An Ordinance Initiated by the Town's Community Development Department Proposing Modifications to Section 54-1 of the Town of Lake Park Code of Ordinances to modify the Address Number/Letter Height Requirement for Residential Buildings from Four to Six Inches in Height and the Address Number/Letter Height Requirement for Non-Residential Buildings from Six to Eight Inches in Height; and the Repeal of Section 70-61 (g) of the Town of Lake Park Code of Ordinances because it duplicates the Requirements of Section 54-1**

Tab 4

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-1 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "BUILDINGS AND BUILDING REGULATIONS" TO INCREASE THE HEIGHT OF THE STREET NUMBERS FOR RESIDENTIAL BUILDINGS FROM FOUR INCHES TO SIX INCHES, AND NON-RESIDENTIAL BUILDINGS FROM SIX INCHES TO EIGHT INCHES; PROVIDING FOR THE REPEAL OF CHAPTER 70, ARTICLE III, SECTION 70-61(G), ENTITLED "SIGNS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**5. Ordinance No. 08-2013 Text Amendment to Section 78-71 to include "Animal Day Care Establishment", "Animal Grooming Establishment", "Animal Indoor Training Center", and "Pet Shop" use as a Permitted Use within the C-1 Business District, as well as creating a "Special Exception" subsection to the C-1 Business District to include some existing C-1 Permitted Uses and the new "Animal Service Establishment" use as a Special Exception Use. Modification to Section 78-2 to include definitions for the various uses being amended in the C-1 Business District.**

Tab 5

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "DEFINITIONS"**

CREATING NEW DEFINITIONS; PROVIDING FOR AMENDMENTS TO CHAPTER 78, ARTICLE III, SECTION 78-71 OF THE TOWN'S CODE OF ORDINANCES TO ESTABLISH ANIMAL DAY CARE ESTABLISHMENT, ANIMAL INDOOR TRAINING CENTER, ANIMAL GROOMING ESTABLISHMENT, AND PET SHOP AS PERMITTED USES AND ANIMAL SERVICE ESTABLISHMENT AS A SPECIAL EXCEPTION USE IN THE C-1 BUSINESS DISTRICT; PROVIDING FOR THE RECLASSIFICATION OF THE PERMITTED USES OF AUTOMOTIVE SERVICE STATION, FUNERAL HOME, HOSPITAL, SANITARIUM OR MEDICAL CLINIC, MOTEL/HOTEL, SUBSTANCE ABUSE TREATMENT FACILITIES, AND VEHICLE SALES AND RENTALS AS SPECIAL EXCEPTION USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

I. NEW BUSINESS:

6. Authorizing Commissioner Flaherty to serve as the Town's Facebook<sup>®</sup> Administrator

Tab 6

J. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

K. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, August 7, 2013



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, July 17, 2013, 8 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, July 17, 2013 at 8:32 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, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Vivian Mendez performed the Roll Call. Mayor DuBois led the pledge of allegiance.

**SPECIAL PRESENTATIONS/REPORTS**

None

**PUBLIC COMMENT:**

*Patricia Fink, 720 7<sup>th</sup> Terrace, Palm Beach Gardens*, stated that she is opposed to the proposed cut of the Town Library budget. She stated that she volunteers at the Library and thinks it is well run.

*Diane Bernhard, 301 Lake Shore Drive*, made comments regarding libraries (see attached Exhibit "A").

*Ricky Petty, Bridges at Lake Park, 1411 10<sup>th</sup> Street*, thanked the Town for their support of Bridges at Lake Park and commented regarding activities this past year and their partnership with the Library. He expressed concern if the Library was privatized and hopes that the Library will be included in the budget.

**CONSENT AGENDA:**

- 1. Commission Workshop Minutes of June 26, 2013**
- 2. Regular Commission Meeting Minutes of July 3, 2013**
- 3. Palm Beach County Criminal Justice Commission Fiscal Year 2014 Allocation of Justice Assistance Grant Funds in the Amount of \$342,929**

**Motion: A motion was made by Commission O'Rourke to approve Consent Agenda; Vice-Mayor Glas-Castro made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		

Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

**OLD BUSINESS:**

None

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

- 4. Ordinance No. 09-2013 An Ordinance Initiated by the Town's Community Development Department Proposing Modifications to Section 54-1 of the Town of Lake Park Code of Ordinances to modify the Address Number/Letter Height Requirement for Residential Buildings from Four to Six Inches in Height and the Address Number/Letter Height Requirement for Non-Residential Buildings from Six to Eight Inches in Height; and the Repeal of Section 70-61 (g) of the Town of Lake Park Code of Ordinances because it duplicates the Requirements of Section 54-1**

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

Vice-Mayor Glas-Castro asked if houses with four (4) inch letters have an amortization period.

Town Manager Sugerman explained that there is no amortization period and that staff will be looking to see if there are any houses with no numbers and will be providing them notice that they need to provide letters/numbers and that they must meet the new standards. He explained that if there is a modification to an existing residence and an application for some type of change is provided to the Town they will be advised of the new code requirements. He explained that any property that has existing letters/numbers and does not submit an application for modification to the Community Development Department will not be asked to change the letters/numbers.

**Motion: A motion was made by Commissioner O'Rourke to adopt Ordinance 09-2013 on First Reading; Commissioner Rapoza made the second.**

Vote on Motion:

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

Motion passed 5-0.

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



**PUBLIC HEARINGS - ORDINANCE ON SECOND READING/QUASI-JUDICIAL:**

- 5. Ordinance No. 08-2013 Text Amendment to Section 78-71 to include "Animal Day Care Establishment", "Animal Grooming Establishment", "Animal Indoor Training Center", and "Pet Shop" use as a Permitted Use within the C-1 Business District, as well as creating a "Special Exception" subsection to the C-1 Business District to include some existing C-1 Permitted Uses and the new "Animal Service Establishment" use as a Special Exception Use. Modification to Section 78-2 to include definitions for the various uses being amended in the C-1 Business District**

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

**Motion: A motion was made by Commissioner O'Rourke to adopt Ordinance 08-2013 on Second Reading; Commissioner Flaherty made the second.**

Vote on Motion:

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

Motion passed 5-0.

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

**NEW BUSINESS:**

- 6. Authorizing Commissioner Flaherty to serve as the Town's Facebook© Administrator**

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

Commissioner Rapoza spoke about the growing importance of social media.

Commissioner O'Rourke asked if this action will increase the number of people who can make contact with the Town through Facebook©.

Commissioner Flaherty stated that his plan is to attract those that are already using the service to share information. He stated that the Town has profiles that have friends and that his idea is that this is not the correct way to use Facebook© and to ensure if the Town is using the service in the correct way and to increase the Town's presence.

Commissioner O'Rourke asked about the difference between a personal profile with friends and an account for businesses and organizations and asked if the Lake Park account would now be a "business destination site".

Commissioner Flaherty stated “yes” and explained that the pages that he wants the Town to use are more user friendly and act as a small website whereas if someone sees the page they can “like” it and instantly interact with the page. He stated that the existing accounts requires someone to initiate a “friend request” and wait for the “friend request” to be accepted to interact with the Town’s Facebook© account. He explained that the change would make the Town’s Facebook© more accessible.

Commissioner O’Rourke asked how many accounts the Town has on Facebook©.

Commissioner Flaherty explained that the Town has four (4) profiles and four (4) pages representing Lake Park.

Commissioner O’Rourke stated that social media is becoming an important marketing tool and thanked Commissioner Flaherty for his willingness to be the Facebook© administrator.

Mayor DuBois asked if there will be instructions for people to access the “pages”.

Commissioner Flaherty explained his plan to “overhaul” the Town’s Facebook© presence (see attached Exhibit “D”).

Mayor DuBois asked if Commissioner Flaherty would also administer the content of the “pages”.

Commissioner Flaherty stated that the pages can be set up to use a third party application to feed from the Town’s current website to the Facebook© “pages”. He provided the example that when the Commission Agenda is posted on the Town website it will be shared with the “pages” without any extra steps. He stated that Lake Park would be the main hub Facebook© “page” and the other “pages” would be featured “pages” and when something is shared on a feature “page” it would be shared with the hub.

Mayor DuBois asked about the time commitment with maintaining the “pages”.

Commissioner Rapoza asked for a workshop to provide an introduction on how Facebook© works.

Commissioner Flaherty stated that simple posts every few days or weeks and that the main key will be to get the residents and the people interactive with the “profiles” to interact with the “pages”.

Commissioner O’Rourke asked if the Facebook© “pages” would be an electronic version of the newsletter that he does.

Commissioner Flaherty stated “yes”.

Commissioner O'Rourke asked if organizations such as The Artist of Palm Beach County or MosArt Theatre can send information to put on the Town's "pages" regarding activities and events.

Commissioner Flaherty stated "yes" and explained that on "profiles" that information cannot be shared but on "pages" information about local theatres and restaurants can engage and share their information.

**Motion: A motion was made by Commissioner O'Rourke to authorize Commissioner Flaherty to serve as the Town's Facebook© Administrator; Commissioner Rapoza made the second.**

Vote on Motion:

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

Motion passed 5-0.

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

**Attorney Baird** stated that has a conflict for the August 13, 2013 Budget Workshop and since the Commission does not take formal action at a workshop he requested to be excused.

The Commission concurred to excused Attorney Baird from the August 13, 2013 Budget Workshop.

**Town Manager Sugerman** no report.

**Commissioner O'Rourke** stated that the Artist of Palm Beach County will have a gallery opening event on Thursday, July 18, 2013 at 5:00 pm until 8:00 pm and encouraged everyone to come out in support of the gallery.

**Vice-Mayor Glas-Castro** no report.

**Commissioner Flaherty** thanked everyone that spoke during public comment.

**Commissioner Rapoza** stated that she has received calls from citizens regarding future fireworks. She suggested that the Town partner with surrounding communities for future fireworks. She asked for an update on the conduct of future workshops such as time and frequency. She requested that Commissioner O'Rourke provide her copies of his newsletter to pass out at upcoming meetings she is attending. She requested an update on the fishing net issue at the Marina. She thanked Staples and Publix for their recent partnership and donations to the Town.

**Mayor DuBois** stated that the Town was approached by Library Systems & Services, LLC (LSSI) and after discussions it was determined that the services that they would provide was not appropriate for the Town.

Town Manager Sugerman explained that the original discussion with LSSI were that the Town was not large enough or did not have a budget that would have increment that would make it a cost savings for the Town. Although, LSSI has recently modified their schedule and advised that they might be able to work with the Town. He stated that LSSI would still like to be on the table and whether or not they are is up to the Commission but, staff is not in any serious negotiations or discussion with LSSI it is an option.

Mayor DuBois stated that he attended the Sober House Task Force meeting in preparation of the Department of Children and Families hearing regarding their Legislative Proviso. He stated that the message from the meeting was that the legitimate providers of these services want to partner with the Department of Children and Families to craft legislation or regulations through either the State or the Florida Association of Residential Rehabilitation. He congratulated Commissioner Rapoza for her plaque from Palm Beach Sheriff's Office in recognition of her services as Citizen on Patrol (COP) volunteer and stated that the plaque will be formally presented to Commissioner Rapoza at an upcoming Commission meeting.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Flaherty and seconded by Commissioner O'Rourke, and by unanimous vote, the meeting adjourned at 9:15 p.m.

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

\_\_\_\_\_  
Deputy Town Clerk, Shari Canada, CMC

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

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2013

Diane Bernhard

Exhibit "A"

July 17, 2013

Since you so kindly appointed me to the Library board, I've been diligently reading about libraries in Florida and across the United States. While cruising around on the internet, I came across an organization – the ALA -- the American Library Association. It seems that the ALA is currently educating people about a **trend** called the **Outsourcing and Privatization of Libraries**.

It's not surprising that the ALA -- and the Florida Library Association -- are against outsourcing... But, I believe they make a very valid point: **publicly funded libraries should remain directly accountable to the communities they serve.**

I've included some websites here that I think you may wish to see and I'd like to bring your attention to some comments and articles that I found interesting.

**[Outsourcing and Privatization | American Library Association](#)**

**[www.ala.org](http://www.ala.org) > [Professional Tools](#)**

ALA affirms that publicly funded libraries should remain directly accountable to the publics they serve. Therefore, the American *Library* Association opposes the ...

A company called **Library Systems & Services, LLC** kept popping up on the internet. Web: <http://www.lssi.com/> According to their web page, "Library Systems & Services (LSSI), a privately-held company operating in both the U.S. and the United Kingdom, is the only contractor providing library services in the US." "It has a revenue of \$35 million." "As a privately-held company, LSSI is not required to disclose details of its operations or finances." **Note: I'm struck by the in-congruency of Public Libraries being run by a (monopoly) private contractor that is not required to disclose details of its operations... If LSSI has no competitors and does not provide a good service, communities have no alternatives. Using LSSI means giving up the right to information about library staff; while allowing LSSI to have patron's personal information and borrowing history.**

Judging by the number of articles about communities discontinuing contracts with LSSI, it doesn't sound like privatizing libraries has worked out well for the libraries.

For example:

California Lawmakers are considering a bill that will make it harder to privatize local public libraries. Apparently they have found: "When municipalities contract with private library service providers like LSSI, it often results in [diminished library services and hidden costs to taxpayers](#). In Santa Clarita, for example, LSSI charges taxpayers a [5% fee](#) for every new book purchased. Concerns arise over transparency and accountability, too. When public libraries are privatized, information that was once public - for example, library staff salaries - becomes proprietary information. The company is also granted access to patron records (e.g. your borrowing history)."

[Tell California Lawmakers: It Should Be Harder to Privatize Our ...](#)  
[www.change.org/.../tell-california-lawmakers-it-should-be-harder-to-priv...](http://www.change.org/.../tell-california-lawmakers-it-should-be-harder-to-priv...)

Here in Florida, Osceola County is reconsidering its contract with LSSI too. They published a survey, [Osceola Library Customer Survey 2013](#), which gives the library users' opinions after a year of management by LSSI. A large portion of the responders mentioned the need for more programs - especially for the kids - the lack of supplies for programs and the **reduction** in both digital and hard-cover books.

**Here are some quotes from that survey:**

"... please, Please, PLEASE do something about filling all those shelves your company emptied. I am aware that the budget with which to purchase books is slim but that was hardly the time to throw out massive numbers of the books you already had!" **Note: LSSI has a revenue of \$35 million.**  
**Why a slim budget for purchasing books?**

"More e-books, particularly of best sellers and recently released NY Times highly reviewed titles. Also, more knowledge shared about how to use the overdrive portion of the site."

"More books are needed in the library! The shelves are so empty, looks kind of sad! We are also experiencing issues with checking out and reading books on our ipads."

"The library does not have the fiction books that it had before the new people took over. We had a better selection before the county turned it over to new people." "There are a number of DVD collections (tv series, movie

collections) that are missing volumes New releases are harder to come by as well. Maybe open up the inter-library loan options to include DVDs, audio books, etc."

"Computers & wi-fi are nice, BUT - print resources are terrible! Not everyone wants to download a book to read on a "device" There are plenty of us out there - young & old alike, who love to read the printed word in a non-digital format. PLEASE - update your collections! The main library is so sad - the collection is in need of aggressive weeding (I am a former librarian) and rejuvenation! I can't stay there more than a few minutes before I feel a black cloud descending."

"Since the library was privatized, the book selection has become pathetic. Series of books by the same author have been broken up so that only one or two are at any one branch. E-books may have books 2 and 4 out of a series of 16. The reason for different branches is the convenience of the users (taxpayers). The distribution of books now makes that a joke. We went from having a good library system to a substandard one."

"...would like to see new releases available for kindle e-books and more e-books in general."

"...more documentaries in your DVD selection, or educational movies in general."

"My biggest concern is the large number of accidental charges on Library items returned. In the 7 months that my children & myself have gotten an account we have been charged 8 times for items either not returned or assumed to be lost. I am 100% certain that we stick to our due dates and return everything as we should. It is becoming a huge hindrance dealing with this as frequently as we do. If when checking items in we can receive a confirmed check-in ticket that will alleviate so much confusion & incorrect charges to account."

"If you are going to set up a system where fees will be assessed if you believe material was NOT returned but the patron says it was, you should supply receipts when books are returned, dvds are checked in and etc. You say you are protected by your system when you say it isn't/wasn't there. That might be, but there is no safeguards for the patron."





Town of Lake Park Town Commission

Agenda Request Form


Exhibit "B"  
7/17/2013

Meeting Date: July 17, 2013

Agenda Item No. Tab 4

**Agenda Title:** AN ORDINANCE INITIATED BY THE TOWN'S COMMUNITY DEVELOPMENT DEPARTMENT PROPOSING MODIFICATIONS TO SECTIONS 54-1 OF THE TOWN OF LAKE PARK CODE OF ORDINANCES TO MODIFY THE ADDRESS NUMBER/LETTER HEIGHT REQUIREMENT FOR RESIDENTIAL BUILDINGS FROM FOUR TO SIX INCHES IN HEIGHT AND THE ADDRESS NUMBER/LETTER HEIGHT REQUIREMENT FOR NON-RESIDENTIAL BUILDINGS FROM SIX TO EIGHT INCHES IN HEIGHT; AND THE REPEAL OF SECTION 70-61(G) OF THE TOWN OF LAKE PARK CODE OF ORDINANCES BECAUSE IT DUPLICATES THE REQUIREMENTS OF SECTION 54-1.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON 1<sup>st</sup> READING
- NEW BUSINESS
- OTHER: \_\_\_\_\_

Approved by Town Manager  Date: 7/18/13

**Nadia Di Tommaso / Community Development Director**  
Name/Title 

<b>Originating Department:</b>  Community Development	Costs: \$0 Funding Source: N/A Acct. # N/A <input type="checkbox"/> Finance _____	<b>Attachments:</b>  →ORDINANCE __-2013
<b>Advertised:</b> Date: N/A on first reading Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case __ND_  <b>Please initial one.</b>

**Summary Explanation/Background:**

Staff discovered an inconsistency in the Town of Lake Park Code of Ordinances as it relates to residential and non-residential address number/letter height requirements. The inconsistency exists vis-à-vis the Palm Beach County Fire Prevention Code (PBCFPC) which sets the address number height requirements for all buildings in Palm Beach County to ensure adequate visibility in the event of an emergency. Currently, the PBCFPC requires all residential buildings to be identified with letters/numbers containing a minimum height of **six** inches and requires all non-residential buildings to be identified with letter/numbers containing a minimum height of **eight** inches. The Town Code currently reflects an older version of the PBCFPC which required residential address numbers/letters to be four inches in height and non-residential address number/letters to be six inches in height. While the PBCFPC currently supersedes the Town Code, it is important to modify Section 54-1 through Ordinance \_\_-2013 which is attached, in order to meet PBCFPC standards. In doing so, a repeal of Section 70-61(g) is also being proposed as this code section duplicates the requirements of Section 54-1.

**Recommended Motion:** I move to APPROVE Ordinance \_\_-2013 on first reading.



Town of Lake Park Town Commission

Exhibit "C"  
7/17/2013

Agenda Request Form

Meeting Date: July 17, 2013

Agenda Item No. *Tab 5*

**Agenda Title:** TEXT AMENDMENT TO SECTION 78-71 TO INCLUDE "ANIMAL DAY CARE ESTABLISHMENT", "ANIMAL GROOMING ESTABLISHMENT", "ANIMAL INDOOR TRAINING CENTER", AND "PET SHOP" USE AS A PERMITTED USE WITHIN THE C-1 BUSINESS DISTRICT, AS WELL AS CREATING A "SPECIAL EXCEPTION" SUBSECTION TO THE C-1 BUSINESS DISTRICT TO INCLUDE SOME EXISTING C-1 PERMITTED USES AND A NEW "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE. MODIFICATION TO SECTION 78-2 TO INCLUDE DEFINITIONS FOR THE VARIOUS USES BEING AMENDED IN THE C-1 BUSINESS DISTRICT.

- 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 *[Signature]* Date: 7/8/13

Nadia Di Tommaso / Community Development Director  
Name/Title *[Signature]*

<p><b>Originating Department:</b>  Community Development</p>	<p>Costs: \$ 1,250 plus required advertisement(s) Funding Source: Applicant ("Barkley's") Acct. # 4649 <input type="checkbox"/> Finance _____</p>	<p><b>Attachments:</b></p> <ul style="list-style-type: none"> <li>→ Staff MEMO</li> <li>→ Staff Report</li> <li>→ Ordinance 08-2013</li> <li>→ Exhibit "A" Table of Contents PBC Animal Care and Control Ordinance</li> <li>→ Exhibit "B" Section 10-155 - Noise Level Chart</li> <li>→ Exhibit "C" Section 11-1 - Definition for Domesticated Animal</li> <li>→ Legal Ad</li> </ul>
<p><b>Advertised:</b> Date: July 7, 2013 Paper: Palm Beach Post <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>Yes I have notified everyone <u>ND</u> or Not applicable in this case _____ <b>Please initial one.</b></p>

**Summary Explanation/Background:**

At the July 3<sup>rd</sup> Town Commission meeting, Ordinance 08-2013 was approved on first reading with some discussion regarding a site plan requirement for all special exception applications.

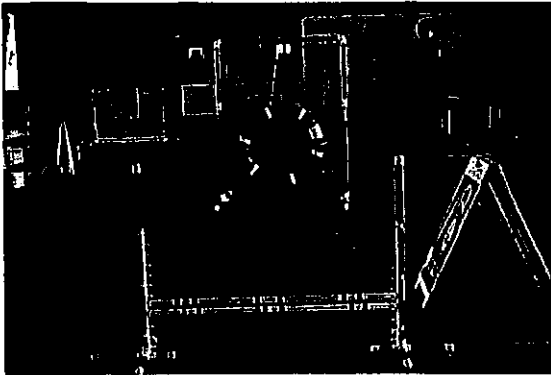
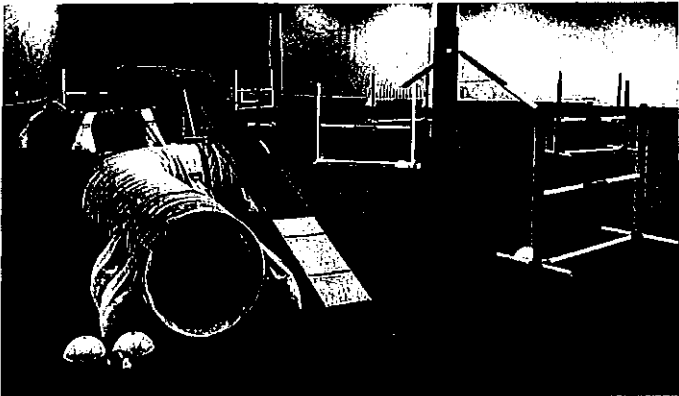
At the June 19<sup>th</sup> Town Commission meeting, the item was postponed due to an inconsistency in the Ordinance title which was pointed out by the Town Attorney. Being that this item is being heard again on 1<sup>st</sup> hearing, this will be the Town Commission's third opportunity to propose any previously discussed desired changes, as well as any new modifications, that meet the majority of the Commission's approval. The only change from the original language which has been proposed based on the previous commentary is to the notation regarding outdoor areas. While certain uses are being proposed as permitted indoor uses as there are innovative ways of ensuring that certain 'exterior' habits for these units are creatively conducted indoors and properly climate and odor controlled (see example images below), staff extended the 'outdoor areas' notation to any use having an outdoor component.

**General Examples (not specific to any type of facility in Town):**

**Indoor Recreation Area with Separate Potty Area**



**Indoor Dog Training Center**



At the June 5<sup>th</sup> Town Commission meeting, staff introduced a proposed Text Amendment to Section 78-2 (Definitions) and Section 78-71 (C-1 Business District) of the Code of Ordinances dealing with animals (and a few other housekeeping items). The basic intent of the amendment to the Code was to consider allowing Animal Service Establishments (which if authorized in the C-1 District would include outdoor areas for dogs as well as overnight boarding of animals). After considerable discussion, and one attempt to amend and then adopt the Ordinance, the item was postponed.

It seems that the item was postponed for a number of reasons:

- 1) It is unclear if a majority of the Town Commission will support Animal Service Establishments (and other similarly situated businesses) in the C-1 District.
- 2) If the Commission will give consideration to supporting Animal Service Establishments (and other similarly situated businesses) in the C-1 District, it is not clear if it should be done by right or by special exception.
- 3) Since the current Code does not have a certified mail notice provision to adjacent property owners for special exception applications, there was apparent opposition on moving forward with this Text Amendment since, if adopted, and as currently constructed, any special exception applicant would not be mandated to give formal notice of the special exception request to adjacent property owners.

Since the June 5<sup>th</sup> Commission meeting, staff has developed a scenario for the Town Commission to consider for going forward on this item:

- a) The criteria for Special Exception applications are governed under Section 78-184 of the Town Code. Staff will be submitting to the Planning & Zoning Board a recommendation for a Text Amendment to require certified mail notice to all property owners within 300 feet of any property which is part of a special exception application. Once this Text Amendment gets through the Planning and Zoning process, it will come to the Town Commission for consideration and approval.
- b) The Town Commission should reconsider the proposed Text Amendment for modifications to Section 78-2 (Definitions) and Section 78-71 (C-1 Business District) to determine if it wants to allow Animal Service Establishments (and other similarly situated businesses) in the C-1 Business District. This is a determination which should rest solely in the hands of the Town Commission. You may, or may not, want to allow such a use (or uses). If the Text Amendment is adopted as presented (or possibly modified), it will go to a second reading at the July 3<sup>rd</sup> Commission meeting.
- c) In the meantime, the Town currently has two (2) special exception applications which are pending in the Community Development Department. It is clear that the Code does not currently provide for certified mail notice to properties which are within 300 feet of the subject property of the application. However, in order to help these two applications to be as transparent as possible to the adjacent property owners, the Community Development Department either has, or will, send out certified mail notices as a courtesy to those adjacent property owners until the separate text amendment for a special exception notice requirement works its way through the legislative process.

**Recommended Motion: I move to ADOPT Ordinance 08-2013 on second reading.**



Town of Lake Park  
Community Development Department

**Nadia Di Tommaso**  
*Community Development Director*

June 7, 2013

---

**MEMO**

Re: Ordinance No. 08-2013 - Text Amendment to Section 78-2 and 78-71

To: **TOWN COMMISSION**

---

Pursuant to the Commission meeting of June 5, 2013, I would like to take this opportunity to inform the Commission that staff is moving forward with a text amendment to include a certified mail notice requirement in Section 78-184 of the Town Code for special exception applications. This will be presented at a future Commission meeting as it will need to be presented to the Planning and Zoning Board first.

This being said, staff has decided to send out certified mail notices to all property owners within 300 feet for all special exception applications that are currently in the pipeline as a Town courtesy. While these applications will be presented as a completely separate agenda item when they are ready to move through to the Commission for consideration, this will hopefully provide some comfort in knowing that additional notification, via a certified mail notice, will have also been provided at least 10 days in advance of the public hearing on first reading.

Being that the final action of the Commission was to "postpone" Ordinance No. 08-2013, staff is bringing forward the same proposal without any changes. While there was much discussion in regards to "outdoor areas" and possible nuisance factors, I would like to highlight that many of the uses being proposed as special exception uses in the C-1 Business District, not only those which are animal-related, are for the most part regulated by Palm Beach County agencies and in some cases, State agencies. In addition, the Town's special exception procedure would also provide an additional opportunity for staff, the Planning and Zoning Board, and the Commission, to apply some necessary conditions as they relate to the business being proposed. Additionally, a certified mail notice to all property owners within 300 feet will also become a requirement.

This text amendment application would apply to ALL applicants interested in opening any one of the uses being proposed as a special exception use. While I would like to keep a current animal-related Town business completely segregated from this Text Amendment application given this understanding, I feel it is important to elaborate slightly on the business that is currently in operation in Town for the mere purpose of providing an example. While the existing business use of an "instructional studio" was already a permitted use in the Code upon its application approximately 16 months ago as a daytime use, an "accessory" outdoor area which was also permitted by Code at the time via a fence permit, was issued to the property. While factors such as parking, noise, and

sanitation were considered at the time, staff relied on the understanding that Palm Beach County Animal Care and Control, as well as the Town's noise and odor control Code provisions, could be enforced, keeping in mind that noise and odor controls are possible nuisances for several business types, not only those which are animal-related. At the time, staff was comfortable with this interpretation from a public health, safety and welfare standpoint, and the use, inclusive of its outdoor accessory component, carried on without any documented complaints or concerns. It was only when the Town discovered that a boarding component was incorporated that staff realized the initial intent of treating the use under the "general" instructional use category with the allowance of a fenced outdoor area enclosure, could no longer fit the general intent of the Code and that specific animal-related uses needed to be incorporated into the Code, inclusive of a boarding component, which was not permitted at the time and is still not permitted. This example is important not because it is representative of all future special exception uses that may come through for approval, but because it exemplifies that there are several controlling mechanisms that can be utilized to limit the negative impacts and promote compatibility.

In summation, staff's position is that "outdoor area" impacts can be regulated and controlled, given the proximity to the residential district. In addition, an outdoor area does not necessarily need to be at the rear of the property and this can be reviewed on a case-by-case basis along with the review of additional accessory use areas such as parking and adequate circulation that are required on all properties.



Meeting Date: July 17, 2013

To: TOWN COMMISSION

**Re: TEXT AMENDMENT TO SECTION 78-71 TO INCLUDE AN "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE, AND "ANIMAL DAY CARE ESTABLISHMENT", "ANIMAL GROOMING ESTABLISHMENT", "ANIMAL INDOOR TRAINING CENTER", AND "PET SHOP" USE AS A PERMITTED USE WITHIN THE C-1 BUSINESS DISTRICT, AS WELL AS CREATING A "SPECIAL EXCEPTION" SUBSECTION TO THE C-1 BUSINESS DISTRICT TO INCLUDE SOME EXISTING C-1 PERMITTED USES AND THE NEW "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE. MODIFICATION TO SECTION 78-2 TO INCLUDE DEFINITIONS FOR THE VARIOUS USES BEING AMENDED IN THE C-1 BUSINESS DISTRICT.**

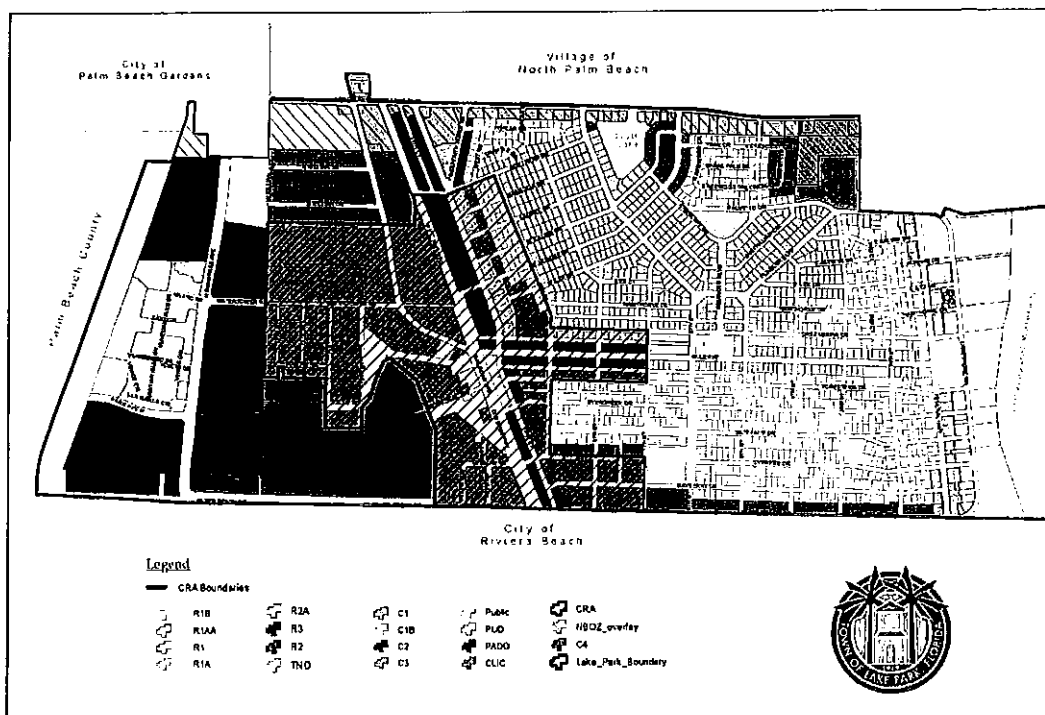
**Applicant:** Barkley's Canine Club      **Staff Recommendation:** ADOPTION  
**Planning and Zoning Board Recommendation, May 6, 2013:** Approval 4-0  
**Town Commission Recommendation on 1<sup>st</sup> reading (June 5, 2013):** Postponed  
**Town Commission Recommendation on 1<sup>st</sup> reading (June 19, 2013):** Postponed  
**Town Commission Recommendation on 1<sup>st</sup> reading (July 3, 2013):** Approved 5-0

**SUMMARY**

This Staff Report addresses a request for a Text Amendment to the Town of Lake Park Code of Ordinances filed by Barkley's Canine Club ("Applicant"). The Applicant proposes to include "Animal Service Establishment" as a special exception use in the C-1 Business District. Staff is also proposing the inclusion of additional animal-related uses, namely, "Animal Grooming Establishment", "Animal Training", and "Pet Shop" as permitted uses in the C-1 Business District. Currently, the C-1 Business District does not include special exception uses, therefore this application is also proposing the creation of a Special Exception use section. In doing so, and in accepting the Planning and Zoning Board's recommendations, staff is proposing the re-distribution of some currently permitted uses into the proposed Special Exception use category and is proposing that the respective 'use' definitions be added to Section 78-2 of the Town of Lake Park Code of Ordinances.

The C-1 Business District is intended to permit low intensity commercial uses, such as offices, personal services, and retail, along the south side of Northlake Boulevard from Old Dixie Highway to US-1, along the east side of 10th Street, and along portions of the east and west side of US-1, as illustrated in **Figure 1** below.

**Figure 1: Zoning Map;**



## **HISTORY**

In early 2012, the Applicant received approval from the Town's Community Development Department for an animal "instructional studio" and an animal "beauty shop" at 524 Northlake Boulevard. Both the "instructional studio" use and the "beauty shop" use are currently permitted uses in the C-1 Business District. Following this initial application, the Applicant met with a Town Planner to discuss a request to use the facility as a use including "day care" and boarding for animals. The Applicant was informed that the C-1 Business District does not permit "day care" nor the boarding of animals as a permitted use. In the latter part of 2012, Town staff determined that the Applicant was boarding animals at its facility. The Applicant was cited by the Town's Code Enforcement Division for operating a use not permitted in the C-1 Business District. As a result, the Applicant sought a text amendment to incorporate the day care and boarding uses as permitted uses in the C-1 Business District. The Applicant submitted an application to the Town.

## **APPLICATION**

In researching the Town's Code of Ordinances, staff determined that the Town Code is deficient with regard to uses that are specific to animal related establishments. Consequently, staff is proposing to create an "Animal Service Establishment" use per the Applicant's request for an animal boarding facility, which would be subject to certain conditions. The amendments propose to classify a portion of the Applicant's business as an "Animal Service Establishment" which would incorporate the animal boarding component. This use, as proposed, would require special exception application approval due to the potential impacts of including this use in a predominantly low-intensity commercial district that abuts residentially zoned parcels. The special exception application will be presented under separate cover at a future Town Commission meeting. All animal-related establishment uses are regulated by Palm Beach County (PBC) Animal Care and Control under very strict regulations relative to the business owner's operation and are routinely inspected by PBC (see Exhibit "A" for the Table of Contents for PBC Animal Care and Control which lists the regulating criteria).

In addition to proposing the "Animal Service Establishment" use in the C-1 Business District as a special exception use, additional animal-related uses are also being proposed as permitted uses due to their low-intensity commercial nature and minimal impacts. Respective definitions for these uses are also being proposed in Section 78-2. Those uses being proposed as permitted by right, are defined as daytime uses that are entitled to generate slightly higher noise levels as indicated on the Town's Noise Ordinance chart as can be seen in "Exhibit B". Staff also recommends that the following uses be re-listed as special exception uses in the C-1 Business District due to their potential heightened impacts to noise, traffic, odors and design complexities. Some of these uses are being proposed using new use titles in an attempt to remain consistent with the Northlake Boulevard Overlay Zone (NBOZ) use titles for those properties located on the south side of Northlake Boulevard and within the C-1 Business District. The intent of each use remains the same. They include:

- Gasoline and other motor-fuel stations, to be re-listed as "Automotive Service Station"
- Mortuaries, to be re-listed as "Funeral Home"
- Motels, to be re-listed as "Motel/Hotel"
- Hospitals, sanitariums and medical clinics
- Substance abuse treatment facilities
- Sales, service and rental of motor vehicles, to be re-listed as "Vehicle Sales and Rental"

Pursuant to the Town Code, an applicant who applies for Special Exception Use approval will need to meet the criteria listed in Sec. 78-184 of the Code. The Town Commission may also include conditions of approval pertaining to special exception uses such as:

1. Limit the manner in which the use is conducted, including restricting the time an activity may take place and/or restraints to minimize such effects as noise, vibration, air pollution, glare and/or odor.
2. Establish a special setback, open space requirement, and/or lot area or dimension.
3. Limit the height, size, and/or location of a building or other structure.
4. Designate the size, number, location and/or nature of access points (vehicle and pedestrian).
5. Designate the size, location, screening, drainage, type of surfacing material and/or other improvement of a parking and/or loading area.
6. Limit or otherwise designate the number, size, location, height and/or lighting of signs.
7. Require the use of, and designate the size, height, location and/or materials for, berming, screening, landscaping and/or other facilities to protect and/or buffer adjacent or nearby property, including designating standards for installation and/or maintenance of the facilities.



8. Require the protection and/or relocation of additional trees, vegetation, water resources, wildlife habitat and/or other appropriate natural resources.
9. Require specific architectural details and/or design that produces a physical development which is compatible in appearance with the uses permitted by right in the zoning district.
10. Specify other conditions of approval to permit development of the special exception use in conformity with the intent and purpose of this Code and the town's comprehensive plan.

**Staff recommends the following Text Amendments to Sections 78-2 and 78-71 of the Town of Lake Park Code of Ordinances:**

**Sec. 78-2 Definitions:**

**Animal Day Care Establishment.** An indoor facility operated between the hours of 7am-10pm, for the purpose of providing care and protection of domesticated animals, no overnight boarding.

**Animal Grooming Establishment.** An indoor facility operated between the hours of 7am-10pm which accepts domesticated animals for bathing, clipping, dipping, pedicuring or other related grooming services (not to include breeding, veterinary, dentistry or overnight boarding).

**Animal Service Establishment.** Any establishment having an outdoor component <sup>a</sup> and any establishment which may include any of the following uses as specified in the individual zoning district.

(1) **Pet Stores** <sup>a</sup>. An indoor facility operated for the sale of domesticated animals, which includes overnight boarding;

(2) **Boarding Kennel** <sup>a</sup>. An indoor facility, where domesticated animals are boarded during the daytime or kept overnight.

Definition Attached as Exhibit "C"

Section 10-155 Attached as Exhibit "B"

<sup>a</sup> Noise nuisances which exceed permitted decibel levels as prescribed in the Town Code in Section 10-155 shall be mitigated by requiring extra insulation or any other improvements which is certified by a licensed noise professional and submitted to the Town's Community Development Department under a building permit application. Boarding shall be limited to domesticated animals. The Town Commission may require sound proofing or additional setbacks and landscaping to minimize noise and visual impacts on adjacent properties. Outdoor runs shall be paved or turfed, fenced, and connected to a Town-approved wastewater treatment facility and shall not be located any closer than 40 feet from adjacent residentially-zoned properties.

**Animal Indoor Training Center.** A facility operated between the hours of 7am-10pm for the teaching and training of domesticated animals.

**Automotive Service Station.** An establishment engaged in the retail sale of gasoline or other motor fuels, which may include accessory activities such as the sale of automotive accessories or

supplies, the lubrication of motor vehicles, the minor adjustment or minor repair of motor vehicles, and a convenience store selling retail goods .

**Funeral Home.** An establishment engaged in preparing deceased human beings for burial, and managing and arranging funerals.

**Hospital, Sanitarium or Medical Center.** A facility for humans or animals, which provides primary, secondary, or tertiary medical care, emergency medical services, including preventive medicine, diagnostic medicine, treatment and rehabilitative service, medical training programs, medical research, and may include association with medical schools or medical institutions.

**Motel/Hotel.** A commercial establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short term rents to tenants. The establishment may be constructed in a bulding or a group of buildings and may include one or more accessory uses such as dining rooms/restaurant or convenience/retail stores.

**Pet Shop.** An indoor facility operated between the hours of 7am-10pm for the purpose of selling animal accessories.

**Substance Abuse Treatment Facility.** A facility having one or more service components and operated by service providers licensed by the State of Florida as defined in Chapter 397, Fla. Statute.

**Vehicle Sales and Rentals.** An establishment engaged in the sale or rental from the premises of new or used motor vehicles or equipment, watercraft, recreational vehicles or mobile homes, with or without incidental service, maintenance or repair. Typical uses include new and used automobile sales, automobile rental, boat sales, boat rental, mobile home. The sale or rental of industrial or agricultural vehicles is prohibited.

#### **Sec. 78-71. C-1 Business District.**

Within the C-1 Business District, the following regulations shall apply:

(1) Uses permitted. Within the C-1 business districts, no building, structure or land shall be used and no building shall be erected, structurally altered or enlarged, unless otherwise permitted by these regulations, except for the following uses:

- a. Animal Day Care Establishment**
- b. Animal Grooming Establishment**
- c. Animal Indoor Training Center**
- ~~a. d.~~ Appliance stores, including radio and television services.
- ~~b. e.~~ Bakeries the products of which are sold at retail but not produced on the premises.
- ~~c. f.~~ Banks.
- ~~d. g.~~ Barbershops, beauty shops, chiropodists, masseurs.
- ~~e. h.~~ Fertilizer, stored and sold at retail only.
- ~~f.~~ Gasoline and other motor-fuel stations.
- ~~g. i.~~ Laundry pickup stations.
- ~~h.~~ Mortuaries.
- ~~i.~~ Motels.

- ~~j. Vehicle sales and rentals, including and accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:
 
  - ~~1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;~~
  - ~~2. No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and~~
  - ~~3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave runners, which are part of the specific business.~~~~
- k. j. Offices, business and professional.
- l. k. Outdoor miniature golf courses, all objects limited to eight feet in height and such building or premises is located not less than 500 feet from the premises of an existing nursery school, elementary school or high school.
- l. Pet Shop
- m. Restaurants.
- n. Shops, including shops for making articles without use of machinery, to be sold, at retail on the premises.
- o. Indoor Theatres.
- ~~p. No living quarters shall be permitted in any business or commercial structure or upon a lot or parcel upon which a business or commercial structure is situated.~~
- ~~q. Hospitals, sanitariums and medical clinics.~~
- ~~r. Motels without shop fronts or stores facing the street.~~
- ~~s. 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.~~
- t.p. Instructional studios; including but not limited to, studios for the instruction of the martial arts, dance, voice, drama, speech, gymnastics, yoga, exercise, painting, photography, music, and other similar instructional studio uses which are deemed appropriate by the Town's community development director.
- ~~u. g.~~ Transient residential use

(2)

Special exception uses permitted pursuant to section 78-184:

- a. Animal Service Establishment
- b. Automotive Service Station
- c. Funeral home
- d. Hospital, Sanitarium or Medical Clinic
- e. Motel/Hotel
- 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.
- g. Vehicle Sales and Rentals, including accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:
 
  1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;
  2. No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and
  3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave runners, which are part of the specific business.

**Recommended Motion: Staff recommends that the Town Commission make a motion to ADOPT Ordinance 08-2013 on second reading.**



Exhibit "D"  
7/17/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 17, 2013

Agenda Item No. *Tab 6*

Agenda Title: Authorizing Commissioner Flaherty to Serve as the Town's Facebook® Administrator

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

Approved by Town Manager *[Signature]* Date: *7/1/13*

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

<b>Originating Department:</b>  <b>Town Manager</b>	Costs: \$ <b>0.00</b> Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b>  Outline of proposal to serve as Facebook® Administrator for the Town
<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>[Signature]</i> <b>Please initial one.</b>

Summary Explanation/Background:

Commissioner Flaherty has proposed to serve as the Town's Facebook® Administrator. A copy of his proposal is attached. If approved, Commissioner Flaherty will take control of all of the various Facebook® pages and passwords. He is offering to provide this service at no cost to the Town.

Recommended Motion: I move to authorize Commissioner Flaherty to serve as the Town's Facebook® Administrator.

## Lake Park Overhaul of Facebook Social Sites

### Goal

By reaching an audience that has already shifted its attention to a free media tool, the Town can use Facebook to send its message to already engaged individuals, visitors, businesses, and all end users.

### What are Social Networks?

Social networking sites are platforms that connect people and allow them to engage.

The most popular sites, such as Facebook and MySpace, also have groups and listing features, which allow targeted organization of dialogue and sharing. Members can share comments, links, photos, videos, and more.

Social networking sites make it easy for members to connect with others who have similar interests or affiliations, and establish contact networks.

### Government Use of Social Networks

Social networking sites can help your municipality promote government information and services. Many government agencies now use tools like Facebook to bring people together around their agency's work and information. Social networks expand the government's outreach capabilities and improve our ability to interact with and serve the public.

"What are Social Networks" and "Government use of Social Networks" information collected from <http://www.howto.gov/social-media/social-networks>

### Current Lake Park PROFILES "Wrong way to represent on Facebook"

#### Recreation

[https://www.facebook.com/lakepark.recreation?fref=pb&hc\\_location=friends\\_tab](https://www.facebook.com/lakepark.recreation?fref=pb&hc_location=friends_tab)  
129 Friends

#### Marina

<https://www.facebook.com/lakeparkmarina>  
204 Friends

#### Library

[https://www.facebook.com/LakeParkPublicLibrary?fref=pb&hc\\_location=friends\\_tab](https://www.facebook.com/LakeParkPublicLibrary?fref=pb&hc_location=friends_tab)  
30 Friends

#### Park Ave

[https://www.facebook.com/parkavenue.lakepark?fref=pb&hc\\_location=friends\\_tab](https://www.facebook.com/parkavenue.lakepark?fref=pb&hc_location=friends_tab)  
224 Friends

### Facts from Facebook's Official Policy

- Facebook profiles are meant to represent a single individual
- Organizations of any type are not permitted to maintain an account under the name of their organization
- If you create a profile for your business, your account may be disabled for violating our Terms of Use.
- All personal site features, such as friending and messaging, are also for personal use only and may not be used for professional promotion.
- Businesses are only allowed to open **pages NOT profiles**. A business which opens a profile page is in direct violation of TOS.
- Business pages do not allow the ability to invite friends - in fact business pages cannot maintain a friends list - they can only maintain a fan list.

- Facebook Pages have been created to allow organizations to have a presence on Facebook.
  - These Pages are distinct presences, separate from user profiles, and optimized for an organization's needs to communicate, distribute information/content, engage their fans, and capture new audiences virally through their fan's recommendations to their friends.
  - Facebook Pages are designed to be a media rich, valuable presence for any artist, business or brand.

## Benefits of Pages

- Pages allow other users to become fans, but access to the individual profile pages are limited.
- Pages do allow updating your status (which gets shared with your fans).
- Pages allow: pictures, videos, discussion board, application, wall posts, groups and other interactive elements.
- Anyone can like a Page to see updates, user friendly.
- Pages are managed by admins who have personal timelines. Pages are not separate Facebook accounts and do not have separate login information from your timeline.
- Pages provide insights to help admins understand how people are interacting with the Page.
- Pages can have one or an unlimited number of admins to manage and share information.
- Facebook Pages for businesses and brands are public spaces.
- Pages act as a website.
- Are indexed in Google.
- Pages allows informal, personal engagement over polished media-speak.
- Allows joining of conversations already underway, occurring on the audience's terms.

## Current Lake Park PAGES "Correct way to represent our Town on Facebook"

### Town of LP

<https://www.facebook.com/pages/Town-of-Lake-Park/154711847904167>

18 Likes

\*Ownership can be requested

### Harbor Marina

<https://www.facebook.com/pages/Lake-Park-Harbor-Marina/101634139961766>

8 Likes

\*Ownership can be requested

### Library

[https://www.facebook.com/pages/Lake-Park-Public-Library/120023311370984?fref=pb&hc\\_location=profile\\_browser](https://www.facebook.com/pages/Lake-Park-Public-Library/120023311370984?fref=pb&hc_location=profile_browser)

25 Likes

\*\*Request admin privileges

\*Ownership can be requested

### CRA

<https://www.facebook.com/LakeParkCra>

11 Likes

\*\*Request admin privileges

\*Ownership can be requested, when many people try accessing a page that hasn't been created Facebook automatically creates a page. Now a page exists with no direct owner representing our community and departments. With staff and commission approval I can request ownership of these pages so Lake Park can claim its space on Facebook and visitors to our Pages can begin to socialize and showcase the Lake Park community.

\*\*Request admin privileges, these pages I will need to identify the current admins and request to be added as an additional admin with privileges.

Above the library has both "request admin" and "ownership can be requested". With Facebook pages anybody can create and manage a page on an organization, it takes official proof to have the ability to state you're the official page of. Per. Ex Lake Park Library.

## **My planned process to accomplish "Overhaul" goal**

1. Receive permission by Town staff and Commission to act on the Town's behalf to claim ownership of all occurrences of the Town of Lake Park and departments on the social site Facebook.
2. Obtain current usernames & passwords and/or request to secure current profiles & pages.
3. Secure all occurrences of the Town on social media.
4. Develop timeline to convert all friends, pictures and events over to our new Pages.
5. Create custom page cover photos.
6. Add existing departments pages to our Featured list
  - Marina
  - CRA
  - Library
  - Recreation Dept.
  - Police & Fire Departments
7. Add Constant Contact Newsletter signup in header.
8. Develop Interactions
  - Town officials
  - Residents
  - Businesses
  - Guest of the town
9. Managing the page and keeping content fresh
  - Third party applications can syndicate the RSS feed from our current websites into pages
  - Share
    - Events
      - Up to the minute updates
      - Share local non-profit community events
      - Survey the expected attendance level
    - Meetings
    - New Business Start ups
    - Town accomplishments and recognitions
    - Holidays
    - Public service announcements
  - Department pages such as the Marina when posting and sharing the monthly Sunset event would also share with the Lake Park page, posting only once but sharing the event with the Towns page as a hub for all activities.

### **End Note**

**This is a request for permission to improve the Town of Lake Park's Facebook presence.**

**This is an effort to improve the Towns social presence and I Commissioner Flaherty will do this in my personal time, no strings attached and all at no charge to the Town.**

# TAB 5





**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** August 7, 2013

**Agenda Item No.** *Tab 5*

**Agenda Title: Resolution to approve Letter of Agreement for renewal of Partnership between Children's Home Society and the Town of Lake Park**

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

**Approved by Town Manager** *D&S* **Date:** *7/19/* 2013

Karen Mahnk, Library Director  
Name/Title

<b>Originating Department:</b>  <p style="text-align: center;"><b>LIBRARY</b></p>	Costs: \$ N/A Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> - Resolution - 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 __KM____ or Not applicable in this case ____ <b>Please initial one.</b>

**Summary Explanation/Background:**

For approximately the past two and one half years, Bridges at Lake Park, sponsored by Children's Home Society of Florida (CHS), has been providing a number of programs at the Lake Park Public Library for both children and families and has co-sponsored with the library, a number of story telling events and other literacy activities for children and families. The purpose of this agenda item is to authorize the Mayor to execute a Letter of Agreement renewing this partnership between CHS and the Town of Lake Park. This Partnership will be effective upon signatures of all parties August, 2013 through August 2014 and renewable annually per agreement by all parties.

**Recommended Motion:** Approval of Resolution

**RESOLUTION NO. 16-08-13**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LETTER OF AGREEMENT BETWEEN THE CHILDREN'S HOME SOCIETY OF FLORIDA AND THE TOWN OF LAKE PARK; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida ("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**, the Town operates the Lake Park Public Library ("Library") where it has provided Bridges at Lake Park with a venue for many of its programs; and

**WHEREAS**, the Town has agreed to enter into a Letter of Agreement with Children's Home Society (CHS) that provides for the Library to be a venue for some programs and joint programs. A copy of the Letter of Agreement between the Town and CHS is attached hereto as Exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS;**

- Section 1. The foregoing recitals are adopted as true and correct and are incorporated herein.
- Section 2. The Commission of the Town of Lake Park hereby authorizes the Mayor to execute the Letter of Agreement on behalf of the Town, a copy which is attached hereto as **Exhibit "A"**.
- Section 3. This Resolution shall become effective immediately upon adoption.



## BRIDGES LETTER OF AGREEMENT

### BRIDGES at Lake Park and Town of Lake Park

#### 1. Purpose / Intent of Agreement:

Children's Home Society of Florida and the Town of Lake Park agrees to work together to support the Bridges at Lake Park increase reading and literacy in the Lake Park community.

#### 2. Specific Roles/Responsibilities/Activities:

The following describes the respective role(s) and responsibilities each partner is committed to through this Agreement:

##### *BRIDGES at Lake Park will:*

- Coordinate activities and services with the Town of Lake Park/Lake Park Library for families by building relationships among community organizations that serve children and families.
- Collaborate on community events and outreach efforts.
- Provide space and resources (as available) for community activities and events.
- Provide information and educational workshops to community members to raise awareness to increase healthy birth.
- Meet at signing, six months and at expiration of agreement to assess goals, outcomes and adjustments in roles and responsibilities, to strengthen the partnership in achieving an increase in healthy birth and school readiness.

##### *Town of Lake Park will:*

- Offer the use of the Public Library to distribute information about Bridges at Lake Park. Share calendar of activities and services to families of the Lake Park community.
- Provide space for Bridges program (as available).
- Collaborate with Bridges at Lake Park once a month to provide an activity to promote and encourage reading and literacy.
- Refer families to Bridges at Lake Park for services
- Assign a contact/representative from the Town of Lake Park/Library to ensure lines of communication are open to address challenges or ideas to improve partnership.
- Meet at signing, six months and at expiration of agreement to assess goals, outcomes and adjustments in roles and responsibilities, to strengthen the partnership in achieving an increase in healthy birth and school readiness.

#### 3. Terms and condition

This Partnership shall remain in effect from \_\_\_\_\_ to \_\_\_\_\_, and is annually renewable pursuant to agreement by both parties.

**4. Signatures.**

**BRIDGES Director**

\_\_\_\_\_

**Name:** \_\_\_\_\_

\_\_\_\_\_

**Email:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**The Town of Lake Park, Florida**

\_\_\_\_\_

**Mayor:** James DuBois \_\_\_\_\_

\_\_\_\_\_

**Email:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**BRIDGES Director**

**Name:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

# TAB 6



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 7, 2013

Agenda Item No. Tab 6

**Agenda Title:** Approval of Quote for Repairs to Fuel Pump System at Lake Park Harbor Marina

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

Approved by Town Manager *[Signature]* Date: 7/24/2013

James C. Hart, Marina Director  
Name/Title

<b>Originating Department:</b>  Lake Park Harbor Marina	Costs: <b>\$8,800.00</b> Funding Source: Acct. <b>401-57-579-800-46000</b> <input checked="" type="checkbox"/> Finance <u><i>BXP</i></u>	<b>Attachments:</b> Written Quotes
<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 <u>JH</u>  or Not applicable in this case  <b>Please initial one.</b>

**Summary Explanation/Background:**

The TMS-MPC-8 console which controls the electronic activating device for the two fuel pumps at the Marina recently became inoperable possibly due to a lightning strike that occurred in May of this year. Staff has been able to operate the system manually with the use of one pump. The second pump does not have sufficient electrical power since it has been determined that all of

the wiring from the power source needs to be replaced in order to return the system to its full operating capacity.

Staff has discovered as a result of its research that there are a limited number of qualified repair contractors within the South Florida area. Therefore, staff expanded its research outside of this area to obtain a third written quote as required from a qualified firm to perform this type of specialty repair work.

The names of the respondent contractors, addresses, and the amount of each quote are described as follows:

- |  |  |
|--|--|
| 1. LUI Technical Services, Inc.<br>1821 N.W. 34 <sup>th</sup> Place<br>Sunrise, FL 33323 | \$10,222.26  |
| 2. K&K Electric, Inc.<br>2517 Country Club Rd.<br>Sanford, FL 32771                      | \$8,800.00   |
| 3. Gator Petroleum<br>P.O. Box 452224<br>Sunrise, FL 33345                               | \$10,027.49 (wiring quote: \$6,328.84;<br>TMS Console quote: \$3,698.65) |

K&K Electric, Inc. is the lowest responsive and responsible bidder for this particular work with a quote of \$8,800.00. K&K Electric, Inc. also meets all of the licensing requirements for this specific type of fueling repair-related work. Therefore, staff recommends acceptance of the quote from K&K Electric, Inc.

Staff is also working with the Town's property and liability insurance carrier, Florida Municipal Insurance Trust, in order to recover some of the Town's costs for repair of the fuel system.

**Recommended Motion:** I move to approve the quote offered by K&K Electric, Inc. in the amount of \$8,800.00.



TECHNICAL SERVICES, INC.

ELECTRICAL CONTRACTOR

PETROLEUM & ENVIRONMENTAL EC # 13004689

QUOTE

RQ# 66568

PCC# 1259633

11821 NW 34 PLACE
SUNRISE, FLORIDA, 33323
(954) 803-7610
luittechnical@bellsouth.net

Quote # 52813
DATE JULY 11/2013
CUSTOMER ID LAKE PARK HARBOR
EXPIRATION DATE 8/11/2013

TO LAKE PARK HARBOR
105 LAKE SHORE DRIVE
LAKE PARK, FL 33403
C/O JOHN OR JAMIE
(561) 881-3353 lakeparkmarina.com

Table with 7 columns: SALESPERSON, JOB, SHIPPING METHOD, SHIPPING TERMS, DELIVERY DATE, PAYMENT TERMS, DUE DATE. Row 1: Lui, 5262013, carrier, 50% Deposit 50% Completion

FURNISH AND INSTALL NEW TMS CONSOLE, NEW ELECTRICAL WIRING HIGH & LOW V. NEW CPU MAIN BOARD

THIS QUOTE IS TO REPLACE EXISTING EQUIPMENT WITH MATCHING EQUIPMENT.

Main item table with 6 columns: QTY, ITEM #, DESCRIPTION, UNIT PRICE, DISCOUNT, LINE TOTAL. Includes items like TMS CONSOLE, various reels, and CPU MAIN BOARD.

TOTAL DISCOUNT

Summary table with 2 columns: Label, Amount. Rows: SUBTOTAL \$ 10,222.26, SALES TAX, TOTAL 10,222.26

Quotation prepared by: LUIS RUIZ

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here and return:

THANK YOU FOR YOUR BUSINESS!





# Electric, Inc.

**PROPOSAL: 102002-R1**

2517 Country Club Rd  
Sanford, FL 32771-4058  
(407) 323-6300  
(407) 323-6206 fax  
construction@kkelectric.com

TO	Lake Park Harbor Marina	ATTN	James C. Hart	DATE	6/18/2013
ADDRESS	105 Lake Shore Drive	JOB NAME	Lake Park Harbor Marina		
	Lake Park, FL 33403	LOCATION	105 Lake Shore Drive		
PHONE	561-445-0509	FAX	561-881-3355		Lake Park, FL 33403

WE HEREBY PROPOSE TO FURNISH MATERIALS AND LABOR NECESSARY FOR THE COMPLETION OF

## FUEL

### 1 Electrical Scope as Follows:

- 2
- 3 Repair Dispenser Conduit Under Dock
- 4 Repull (2) Dispensers Wire - No Splices
- 5 Provide & Install (1) RDM # 601 - Power Supply
- 6 Provide & Install (1) RDM # 235 - APC Relay Board
- 7 Provide & Install (1) RDM # 2889 - TMS 8 Hose Hybrid Console
- 8 Above Items will be Ready to Ship with in 3 Business Days Upon Release
- 9

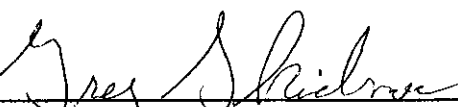
### 10 Exclusions:

- 11 Cutting, Patching, Trenching, and Backfill by Others
- 12 Any trade work not mentioned in the above scope of work under the heading "inclusions" plus bonds, permit fees (other than electrical), surveying and/or measurement benchmarks, dewatering, utility consumption fees, asphalt, concrete, brick paver and/or sod work not expressly included above, equipment pads, erosion control, pollution prevention measures and hazardous waste disposal. Temporary power and temporary power generation. Instrumentation and telemetry. Control Panels. Generator and transfer switch, fuel tank and piping.
- 13 Reprogramming Consule

**CONDITIONS IN VIOLATION OF NEC OUTSIDE OF THIS SCOPE FOUND DURING ELECTRICAL INSPECTIONS ARE NOT COVERED IN THIS BID PRICE AND WILL BE REPAIRED ON A "TIME AND MATERIAL" BASIS**

WE PROPOSE hereby to furnish material and labor-complete in accordance with above specifications for the sum of: Includes Tax:  
**Eight Thousand, Eight Hundred, and 00/100** dollars **\$ 8,800.00**

Payment to be made as follows: A Finance Charge of 1.5% Per Month Will Be  
**AS PER CONTRACT AND / OR PURCHASE ORDER** Added to Any Unpaid Balance Over 30 Days

<p><b>NOTE:</b> Due to sudden fluctuations in prices of Copper &amp; Steel - the bid price is valid for 15 days. Subsequently it will be honored for an additional 30, but with any material price increases impacting our offered bid price.</p>	<p>Authorized Signature: </p>
---	--

Any alteration or deviation from 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 all necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. The parties to this contract agree that any action brought to construe or enforce this contract shall be brought in a court of competent jurisdiction with venue lying solely and exclusively in Seminole County, Florida. The prevailing party in any action brought to construe or enforce the terms of this agreement shall be entitled to recover its attorney's fees, costs and expenses.

**ACCEPTANCE OF PROPOSAL.** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Printed Name/Title: \_\_\_\_\_

Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_ Signature: \_\_\_\_\_



# PETROLEUM

PO BOX 452224  
 SUNRISE FL 33345  
 JAMES RYDER  
 PH 954-881-3835  
 E-MAIL RYDERFUELS@GMAIL.COM

## INVOICE

TEST LOCATION: LAKE PARK DATE: JULY 22, 2013  
 FACILITY NAME: TOWN OF LAKE PARK BLDG# MARINA  
 SITE ADDRESS: 105 LAKE SHORE DR CITY LAKE PARK  
 STATE: FL ZIP: 33403 CONTACT PERSON JAMES HART  
 TELEPHONE: 561-881-3353 MOBILE: 561-445-0509 FAX: 561-881-3355  
 EMAIL: JHA

Service work: WIRING QUOTE


DESCRIPTION	AMOUNT
(4) FOUR X 500 FOOT BLACK STRANDED 12 GAUGE @ \$93.98 EACH	\$375.92
(4) FOUR X 500 FOOT WHITE STRANDED 12 GAUGE @ \$93.98 EACH	\$375.92
(4) FOUR X 500 FOOT YELLOW STRANDED 12 GAUGE @ \$93.98 EACH	\$375.92
(4) FOUR X 500 FOOT ORANGE STRANDED 12 GAUGE @ \$93.98 EACH	\$375.92
(2) TWO X 500 FOOT GREEN STRANDED 12 GAUGE @ \$93.98 EACH	\$187.96
(2) TWO X 500 FOOT BROWN STRANDED 12 GAUGE @ \$93.98 EACH	\$187.96
(1) ONE X 1000 BELDEN CABLE FOUR CONDUCTOR	\$560.88
(1) ONE TWO MAN CREW OF LABOR	\$3,750.00
(30) RED WIRE CONNECTORS \$ 70c each	\$21.00
(6) SIX ELETRICAL SEAL OFF KITS @ \$ 19.56 EACH	\$117.36
THIS IS THE ELECTRICAL PORTION QUOTE ONLY	
Total	\$6,328.84
Tax	TAX EXEMPTION
Grand total	\$6,328.84
Delivery date	JULY 22, 2013

Make all checks payable to GATOR PETROLEUM, INC  
 If you have any questions concerning this invoice, contact James Ryder (954) 881-3835 E-MAIL RYDERFUELS@GMAIL.COM

**INVOICE DUE UPON RECEIPT**

JAMES RYDER  
 James A. Ryder  
 E-MAIL RYDERFUELS@GMAIL.COM  
 CERT#01239 WO# WIRING QUOTE

# **GATOR**



## **PETROLEUM**

**PO BOX 452224  
SUNRISE FL 33345  
JAMES RYDER  
PH 954-881-3835  
E-MAIL RYDERFUELS@GMAIL.COM**

### **INVOICE**

**TEST LOCATION:** LAKE PARK **DATE:** JULY 22, 2013  
**FACILITY NAME:** TOWN OF LAKE PARK **BLDG#** MARINA  
**SITE ADDRESS:** 105 LAKE SHORE DR **CITY** LAKE OAK  
**STATE:** FL **ZIP:** 33403 **CONTACT PERSON** JAMES HART  
**TELEPHONE:** 561-881-3353 **MOBILE:** 561-445-0509 **FAX:** 561-881-3355  
**EMAIL:** JHART@LAKEPARKFLORIDA.GOV

Service work: TMS QUOTE

DESCRIPTION	AMOUNT
(1) ONE TMS AND CONSOLE POSITION	\$2,150.00
(4) FOUR TMS RELAY BOARDS @ \$75.00	\$300.00
(1) ONE S-F DISPENSER MAIN BOARD	\$798.65
(6) SIX HOURS LABOR @ \$75.00 PER HOUR	\$450.00
Total	\$3,698.65
Tax	TAX EXEMPTION
Grand total	\$3,698.65
Delivery date	JULY 22, 2013

Make all checks payable to GATOR PETROLEUM, INC.  
 If you have any questions concerning this invoice, contact James Ryder (954) 881-3835 E-MAIL RYDERFUELS@GMAIL.COM

**INVOICE DUE UPON RECEIPT**

**JAMES RYDER**  
 James A. Ryder  
 E-MAIL: RYDERFUELS@GMAIL.COM  
 CERT#01239      WO# TMS QUOTE

**Ordinance**  
**on**  
**First Reading**

# TAB 7



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 7, 2013

Agenda Item No. *Tab 7*

Agenda Title: Ordinance 10-2013 Changing the Board Appointment Process

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

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *[Signature]* Date: *7/19/13*

*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>  Ordinance 10-2013
<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><i>VM</i></u>  <b>Please initial one.</b>

**Summary Explanation/Background:** During the May 30, 2013 Commission Workshop the Commission directed staff to create an Ordinance changing the Board Appointment Process. At the June 26, 2013 Commission Workshop the Commission reviewed the first draft of the Board Appointment Process Ordinance and suggested changes, which have been incorporated in the attached Ordinance.

**Recommended Motion:** I move to adopt Ordinance 10-2013 on first reading.

**ORDINANCE NO. 10-2013**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, DIVISION 1, SECTION 2-112 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, PERTAINING TO THE APPOINTMENT OF MEMBERS TO TOWN BOARDS AND COMMITTEES; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida (“Town”) 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 the appointment of the membership of certain Town boards and committees which have been codified in Section 2-112 of the Town’s Code of Ordinances; and

**WHEREAS**, certain provisions of Code Section 2-112 of the Town’s Code of Ordinances require amendment, repeal, modification, or revision; and

**WHEREAS**, Town staff has recommended to the Town Commission that Section 2-112 (i), and (j) of the Town Code of Ordinances be amended, and

**WHEREAS**, the Town Commission has reviewed this recommendation and agrees with the Town staff’s recommendation to amend Section 2-112 (i), and (j), of the Town’s Code of Ordinances regarding the appointment of regular and alternate members of certain boards and committees and the nomination for action on vacancies on any such board or committees.

**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 findings of the Town Commission.

**Section 2.** Chapter 2, Article IV, Division 1, Section 2-112 of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended as follows:

**Sec. 2-112. Membership on certain boards and committees terminated for missing meetings; filling vacancies.**

(i) ~~Ballet~~ Nomination for action on vacancies. The clerk shall prepare ~~the ballot a list of volunteers, including members who seek reappointment, along with the profile sheet for commission action on a vacancy.~~ The ballot list of volunteers shall include the name of each person seeking the appointment for which a profile sheet has been timely received. Each person seeking appointment shall be identified as a current member, current first alternate member, current second alternate member or new applicant, as appropriate. The commission may interview board and committee members appearing on the clerk's list who volunteer for reappointment or appointment. A nomination to fill a vacancy may be made by any member of the commission. For a nominee to be appointed there must be a second and majority vote of the commission. The clerk shall receive, tally and announce the results at the town commission meeting at which the balloting occurs. Thereafter, the clerk shall notify each volunteer applicant in writing of the town commission's action ~~upon the applicant's request for appointment.~~

(j) Vacancies on a board or committee shall be automatically filled by an alternate member of that board or committee for the unexpired term. If two vacancies occur at the same time, the second vacancy shall be filled by the second alternate for the unexpired term. If a board or committee has more than two vacancies, the Town Commission may appoint temporary members, as necessary, who shall serve until the Commission makes a regular appointment. The Town Clerk shall notify an alternate upon a change in status.

**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 re-lettered 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.

**Ordinance**  
**on**  
**Second**  
**Reading**

# TAB 8



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 7, 2013

Agenda Item No. *Tab 8*

**Agenda Title:** AN ORDINANCE INITIATED BY THE TOWN'S COMMUNITY DEVELOPMENT DEPARTMENT PROPOSING MODIFICATIONS TO SECTIONS 54-1 OF THE TOWN OF LAKE PARK CODE OF ORDINANCES TO MODIFY THE ADDRESS NUMBER/LETTER HEIGHT REQUIREMENT FOR RESIDENTIAL BUILDINGS FROM FOUR TO SIX INCHES IN HEIGHT AND THE ADDRESS NUMBER/LETTER HEIGHT REQUIREMENT FOR NON-RESIDENTIAL BUILDINGS FROM SIX TO EIGHT INCHES IN HEIGHT; AND THE REPEAL OF SECTION 70-61(G) OF THE TOWN OF LAKE PARK CODE OF ORDINANCES BECAUSE IT DUPLICATES THE REQUIREMENTS OF SECTION 54-1.

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

Approved by Town Manager *DD* Date: *7/18/13*

Nadia Di Tommaso / Community Development Director *ND*  
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 09-2013 →Legal Ad
<b>Advertised:</b> Date: July 2 <sup>nd</sup> , 2013 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 <i>ND (Legal Ad)</i> OR Not applicable in this case _____ <b>Please initial one.</b>

**Summary Explanation/Background:**

Staff discovered an inconsistency in the Town of Lake Park Code of Ordinances as it relates to residential and non-residential address number/letter height requirements. The inconsistency exists vis-à-vis the Palm Beach County Fire Prevention Code (PBCFPC) which sets the address number height requirements for all buildings in Palm Beach County to ensure adequate visibility in the event of an emergency. Currently, the PBCFPC requires all residential buildings to be identified with letters/numbers containing a minimum height of **six** inches and requires all non-residential buildings to be identified with letter/numbers containing a minimum height of **eight** inches. The Town Code currently reflects an older version of the PBCFPC which required residential address numbers/letters to be four inches in height and non-residential address number/letters to be six inches in height. While the PBCFPC currently supersedes the Town Code, it is important to modify Section 54-1 through Ordinance 09-2013 which is attached, in order to meet PBCFPC standards. In doing so, a repeal of Section 70-61(g) is also being proposed as this code section duplicates the requirements of Section 54-1.

Ordinance on 1<sup>st</sup> Reading: **Approved 5-0** at the July 17<sup>th</sup> Town Commission meeting.

**Recommended Motion:** I move to ADOPT Ordinance 09-2013 on first reading.

**ORDINANCE NO. 09-2013**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-1 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "BUILDINGS AND BUILDING REGULATIONS" TO INCREASE THE HEIGHT OF THE STREET NUMBERS FOR RESIDENTIAL BUILDINGS FROM FOUR INCHES TO SIX INCHES, AND NON-RESIDENTIAL BUILDINGS FROM SIX INCHES TO EIGHT INCHES; PROVIDING FOR THE REPEAL OF CHAPTER 70, ARTICLE III, SECTION 70-61(G), ENTITLED "SIGNS"; 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 (Town) 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 building regulations and signage, which have been codified in Chapter 54 and Chapter 70, respectively, of the Code of Ordinances of the Town; and

**WHEREAS**, the Town's Community Development Department has recommended amendments to Section 54-1 of the Code of Ordinances to increase the height of the numbers of street addresses for residential and non-residential buildings; and

**WHEREAS**, The Town's Community Development Department has recommended the repeal of Section 70-61(g) of the Code of Ordinances because this provision duplicates the requirements of Section 54-1 and is therefore unnecessary; and

**Section 3.** Chapter 70, Article III, Section 70-61(g) is hereby repealed as follows:

**Sec. 70-61. General provisions.**

(g)

~~All commercial buildings shall have, visible from the roadway, the address of such building, buildings or development. Each address which shall be a minimum height of six inches in. Addresses on residential buildings shall be a minimum height of four six inches in height.~~

**Section 4. 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 5. Repeal of Laws in Conflict.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6. 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 7. Effective Date.** This Ordinance shall take effect immediately upon adoption.

# **New Business**

# TAB 9





**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** August 7, 2013

**Agenda Item No.** *Tab 9*

**Agenda Title:** AMENDMENT OF THE FISCAL YEAR 2012/2013 BUDGET ALLOWING THE REMOVAL OF DEBTS OWED BY THE MARINA FUND TO THE GENERAL FUND AND THE SANITATION FUND

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

**Approved by Town Manager** *[Signature]* **Date:** 7/24/2013  
 \_\_\_\_\_  
 Blake K. Rane, Finance Director *BKR*  
 Name/Title

<b>Originating Department:</b>  <p style="text-align: center;"><b>FINANCE</b></p>	Costs: See Attachment A Funding Source: Acct. # <input checked="" type="checkbox"/> Finance ___BKR___	<b>Attachments:</b> Resolution __-08-13, Budget Adjustment detail (Attachment A), and Letter from Nowlen, Holt & Miner, P.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 _BKR_ <b>Please initial one.</b>

**Summary Explanation/Background:**

For the Fiscal Year Ended September 30, 2012 the Marina Fund borrowed from the General Fund \$2,480,000 and from the Sanitation Fund \$400,000. This borrowing results from the unbudgeted use of cash from these funds by the Marina Fund. This has primarily been the result of the Marina Fund operating at a deficit and incurring the legal and engineering expenses in pursuing the lawsuit against the Marina Contractors in connection with the most recent Marina Construction.

This liability has contributed to the fact that no banks were willing to participate in the Town's recent effort to refinance selected long-term debts; contributed to the negative and somewhat complex nature of the Town's Financial Statements; and, has resulted in negative comments in the management letter.

Such action has been recommended by the Town's independent auditors (a copy of their 7/3/2013 letter in this regard is attached) and will not preclude the Marina Fund repaying the borrowed cash once the Marina Fund returns to profitability.

**Recommended Motion:**

I move that the Town Commission approve resolution \_\_-08-2013.

**RESOLUTION NO. \_\_\_-08-13**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2012-2013 AS PREVIOUSLY ADOPTED BY RESOLUTION NO. 25-09-12; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, the Town Commission has previously established the budget for the Town of Lake Park for the fiscal year beginning October 1, 2012 and ending September 30, 2013; and

**WHEREAS**, at the time of its adoption, the budget properly reflected expected revenues and appropriations; and

**WHEREAS**, to implement this budget, the Town Commission adopted and levied by Resolution No. 28-09-12 a final millage rate for the Fiscal Year 2012-2013; and

**WHEREAS**, the Town Commission deems it necessary and advisable to amend the budget for the Town of Lake Park for Fiscal Year 2012-2013, which was adopted by Resolution No. 25-09-12.

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

**Section 1.** An amended final budget of the Town of Lake Park General Fund is hereby approved and adopted as set forth in the attached Budget Adjustment Itemization (Attachment A).

**Section 2.** The Town Manager is hereby authorized to amend/transfer between departmental accounts provided, however, that total appropriated expenditures by fund do not exceed Commission authorized amounts.

**Section 3.** If any section, subsection, sentence, clause, phase or portion of the Resolution 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.** This resolution shall take effect immediately upon adoption.

Attachment A

**TOWN OF LAKE PARK**

**BUDGET ADJUSTMENT**

**Adjustment No:** \_\_\_\_\_

**DEPARTMENT:** Finance

**DATE:** \_\_\_\_\_

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	Debit	Credit
Transfer to Fund Balance	001-51-589-900-99907	\$ 2,480,000	
Due from Marina	001-131.401		\$ 2,480,000
Transfer to Fund Balance	404-53-534-404-99907	\$ 400,000	
Due from Marina	404-131.401		\$ 400,000
Due to General Fund	401-207001	\$ 2,480,000	
Due to Sanitation	401-207404	\$ 400,000	
Transfer to Fund Balance	401-57-579-800-99907		\$ 2,880,000

**TOTAL**

\$ 5,760,000	\$ 5,760,000
--------------	--------------

**Explanation:** At September 30, 2012, the Marina Fund owed \$2,480,000 to the General Fund

and \$400,000 to the Sanitation Fund. The entry above provides the budget to allow for the Town

Manager to direct the forgiveness of Debt for the Marina Fund.

See Resolution No. -08-13

**APPROVALS:**

Department Head: \_\_\_\_\_

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

Finance Director: \_\_\_\_\_

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

Town Manager: \_\_\_\_\_

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

Commission: \_\_\_\_\_

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



## NOWLEN, HOLT & MINER, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

WEST PALM BEACH OFFICE  
NORTHBRIDGE CENTRE  
515 N. FLAGLER DRIVE, SUITE 1700  
POST OFFICE BOX 347  
WEST PALM BEACH, FLORIDA 33402-0347  
TELEPHONE (561) 659-3060  
FAX (561) 835-0628  
WWW.NHMCPA.COM

EVERETT B. NOWLEN (1938-1984), CPA  
EDWARD T. HOLT, CPA  
WILLIAM B. MINER, CPA  
ROBERT W. HENDRIX, JR., CPA  
JANET R. BARICEVICH, CPA  
TERRY L. MORTON, JR., CPA  
N. RONALD BENNETT, CPA  
ALEXIA G. VARGA, CFE, CPA  
EDWARD T. HOLT, JR., CPA  
BRIAN J. BRESCIA, CFP®, CPA

KATHLEEN A. MINER, CPA  
J. MICHAEL STEVENS, CPA  
KARA D. PETERSON, CFE, CPA  
MARK J. BYMASTER, CPA  
PUI K. LAI, CPA  
RYAN M. SHORE, CPA

July 3, 2013

BELLE GLADE OFFICE  
333 S.E. 2nd STREET  
POST OFFICE BOX 338  
BELLE GLADE, FLORIDA 33430-0338  
TELEPHONE (561) 996-5612  
FAX (561) 996-6248

Mr. Blake K. Rane  
Finance Director  
Town of Lake Park  
535 Park Avenue  
Lake Park, FL 33403

Dear Mr. Rane:

This letter is in response to your request that we comment on the advisability and process of the Town's General Fund and Sanitation Fund forgiving the debt owed by the Marina Fund. At September 30, 2012, the Marina fund owed \$2,480,000 to the General Fund and \$400,000 to the Sanitation Fund. Also at September 30, 2012 the Marina Fund had deficit unrestricted net assets of \$2,924,454.

There are no reasons under generally accepted accounting principles or auditing standards that would prohibit the Town from forgiving the debt. Ultimately the final decision to forgive the debt would require the approval of the Town Commission and consultation with the Town's attorney. If approved the General Fund and the Sanitation Fund would record transfers out and the Marina Fund would record a transfer in for the debt forgiveness.

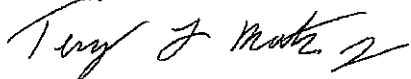
The attached schedules I and II, show what affect the forgiveness would have had on the individual and total funds if it had been done as of September 30, 2012. As shown on this schedule the positive affect on the Marina Fund overshadows the negative effects on the General and Sanitation Funds. The forgiveness of the debt would not have any effect on the unassigned fund balance of the General Fund and the unrestricted net assets of the Sanitation Fund is still positive.

The assets of both the General Fund and Sanitation Fund would decrease by the amount of debt forgiven, but since it is unlikely that the Marina Fund would have sufficient income or cash flows to repay this debt in the near future one could make an argument that the adjusted numbers are a more accurate reflection of the true financial condition of the Town. The adjusted numbers also lead to financial statements that are less complex and are more easily understandable by the average reader. The net assets of the Marina Fund would go from a negative \$2,924,454 to a negative \$44,454, which might help in securing grant funding in the future. In future years, if the Marina Fund operations generate a surplus, the Town could repay the funds through an interfund transfer.

As you are aware, in the 2010 and the 2011 audits the deficit unrestricted net assets in the Marina fund met the criteria of a Condition of a Financial Emergency according to section 218.503(1)(e), Florida Statutes. If this debt had been forgiven in fiscal year 2010 or 2011, the Town would not have met a Condition of a Financial Emergency according to section 218.503(1)(e), Florida Statutes and there would not have been a comment in the management letter concerning this. For fiscal year 2012, the State Legislature changed the definition of Financial Emergency, such that deficit net assets are no longer considered a condition. However, the large deficit in unrestricted net assets is the most significant factor in determining that the Marina Fund is in a deteriorating financial condition as reported in our Management Letter for 2012.

Please let us know if you would like to discuss this in more detail or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy J. Mott". The signature is written in a cursive style with a horizontal line at the end.

Nowlen, Holt & Miner, P.A.

Schedule I  
 Affect of Debt Forgiveness  
 on Individual Funds

	September 30, 2012		
	Actual Balances	Debt Forgiveness	Adjusted Balance
<b>General Fund</b>			
Assets	\$ 3,781,743	(2,480,000)	\$ 1,301,743
Liabilities	\$ 661,011		\$ 661,011
Fund balances			
Nonspendable	3,045,989	(2,480,000)	565,989
Restricted	54,100		54,100
Assigned	-		-
Unassigned	20,643		20,643
Total fund balances	\$ 3,120,732		\$ 640,732
<b>Sanitation Fund</b>			
Assets	\$ 983,183	(400,000)	\$ 583,183
Liabilities	\$ 401,424		\$ 401,424
Net assets			
Investment in capital assets, net of debt	43,406		43,406
Unrestricted	538,353	(400,000)	138,353
Total net assets	\$ 581,759		\$ 181,759
<b>Marina Fund</b>			
Assets	\$ 9,853,627		\$ 9,853,627
Liabilities	\$ 7,893,616	(2,880,000)	\$ 5,013,616
Net assets			
Investment in capital assets, net of debt	4,884,465		4,884,465
Unrestricted	(2,924,454)	2,880,000	(44,454)
Total net assets	\$ 1,960,011		\$ 4,840,011

Schedule II  
 Affect of Debt Forgiveness  
 on Total Funds

September 30, 2012

	Actual Balances	Debt Forgiveness	Adjusted Balance
<u>Total Governmental Funds</u>			
Assets	\$ 4,648,155	(2,480,000)	\$ 2,168,155
Liabilities	\$ 1,531,715		\$ 1,531,715
Fund balances			
Nonspendable	3,045,989	(2,480,000)	565,989
Restricted	267,633		267,633
Assigned	18,458		18,458
Unassigned	(215,640)		(215,640)
Total fund balances	\$ 3,116,440		\$ 636,440
<u>Total Enterprise Funds</u>			
Assets	\$ 11,872,459	(400,000)	\$ 11,472,459
Liabilities	\$ 8,718,808	(2,880,000)	\$ 5,838,808
Net assets			
Investment in capital assets, net of debt	5,205,987		5,205,987
Restricted	99,592		99,592
Unrestricted	(2,151,928)	2,480,000	328,072
Total net assets	\$ 3,153,651		\$ 5,633,651