



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 17, 2012, 7:00 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner

Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley, CMC	—	Town Clerk

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

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA

F. PRESENTATION:

1. Presentation by Boy Scout Troop #180 on their Community Service Work at the Seeds of Hope Community Garden

Tab 1

G. PUBLIC and OTHER COMMENT:

This time is provided for audience members to address 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.

H. 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.

Recommended For Approval:

2. Regular Commission Meeting Minutes of September 5, 2012 Tab 2
 3. Commission Budget Hearing Meeting Minutes of September 12, 2012 Tab 3
 4. Special Call Final Public Hearing on the Budget Meeting Minutes of September 19, 2012 Tab 4
 5. Regular Commission Meeting Minutes of September 19, 2012 Tab 5
 6. Special Call Final Public Hearing on the Budget Meeting Minutes of September 24, 2012 Tab 6
 7. Regular Commission Meeting Minutes of October 3, 2012 Tab 7
- I. **DISCUSSION AND POSSIBLE ACTION:**
8. Palm Beach County Commission on Ethics Compliance Review Memorandum Tab 8
 9. Presentation by Nader Salour, Agent for Congress Avenue Properties Ltd., Requesting that the Town Commission Consider Modifying the Town Code, Section 78-148 (a) and (b), to Eliminate the 1,200 Foot Distance Separation Between Two Gasoline and Filling Stations Tab 9
 10. Request from the Village of North Palm Beach (NPB) for a Joint Meeting on November 8, 2012 at 6:30 p.m. at the Village of North Palm Beach Council Chamber Located at 501 US Highway 1 Tab 10
- J. **COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:**
- K. **ADJOURNMENT:**

PRESENTATION

TAB 1



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. *Tab 1*

Agenda Title: Presentation by Boy Scout Troop #180 on their Community Service Work at the Seeds of Hope Community Garden

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

Approved by Town Manager *[Signature]* Date: *10/1/12*
 Dale S. Sugerman, Town Manager

Name/Title _____

Originating Department: Town Manager	Costs: \$ 0.00 Funding Source: Acct. # N/A <input type="checkbox"/> Finance _____	Attachments: None
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>[Signature]</i> Please initial one.

Summary Explanation/Background:

Boy Scout Troop #180 would like to make a presentation to the Town Commission regarding the recent community service work the Troop has been doing at the Seeds of Hope Community Garden. Their presentation will include their giving an annual report, outlining their experiences at the garden, the number of man hours that they have put in (dirt hauling, crop planting, etc.) and their plans to work toward installing a new irrigation system.

Michael Donahoe is the Scout Master and Brad Goldstein is the Assistant Scout Master who will both be helping the boys with this presentation.

Recommended Motion:

No motion is necessary as this is just a presentation.

Consent Agenda

TAB 2



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. *Tab 2*

Agenda Title: Commission Meeting Minutes of September 5, 2012

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

Approved by Town Manager *[Signature]* Date: *9/25/12*

Shari Canada, Deputy Town Clerk
Name/Title

Originating Department: Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda Meeting Minutes Exhibit "A" Exhibit "B" Exhibit "C"
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><i>[initials]</i></u> or Not applicable in this case <u><i>[initials]</i></u> Please initial one.

Summary Explanation/Background:

Recommended Motion: To approve the Commission Meeting Minutes of September 5, 2012.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, September 5, 2012,
Immediately Following the
CRA Board Meeting
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley, CMC	—	Town Clerk

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

- A. **CALL TO ORDER**
- B. **INVOCATION**
- C. **PLEDGE OF ALLEGIANCE**
- D. **ROLL CALL**
- E. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**
- F. **PRESENTATION:**
 - 1. **Discussion on the Feasibility of Partnering with the Burt Reynolds Institute for Film and Theater (BRIFT) in the Offering of Classes and the Presenting of Showcases to the Public.** Tab 1
 - 2. **Presentation by Howard Foster of S&H Foster's, Inc. Requesting that the Town Commission Consider Modifying the Town Code, Section 6-5 Hours of Sale, to Allow Liquor Sales beyond 2 a.m.** Tab 2

G. PUBLIC and OTHER COMMENT:

This time is provided for audience members to address 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.

- H. 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.

Recommended For Approval:

- | | |
|--|--------|
| 3. Regular Commission Meeting Minutes of August 15, 2012 | Tab 3 |
| 4. Approval of Final Payment to Cutcher and Associates, Inc in the Amount of \$5,810.00 for Prior Professional Services Provided in Support of Marina Litigation | Tab 4 |
| 5. Resolution No. 23-08-12 Florida Annual Library State Aid Grant | Tab 5 |
| 6. Authorizing the Mayor to Sign the FEMA Designation of Subgrantee's Agent Form | Tab 6 |
| 7. Award Bid 106-2012 Downtown Irrigation and Landscaping 7 th to 8 th Street to Chris Wayne and Associates (CWA) | Tab 7 |
| 8. Discussion Regarding the Advisability of Holding the Regularly Scheduled November 21 st Commission Meeting on the Night before the Thanksgiving Holiday | Tab 8 |
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| I. <u>BOARD MEMBER APPOINTMENT:</u> | |
| 9. Planning and Zoning Board | Tab 9 |
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| J. <u>DISCUSSION AND POSSIBLE ACTION:</u> | |
| 10. Authorizing the Mayor to Execute the 8 th Addendum to the Law Enforcement Services Agreement with Palm Beach Sheriff's Office (PBSO) Beginning October 1, 2012 through September 30, 2013 | Tab 10 |
| 11. Authorize the Mayor to Sign a Service Agreement with J.E.S. Production and Design for Event Management Services for the 2012 Park Avenue Seafood Festival | Tab 11 |
| 12. Selection of the Carrier/Plan for Employee Medical Insurance for FY 2013 | Tab 12 |
| 13. Discussion re: Modification to the Lake Park Harbor Marina Dockage Rate Schedule | Tab 13 |
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| K. <u>COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:</u> | |
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| L. <u>ADJOURNMENT:</u> | |



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, September 5, 2012, 8:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, September 5, 2012 at 8:00 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioners Steven Hockman, Jeanine Longtin, and Tim Stevens, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Vice-Mayor Rumsey led the Invocation and Mayor DuBois led the Pledge of Allegiance. Town Clerk Vivian Lemley performed the Roll Call

ADDITIONS/DELETIONS/APPROVAL OF AGENDA:

Mayor DuBois stated that Town Manager Sugerman has requested that item J.10. regarding the 8th Addendum to the PBSO contract be moved to after Public Comment and before the Consent Agenda and he request that item 8 on the Consent Agenda regarding the November 21st Commission Meeting be moved to Discussion and Possible Action as item 14.

Commissioner Longtin requested that an item be added regarding Commissioner Stevens' appointment to the Marina Task Force.

Commissioner Stevens stated that he will make the appointment during his Commissioner Comments.

Motion: A motion was made by Commissioner Hockman to approve the Agenda as amended; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

PRESENTATION:

1. Discussion on the Feasibility of Partnering with the Burt Reynolds Institute for Film and Theater (BRIFT) in the Offering of Classes and the Presenting of Showcases to the Public.

Town Manager Sugerman explained that the current facility occupied by BRIFT is located in Jupiter and that the Town of Jupiter has determined that there are other needs for the facility causing BRIFT to now look for a temporary location. He explained that BRIFT are in need of a small office, classroom space and a stage and these types of facilities are available in the Town. He stated that BRIFT representatives have toured the facilities and are interested in partnering with the Town. He explained that the item on the agenda is for the Commission to discuss and determine if the Commission is interested in the partnership. He introduced Douglas Rill, Chairman of the BRIFT Board who is present and made comments and answer questions.

Mr. Rill introduced himself and explained that the Town of Jupiter has decided to sell the location that BRIFT currently occupies and that they have sub-divided and moved to several temporary facilities in Stuart and Tequesta and that they are looking to partner with Lake Park for a southern location. He stated that BRIFT has an agreement with Palm Beach County for a permanent facility within the next couple of years in the Burt Reynolds Park in Jupiter, however funds needs to be raised to build the facility. He explained that the space would be used to teach acting, theater and performing arts and that the facilities that they toured in Lake Park are appropriate.

Mayor DuBois stated that the Town has a history with Burt Reynolds and that Burt Reynolds' first public performance was in Mirror Ballroom in Town Hall.

Mr. Rill stated that BRIFT was aware of that history.

Commissioner Longtin asked for how long BRIFT would be in the facility.

Mr. Rill stated that he was not here to make a long term commitment, but that BRIFT is interested in starting a relationship with the Town and see how it develops over time.

Commissioner Longtin stated that she thinks it is a great idea.

Vice-Mayor Rumsey stated that this idea was brought to him by Will Serrano and thanked him. He asked what recognition or publicity will the Town get out of BRIFT for the use of the facility.

Mr. Rill stated that it would be a partnership and that the productions and shows that happen in this facility would promote the location as being within the Town.

Vice-Mayor Rumsey stated his support for the project.

Commissioner Stevens stated that he is excited about the project and asked about the show, classes and services provided by BRIFT and if there is a charge.

Mr. Rill stated that there is a nominal fee of \$15 - \$20 dollars per class to just cover the cost of the class.

Commissioner Stevens asked if there was a possibility of offering free or reduced rate classes for Lake Park residents.

Mr. Rill stated that he is not sure about a discount given because the price for the classes are pretty low.

Motion: A motion was made by Vice-Mayor Rumsey to direct Town Manager Sugerman to make the necessary arrangements to partner with the Burt Reynolds Institute for Film and Theater; Commissioner Hockman made the second.

Town Manager Sugerman explained that BRIFT will be asked to provide proof of insurance and to name the Town as additionally insured, indemnification arrangement will be made to protect the Town from any of the acts of BRIFT, make arrangements will be made for access to the building, and other services that may be needed. He stated that BRIFT has asked that they pay the Town \$1 per year for the use of the facility. He stated that the formal agreement will be brought back at either September 19, 2012 or October 3, 2012 Commission meeting for consideration.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

2. Presentation by Howard Foster of S&H Foster's, Inc. Requesting that the Town Commission Consider Modifying the Town Code, Section 6-5 Hours of Sale, to Allow Liquor Sales beyond 2 a.m.

Howard Foster introduced himself and stated that he operates Foster's Pub in North Palm Beach and two other bars. He provided to the Commission documentation regarding his business and operations. He stated that he would like to move his business to Lake Park.

Sherry Foster introduced herself and explained the documents that were provided to the Commission. She stated that the documents contain a list of calls for service at Foster's Pub from the Village of North Palm Beach and stated that very few of the calls were related to the Foster's Pub. She explained that the clientele that goes to the Foster's Pub are the people who work shift work or in the service industry. She stated that they are trying to find a new home to move the pub. She stated that if the Town offered an extended hours license an additional annual fee could be charge, it could be restricted to only businesses with a 4COP liquor license or SRX restaurant license, and restrict that only over 21 years of age patronage.

Mayor DuBois asked if all three of the locations operate until 5:00 am.

Ms. Foster stated that before the annexation into North Palm Beach all three operated until 5:00 am.

Commissioner Hockman asked what general location are they looking at in Lake Park.

Ms. Foster stated that they are looking at Some Place Restaurant.

Commissioner Hockman stated that location is close to apartments and voiced concern over noise from the pub.

Ms. Foster stated that the bar on Okeechobee Boulevard in West Palm Beach backs up to a neighborhood and they have put in measures to control the noise associated with the Pub. She stated that they do karaoke, pools teams, and similar types of activities. She stated that it is a neighborhood bar atmosphere.

Mr. Foster stated that they have a doorman on premises late at night seven days a week to make sure there is no noise going on outside. He stated that they would add lighting to the parking lot at the location they are looking at because it is a little dark.

Town Manager Sugerman explained that if the Commission wanted to pursue allowing for liquor sales after 2:00 am it would require an amendment of the Town Code through an Ordinance.

Attorney Baird stated that the change in the Town Code would affect any business selling alcohol making them eligible to extend the hours they sell alcohol. He is not aware of any way to limit the ability to sell after 2:00 am to particular businesses. He explained that the change in the code would be from 2:00 a.m. to 5:00 a.m. and that the only times businesses would not be permitted to sell alcohol would be from 5:00 a.m. to 7:00 a.m. seven days a week.

Vice-Mayor Rumsey suggested to poll the Commission about their position.

Ms. Foster explained that a 4COP license means full liquor and that a liquor store is not permitted to have consumption on premises.

Commissioner Stevens felt it would be great to have Foster's Pub in Lake Park and it is important for the service industry to have some place to go. However, he felt that locating Foster's Pub near a residential area would not be good and would not be in favor of changing the code. He commented that the Town has other areas that the Pub could be located that is not near residential.

Commissioner Longtin asked about the location that was occupied by Cardello's and thought that would be a better location.

Ms. Foster stated that Riveria Beach has a "Cabaret License" that deals with all the issues that the Commission has mentioned.

Vice-Mayor Rumsey stated he would like to have Foster's Pub in Town, but is unwilling to discuss allowing alcohol sales until 5:00 am.

Commissioner Stevens asked if there are any areas of the Town that the Commission would be willing to consider allowing alcohol sales until 5:00 am.

Mayor DuBois stated he does not have an issue with the location because Foster's Pub does not have live music at that time of night.

Commissioner Hockman stated that he would like to see them bring their business to Lake Park, but he has concerns regarding the proximity to residential properties. He asked if the business can be open after 2:00 am as long as it does not serve alcohol.

Attorney Baird stated that the Code does not prevent the business from being open and serving non-alcoholic beverages.

Mr. Foster stated that being open and not serving alcohol invites a younger crowd and that he is not interested in having 18 year olds in his establishment.

Mayor DuBois stated that the consensus of the Commission is not to pursue this any further.

Commissioner Longtin asked if the Code in the Industrial Section of the CRA can be amended to allow this type of business.

Attorney Baird asked if Commissioner Longtin's intent is to have different hours of operation based on the Zoning Category.

Commissioner Longtin asked if that would be possible.

Attorney Baird stated that he has not heard of such a thing, but that anything is possible.

Vice-Mayor Rumsey asked if an Entertainment District could be created and stated that he does not think that the Commission is ready to move forward with something like that.

Attorney Baird stated that he does not know the answer to that question.

Commissioner Stevens suggested that Mr. and Mrs. Foster get with staff to discuss alternatives, but that he does not think the Commission is interested in changing the code.

Commissioner Longtin stated that if it happens it will be a process.

PUBLIC and OTHER COMMENT:

Beth Kigel, President & CEO Northern Palm Beach Chamber of Commerce, introduced herself and stated that she is the new President and CEO of the Chamber of Commerce. She wants to make sure that good relationship between the Town and the Chamber are continued and enhanced moving forward. She stated that engaging the businesses in Lake Park is a strategic initiative of the Chamber and encouraged the Commission to get involved in the process.

Bobby Powell, introduced himself as State Representative Elect for District 88 which includes Lake Park. He stated that he is familiar with the municipalities within the District because of his role as a Legislative Aide to Representative Mack Bernard. He will work to keep a strong relationship with the municipalities and that he looks forward to working with the Town. He thanked all the voters that voted in the election.

Mayor DuBois stated that the Town has a lobbyist Fausto Gomez and that he looks forward to working with Representative Powell on future Legislative issues.

Representative Powell stated that he is looking forward to working with Mr. Gomez and all the Commissioners.

DISCUSSION AND POSSIBLE ACTION:

10. **Authorizing the Mayor to Execute the 8th Addendum to the Law Enforcement Services Agreement with Palm Beach Sheriff's Office (PBSO) Beginning October 1, 2012 through September 30, 2013**

Public Comment:

John Lineweaver, 836 Evergreen Drive, he urged the Commission to use caution when considering cutting Deputies for the Town and reminded the Commission that there is no reason to cut services because the budget presented to the Commission is balanced. He stated that it was reported that the cost of a Deputy is approximately \$120,000, but that cost also covers cars, air support, mounted patrol, management, crime lab, detectives, and tax and insurance. He feels that by making the Town safer it is more attractive for people to live and work. He suggested finding ways to get the kids off the streets and into the parks. He stated that the Marina dollars should be left in the Marina so that it can be fixed and generate revenue.

Public Comment Closed.

Town Manager Sugerman explained that the Commission had questions that Town staff were unable to answer and that Lieutenant Steve Thibodaux is here to answer the Commission's questions.

Lieutenant Thibodaux thanked the Commission for the opportunity to be at the meeting to answer questions. He stated that the Town and PBSO have had a relationship since 2001 and that PBSO has provided the Town with good service. He stated that PBSO understands that everybody is struggling and that for the last two years that the contract has been held flat with no increase and three years ago there was only a 1% increase.

Commissioner Hockman stated that the Town pays for nineteen (19) Deputies, three (3) Sergeants and one (1) Lieutenant and that he has been told that there has been shifts with only two (2) Deputies on duty. He stated that his issue is that when there is only two (2) Deputies and one is called out to provide service to another area, then there is only one Deputy left to serve the Town and that the Town is paying for the Deputies to be in the Town. He stated that he does not have an issue of PBSO sending officers when there is an armed robbery, bank robbery or incidents such as that, but he does have an issue with Deputies leaving the Town for a drunken person or domestic issue. He stated that the Town is paying for nineteen (19) Deputies which equates to five (5) for two (2) shifts and four (4) for the third shift and often there are only two (2) on duty.

Lieutenant Thibodaux requested that he be provided dates of these issues and he will look into them and explore the issues for the Town, but in his conversations with Lieutenants Palenzuela and Myers, the Town has never been down to two (2) Deputies. He explained that when a Deputy is out sick, on vacation or other reason that services are pulled because the Town is a contract service to make sure the Town is never in the position of having two (2) Deputies. If a Deputy assigned to Lake Park does respond to a non-emergency incident outside the Town he encouraged the Commission to contact him and he will address it as it happens.

Commissioner Hockman asked about the role of the reserve Deputy.

Lieutenant Thibodaux explained that the reserve Deputy is a free supplement to the road patrol Deputy not a replacement for the road patrol Deputy.

Commissioner Stevens asked how many Deputies are assigned to Lake Park and what the normal ratio is of Deputies to Sergeants and Lieutenants.

Lieutenant Thibodaux explained that there are twenty-three (23) including the Lieutenant and the three (3) Sergeants. He stated that in his opinion the Town does not have enough Sergeants, but that is a free service being provided by PBSO because three (3) Sergeants do not work 24 hours a day seven days a week and those resources are pulled from other areas to cover the Town.

Commissioner Stevens stated that he has seen the cost breakdown for the Deputies, but that he has not seen a breakdown of the administrative costs such as insurance and pension and asked if that information can be provided.

Lieutenant Thibodaux explained that PBSO takes the cost of the average Deputy and that they do not provide the actual breakdown of each Deputy.

Commissioner Stevens stated that a Deputy is paid approximately \$50,000 but the cost is \$120,000 for the Deputy and that there seems to be a lot of administrative cost. He asked if PBSO provides policing services to unincorporated Palm Beach County.

Lieutenant Thibodaux stated "yes".

Commissioner Stevens asked if the Town is more safe because residents are paying County and Town taxes and PBSO is provided funds from both entities.

Lieutenant Thibodaux explained that constitutionally once an area becomes a municipality it is required to provide its own policing services and the Town is providing those services through the contract with PBSO.

Commissioner Stevens stated that it is an issue of double taxation whereas the Town pays the County and PBSO for policing services.

Lieutenant Thibodaux asked if Commission Stevens is referring to the Ad Valorem tax.

Commissioner Stevens stated "yes".

Lieutenant Thibodaux explained that the County Ad Valorem taxes include many things such as county parks, roads, libraries, and law enforcement services not just one thing. He stated that prior to the Town contracting with PBSO the ancillary services provided by PBSO were available to the Town as well.

Mayor DuBois stated that he does not have an issue with the service that PBSO provides, but he has an issue with the contract timing being that it comes up in March and it seems that every year the Town is unable to effectively negotiate the cost down. He stated that the staffing clause stated that PBSO shall determine staff as deemed necessary and desirable to provide services to the Town and there is no definition of that PBSO defines as necessary or desirable and the Town has no recourse in the amount of staff assigned to the Town. He stated that he wants the Town administration to work with PBSO to start to define what the Town receives from PBSO and how the costs of service can be reduced. He stated that this is a small Town and is near the top of the allowable millage rate and that the Town is cutting everywhere it can and that it only seemed logical to him that this contract would be a part of those discussions.

Commissioner Stevens stated that the Town has until March 2013 to contract with another municipality or renegotiate with PBSO. He stated that he agrees with Mayor DuBois' frustration and hopes that the Town can work out something.

Mayor DuBois stated that he rode with Sergeant DeMarco one night and was very impressed with the level of service provided to the Town. He stated that it has been his experience that there are six (6) to seven (7) people on duty during any one shift

including special operations personnel and that he finds it hard to believe that there is ever a time when only two people are on duty within the Town.

Lieutenant Thibodaux agreed and stated that if he was provided specific information regarding when only two (2) Deputies were on duty that he would look into it.

Commissioner Hockman stated that he looked at the log and when he discussed it with Lieutenant Palenzuela there were some issues regarding number of Deputies on duty.

Commissioner Stevens suggested providing the officer's logs to Lieutenant Thibodaux.

Commissioner Hockman asked about the use of the auxiliary services such as the helicopter and stated that his understanding is that the helicopter and other auxiliary services are provided equally amongst all municipalities in the County.

Lieutenant Thibodaux stated that constitutionally PBSO is not required to provide services to any municipality, but as a good neighbor if a non-contract municipality needs a service PBSO provides it. He explained that if the helicopter is available and it meets PBSO standards then it would be provided to the non-contract municipality. He further explained that if there was a need at the same time for the helicopter by a contract municipality the contract municipality would be given priority.

Vice-Mayor Rumsey asked how many times PBSO did sweeps in the Town with approximately 20 to 25 Deputies in the last year.

Lieutenant Thibodaux explained he did not have that information and that the sweeps are a service provided to the Town at no charge.

Vice-Mayor Rumsey stated he recalls four (4) sweeps in the Town in the last year. He asked how often the helicopter comes over the Town and if the reserve officers are persons attempting to be hired by PBSO.

Lieutenant Thibodaux explained that the reserve Deputies are retired Deputies, and law enforcement certified personnel, that they are trained the same as a regular Deputy. He stated that it is a program that PBSO utilizes to so how hard they will work and then when a position opens depending on how hard they worked a reserve Deputy could assist them in getting hired. He stated that they work a minimum of twenty (20) hours a month, but those persons looking for employment are working twenty (20) hours a week or more.

Vice-Mayor Rumsey stated that he supports PBSO, but he does think the contract is too high however he does look at it and knows that the contract has not been raised in several years and in order to cut this contract services would have to be cut and that he is not willing to cut services. He asked about CRA dedicated officers and asked if they could let the Town know what PBSO could do for \$22,000.

Lieutenant Thibodaux stated that \$22,000 would provide approximately 520 hours of service. He explained that PBSO fee is \$42.00 per hour with a three (3) hour minimum. He would be happy to look into it and provide additional information.

Commissioner Longtin requested that Commissioner Hockman meet with Lieutenant Thibodaux and provide the dates and times regarding only having two (2) Deputies on duty. She stated that she appreciates all that PBSO does for the Town.

Motion: A motion was made by Vice-Mayor Rumsey to Authorize the Mayor to Execute the 8th Addendum to the Law Enforcement Services Agreement with Palm Beach Sheriff's Office (PBSO) Beginning October 1, 2012 through September 30, 2013; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois		X	

Motion passed 4-1.

CONSENT AGENDA ITEMS:

3. **Regular Commission Meeting Minutes of August 15, 2012**
4. **Approval of Final Payment to Cutcher and Associates, Inc in the Amount of \$5,810.00 for Prior Professional Services Provided in Support of Marina Litigation**
5. **Resolution No. 23-08-12 Florida Annual Library State Aid Grant**
6. **Authorizing the Mayor to Sign the FEMA Designation of Subgrantee's Agent Form**
7. **Award Bid 106-2012 Downtown Irrigation and Landscaping 7th to 8th Street Chris Wayne and Associates (CWA)**
8. **Discussion Regarding the Advisability of Holding the Regularly Scheduled November 21st Commission Meeting on the Night before the Thanksgiving Holiday**

Commissioner Hockman requested that items 4 and 7 be pulled from the consent agenda.

Commissioner Longtin stated that item 8 had be moved to Discussion and Possible Action by previous action of the Commission.

Motion: A motion was made by Commissioner Stevens to approve the Consent Agenda items 3, 5, and 6; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

4. Approval of Final Payment to Cutcher and Associates, Inc in the Amount of \$5,810.00 for Prior Professional Services Provided in Support of Marina Litigation

Town Manager Sugerman stated that the agenda item materials speak for themselves and that he is available for questions.

Commissioner Hockman stated that he has no questions that he just wanted it pulled for a separate vote.

Mayor DuBois stated that there are several calls that the Town is being charged for attempting to ascertain Mr. Cutcher's availability to schedule a meeting and that he would expect be to charged for the services rendered based on the agreed fees.

Robert Cutcher, Cutcher and Associates, Inc, explained that to provide a through explanation of each task would require ten (10) to fifteen (15) pages and that it has been their practice to provide a short description of the activity and if there were questions he would provide further explanation. He stated that the invoice is from July for services rendered from January to the middle of April. He explained that it was not only the scheduling of a meeting, but also providing information and answering questions regarding what was to be discussed at the meeting. He offered examples of work product provided on the dates in question.

Commission Longtin asked how much Cutcher and Associates, Inc has been paid for services provided regarding the Marina Litigation.

Mr. Cutcher stated that he does not have the information in front of him and stated that they have been working for the Town for six and half (6 ½) years.

Commissioner Longtin asked why this bill is coming before the Commission when no other bill from Cutcher and Associates, Inc has come before the Commission.

Mr. Cutcher explained that prior to the departure of Town Manager Davis all of the invoices and bills went to her and when Town Manager Davis was no longer with the Town he provided an e-mail to the Town's Counsel for the litigation and that he did not have a work authorization from the Town once Ms. Davis departed. It was recommended that he contact Town Attorney Baird and Attorney Baird recommended that the invoices be provided to the consulting attorney and that they would be added onto their billing on a monthly basis. He stated that he submitted an invoice in July for work performed from January to April. He stated that an invoice was not submitted until July because they were waiting on an update or conclusion to the litigation.

Mayor DuBois stated that he recalls there being communication regarding difficulty in reaching Mr. Cutcher to schedule mediation.

Commissioner Hockman stated that the work authorization is with the Town and not the Town Manager and asked why would Cutcher and Associates no longer have a work authorization when the former Town Manager left the Town.

Mr. Cutcher stated that because the litigation regarding the Marina was on-going he did not have specific tasks and as tasks would arise from the litigation former Town Manager Davis would provide verbal or e-mail authorization to perform the work.

Commissioner Stevens stated that is why the Commission changed the Town Code so that the Town Manager no longer has that authority and that the Town Attorney will now handle all the Town's litigation needs. He stated he has concerns regarding what the Town has paid in litigation fees and fees to engineers and other professionals in regards to the Marina litigation. He asked if the information and documents that Mr. Cutcher mention was provided to staff.

Mr. Cutcher stated that the information and documents were provided to the Attorney for the litigation.

Commissioner Stevens asked if the Town will have access to those materials.

Attorney Baird stated that the firm hired to represent the Town in the matter has the records and the Town will request that the records be provided.

Town Manager Sugerman stated that he has the field drawings that Cutcher and Associates did for the seawalls, but he does not have the records used in preparation for the litigation.

Mr. Cutcher stated that the records that Town Manager Sugerman is referring to was billed on a separate invoice and that this invoice deals with the review of interrogatories, documents, expert witness testimony, and litigation preparation.

Commissioner Longtin requested that the Town get all work product that it has paid for and asked that Town Manager Sugerman negotiate with Mr. Cutcher to reduce the bill to under \$5,000 and that she does not want to approve this bill.

Motion: A motion was made by Commissioner Longtin directing Town Manager Sugerman get with Mr. Cutcher and anyone else and make sure the Town has all work product that the Town is paying for and that Town Manager negotiate with Mr. Cutcher to reduce the bill under \$5,000.00. Motion failed due to a lack of a second.

Motion: A motion was made by Commissioner Stevens directing Town Manager Sugerman to request any research or materials related to Marina deficiencies.

Attorney Baird stated that can be done without a motion through the attorneys hired by the Town.

Commissioner Stevens withdrew his motion.

Motion: A motion was made by Vice-Mayor Rumsey to approve final payment of Invoice #1183 dated July 31, 2012 for work completed from January 5, 2012 until July 31, 2012; Commissioner Stevens made the second.

Commissioner Stevens stated that he thinks that some of the phone calls could be cut from the invoice and suggested approving paying \$5,500 as a compromise.

Mr. Cutcher stated that he appreciated the Commission's concern regarding fiscal responsibility, but he would be remiss if he did not mention he already eliminated from the invoice twenty-five (25) hours of review of interrogatories and depositions performed on behalf of the Town that would have been included.

Commissioner Stevens called the question.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman		X	
Commissioner Longtin		X	
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 3-2.

**7. Award Bid 106-2012 Downtown Irrigation and Landscaping 7th to 8th Street
Chris Wayne and Associates (CWA)**

Commissioner Hockman asked what is left of the \$350,000.00.

Project Manager Richard Pittman explained that items that previous came before the Commission regarding this project included cost overruns on construction and consulting fees and that it would appear that there would not be sufficient funds for irrigation and landscaping. He stated that upon review of documentation from the Finance Department there are sufficient funds.

Commissioner Longtin asked what landscaping is currently between 7th and 8th Street.

Project Manager Pittman stated that there is currently no landscaping.

Commissioner Stevens stated that he is in favor of alternative number two (2) to replace the Cocoplum with the Green Arboricola hedge, because the Green Arboricola is very drought tolerant and pest resistant.

Motion: A motion was made by Commissioner Stevens to approve the Award Bid 106-2012 Downtown Irrigation and Landscaping 7th to 8th Street Chris Wayne and Associates (CWA) with alternative number two (2); Commission Hockman made the second.

Commissioner Longtin stated that Whitefly is an issue on all plant species.

Commissioner Stevens stated that Green Arboricola is pest resistant and that Jeff Blakely has also recommended the change.

Mayor DuBois asked what the cost difference is on changing from Cocoplum to Green Arboricola.

Commissioner Stevens stated that it is the same cost.

Project Manager Pittman stated that the increase in cost for the Green Arboricola is \$286.00 and the budget for the project can cover that increase in cost.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		

Mayor DuBois	X		
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Motion passed 5-0.

BOARD MEMBER APPOINTMENT:

9. Board Appointment to the Planning and Zoning Board

Town Clerk Lemley stated that Kimberly Glas-Castro was selected as the alternate. (see attached ballots Exhibit "A").

DISCUSSION AND POSSIBLE ACTION:

11. Authorize the Mayor to Sign a Service Agreement with J.E.S. Production and Design for Event Management Services for the 2012 Park Avenue Seafood Festival

Town Manager Sugerman stated that at the August 22, 2012 Commission meeting a proposal from J.E.S. Production and Design presented a proposal for event management for up to seven (7) events during the upcoming fiscal year. The Commission decided to limit the agreement to just the 2012 Park Avenue Seafood Festival. The service agreement is attached for the Commission's review.

Attorney Baird stated that there is one correction to change the signature lines to reflect the Town instead of the CRA.

Commissioner Hockman asked if this needs to go through the CRA since the event takes place in the CRA.

Attorney Baird stated that the Town can contract with whomever it desires to conduct the Seafood Festival.

Mayor DuBois recommended amending the signature line to reflect the Town of Lake Park.

Attorney Baird stated that all references in the contract to the CRA would need to be changed to Town.

Economic Development Director Jennifer Spicer stated that she is concerned about clause five (5) Right to Audit since this is a private company and that clause does not appear in other service agreements that the Town has entered into.

Mayor DuBois suggested putting a time limit on when the audit can be requested and if that date passes, the audit would not be done.

Attorney Baird stated that the reason the clause is in the public contract is because it is taxpayers' money and so most of these contracts contain this provision.

Ms. Spicer stated that she will be paying taxes on these funds and that the IRS would have the right to audit. She explained that the Town is not paying anything for this service. She stated that other promoters have not had a service contract with the Town, that this is the first one because it is a unique situation. She reiterated that it is not costing the Town anything and she is responsible for everything else.

Attorney Baird stated that the audit is only an audit of the services provided to the Town and that it is not an open book audit of the entities finances.

Ms. Spicer asked if this is going to be required of anyone else who does an event in the Town including Kiwanis.

Attorney Baird stated that if the Town enters into contract with them then an audit would be required.

Commissioner Stevens stated that if the Town does the audit the expense of the audit would be on the Town.

Ms. Spicer stated that her concern is that this agreement is being treated differently than other promoters in the Town.

Commissioner Hockman stated that Ms. Spicer is not prohibited from doing other events in the Town and if she wanted to do another event it would just require an application for a special permit.

Motion: A motion was made by Commissioner Stevens to Authorize the Mayor to Sign a Service Agreement with J.E.S. Production and Design for Event Management Services for the 2012 Park Avenue Seafood Festival; Vice-Mayor Rumsey made the second.

Town Manager Sugerman requested authorization from the Commission to change all references from CRA to the Town of Lake Park.

The Commission reached consensus to authorized the Town Manager to change all references from the CRA to the Town.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin		X	
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		

Mayor DuBois	X		
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Motion passed 4-1.

12. Selection of the Carrier/Plan for Employee Medical Insurance for FY 2013

Town Manager Sugerman stated that the Commission has discussed during the Budget Workshops the need to renew or replace the Carrier/Plan for Employee Medical Insurance for FY 2013. He stated that included in the agenda are the alternatives (see attached Exhibit "B").

Kurt Gehring, President of Gehring Group, stated that they have been working on the project for about a month and a half and noted that because of the size of the Town it is beneficial to go out to bid on an annual basis. He explained the process of received quotes from each of the health care companies and that information presented in the combination of the best rates available in the market. He explained the differences between the renewal of the current plan and three alternatives. He explained that the red is a decrease in the schedule of benefits and provided the example that in the current plan there is no deductible and alternative #3 has a \$500 deductible for services.

Motion: A motion was made by Commissioner Stevens to approve alternate #3; Vice-Mayor Rumsey made the second.

Commissioner Longtin stated that currently the Town is paying 50% of the employee family coverage and suggested that the employees be asked to pay a little bit more.

Commissioner Stevens stated that reduction in cost of 6% to the Town and the 3% from the prior year in an environment where healthcare is increasing exponentially is fair and reasonable and is voting in favor of this item.

Mayor DuBois asked what the participation is for family coverage.

Mr. Gehring stated that there are three (3) families, three (3) employee and children, three (3) employees and spouse and thirty-two (32) employees that receive insurance through the Town.

Mayor DuBois asked what contribution is by the Town for individual and family coverage.

Mr. Gehring stated that for employee only coverage the Town pays 100%. He stated that the employee contribution for family coverage is \$581.66, which is a reduction from \$618.59 or approximately \$400 annually for the employee.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		

Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

13. Discussion re: Modification to the Lake Park Harbor Marina Dockage Rate Schedule

Town Manager Sugerman provided an explanation of the item (see attached Agenda Request Form Exhibit "C").

Mayor DuBois suggested that the reduced rate be called a discount and to make the discount rate by a time certain. He stated that the discount would be given in appreciation of the renters that are currently at the Marina and at some point the rate goes back up. The problem is that it is expensive to produce a premium product, such as the Marina dockage, as sell it a discount price. He stated that his suggestion in contrary to Town Manager Sugerman's suggestion and wanted to jump start the business. He asked what it cost the Town to produce the dockage space per linear foot.

Town Manager Sugerman stated that the Marina operating budget divided by the number of linear feet in the Marina would provide the cost to the Town per linear foot and that he can provide that information to the Commission.

Vice-Mayor Rumsey stated that he is going to support the item because the new Town Manager and Marina Director have made this recommendation and this is what they think could turn the Marina around.

Commissioner Stevens stated that he understands Mayor DuBois' concerns about diminishing the product or creating a race to the bottom situation, however something needs to be done. He stated that if the rates are lowered and occupancy stays the same the Town would lose an additional \$57,000 per year in the worst case. He stated that even if they increase in slip rental by seven (7) they would break even. He stated any improvement in the number of slip rentals is an improvement revenue that the Town is currently receiving, so he is on board with trying this out.

Commissioner Hockman stated he supports this item and hopes that the rate will be kept and not go up and down year after year. He thinks that the Town is better off having a full Marina at a lower rate than an empty Marina at a premium rate.

Mayor DuBois stated that he understands the comment regarding going up and down with the rate and suggested that the reduced rate have a time certain on it for one year so that everyone knows it is for a year and at the end of the year the rate will be re-evaluated.

Town Manager Sugerman stated that staff has spent considerable time on this item, that once the Marina is full and a wait list is created the Marina will be success and opportunities to increase the rate will be available.

Mayor DuBois stated that the last time there was a wait list at the Marina the rate was very low. He stated that he is willing to give it a try.

Commissioner Longtin supports the item and suggested that as part of the marketing plan a sign stated "under new management" be put up at the Marina.

Mayor DuBois suggested that a sign facing the waterway be erected stating "Lake Park Harbor Marina".

Town Manager Sugerman stated that the next step is to bring back an Ordinance to change the rate change.

The Commission reached consensus for the Town Manager to bring back an Ordinance to change the dockage rate at the Marina.

8. Discussion Regarding the Advisability of Holding the Regularly Scheduled November 21st Commission Meeting on the Night before the Thanksgiving Holiday

Motion: A motion was made by Commissioner Stevens to cancel the regularly scheduled Commission Meeting on November 21, 2012; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Hockman no comments.

Commissioner Longtin stated that she hopes the Town receives all the work product from Mr. Cutcher before paying the final bill. She stated that September is National Sickle Cell Awareness Month. She thanked Commissioner Hockman for representing the Town at the Florida League of Cities meeting. She stated that on Wednesday, September 12, 2012 is the First Budget Hearing and encouraged everyone to attend.

Commissioner Stevens thanked Ms. Kigel and Representative Elect Powell for taking that time out to come introduce themselves to the Commission. He thanked Mr. Lineweaver for his comments and suggestions regarding the PBSO contract. He stated that he is selecting Diane Bernhard as his appointment to the Marina Task Force.

Vice-Mayor Rumsey no comments.

Mayor DuBois requested that the information relating to the Marina Task Force be sent to Palm Beach County Commissioners Karen Markus and Priscilla Taylor. He congratulated Commissioner Hockman on his recent appointments to the Palm Beach County and Florida League of Cities committees and the Housing Leadership Counsel.

Attorney Baird no comments.

Town Manager Sugerman no comments.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Rumsey and seconded by Commissioner Hockman, and by unanimous vote, the meeting adjourned at 10:15 p.m.

Mayor James DuBois

Deputy Town Clerk, Shari Canada, CMC

Town Clerk, Vivian Mendez Lemley, CMC

Town Seal

Approved on this _____ of _____, 2012

BALLOT

S. Hockman
MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES.

THE FOLLOWING APPLICANTS REQUEST APPOINTMENT TO THE PLANNING & ZONING BOARD AS SECOND ALTERNATE:

There is only ONE opening for second alternate to the Planning & Zoning Board.

Applicant (s):	Yes	No
Diane Bernhard	_____	_____✓
Kimberly Glas-Castro	_____✓	_____
Eugene Zuravlov	_____	_____✓

BALLOT

LONGTIN

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES.

THE FOLLOWING APPLICANTS REQUEST APPOINTMENT TO THE PLANNING & ZONING BOARD AS SECOND ALTERNATE:

There is only ONE opening for second alternate to the Planning & Zoning Board.

Applicant (s):	Yes	No
Diane Bernhard	_____	_____
Kimberly Glas-Castro	<u>✓</u>	_____
Eugene Zuravlov	_____	_____

THANK YOU ALL!!
;

BALLOT

Rumsey

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES.

THE FOLLOWING APPLICANTS REQUEST APPOINTMENT TO THE PLANNING & ZONING BOARD AS SECOND ALTERNATE:

There is only ONE opening for second alternate to the Planning & Zoning Board.

Applicant (s):	Yes	No
Diane Bernhard	_____	_____
Kimberly Glas-Castro	<u> X </u>	_____
Eugene Zuravlov	_____	_____

BALLOT

TIM STEVENS
MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES.

THE FOLLOWING APPLICANTS REQUEST APPOINTMENT TO THE PLANNING & ZONING BOARD AS SECOND ALTERNATE:

There is only ONE opening for second alternate to the Planning & Zoning Board.

Applicant (s):	Yes	No
Diane Bernhard	_____	_____
Kimberly Glas-Castro	<u>X</u>	_____
Eugene Zuravlov	_____	_____

BALLOT



MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES.

THE FOLLOWING APPLICANTS REQUEST APPOINTMENT TO THE PLANNING & ZONING BOARD AS SECOND ALTERNATE:

There is only ONE opening for second alternate to the Planning & Zoning Board.

Applicant (s):	Yes	No
Diane Bernhard	_____	_____
Kimberly Glas-Castro	<input checked="" type="checkbox"/>	_____
Eugene Zuravlov	_____	_____

2012/2013 Medical RFQ Evaluation
PPO Plan

Exhibit "B"

SCHEDULE OF BENEFITS	Current		Renewal		Alternate #1	
	CIGNA Healthcare		CIGNA Healthcare		United Healthcare	
	TU Open Access Custom Plan		TU Open Access Custom Plan		Choice Plan RW/PT	
Plan Basis	In Network	Out of Network	In Network	Out of Network	In Network	Out of N
Lifetime Maximum	Unlimited		Unlimited		Unlimited	
Calendar Year Deductible						
Single	No Deductible	\$500	No Deductible	\$500	\$250	\$500
Family	No Deductible	\$1,500	No Deductible	\$1,500	\$750	\$1,500
Out of Pocket CYM	Includes CYD; Excludes Copays		Includes CYD; Excludes Copays		Includes CYD & Coinsurance; Excludes	
Single	\$2,500	\$5,000	\$2,500	\$5,000	\$2,500	\$5,000
Family	\$5,000	\$10,000	\$5,000	\$10,000	\$5,000	\$10,000
Coinsurance	20%	50%	20%	50%	10%	50%
Physician Services						
Primary Care Physician	\$30	CYD then 50%	\$30	CYD then 50%	\$20	CYD then 50%
Specialist	\$50	CYD then 50%	\$50	CYD then 50%	\$35	CYD then 50%
Maternity (Initial Visit Only)	\$50	CYD then 50%	\$50	CYD then 50%	\$35	CYD then 50%
Chiropractic Services	\$50	CYD then 50%	\$50	CYD then 50%	\$20	CYD then 50%
Laboratory Services	20%	CYD then 50%	20%	CYD then 50%	No Charge	CYD then 50%
Advanced Imaging	20%	CYD then 50%	20%	CYD then 50%	\$200	CYD then 50%
Hospital Services						
Inpatient Hospital	\$600	CYD then 50%, after \$500	\$600	CYD then 50%, after \$500	CYD then 10%	CYD then 50%
Outpatient Hospital	20%	CYD then 50%, after \$500	20%	CYD then 50%, after \$500	CYD then 10%	CYD then 50%
Emergency Room	\$100	\$100	\$100	\$100	\$200	\$200
Physician Services	20%	CYD then 50%	20%	CYD then 50%	CYD then 10%	CYD then 50%
Urgent Care	\$50	CYD then 50%	\$50	CYD then 50%	\$75	CYD then 50%
Ambulance Services	20%	CYD then 20%	20%	CYD then 20%	CYD then 10%	CYD then 50%
Mental Health/Substance Abuse						
Inpatient Hospital	20%	CYD then 50%, after \$500	20%	CYD then 50%, after \$500	CYD then 10%	CYD then 50%
Outpatient Services	20%	CYD then 50%	20%	CYD then 50%	\$20	CYD then 50%
Pharmacy Plan						
Generic	\$10	Not Covered	\$10	Not Covered	\$10	\$10
Preferred Brand	\$30	Not Covered	\$30	Not Covered	\$35	\$35
Non Preferred Brand	\$50	Not Covered	\$50	Not Covered	\$60	\$60
Mail Order Copay	2.5x Retail	Not Covered	2.5x Retail	Not Covered	2.5x Retail	2.5x Retail
	Total Cost		Total Cost		Total Cost	
Employee	32	\$597.66		\$627.55		\$630.54
Employee + Spouse	6	\$1,326.82		\$1,393.18		\$1,399.82
Employee + Child(ren)	3	\$1,087.74		\$1,142.14		\$1,147.58
Family	3	\$1,834.83		\$1,926.59		\$1,935.78
		Total Cost		Total Cost		Total Cost
Employee	32	\$597.66	\$0.00	\$627.55	\$0.00	\$630.54
Employee + Spouse	6	\$962.24	\$364.58	\$1,010.37	\$382.82	\$1,015.18
Employee + Child(ren)	3	\$842.70	\$245.04	\$884.85	\$257.30	\$889.06
Family	3	\$1,216.25	\$618.59	\$1,277.07	\$649.52	\$1,283.16
Monthly Premium	44	\$31,075.40	\$4,778.36	\$32,629.54	\$5,017.34	\$32,785.02
Annual Premium		\$372,904.74	\$57,340.26	\$391,554.42	\$60,208.02	\$393,420.24
\$ Increase		N/A	N/A	\$18,649.68	\$2,867.76	\$20,515.50
% Increase		N/A	N/A	5.0%	5.0%	5.5%



Exhibit "C"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: September 5, 2012

Agenda Item No. Tab 13

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

SUBJECT: Discussion re: Modification to the Lake Park Harbor Marina Dockage Rate Schedule

RECOMMENDED MOTION/ACTION: No formal action is being requested at this time. A new dockage rate schedule is being proposed, which if acceptable must be adopted by a Resolution of the Town Commission.

Approved by Town Manager *DSS* Date: 8/16/12
DALE S. SUGERMAN / TOWN MANAGER 8/16/12
 Name/Title Date of Actual Submittal

Originating Department: Town Manager	Costs: \$ N/A Funding Source: N/A Acct. # N/A	Attachments: Dockage Rate Survey Memo Dockage Rate Spreadsheet Sec. 76-91 of the Town Code
Department Review: <input type="checkbox"/> Attorney _____ <input type="checkbox"/> Community Development _____ <input checked="" type="checkbox"/> Finance <u>BKS</u> <input type="checkbox"/> Fire Dept _____	<input type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Information Technology _____ <input type="checkbox"/> Library _____ <input checked="" type="checkbox"/> Marina <u><i>DSS</i></u>	<input type="checkbox"/> PBSO _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Recreation _____ <input type="checkbox"/> Town Clerk _____ <input checked="" type="checkbox"/> Town Manager <u><i>DSS</i></u>
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><i>DSS</i></u> or Not applicable in this case _____ Please Initial one.

Summary Explanation/Background:

The Lake Park Harbor Marina is extremely underutilized and therefore revenues are extremely low. Select Town staff members have come together in an effort to craft a plan to increase the utilization, as well as the stream of revenue at the Marina. We believe the first step toward success would be to modify the dockage rate schedule.

At present, our rate structure looks like this:

Annual rate (12 months contract)	\$19.50 per foot
Summer monthly (5/1 to 10/31)	19.50 per foot
Winter monthly (11/1 to 4/30)	28.50 per foot
Charter annual (12 months contract)	21.50 per foot
Transient (daily)	1.75 per foot

Today we are currently 31% occupied (thus the comment above about underutilization). Total annual income with our 31% occupancy rate is \$332,202.00. The Town's nearest competition in terms of rental is the Riviera Beach Marina, with a per foot rental rate of \$17.70. The proposal being advanced to the Town Commission is to lower the Lake Park Harbor Marina per foot rental rate to \$17.00/linear foot of boat for annual rental and \$20.00/linear foot of boat for charter rental. (With monthly rentals during the winter months going up to \$24.00/linear foot of boat and the daily transient rate going up from \$1.75/linear foot to \$2.00/linear foot).

Included in your packet of information is a Dockage Rate Survey conducted by Jamie Hart, Marina Director. This report provides you with a comparative analysis of the various rates being charged by the various marinas in our surrounding market.

Of course, by lowering our rate to the lowest rate in the area, we are not guaranteed that we will increase our rentals. But, the way we are doing things presently doesn't seem to be working. Therefore, we are proposing a modification to the rate structure, such that it would look like this:

Annual rate (12 months contract)	\$17.00 per foot
Summer monthly (5/1 to 10/31)	17.00 per foot
Winter monthly (11/1 to 4/30)	24.00 per foot
Charter annual (12 months contract)	20.00 per foot
Transient (daily)	2.00 per foot

Attached is a spreadsheet showing what our anticipated revenues might be, using the proposed rate structure, at 31% capacity (our present situation), 50% capacity, 75% capacity, and 100% capacity. You will immediately notice that should we lower our rates, and should we continue to remain at 31% capacity, our annualized revenues will decrease from \$ \$332,202.00 to \$275,395.32. This is a risk that you need to be aware of. However, at every other level of capacity, our revenues would increase over our current situation.

This topic is being introduced to the Town Commission for purposes of discussion. If it is your desire to modify the rate structure at the Lake Park Harbor Marina, it would have to be done by Resolution. Section 76-91 (copy attached) of the Town Code outlines the steps that the Town Commission would have to take to modify the fees.

RECEIVED

AUG 6 2012

MEMORANDUM

TO: Dale Sugerman/Town Manager
FROM: Jamie Hart Marina Director
DATE: August 6, 2012
RE: Dockage Rate Survey

*Town Of Lake Park
Office Of Town Manager*

Per your request, we recently completed the dockage rate survey of surrounding marinas that are within a close proximity to the Lake Park Harbor Marina (see survey attached as Exhibit 1). The marinas surveyed and approximate distances from the Lake Park Harbor Marina are as follows:

- Saffish Marina – ¼ mile
- Palm Harbor Marina – 1 ¼ mile
- North Palm Beach Marina – ¼ mile
- Old Port Cove Marina – 1 mile
- Riviera Beach Municipal Marina – 1 mile
- Cannonsport Marina – ¼ mile
- Loggerhead Marina (PBG) – 3 miles

We ranked the dockage rates of all marinas from lowest to highest in each category and discovered that the only dockage rate lower than the Lake Park Harbor Marina is the City of Riviera Beach (see spreadsheet attached as Exhibit 2). Currently, the City of Riviera Beach charges a flat slip rate of \$17.70/ft. per month compared to our lowest rate of \$19.50/ft per month for summer and annual rates. The variation is much larger with the winter rate since we currently charge \$28.50/ft per month compared to the rate of \$17.70/ft per month charged by the City of Riviera Beach. We have unofficially heard that the City of Riviera Beach will most likely be increasing their monthly dockage rate by as much as 20% at the conclusion of a major renovation project to the marina which should occur within the next 6 to 12 months. The new rate proposed by the City of Riviera Beach based on a 20% increase over the current rate of \$17.70/ft per month would be approximately \$21.24/ft per month.

Also, with the exception of Cannonsport Marina which ranks consistently last due to their extremely high winter and annual rates of \$45.63/ft per month, all of the other marinas ranked are fairly close to Lake Park Harbor Marina in all categories. The rankings show that Saffish Marina and Loggerhead Marina consistently have the closest rates to those charged at our facility. For example, Loggerhead Marina charges a published winter rate of \$30.00/ft per month compared to our winter rate of \$28.50/ft per month. Saffish Marina charges an annual rate of \$21.78/ft per month and Loggerhead Marina charges a slightly higher annual rate of \$22.00/ft. per month compared to our annual rate of \$19.50/ft per month. The only marina that we cannot make a comparison to is Palm Harbor Marina which presently has unpublished rates. This is typical of some of the privately held marinas who prefer negotiating their rates which they believe provides them with a competitive edge.

If you need any additional information, please do not hesitate to contact me.

JH
Attachment

EXHIBIT 1

Advertized Dockage for Local Marinas

Marina	Lake Park Harbor Marina	Sailfish	Palm Harbor	North Palm Beach	Old Port Cove
Annual (per mo)	19.50/ft	21.78/ft	Rates Unpublished	30.88/ft	25.50/ft
Summer (per mo)	19.50/ft	25.00/ft		22.23/ft	25.50/ft
Winter (per mo)	28.50/ft	33.33/ft		Negotiable	39.54/ft
Utility (per mo)	30/elec. metered	130/ inc electric		168/inc electric	155/ inc electric
Marina	Cannonisport	Loggerhead PBG	Riviera Beach		
Annual (per mo)	45.63/ft	22.00/ft	No answer after multiple calls. Dockage listed online: 17.70 per ft/mo (electric additional)		
Summer (per mo)	36.50/ft	22.00/ft			
Winter (per mo)	45.63/ft	30.00/ft (6 mo contract: 27.00/ft)			
Utility (per mo)	metered	75-115 (electric metered)			

EXHIBIT 2

Dockage Rate Comparison

	<u>Rank</u>	<u>Summer Rate</u>
Riviera Beach Marina	1	17.70/ft
Lake Park Harbor Marina	2	19.50/ft
Loggerhead Marina PBG	3	22.00/ft
North Palm Beach Marina	4	22.23/ft
Sailfish Marina	5	25.00/ft
Old Port Cove Marina	6	25.50/ft
Cannonsport Marina	7	36.50/ft
Palm Harbor Marina		UNPUBLISHED

	<u>Annual Rate</u>
Riviera Beach Marina	\$17.70/ft
Lake Park Harbor Marina	\$19.50/ft
Sailfish Marina	\$21.78/ft
Loggerhead Marina PBG	\$22.00/ft
Old Port Cove Marina	\$25.50/ft
North Palm Beach Marina	\$30.88/ft
Cannonsport Marina	\$45.63/ft
Palm Harbor Marina	UNPUBLISHED

	<u>Winter Rate</u>
Riviera Beach Marina	\$17.70/ft
Lake Park Harbor Marina	\$28.50/ft
Loggerhead Marina PBG	\$30.00/ft
Sailfish Marina	\$33.33/ft
Old Port Cove Marina	\$39.54/ft
Cannonsport Marina	\$45.63/ft
Palm Harbor Marina	UNPUBLISHED
North Palm Beach Marina	NEGOTIABLE

Sec. 76-91. - Fees for rental of boat slips.

All fees for the rental of boat slips within the marina, and other charges incidental thereto, shall be established by resolution of the town commission, after receipt and review of the recommendations of the harbor marina advisory board and the town manager. Leases of boat slips shall be by a standard form slip lease agreement prepared by the town. Subleases of slips shall not be permitted, except with the prior written consent of the harbor marina manager using guidelines promulgated by the town, and only upon execution of a written sublease agreement reviewed and approved as to form by the town attorney. The harbor marina manager shall retain copies of all leases and subleases of boat slips.

(Ord. No. 21-1970, § 1, 12-2-1970; Ord. No. 12-1973, § 1, 6-20-1973; Ord. No. 17-1974, § 1, 8-7-1974; Ord. No. 7-1976, § 1, 5-5-1976; Ord. No. 20-1979, § 1, 9-26-1979; Ord. No. 14-1981, § 1, 8-5-1981; Ord. No. 1-1984, § 1, 1-4-1984; Code 1978, § 8-59; Ord. No. 2-2004, § 2, 1-21-2004)

Exhibit "C"

Lake Park Harbor Marina

Slip #	Occupied	Unoccupied	Present Boat Len	Boat Name	Annual Income	Current Rate	Proposed Rate/Boat Length	31% Occupancy (Present)	50% Occupancy	75% Occupancy	100% Occupancy
1 A19	1		30	Deep Obsession	10,320.00	21.50	20.00	2,976.00	4,800.00	7,200.00	9,600.00
2 A20	1		30	Sirena	7,740.00	21.50	20.00	2,232.00	3,600.00	5,400.00	7,200.00
3 B21		X	30		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
4 B22		X	30		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
5 B23		X	30		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
6 B24		X	30		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
7 B25		X	35		0.00		17.00	2,023.68	3,264.00	4,896.00	6,528.00
8 B26	1		40	Lady in Red	9,360.00	19.50	17.00	2,529.60	4,080.00	6,120.00	8,160.00
9 B27	1		40	US Customs 1	9,360.00	19.50	17.00	2,529.60	4,080.00	6,120.00	8,160.00
10 B28	1		38	Little Deeper	9,804.00	21.50	20.00	2,827.20	4,560.00	6,840.00	9,120.00
11 B29		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
12 B30		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
13 C31		X	45		0.00		17.00	2,592.84	4,182.00	6,273.00	8,364.00
14 C32		X	60		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
15 C33		X	60		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
16 C34	1		60	Spirit of Palm Beach	16,512.00	21.50	20.00	4,761.60	7,680.00	11,520.00	15,360.00
17 C35		X	60		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
18 C36		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
19 C37		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
20 D39		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
21 D39		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
22 D40	1		40	Mac	8,658.00	19.50	17.00	2,339.88	3,774.00	5,661.00	7,548.00
23 D42	1		40	Shawn C	9,360.00	19.50	17.00	2,529.60	4,080.00	6,120.00	8,160.00
24 D43	1		40	Wild Eagle	6,318.00	19.50	17.00	1,707.48	2,754.00	4,131.00	5,508.00
25 D44	1		40	Jonally	8,424.00	19.50	17.00	2,276.64	3,672.00	5,508.00	7,344.00
26 D45	1		40	Running Free	8,190.00	19.50	17.00	2,213.40	3,570.00	5,355.00	7,140.00
27 D45		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
28 D46		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
29 D47		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
30 D48		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
31 D49		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
32 D50		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
33 D51		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
34 D52		X	40		0.00		17.00	2,276.64	3,672.00	5,508.00	7,344.00
35 D53	1		40	BaBa III	7,956.00	19.50	17.00	2,150.16	3,468.00	5,202.00	6,936.00
36 D54		X	40		0.00		17.00	2,339.88	3,774.00	5,661.00	7,548.00
37 D55		X	40		0.00		17.00	2,339.88	3,774.00	5,661.00	7,548.00
38 D56		X	40		0.00		17.00	2,339.88	3,774.00	5,661.00	7,548.00
39 D57	1		40	Seafarer	9,360.00	19.50	17.00	2,339.88	3,774.00	5,661.00	7,548.00
40 D58		X	40		0.00		17.00	2,339.88	3,774.00	5,661.00	7,548.00
41 D59		X	40		0.00		17.00	2,339.88	3,774.00	5,661.00	7,548.00
42 E61		X	30		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
43 F62		X	30		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00

Lake Park Harbor Marina

Slip #	Occupied	Unoccupied	Slip Len	Present Boat Len	Boat Name	Annual Income	Current Rate	Proposed Rate/Boat Length	31% Occupancy (Present)	50% Occupancy	75% Occupancy	100% Occupancy
76 F97	1		45	25	Florida Fish & Wildlife	5,850.00	19.50	17.00	1,581.00	2,550.00	3,825.00	5,100.00
77 FD2	1		30	34	Keylypso	6,772.00	21.50	20.00	2,529.60	4,080.00	6,120.00	8,160.00
78 G98	1		50	22	Bones	5,148.00	19.50	17.00	1,391.28	2,244.00	3,366.00	4,488.00
79 G99		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180.00
80 G99		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180.00
81 G100	1		50	45	Ingram	10,530.00	19.50	17.00	2,845.80	4,590.00	6,885.00	9,180.00
82 G101		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180.00
83 G102		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180.00
84 G103		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180.00
85 G104		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180.00
86 G105	1		50	50	Lucille	11,700.00	19.50	17.00	3,162.00	5,100.00	7,650.00	10,200.00
87 G106		x	60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
88 G107	1		60	44	Turning Point	10,296.00	19.50	17.00	2,782.56	4,488.00	6,732.00	8,976.00
89 G108			60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
90 G109			60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
91 G110			60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
92 G111			60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
93 G112			60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
94 G113			60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
95 G114	1		60	70	Escapade	16,380.00	19.50	17.00	4,426.80	7,140.00	10,710.00	14,280.00
96 G115		x	60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
97 H116	1		60	74	Ain't No Big Thing	17,316.00	19.50	17.00	4,679.76	7,548.00	11,322.00	15,096.00
98 H117	1		30	28	Whistler II	6,552.00	19.50	17.00	1,770.72	2,856.00	4,284.00	5,712.00
99 H118	1		60	38	Barrels of Fun	8,892.00	19.50	17.00	2,403.12	3,876.00	5,814.00	7,752.00
100 H119		x	60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
101 H120	1		60	46	Patriot	10,764.00	19.50	17.00	2,909.04	4,692.00	7,038.00	9,384.00
102 H121		x	60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
103 H122		x	60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
104 H123	1		60	63	Shear Water	16,254.00	21.50	20.00	4,687.20	7,560.00	11,340.00	15,120.00
105 H125		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
106 H126		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
107 H128		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
108 H129	1		30	26	Fellowship	6,084.00	19.50	17.00	1,644.24	2,652.00	3,978.00	5,304.00
109 H130	1		19	17	Minnow	3,978.00	19.50	17.00	1,075.08	1,734.00	2,601.00	3,468.00
110 H131	1		30	38	Avatar	8,892.00	19.50	17.00	2,403.12	3,876.00	5,814.00	7,752.00
111 H132	1		30	77	Ya Baby	18,018.00	19.50	17.00	4,869.48	7,854.00	11,781.00	15,708.00
112 J134		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
113 J135		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
35						332,202.00			275,395.32	444,186.00	666,279.00	888,372.00

31%

Proposed Rate/Boat Length
Annual Rate 17.00
Charter Annual Rate 20.00

TAB 3



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. Tab 3

Agenda Title: Special Call Commission Meeting First Budget Hearing Minutes of September 12, 2012

- Consent Agenda, Presentation/Proclamation, Public Hearing, Bid/RFP Award, Discussion/Possible Action, Resolution, Ordinance on Reading, Other.

Approved by Town Manager [Signature] Date: 9/27/12

Shari Canada, Deputy Town Clerk Name/Title

Table with 3 columns: Originating Department, Costs/Funding, Attachments, and Advertised/Notification status.

Summary Explanation/Background:

Recommended Motion: To approve the Special Call Commission Meeting First Budget Hearing Minutes of September 12, 2012.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
First Public Hearing
On the Tentative Budget
Wednesday, September 12, 2012, 7:00 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley, CMC	—	Town Clerk

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

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA
- F. PUBLIC HEARING:

***** OPEN PUBLIC BUDGET HEARING*****

- A. Staff Report
- B. Public Comments
- C. Commission Deliberation

1. Resolution No. 24-09-12 Tentative Millage

Tab 1

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE FOR THE

TOWN OF LAKE PARK FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2012-2013; PROVIDING FOR AN EFFECTIVE DATE.

2. Resolution No. 25-09-12 Tentative Budget

Tab 2

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

******* CLOSE PUBLIC BUDGET HEARING*******

G. PUBLIC and OTHER COMMENT:

This time is provided for audience members to address 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.

H. RESOLUTIONS:

3. Resolution No. 26-09-12 Approval of Employee Benefits for Fiscal Year 2013

Tab 3

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO OBTAIN FOR FISCAL YEAR 2013 EMPLOYEE DENTAL INSURANCE THROUGH METLIFE AND EMPLOYEE VISION INSURANCE THROUGH METLIFE SAFEGUARD; AND PROVIDING AN EFFECTIVE DATE.

4. Resolution No. 27-09-12 Authorize the Town Manager to Renew for Fiscal Year 2013 Property, Inland Marine, Crime, Position Schedule Bonds, General Liability, Public Official Liability and Employment Practices Liability, Automobile, and Worker's Compensation Insurance through the Florida League of Cities/Florida Municipal Insurance Trust

Tab 4

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO RENEW FOR FISCAL YEAR 2013 PROPERTY, INLAND MARINE, CRIME, POSITION SCHEDULE BONDS, GENERAL LIABILITY, PUBLIC OFFICIAL LIABILITY AND EMPLOYMENT PRACTICES LIABILITY, AUTOMOBILE, AND WORKERS' COMPENSATION INSURANCE THROUGH THE FLORIDA LEAGUE OF CITIES/FLORIDA MUNICIPAL INSURANCE TRUST; AND PROVIDING AN EFFECTIVE DATE

I. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

J. ADJOURNMENT:



Minutes
Town of Lake Park, Florida
First Public Hearing
On the Tentative Budget
Wednesday, September 12, 2012, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Special Call Commission Meeting First Public Hearing On the Tentative Budget on Wednesday, September 12, 2012 at 7:00 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioners Steven Hockman, Jeanine Longtin, and Tim Stevens, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Vice-Mayor Rumsey led the Invocation and Mayor DuBois led the Pledge of Allegiance. Town Clerk Vivian Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA:

Motion: A motion was made by Commissioner Hockman to approve the Agenda; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

PUBLIC HEARING:

Mayor DuBois opened the Public Hearing.

Finance Director Blake Rane outlined the changes to the Budget since the August 22, 2012 Budget Workshop (see attached Exhibit "A").

Town Manager Sugerman stated that the actual budget is being provided to the Town Clerk formally and is available upon request. He provided a recap of all funds for the 2012-2013 Budget and an analysis of the affect of changing the Millage rate (see attached Exhibit "A").

Vice-Mayor Rumsey asked if this Budget includes the video of Commission meetings on the Town website.

Town Manager Sugerman stated "yes".

Commissioner Stevens asked what the deadline is to adopt the final millage and the final budget.

Finance Director Rane stated that a budget needs to be adopted by October 1 as per State Statute last year's budget is implemented until it is amended.

Attorney Baird stated that September 28, 2012 is the last day that the Town can take action to adopt a Final Budget.

Commissioner Longtin asked if the Budget includes the Marina litigation settlement.

Town Manager Sugerman stated that the Budget assumes that the Town will be receiving \$880,000 during fiscal year 2013 for the Marina litigation settlement.

Commissioner Longtin asked for a status update on the Marina litigation settlement.

Attorney Baird stated that the litigation settlement has been approved and we are waiting to sign the settlement documents after the start of the fiscal year.

Commissioner Longtin asked why the Town waiting to sign the settlement documents.

Attorney Baird stated that the Town Manager and Finance Director requested that the settlement be approved after the end of this fiscal year so that the proceeds can be applied to the fiscal year 2013 budget.

Commissioner Longtin asked for an explanation on the difference of when the money is received.

Town Manager Sugerman explained that the Town could get the money and then there would not be enough revenues to cover next year's expenses.

Finance Director Rane explained that the Marina fund currently has a negative fund balance and if the money from the settlement was accepted during this fiscal year it would have to be used to offset the negative balance and would not be available in fiscal year 2013.

Commissioner Longtin asked if the budget presented takes into account the negative Marina Fund balance.

Finance Director Rane stated that it does not and that the State Statute does not require him to account for the negative fund balance in the budget.

Town Manager Sugerman stated that the Town's Comprehensive Annual Financial Report for Fiscal Year ending September 30, 2012 will account for the negative Marina Fund balance.

Commissioner Longtin asked what the certainty that the Town will receive \$880,000.

Attorney Baird stated that there is a settlement and unless someone wants to breach the settlement agreement, the money will be paid.

Commissioner Longtin asked when the money will be delivered to the Town.

Attorney Baird stated after October 1, 2012.

Commissioner Longtin asked if there is a date certain that the money will be delivered to the Town.

Attorney Baird explained that the Town requested that the funds be provided to the Town after October 1, 2012 so that it could be applied to the fiscal year 2013 budget.

Commissioner Stevens asked about the General Fund balance.

Town Manager Sugerman stated that the General Fund balance as of July 31, 2012 was \$412,331.41. He stated that the fund balance would not appear in the budget.

Commissioner Stevens asked if the Marina Fund balance or "savings account" is negative \$2.5 million.

Finance Director Rane stated "no", because the General and Sanitation Funds have lent the funds to the Marina Fund, so the Marina Fund has a debt to the General and Sanitation Funds.

Town Manager Sugerman stated that the Marina Fund has a debt balance of \$2,050,000 to the General Fund and \$335,000 to the Sanitation Fund.

Commissioner Stevens asked if the Marina Fund could pay the approximate \$2 million debt to the General Fund, the General Fund would have a Fund balance of approximately \$2.4 million.

Town Manager Sugerman stated "yes".

Commissioner Stevens asked about the Sanitation Fund.

Town Manager Sugerman stated that as of July 31, 2012 the Sanitation Fund has a Fund balance or "savings account balance" of \$424,032.23.

Commissioner Longtin asked if the Marina Fund owes any other Funds.

Town Manager Sugerman stated "no".

Finance Director Rane explained that the General and Sanitation Funds are the only Funds that the Marina owes, but the Marina also has debt to the bank.

Mayor DuBois asked if money is due to the litigating attorneys.

Town Manager Sugerman stated that he believes that those bills have been paid because the General Fund advanced money to the Marina Fund to pay those bills.

Commissioner Hockman asked about the expenses that are going to be required repair the Marina.

Town Manager Sugerman explained that some of the \$880,000 from the settlement is being used to balance the Marina Fund; \$100,000 is in the contingency line item and \$651,000 to surplus. The \$100,000 in the contingency line item does not include funds for construction or improvements to the Marina.

Commissioner Hockman stated that one of the issues at the Marina is the artificial grass and asked if there were any estimates on the cost to fix this issue.

Town Manager Sugerman stated that he is aware of artificial grass issue, but that he does not have a solution to the issue at this time.

Vice-Mayor Rumsey asked if the revenue in the Marina Fund was based on the Marina Rates proposed at the September 5, 2012 Commission Meeting.

Town Manager Sugerman stated "no".

Vice-Mayor Rumsey asked if the revenue number expected to be higher utilizing the proposed rates.

Town Manager Sugerman stated "yes".

Vice-Mayor Rumsey asked what the difference would be in the current budget revenue and the revenue based on the proposed rates.

Town Manager Sugerman stated that at 75% occupancy the revenue would be approximately \$660,000 and at 100% the revenue would be approximately \$880,000. He stated that if the Marina is at 75% occupancy there would be some additional revenue and at 100% occupancy, there would be \$250,000 in additional revenue over the proposed Budget.

Commissioner Longtin thanked Town Manager Sugerman and Finance Director Rane for their hard work. She stated that her goal for this budget was to reduce the millage rate by one whole number, but that is not going to happen this year and that she is looking forward to the 2014 Budget.

Town Manager Sugerman stated that effective October 1, 2012 the Commission will receive a monthly revenue and expenditure report. He explained that October 30 closes

the month then Finance Director Rane has to close the books on that month which will take approximately two (2) weeks and then a report would be provided from the month of October near the end of November and that will continue on a monthly basis.

Town Manager Sugerman asked if the titles of the Resolutions be read into the record.

Attorney Baird stated that it is not necessary to read the Resolutions into the record, but it can be done if it make everyone more comfortable. He explained that the Commission must adopt the Tentative Millage Resolution, but does not need to take action on the Budget as a Final Budget is not being adopted at this meeting. He explained that in Section 2 of the Tentative Millage Resolution states that the Tentative Millage is 8.5 and that the Commission at the Final Budget Hearing will not be able to adopt a Millage Rate higher than 8.5, but can adopt a Millage Rate lower than 8.5 mils.

Finance Director Rane explained that the TRIM notices were sent with a Tentative Millage Rate of 8.5 and that the Commission can not adopt a Millage Rate higher than 8.5 without notifying all of the residents of the Town by mail.

1. Resolution No. 24-09-12 Tentative Millage

Motion: A motion was made by Commissioner Stevens to adopt Resolution No. 24-09-12 setting the Tentative Millage Rate at 8.5 Mils; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

Town Manager Sugerman stated that the current Millage Rate is 8.5083 and that the Millage Rate for Fiscal Year 2013 is 8.5, which is a slight reduction and noted that the roll-back rate that the Commission could adopt that would keep the tax bill for the residents the same is 8.7964.

2. Resolution No. 25-09-12 Tentative Budget

No action was taken on this item.

Mayor DuBois stated that the Commission has discussed the Budget and that the Tentative Budget will stand until the Final Budget Hearing and there is time between this meeting and the Final Budget Hearing to make changes to the proposed Budget

Commissioner Longtin asked if the Tentative Budget Resolution would be voted on.

Attorney Baird stated that there is no legal requirement to adopt a Tentative Budget Resolution that it is the discretion of Commission to take that action.

Mayor DuBois stated that his understanding was that the proposed Budget would be presented at this meeting and the Budget would be adopted at the next Budget Hearing.

PUBLIC and OTHER COMMENT:

No Public and Other Comment was presented on the 2013 proposed Budget and the 2013 Millage Rate.

Mayor DuBois closed the Public Hearing.

RESOLUTIONS:

3. Resolution 26-09-12 Approval of Employee Benefits for Fiscal Year 2013

Town Manager Sugerman explained that this item is for Employee Dental and Vision Insurance coverage and that the Employee Medical Insurance coverage was adopted at the September 5, 2012 Commission Meeting.

Public Comment:

John Marclluck. 222 Moccasin Trail. Jupiter. read from the Collective Bargaining Agreement between the Town of Lake Park and the Federation of Public Employees adopted October 1, 2011 through September 30, 2014 Article 25 Insurance paragraph A "Individual Plans Medical, Dental, Vision, and Life Insurance employer pays 100% of the premiums:" and paragraph B "The Town agrees to continue to maintain the current level of coverage." He stated that means to him that the Town will continue to do the same things as it has done and at the same level and that by adopting the United Health Care Plan the Town has changed the level of coverage. He stated that the cost for medicine, hospitalization and other services will increase under the proposed plan. He asked as a member of the Union covered by the Collective Bargaining Agreement where does he send the bills for the increase cost in order to be reimbursed the extra expense.

Public Comment closed.

Town Manager Sugerman stated that this item is for Employee Dental and Vision Insurance for Fiscal Year 2013 starting October 1, 2012. He explained that staff worked with the Gehring Group and went to the marketplace and bid these specific coverages and that the Gehring Group was able to find companies willing to provide the coverage and in the agenda package are the details of the plans (see Exhibit "B"). He stated that staff is

recommending MetLife as the provider of Dental Insurance and MetLife SafeGuard is recommended as the provider for Vision Insurance. He stated the representatives are present to answer questions.

Mayor DuBois stated that he does see a difference in the co-pays between the current insurance and the recommended insurance and it looks like a clear savings in the cost of the premium without any changes in the coverage.

Kirk Gehring, Gehring Group, stated that the Dental Insurance is an apples to apples comparison of the level of coverages provided regarding deductibles and co-pays and the Vision has a change on the co-pays and in the out-of-networks co-pays.

Commissioner Stevens asked what the difference is between alternative #1 and #2 for the Out-of-Network Benefits Payable Level contracted fee and 90UCR.

Mr. Gehring explained that under the contracted fee that the employee would receive a fixed amount of dollars based on a fee schedule that the insurance company would pay and it is a huge reduction in the actual payment to the dentist and that employee would receive a balance bill for the difference.

Commissioner Longtin stated that the savings for alternate #1 is a savings of \$11,000 and the recommended alternate #3 is a savings of \$6,700.

Mr. Gehring stated that the employee pays 100% of the dependent coverage of dental and vision coverage.

Motion: A motion was made by Commissioner Stevens to approve alternative # 3 MetLife for Dental Insurance and alternative #4 MetLife SafeGuard for the Vision Insurance; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

- 4. Resolution No. 27-09-12 Authorize the Town Manager to Renew for Fiscal Year 2013 Property, Inland Marine, Crime, Position Schedule Bonds, General Liability, Public Official Liability and Employment Practices Liability,**

Automobile, and Worker's Compensation Insurance through the Florida League of Cities/Florida Municipal Insurance Trust

Town Manager Sugerman stated that the Property, Inland Marine, Crime, Position Schedule Bonds, General Liability, Public Official Liability and Employment Practices Liability, Automobile and Worker's Compensation Insurances are due for renewal and staff recommends that all the policies be renewed through the Florida League of Cities/Florida Municipal Insurance Trust. He explained that the Town did go to the marketplace for these coverages and that the only respondent was the Florida Municipal Insurance Trust and that there is a reduction in the premium of approximately 6% and because the Town is a continuing member of the Florida Municipal Insurance Trust the Town anticipates a return of premium of approximately \$23,500.

Commissioner Hockman asked if the return of premium is included in the proposed Budget.

Town Manager Sugerman stated there is an allowance for the return of premium.

Mr. Gehring explained that the Florida Municipal Trust provides an estimation of the return of premium, but in his experience more than the estimation is actually returned.

Commissioner Longtin asked why there is a change in the liability limits and provided the example of the Inland Marine.

Town Manager Sugerman stated that staff wanted to be more thorough in what was demonstrated as being covered and what the Town's assets are and protecting through this insurance. He stated that an asset analysis was performed.

Mayor DuBois stated that he is glad to hear that an asset analysis was performed and that a program is being initiated to reduce the Town's workers compensation modifier in future years.

Town Manager Sugerman stated that the Town has one outstanding workers compensation claim that is substantial and the Town will be beyond that hurdle in a year and it will no longer affect the Town's rating. He stated that the Public Works Department has a safety program.

Commissioner Longtin asked if it is replacement cost if something happens and the Town would get a brand new piece of equipment or is it just the value of the lost equipment.

Mr. Gehring stated that it is the replacement cost.

Town Manager Sugerman stated that it is the replacement cost less the deductible.

Motion: A motion was made by Commissioner Hockman to approve Resolution No. 27-09-12 Authorizing the Town Manager to Renew for Fiscal Year 2013 Property, Inland Marine, Crime, Position Schedule Bonds, General Liability, Public Official Liability and Employment Practices Liability, Automobile, and Worker's

Compensation Insurance through the Florida League of Cities/Florida Municipal Insurance Trust; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

Town Manager Sugerman stated that the Commission needs to set the Final Budget Hearing date and time and that staff is recommending 6:30 pm Wednesday, September 19, 2012.

Motion: A motion was made by Commissioner Stevens to set the Final Budget Hearing for 6:30 pm on Wednesday, September 19, 2012; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Longtin encouraged attendance at the September 19, 2012 Final Budget Hearing and Commission Meeting.

Commissioner Stevens no comments.

Vice-Mayor Rumsey no comments.

Commissioner Hockman no comments.

Mayor DuBois no comments.

Attorney Baird no comments.

Town Manager Sugerman no comments.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to recess by Commissioner Stevens and seconded by Vice-Mayor Rumsey, and by unanimous vote, the Public Hearing was recessed at 8:00 p.m.

Mayor James DuBois

Deputy Town Clerk, Shari Canada, CMC

Town Clerk, Vivian Mendez Lemley, CMC

Town Seal

Approved on this _____ of _____, 2012

Exhibit "A"

TOWN OF LAKE PARK - PROPOSED ANNUAL BUDGET 2012-2013
RECAP OF ALL FUNDS

FUND	ALL	Proposed Budget 2012-13						
		RECAP						
Budget Summary								
		General Fund	Insurance Fund	Streets & Roads Fund	Debt Service Fund	Marina Fund	Stormwater Fund	Sanitation Fund
Revenues		8,261,402	277,950	332,000	772,700	2,007,828	505,000	1,486,900
Personal Services		2,171,858	79,000	70,574	-	161,921	194,914	517,744
Operating Expenses		5,150,635	173,950	90,296	-	701,308	153,253	586,911
Capital Outlay		4,000	-	39,125	-	3,000	-	-
Debt Service		420,909	-	16,715	772,700	380,090	104,110	112,210
Non-operating Expenses		457,200	25,000	100,000	-	110,001	51,300	250,000
Total Budgeted Expenses		8,204,602	277,950	316,710	772,700	1,356,320	503,577	1,466,865
Surplus (Deficit)		56,800	-	15,290	-	651,508	1,423	20,035
Total Expenses and Surplus		8,261,402	277,950	332,000	772,700	2,007,828	505,000	1,486,900
Balanced		√	√	√	√	√	√	√

**TOWN OF LAKE PARK - PROPOSED ANNUAL BUDGET 2012-2013
 RECAP OF ALL FUNDS**

FUND	GENERAL	Proposed Budget 2012-13
		Analysis of affect of changing the Millage rate

Current Millage
8.5083

Millage	Surplus
8.5000	\$ 56,800
8.4750	\$ 47,046
8.4500	\$ 37,292
8.4250	\$ 27,537
8.4000	\$ 17,783
8.3956	\$ -

TOWN OF LAKE PARK - ANNUAL BUDGET 2011-2012
RECAP OF ALL FUNDS

FUND	ALL	Adopted Budget 2011-12							
		RECAP							
Budget Summary									
		General Fund	Insurance Fund	Streets & Roads Fund	Debt Service Fund	Marina Fund	Stormwater Fund	Sanitation Fund	
Revenues		8,240,570	293,500	378,210	772,950	1,209,600	503,000	1,513,550	
Personal Services		2,205,125	85,975	119,570	-	159,995	119,695	546,163	
Operating Expenses		5,214,070	196,575	87,700	-	649,225	199,280	592,530	
Capital Outlay		-	-	39,100	-	-	-	-	
Debt Service		421,040	-	-	772,950	375,365	108,475	112,275	
Non-operating Expenses		936,460	10,950	100,000	-	10,000	75,550	250,000	
Total Budgeted Expenses		8,776,695	293,500	346,370	772,950	1,194,585	503,000	1,500,968	
Surplus (Deficit)		(536,125)	-	31,840	-	15,015	-	12,582	
Total Expenses and Surplus		8,240,570	293,500	378,210	772,950	1,209,600	503,000	1,513,550	
Balanced		√	√	√	√	√	√	√	√

Exhibit "B"

Town of Lake Park
 2012/2013 Dental Insurance Renewal Evaluation
 Dental PPO



SCHEDULE OF BENEFITS	CURRENT		RENEWAL		ALTERNATE #1		ALTERNATE #2		ALTERNATE #3	
	LINCOLN FINANCIAL GROUP DentalGuard Select		LINCOLN FINANCIAL GROUP DentalGuard Select		Reliance Standard		Reliance Standard		MetLife	
Plan Basics	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network
Calendar Year Maximum	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Deductibles										
Single	\$25	\$50	\$25	\$50	\$25	\$50	\$25	\$50	\$25	\$50
Family	\$75	\$150	\$75	\$150	\$75	\$150	\$75	\$150	\$75	\$150
Deductible Waived for Preventative Svcs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Preventative Benefits										
Preventative	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Basic	95%	80%	95%	80%	95%	80%	95%	80%	95%	80%
Major	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Orthodontia	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Services Information										
Out of Network Benefits Payable Level/Waiting Period for Major Services Endodontic/Periodontics Payable Level	90% UCR None Basic		90% UCR None Basic		Contracted Fee Basic		90% UCR Basic		90% UCR None Basic	
Rate Guarantee	12 Months		12 Months		12 Months		12 Months		12 Months	
Employee	24		24		24		24		24	
Employee + Family	17		17		17		17		17	
Monthly Premium	\$2,822.61		\$2,992.09		\$1,899.68		\$2,177.56		\$2,261.60	
Annual Premium	\$33,871.32		\$35,905.08		\$22,796.16		\$26,130.72		\$27,136.30	
% Increase	N/A		N/A		-37.7%		-22.9%		-19.9%	
% Increase	N/A		6.0%		-37.7%		-22.9%		-19.9%	

Town of Lake Park
 2012/2013 Dental Insurance Renewal Evaluation
 Dental PPO



SCHEDULE OF BENEFITS	CURRENT		ALTERNATE #4		ALTERNATE #5		ALTERNATE #6		ALTERNATE #7	
	LINCOLN FINANCIAL GROUP DentalGuard Select		The Standard		United Concordia Concordia Preferred II Plan		Guardian		Principal	
Plan Basis	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network
Calendar Year Maximum	\$1,000		\$1,000		\$1,000		\$1,000		\$1,000	
Deductibles										
Single	\$25	\$50	\$25	\$50	\$50	\$50	\$25	\$75	\$25	\$50
Family	\$75	\$150	\$75	\$150	\$150	\$150	\$75	\$150	\$75	\$150
Deductible Waived for Preventive Svcs	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Benefits										
Preventative	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Basic	95%	80%	95%	80%	90%	80%	100%	80%	\$25 then 5%	\$50 then 20%
Major	50%	50%	50%	50%	60%	50%	60%	50%	\$25 then 50%	\$50 then 50%
Orthodontia	50%	50%	50%	50%	\$1,000	\$1,000	50%	50%	50%	50%
Service Information										
Out of Network Benefits										
Payable Level	90% UCR	90% UCR	90% UCR	90% UCR	90% UCR	90% UCR	90% UCR	90% UCR	90% UCR	90% UCR
Waiting Period for Major Services	None	None	None	None	None	None	None	None	None	None
Endodontics/Periodontics Payable Level	Basic	Basic	Basic	Basic	Basic	Basic	Basic	Basic	Basic	Basic
Rate Guarantee	12 Months	12 Months	12 Months	12 Months	12 Months	12 Months	12 Months	12 Months	12 Months	12 Months
Employee	Total Cost		Total Cost		Total Cost		Total Cost		Total Cost	
24	\$38.75	\$31.04	\$31.04	\$38.50	\$38.50	\$37.73	\$37.73	\$37.07	\$37.07	\$114.46
Employee + Family	Total Cost		Total Cost		Total Cost		Total Cost		Total Cost	
17	\$111.53	\$100.52	\$100.52	\$105.50	\$105.50	\$107.73	\$107.73	\$114.46	\$114.46	\$114.46
Monthly Premium	\$2,822.61	\$2,453.80	\$2,453.80	\$2,717.50	\$2,717.50	\$2,736.93	\$2,736.93	\$2,835.50	\$2,835.50	\$2,835.50
Annual Premium	\$33,871.32	\$29,445.60	\$29,445.60	\$32,610.00	\$32,610.00	\$32,843.16	\$32,843.16	\$34,026.00	\$34,026.00	\$34,026.00
\$ Increase	N/A	-\$4,425.72	-\$4,425.72	-\$1,261.32	-\$1,261.32	-\$1,028.16	-\$1,028.16	-\$154.48	-\$154.48	-\$154.48
% Increase	N/A	-13.1%	-13.1%	-3.7%	-3.7%	-3.0%	-3.0%	0.5%	0.5%	0.5%

Town of Lake Park
2012/2013 Vision Insurance Renewal Evaluation



SCHEDULE OF BENEFITS	Current		Renewal		Alternate 1	
	Humana/CompuBenefits		Humana/CompuBenefits		Guardian Plan 1	
	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network
Plan Basics						
Exams	\$10	\$35 Reimbursement	\$10	\$35 Reimbursement	\$10	\$50 Max after \$10 Copay
Exams (Required)						
Exams	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once per Calendar Year	Once per Calendar Year
Lenses	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once per Calendar Year	Once per Calendar Year
Frames	Once every 24 Mos.	Once every 24 Mos.	Once every 24 Mos.	Once every 24 Mos.	Once every other Cal. Year	Once every other Cal. Year
Benefits Reserved:						
Single Vision	\$15	\$25 Reimbursement	\$15	\$25 Reimbursement	\$25	\$48 Max after \$25 Copay
Bifocal	\$15	\$40 Reimbursement	\$15	\$40 Reimbursement	\$25	\$67 Max after \$25 Copay
Tifocal	\$15	\$60 Reimbursement	\$15	\$60 Reimbursement	\$25	\$86 Max after \$25 Copay
Contact Lenses (Elective)	\$100 Reimbursement	\$100 Reimbursement	\$100 Reimbursement	\$100 Reimbursement	\$25 Copay	\$105 Max after \$25 Copay
Contact Lenses (Medically Necessary)	Paid In Full	\$210 Reimbursement	Paid In Full	\$210 Reimbursement	\$25	\$210 Max after \$25 Copay
Basic	\$35 Wholesale	\$35 Wholesale	\$35 Wholesale	\$35 Wholesale	\$120 Max after \$25 Copay	\$88 Max after \$25 Copay
Preferred	\$45 Wholesale	\$45 Wholesale	\$45 Wholesale	\$45 Wholesale	\$120 Max after \$25 Copay	\$48 Max after \$25 Copay
Non-Preferred	\$45 Wholesale	\$45 Wholesale	\$45 Wholesale	\$45 Wholesale	\$120 Max after \$25 Copay	\$48 Max after \$25 Copay
Employee Only	24	4.52	24	\$4.76	24	\$4.28
Employee + Family	17	17.22	17	\$18.10	17	\$13.23
Monthly Cost	\$401.22	\$421.94	\$401.22	\$421.94	\$327.63	\$327.63
Annual Cost	\$4,814.64	\$5,063.28	\$4,814.64	\$5,063.28	\$3,931.56	\$3,931.56
\$ Increase / Decrease	N/A	\$278.64	N/A	\$278.64	-\$883.08	-\$883.08
% Increase / Decrease	N/A	5.2%	N/A	5.2%	-18.3%	-18.3%

Employees' their rates apply w/ 75% enrollment

Town of Lake Park
2012/2013 Vision Insurance Renewal Evaluation



Plan Details	Current		Alternative 2		Alternative 3	
	Guardian Plan 1	Guardian Plan 2	Guardian Plan 2	Guardian Plan 3	Guardian Plan 3	Guardian Plan 3
Exams	In Network \$10	Out of Network \$35 Reimbursement	In Network \$10	Out of Network \$50 Max after \$10 Copay	In Network \$10	Out of Network \$50 Max after \$10 Copay
Prescriptions	Once every 12 Mos. Once every 12 Mos. Once every 24 Mos.	Once every 12 Mos. Once every 12 Mos. Once every 24 Mos.	Once per Calendar Year Once per Calendar Year Once every other Cal. Year	Once per Calendar Year Once per Calendar Year Once every other Cal. Year	Once per Calendar Year Once per Calendar Year Once every other Cal. Year	Once per Calendar Year Once per Calendar Year Once every other Cal. Year
Benefits Payable						
Single Vision	\$25	\$25 Reimbursement	\$20	\$48 Max after \$20 Copay	\$10	\$48 Max after \$10 Copay
Bifocal	\$15	\$40 Reimbursement	\$20	\$67 Max after \$20 Copay	\$10	\$67 Max after \$10 Copay
Trifocal	\$15	\$60 Reimbursement	\$20	\$86 Max after \$20 Copay	\$10	\$86 Max after \$10 Copay
Contact Lenses (Barely)	\$100 Reimbursement	\$100 Reimbursement	\$20 Copay	\$105 Max after \$20 Copay	\$10 Copay	\$105 Max after \$10 Copay
Contact Lenses (Medically Necessary)	Paid In Full	\$210 Reimbursement	\$20	\$210 Max after \$20 Copay	\$10	\$210 Max after \$10 Copay
Basic	\$35 Wholesale	\$33 Wholesale	\$120 Max after \$20 Copay	\$48 Max after \$20 Copay	\$120 Max after \$10 Copay	\$48 Max after \$10 Copay
Preferred	\$45 Wholesale	\$45 Wholesale	\$120 Max after \$20 Copay	\$48 Max after \$20 Copay	\$120 Max after \$10 Copay	\$48 Max after \$10 Copay
Non-Preferred	\$45 Wholesale	\$45 Wholesale	\$120 Max after \$20 Copay	\$48 Max after \$20 Copay	\$120 Max after \$10 Copay	\$48 Max after \$10 Copay
Employee Only	24	452	\$5.18	\$5.18	\$5.77	\$5.77
Employee + Family	17	1722	\$16.01	\$16.01	\$17.83	\$17.83
Monthly Cost		\$401.22	\$396.49	\$441.59	\$404.44	\$441.59
Annual Cost		\$4,814.64	\$4,757.88	\$5,299.08	\$4,853.28	\$5,299.08
\$ Increase / Decrease		N/A	-\$56.76	\$404.44	\$404.44	\$404.44
% Increase / Decrease		N/A	-1.17%	8.41%	8.41%	8.41%

Employee Paid after \$20 copay w/25% enrollment

Employee Paid after \$10 copay w/25% enrollment

Town of Lake Park
2012/2013 Vision Insurance Renewal Evaluation



Plan Details	Current		Alternative 4		Alternative 5	
	Humana/Complinet	MetLife Safeguard VP 1000 10/25-FL	MetLife Safeguard VP 1000 10/25-FL	MetLife Safeguard VP 1350 10/25-FL		
Exams	In Network \$10	Out of Network \$35 Reimbursement	In Network \$10	Out of Network \$35	In Network \$10	Out of Network \$35
Eye Exams	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.
Lenses	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.
Frames	Once every 24 Mos.	Once every 24 Mos.	Once every 24 Mos.	Once every 24 Mos.	Once every 24 Mos.	Once every 24 Mos.
Benefits Available						
Single Vision	\$15	\$25 Reimbursement	\$25	\$25 Reimb. after \$25 Copay	\$25	\$25 Reimb. after \$25 Copay
Bifocal	\$15	\$40 Reimbursement	\$25	\$35 Reimb. after \$25 Copay	\$25	\$35 Reimb. after \$25 Copay
Trifocal	\$15	\$60 Reimbursement	\$25	\$45 Reimb. after \$25 Copay	\$25	\$45 Reimb. after \$25 Copay
Contact Lenses (Elective)	\$100 Reimbursement	\$100 Reimbursement	\$135 Allowance	\$100 Reimbursement	\$160 Allowance	\$100 Reimbursement
Contact Lenses (Medically Necessary)	Paid In Full	\$210 Reimbursement	\$150 Allowance	\$200 Reimbursement	\$750 Allowance	\$200 Reimbursement
Refractive						
Basic	\$35 Wholesale	\$35 Wholesale	\$100 Allowance	\$45 Reimbursement	\$125 Allowance	\$85 Reimbursement
Preferred	\$45 Wholesale	\$45 Wholesale	\$100 Allowance	\$65 Reimbursement	\$100 Allowance	\$65 Reimbursement
Non-Preferred	\$45 Wholesale	\$45 Wholesale	\$100 Allowance	\$65 Reimbursement	\$100 Allowance	\$65 Reimbursement
Employee Only	24	4.52	\$5.41	\$5.86	\$5.41	\$5.86
Employee + Family	17	17.22	\$13.10	\$14.18	\$13.10	\$14.18
Monthly Cost	\$401.22	\$352.54	\$352.54	\$381.70	\$352.54	\$381.70
Annual Cost	\$4,814.64	\$4,230.48	\$4,230.48	\$4,580.40	\$4,230.48	\$4,580.40
5% Increase / Decrease	N/A	-\$584.16	-\$584.16	-\$734.24	-\$584.16	-\$734.24
5% Increase / Decrease	N/A	-12.1%	-12.1%	-14.0%	-12.1%	-14.0%

Notes: Copays are for standard formulary.

Notes: Copays are for standard formulary.

Town of Lake Park
2012/2013 Vision Insurance Renewal Evaluation



SCHEDULE OF BENEFITS	Current		Alternate 6	
	Hermans/Complements	VSP		
Plan Basics	In Network	Out of Network		
Exam	\$10	\$35 Reimbursement	\$50	\$50 <small>Reimb. up to \$45 after 1st copy</small>
Frequency				
Exams	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.
Lenses	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.	Once every 12 Mos.
Frames	Once every 24 Mos.	Once every 24 Mos.	Once every 24 Mos.	Once every 24 Mos.
Benefit Division				
Single Vision	\$15	\$25 Reimbursement	\$50	\$30 Reimbursement
Bifocal	\$15	\$40 Reimbursement	\$75	\$50 Reimbursement
Tritocal	\$15	\$60 Reimbursement	\$150	\$65 Reimbursement
Contact Lenses (Elective)	\$100 Reimbursement	\$100 Reimbursement	Up to \$130	105 Reimbursement
Contact Lenses (Medically Necessary)	Paid In Full	\$210 Reimbursement	Paid In Full	\$210 Reimbursement
Basic	\$35 Wholesale	\$35 Wholesale	\$125 Allowance	\$70 Reimbursement
Preferred	\$45 Wholesale	\$45 Wholesale	\$125 Allowance	\$70 Reimbursement
Non-Preferred	\$45 Wholesale	\$45 Wholesale	\$115 Allowance	\$70 Reimbursement
Employee Only	24	4.52		\$5.89
Employee + Family	17	17.22		\$13.95
Monthly Cost		\$401.22		\$378.51
Annual Cost		\$4,814.64		\$4,542.12
% Increase / Decrease		N/A		\$277.52
% Increase / Decrease		N/A		-5.7%

TAB 4



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. Tab 4

Agenda Title: Special Call Commission Meeting Final Budget Hearing Minutes of September 19, 2012

- Consent Agenda, Presentation/Proclamation, Public Hearing, Bid/RFP Award, Discussion/Possible Action Resolution, Ordinance on Reading, Other.

Approved by Town Manager [Signature] Date: 9/27/12

Shari Canada, Deputy Town Clerk Name/Title

Table with 3 columns: Originating Department (Town Clerk), Costs (0.00), Attachments (Agenda Meeting Minutes), Advertised (Not Required), Notification details.

Summary Explanation/Background:

Recommended Motion: To approve the Special Call Commission Meeting Final Budget Hearing Minutes of September 19, 2012.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Special Call Final Public Hearing
On the Budget Meeting
Wednesday, September 19, 2012, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley, CMC	—	Town Clerk

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

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA
- F. PUBLIC HEARING:

***** OPEN PUBLIC BUDGET HEARING*****

- A. Staff Report
- B. Public Comments
- C. Commission Deliberation

1. Resolution No. 28-09-12 Final Millage

Tab 1

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A FINAL MILLAGE RATE FOR THE TOWN

OF LAKE PARK FOR THE FISCAL YEAR BEGINNING, OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2012/2013; PROVIDING FOR AN EFFECTIVE DATE.

2. Resolution No. 25-09-12 Final Budget

Tab 2

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

***** CLOSE PUBLIC BUDGET HEARING*****

G. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

H. ADJOURNMENT:



**Minutes
Town of Lake Park, Florida
Final Public Hearing
On the Fiscal Year 2013 Budget
Wednesday, September 19, 2012, 6:30 p.m.
Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Special Call Commission Meeting First Public Hearing On the Tentative Budget on Wednesday, September 19, 2012 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioner Jeanine Longtin, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Commissioner Steve Hockman was absent.
Commissioner Tim Stevens arrived at 6:47 pm.

Vice-Mayor Rumsey requested a moment of silence in memory of former Commissioner William Otterson and led the Invocation. Mayor DuBois led the Pledge of Allegiance. Town Clerk Vivian Lemley performed the Roll Call

ADDITIONS/DELETIONS/APPROVAL OF AGENDA:

Motion: A motion was made by Vice-Mayor Rumsey to approve the Agenda; Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens			Absent
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 3-0

PUBLIC HEARING:

Mayor DuBois opened the Public Hearing.

Town Manager Sugerman explained that there will be an opportunity for public comment and Commission discussion and deliberation, but there was an error in the State required legal notice published in the newspaper known as the Budget Summary. The published Budget Summary contained a Millage Rate of 8.4 mils and the Millage Rate should have

been 8.5 mils, which was the Tentative Maximum Millage Rate adopted by the Commission at the First Budget Hearing on September 12, 2012. He stated that the error is corrected by re-publishing the Budget Summary. He explained that the Commission can permit the public to make comments on the Budget, ask questions of staff, deliberate, but cannot vote at this meeting. He stated that the Commission will need to set a date for a re-scheduled hearing and staff is suggesting Monday, September 24, 2012 at 6:30 pm and vote to recess this hearing until that date and time. He apologized for the error and will have additional staff review the advertisement before it is sent to the newspaper.

Mayor DuBois asked the Commission if it wants to go through the formal process at this meeting or does the Commission want to recess the meeting now or go through the process at both meetings.

Commissioner Longtin stated that she is not available on Monday, September 24, 2012 and asked if the meeting could be held on Tuesday, September 25, 2012 or Wednesday, September 26, 2012.

Town Manager Sugerman stated that it could be done by law on Tuesday, September 25, 2012 or Wednesday, September 26, 2012, however Tuesday, September 25, 2012 is the Jewish holiday of Yom Kippur and he would not be in attendance and will not be at work on Wednesday, September 25, 2012. He stated that if any residents are of the Jewish faith it would be inappropriate to hold a Public Hearing on the holiest of Holy Day in the Jewish faith. He stated that the Hearing could be held on Thursday, September 27, 2012 or Friday, September 28, 2012.

Commissioner Longtin stated she is not available Thursday, September 27, 2012 or Friday, September 28, 2012.

Mayor DuBois suggested that staff make its presentation and Commissioner Longtin be provided the opportunity to make her comments.

Attorney Baird stated that the Public Hearing has been opened and the Commission must hear Public Comment, if any and then continue the Public Hearing.

Town Manager Sugerman stated that the State advised that the Commission should recess the Public Hearing to a specific date and time.

Mayor DuBois pointed out that no requests for Public Comment have been received and suggested moving to the staff report and Commission deliberations.

Town Manager Sugerman explained that this is the second Hearing of a two hearing process and stated that none of the numbers in the Budget have changed since the First Public Hearing held on September 12, 2012.

Mayor DuBois asked if there were any requests made between the First Public Hearing and this meeting to modify the Budget.

Town Manager Sugerman stated "no".

Vice-Mayor Rumsey stated that during the Regular Commission meeting tonight the Commission will be considering new Marina dockage rates and asked if the Budget reflects the change in the Marina dockage rates.

Town Manager Sugerman stated that the Marina dockage rate structure is not in the Budget and that the Budget does not contain any additional revenue from the proposed Marina dockage rates.

Commissioner Longtin stated that she is in favor of the final Millage Rate at 8.5 mils only because she believes that her hands are tied, but she wanted it to be a lower Millage Rate. She stated that she is not in favor of passing the final Budget because the Marina Fund is balanced based on receiving the funds from the Marina lawsuit settlement and asked what is going to happen for the 2014 Budget. She believes that great strides will be made by Town Manager Sugerman and staff and maybe it will not be an issue, but it is close to \$1 million to make up in the Marina Fund. She questioned balancing a budget with money that the Town does not have or confirmation that the Town is receiving these funds.

Mayor DuBois stated that he would consider the funds from the Marina lawsuit settlement a receivable that is due during the 2012/2013 fiscal year and with all of the requirements that go along with any receivable and asked if there is any reason for the Commission to think that it would have a reduced value as a receivable.

Town Manager Sugerman stated that the funds from the Marina lawsuit settlement has been treated as a receivable for budgeting purposes.

Mayor DuBois asked if there has been any indication or information received that would lead anyone to believe that payment would not be received by the Town.

Attorney Baird stated that only if the defendants in the lawsuit violate the agreement. He explained that once the agreement is reduced to writing and signed there will be an order dismissing the case. He stated that the Town would have the right to enforce the settlement agreement and collect fees related to that enforcement.

Finance Director Blake Rane explained that the Marina Fund has \$651,000 in reserves and \$100,000 in contingency and that the full \$880,000 is not being used to balance to Marina Fund. He stated that \$130,000 is being used to balance the Marina Fund and that is what staff is bringing forward to the Commission during the Regular Commission Meeting, the new Marina dockage rates to accelerate the revenue brought in through the Marina Fund.

Commissioner Longtin stated that another concern is when will the Marina will be repaired.

Mayor DuBois stated that funds could be used from the Marina Fund reserves through a budget amendment as the need arises.

Mayor DuBois asked if there is no further Commission deliberation that there be a motion to recess the Hearing to a date and time certain.

Motion: A motion was made by Commissioner Stevens to recess the Final Public Hearing on the Fiscal Year 2013 Budget to September 24, 2012 at 6:30 pm; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0

- 1. Resolution No. 28-09-12 Final Millage**
- 2. Resolution No. 25-09-12 Final Budget**

Mayor DuBois recessed the Public Hearing.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to recess by Commissioner Stevens and seconded by Vice-Mayor Rumsey, and by unanimous vote, the Public Hearing was recessed at 6:48 p.m.

Mayor James DuBois

Deputy Town Clerk, Shari Canada, CMC

Town Clerk, Vivian Mendez Lemley, CMC

Town Seal

Approved on this _____ of _____, 2012

TAB 5



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. *Tab 5*

Agenda Title: Commission Meeting Minutes of September 19, 2012

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

Approved by Town Manager *DSS* Date: *9/27/12*

Shari Canada, Deputy Town Clerk
Name/Title

Originating Department: Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda Meeting Minutes Exhibit "A" Exhibit "B"
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>(initials)</i> Please initial one.

Summary Explanation/Background:

Recommended Motion: To approve the Commission Meeting Minutes of September 19, 2012.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, September 19, 2012,
Immediately Following the Special Call
Final Public Hearing on the Budget
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley, CMC	—	Town Clerk

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

A. **CALL TO ORDER**

B. **INVOCATION**

C. **PLEDGE OF ALLEGIANCE**

D. **ROLL CALL**

E. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**

F. **PROCLAMATION:**

1. Honoring Dwayne Bell, Sr. as the Employee of the Year for 2011

Tab 1

G. **PUBLIC and OTHER COMMENT:**

This time is provided for audience members to address 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.

- H. **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.

Recommended For Approval:

2. Special Call Budget Workshop Meeting Minutes of August 22, 2012 Tab 2
3. Approve the Award of FY 2011-2012 Sidewalk Improvement Project to Low Bid Contractor, Dunworth Construction, Inc. for \$12,253.74 Tab 3

I. **DISCUSSION AND POSSIBLE ACTION:**

4. Resolution No. 29-09-12 Establishing Annual and Transient Rates for the Use of Boat Slips at the Lake Park Harbor Marina Tab 4

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

K. **ADJOURNMENT:**



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, September 19, 2012, 6:48 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, September 19, 2012 at 6:48 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioners Jeanine Longtin, and Tim Stevens, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Commissioner Steve Hockman was absent.

Town Clerk Vivian Lemley performed the Roll Call

ADDITIONS/DELETIONS/APPROVAL OF AGENDA:

Commissioner Longtin requested that an item be added to discussion the request of former Commissioner Otterson's family to hold the memorial services in Town Hall.

Mayor DuBois suggested added the item as number 5 under Discussion and Possible Action.

Town Manager Sugerman suggested hearing the item before number 4 because there might be a lengthy discussion on the proposed Marina dockage rates.

Mayor DuBois suggested that the item be heard after the Proclamation.

The Commission reached consensus to hear the item after the proclamation.

Motion: A motion was made by Commissioner Longtin to approve the Agenda as amended; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor			

DuBois	X		
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Motion passed 4-0

PROCLAMATION:

1. Honoring Dwayne Bell, Sr. as the Employee of the Year for 2011

Mayor DuBois presented a Proclamation to Dwayne Bell, Sr. as the 2011 Employee of the Year.

DISCUSSION AND POSSIBLE ACTION:

Discussion of former Commissioner Otterson's Memorial Service being held in Town Hall.

Commissioner Longtin stated that Mr. Otterson's serviced Lake Park for many years as a builder and a Commissioner. She explained that when Mr. Otterson's wife passed a memorial service was held in the Commission Chambers for about an hour and then went to the Mirror Ballroom and that his family has requested to do the same thing. She requested that the rental fee for the Mirror Ballroom be waived.

Motion: A motion was made by Commissioner Longtin to approve the use of the Commission Chambers and Mirror Ballroom for the Memorial Service of former Commissioner Otterson and that the rental fee for the use of the facility be waived; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0

Commissioner Longtin asked that the family of Mr. Otterson be permitted to provide information regarding when the Memorial Service would be held.

The Memorial Service is scheduled for Friday, September 21, 2012 at 3:00 pm and the reception will be immediately following in the Mirror Ballroom.

Ms. Otterson requested that the Memorial Service be placed on the marquee and stated that they expected a large crowd and asked for suggestions on what to do.

The Commission reached consensus that six (6) to seven (7) tables and chairs be set up in the Commission Chambers and the Mirror Ballroom and that folding chairs be available if needed and an easel for Mr. Otterson's picture.

Town Manager Sugerman stated that staff will prepare to have 100 people in attendance.

PUBLIC and OTHER COMMENT:

No Public and Other Comment was received.

CONSENT AGENDA ITEMS:

2. **Special Call Budget Workshop Meeting Minutes of August 22, 2012**
3. **Approve the Award of FY 2011-2012 Sidewalk Improvement Project to Low Bid Contractor, Dunworth Construction, Inc. for \$12,253.74**

Motion: A motion was made by Commissioner Stevens to approve the Consent Agenda; Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0.

DISCUSSION AND POSSIBLE ACTION:

4. **Resolution No. 29-09-12 Establishing Annual and Transient Rates for the Use of Boat Slips at the Lake Park Harbor Marina**

Town Manager Sugerman provided an explanation of the item (see attached Agenda Request Form Exhibit "A") and recommended that the Commission adopt the Resolution and if the Commission does adopt the Resolution the rates would become effective October 1, 2012.

Vice-Mayor Rumsey asked if existing clients will automatically see a reduction in their October 1, 2012 bill.

Town Manager Sugerman stated "yes".

Commissioner Stevens stated that if the Marina is 37% occupied at the new rates the Marina will break even year over year. He stated that this is an experiment that he is somewhat concerned about race to the bottom issues with competing marinas. He thinks if carried out correctly it will work out and it is a proactive move in the right direction.

Commissioner Longtin thinks this is a step in the right direction.

Mayor DuBois stated that this is a change in the way the Town bills based on increments of 30, 40 and above feet to actual lineal feet of boat. He asked if it has been taken into account that a 27 foot boat in a 30 foot slip would be charged for 27 feet instead of 30 feet for the slip.

Town Manager Sugerman explained that the rate would be charged based on the length of the boat and not the length of the slip, so a 27 foot boat in a 30 foot slip would be charges for 27 lineal feet. He stated that management of the Marina would make the determination to ensure the right boats are in the correct slip for the boat size to optimize the use of the Marina and the slip.

Mayor DuBois asked if there is a substantial difference between charging for the lineal feet of the boat versus the actual length of the slip.

Town Manager Sugerman stated it would make a positive difference because the boat owner would not have to purchase a 30 foot slip for a 27 foot boat.

Commissioner Stevens stated that there would be a detriment to revenue.

Town Manager Sugerman explained that it would only be a detriment if there was 100% capacity of all the slip sizes.

Mayor DuBois stated that the attraction to the new rate structure of charging per lineal foot of the boat versus per lineal foot of the slip should overcome the loss of revenue.

Town Manager Sugerman concurred.

Commissioner Stevens asked the \$888,372 in projected revenue at 100% capacity if that is for the full slip length.

Town Manager Sugerman explained that the projected revenue is based on staff's anticipated boat length and provided an example of a 60 foot slip with a 55 foot boat and the revenue the 55 foot boat would provide to the Marina.

Vice-Mayor Rumsey asked what time of year typical would the rentals for the winter season begin.

Marina Director Jamie Hart stated "October" and that he is beginning to hear from the seasonal renters now.

Vice-Mayor Rumsey asked if the seasonal renters are being advised of the proposed changes in the rate structure.

Marina Director Hart stated "yes".

Vice-Mayor Rumsey asked what percentage the Marina was leased during last year's winter season.

Marina Director Hart stated that he would have to get the information and provide it at another time.

Vice-Mayor Rumsey thinks that the percentage of rentals during the winter season from November 1 to April 30.

Marina Director Hart stated that the percentage of rentals during the winter season does increase.

Vice-Mayor Rumsey asked how the new rates are going to be marketed.

Marina Director Hart stated that it is being placed on channel 18, e-mails, press release, sending new rate card to call customers, and media outlets.

Vice-Mayor Rumsey asked if notice are being sent to past customers.

Marina Director Hart stated that both past and current customers will be advised of the rate change.

Town Manager Sugerman stated that staff is evaluating having a presence at the Palm Beach and Fort Lauderdale Boat Shows.

Vice-Mayor Rumsey asked when the Boat Shows are held.

Marina Director Hart stated Fort Lauderdale Boat Show is in October and Palm Beach Boat Show is February or March.

Vice-Mayor Rumsey asked at the present rates if there was 31% occupancy for the year how much revenue would be generated and at the new rates if there was 31% occupancy for the year how much revenue would be generated.

Town Manager Sugerman stated that the present rates at 31% occupancy would generate \$332,202.00 and 31% occupancy at the proposed rates would generate \$275,395.32 and in order to bring in the same amount of revenue at the proposed rates occupancy would need to be between 31 and 50%.

Vice-Mayor Rumsey asked if all the 30 foot slips get filled would the boats then roll into the 40 foot slips.

Marina Director Hart stated that he does not anticipate that happening because the 40 foot slips will get filled first because they are the floating docks and the 30 foot slips are the fixed docks and the 40 foot slips are more attractive to the boat owners.

Commissioner Stevens asked if there will be any advertising in the trade magazines.

Marina Director Hart stated that the Marina will be advertising in the waterway guides and southern boating.

Commissioner Longtin asked if there are any delinquencies.

Marina Director Hart stated that there is one delinquency and that Attorney Baird has sent a demand letter for payment.

Commissioner Longtin thinks that word of mouth will be a big opportunity and that it will take a year to get going and suggested that the Marina advertise that it is under new management. She doubts the accuracy of the historical occupancy rates.

Marina Director Hart stated that staff is doing daily checks on the boats and keeping a daily occupancy rate.

Commissioner Longtin asked how the money is accounted for boat launching.

Marina Director Hart explained that there is a drop box system for payment and that he is working on updating the system.

Town Manager Sugerman stated that the first meeting of the Marina Task Force is on Thursday, September 20, 2012 and that one of their assigned tasks is to look at the boat launch and the generation of revenue. He stated that currently it is an honor system and that there may be a better way to do it.

Mayor DuBois stated that the big change is in how the customer is being charged for the number of feet of the boat versus the number of feet of the slip and thinks it is a huge thing to let people know that they are only paying for the size of their boat. He stated that the Town has done the Boat Shows in the past and has received a huge response and that it was staffed by volunteers from the Marina Board. He offered to be a volunteer at the Boat Show if needed. He requested that the Commission be provided periodic updates on the Marina.

Motion: A motion was made by Vice-Mayor Rumsey to approve Resolution No. 29-09-12 Establishing the Annual and Transient Rates for the Use of Boat Slips at the Lake Park Harbor Marina; Commissioner Stevens made the second.

Vote on Motion:

Commission	Aye	Nay	Other
------------	-----	-----	-------

Member			
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Vice-Mayor Rumsey stated that there was a memo in the paychecks and read it into the record (see attached Exhibit "B") and asked for an explanation.

Town Manager Sugerman stated that there was an error made in the accrual rate since October 1, 2011 whereas general employees were credited with 2.16 hours of sick leave when they should have been created with 1.56 hours of sick leave.

Vice-Mayor Rumsey asked where did the number 2.16 come from.

Town Manager Sugerman stated that 2.16 hours of sick leave is for employees covered by the Collective Bargaining Agreement.

Vice-Mayor Rumsey stated that union employee get 2.16 hours of sick leave, but general employees do not.

Town Manager Sugerman stated "yes".

Vice-Mayor Rumsey asked if any general employees take sick leave based on the 2.16 and that they are now over what they were allotted.

Town Manager Sugerman stated that there are a handful of cases where employees have used all of their sick leave that they received at the 2.16 accrual rate and with the correction of the error would now have a negative sick leave balance. He stated that those employees have received communication that there are other alternatives if they are negative such as sick leave bank, sick leave donation policy, major illness leave policy and approve the use of vacation leave.

Vice-Mayor Rumsey asked how many paychecks are left in this fiscal year.

Finance Director Blake Rane stated that there is one paycheck left in this fiscal year.

Vice-Mayor stated that his concern is that he does not think anyone should be punished for mistake done by the Town, so if anyone is going to lose pay for taking time that they believe that they had received that it should not happen.

Town Manager Sugerman stated that he concurs that he does not want to punish anyone and that no one is losing pay and what is happening is the accruals are being allowed to go negative until they go positive again.

Vice-Mayor Rumsey asked if the negative sick leave balance is being carried over into next year.

Town Manager Sugerman stated "yes".

Finance Director Rane explained that most of the negative balances are for only a few hours.

Town Manager Sugerman stated that the largest negative is eleven hours.

Vice-Mayor Rumsey stated that this was the Town's mistake and that the employee used what they believe they accrued. He suggested that everyone start at zero as of October 1 and get rid of the negative balances. He stated that he did not know union and general employees did not get the same thing and this is a surprise to him.

Commissioner Longtin thinks that this is over stepping the bounds and that the Town Manager should handle how this as he sees fit.

Commissioner Stevens stated that in fairness to the employees affected by the change he suggested that the person with negative eleven hours be given zero and all the other employees be created with eleven hours so that all employees affected receive the same benefit.

Mayor DuBois thinks that this is purely an administrative issue.

Vice-Mayor Rumsey stated that he does not want to see the employees punished for a mistake that was made at a level higher than them.

Mayor DuBois stated that he believes that this item is a non-issue and has been handled administrative and he does not wish to discuss the item, but that he would be willing to go along with the decision of the Commission.

Commissioner Stevens stated that he shares the concerns of Vice-Mayor Rumsey, but it is apparent that they do not have a majority.

Commissioner Longtin stated that there will be a Special Call Final Budget Public Hearing on Monday, September 24, 2012 at 6:30 pm. She stated that the Sunset Celebration will be on Friday, September 28, 2012 at 6:00 pm at the Marina. She stated that the Memorial Service for Former Commissioner Otterson will be on Friday, September 21, 2012 at 3:00 pm in the Commission Chambers.

Commissioner Stevens stated that the Marina Task Force will have a meeting on Thursday, September 20, 2012 at 3:00 pm and encouraged everyone to attend. He stated that he will miss former Commissioner Otterson.

Vice-Mayor Rumsey asked if the Marina Task Force meeting will be broadcast on channel 18.

Town Manager Sugerman stated “no” because there are more participants than fit on the dais however, it is a public meeting that people can attend and that there will be an audio recording and minutes.

Vice-Mayor asked if the Task Force is governed by the Sunshine.

Town Manager Sugerman stated “yes” and he will be making a presentation at the meeting regarding the Sunshine Law. He stated that the Marina Task Force is also subject to the Inspector General’s office and the Commission on Ethics and that they will have to go through the training from the Commission on Ethics and sign-off that they have been trained.

Mayor DuBois stated that he attended the Mayor’s Literacy Coalition event and that they are short of volunteers for the program such as Bridges, Kiwanis After School Program and Library programs and encouraged people to volunteer. He stated that the Marina Task Force meeting is Thursday, September 20, 2012 and asked that notification of the meetings and agendas be better distributed. He stated that Bridges of Lake Park will be having the Trunk or Treat event, Octoberfest is upcoming and that the Seafood Fest will be held on November 10, 2012.

Commissioner Stevens asked where the minutes of the Marina Task Force will be available.

Town Clerk Lemley stated the minutes will be available on the Town website.

Attorney Baird stated that he has begun to collect the Robert Cutcher work products and a list of documents from the consulting attorneys has been provided to the Town and staff is going through the list to determine what items are duplicates of documents that Town already has and what the Town does not have will be provided. He stated that he was informed that the consulting attorneys have 60 boxes of records related to the litigation and wanted to know if the Commission wanted these documents. He stated that these records would include depositions, interrogatories and related litigation documents. He stated that his concern is transporting those boxes and the cost associated and if the Town does not want the boxes the firm would keep them in accordance with court rules.

Mayor DuBois asked if the Town had a place to store these boxes.

Town Clerk Lemley stated that the boxes need to be picked up so that the records are in the Town’s possession.

The Commission concurred.

Mayor DuBois asked if the documents could be kept electronically.

Town Manager Sugerman stated "yes", but there are no funds budgeted to scan the records.

Mayor DuBois asked if there are funds available to store the records. He suggested that the most cost effective method for storing the records be utilized.

Attorney Baird suggested that he get an inventory from the attorney's and that he does not think that the Town needs to store here or scan into the Town's records the 20 or so depositions that were taken in the case. He stated that it will not be a public record unless it comes to the Town.

Commissioner Longtin asked if a member of the public wants to see any of documents from the litigation how would they get that information.

Attorney Baird stated that once the records become a public records they would make a public records request of the Town.

Commissioner Longtin suggested that the records be brought to the Town and allow the Town Clerk to go through the records and decide what to do with the records.

Commissioner Stevens asked if once the Town takes possession of the documents do they become public record.

Attorney Baird stated "yes".

Commissioner Longtin stated that the records should be public record.

Commissioner Stevens stated that the benefit of obtaining the records would be to get a better picture of the Marina deficiencies.

The Commission reached consensus to receive an inventory of the documents to determine what records shall be provided to the Town and for staff to determine the cost associated with storing these records.

Town Manager Sugerman no comments.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Rumsey and seconded by Commissioner Stevens, and by unanimous vote, the meeting adjourned at 7:53 p.m.

Mayor James DuBois

Deputy Town Clerk, Shari Canada, CMC

Town Clerk, Vivian Mendez Lemley, CMC

Town Seal

Approved on this _____ of _____, 2012

Exhibit "A"



Town of Lake Park Town Commission

Agenda Request Form


Meeting Date: September 19, 2012






Agenda Item No. Tab 4

- PUBLIC HEARING
- ORDINANCE ON FIRST READING
- ORDINANCE ON SECOND READING
- PRESENTATION/PROCLAMATION
- Other:
- RESOLUTION
- DISCUSSION/POSSIBLE ACTION
- BID/RFP AWARD
- CONSENT AGENDA

SUBJECT: Establishing Annual and Transient Rates for the Use of Boat Slips at the Lake Park Harbor Marina

RECOMMENDED MOTION/ACTION: Approve the resolution establishing annual and transient rates for the use of boat slips at the Lake Park Harbor Marina.

Approved by Town Manager  Date: 9/10/12
DALE S. SUGERMAN / TOWN MANAGER 9/10/12
 Name/Title Date of Actual Submittal

Originating Department: Town Manager	Costs: \$ 0.00 Funding Source: N/A Acct. # N/A	Attachments: Resolution Rate schedule (Exhibit A) Income spreadsheet
Department Review: <input checked="" type="checkbox"/> Attorney <u></u> <input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <u></u> <input type="checkbox"/> Fire Dept	<input type="checkbox"/> Grants <input type="checkbox"/> Human Resources <input type="checkbox"/> Information Technology <input type="checkbox"/> Library <input checked="" type="checkbox"/> Marina <u></u>	<input type="checkbox"/> PBSO <input type="checkbox"/> Public Works <input type="checkbox"/> Recreation <input type="checkbox"/> Town Clerk <input checked="" type="checkbox"/> Town Manager <u></u>
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR <input checked="" type="checkbox"/> Not applicable in this case <u></u> Please Initial one.

Summary Explanation/Background:

At the September 5, 2012 Town Commission meeting, a proposal for modifying (lowering) the rates at the Lake Park Harbor Marina was introduced and discussed by the Town Commission. This agenda item, if approved, will implement the modified rates effective October 1, 2012.

The modified rates are:

Annual rate (12 months contract)	\$17.00 per lineal foot
Summer monthly (5/1 to 10/31)	17.00 per lineal foot
Winter monthly (11/1 to 4/30)	24.00 per lineal foot
Charter annual (12 months contract)	20.00 per lineal foot
Transient (daily)	2.00 per lineal foot

Recommendation:

Adopt the resolution as proposed.

RESOLUTION NO. 29-09-12

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA ESTABLISHING ANNUAL AND TRANSIENT RATES FOR THE USE OF BOAT SLIPS AT THE LAKE PARK HARBOR MARINA; AUTHORIZING THE TOWN MANAGER TO ADJUST THESE RATES ON A CASE-BY-CASE BASIS FOR THE SOLE PURPOSE OF GENERATING INCREASED REVENUES AND TO PROMOTE THE USE OF MARINA FACILITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Town Commission has previously adopted general provisions pertaining to the use and operation of the Lake Park Harbor Marina ("Marina"); and

WHEREAS, the Town Manager has recommended to the Town Commission that a revised rate schedule for the transient and annual use of boat slips at the Marina be adopted and become effective October 1, 2012; and

WHEREAS, the Town Commission has determined that the Town Manager should have the authority to approve discretionary rate changes on a case-by-case basis to promote the use of the Marina and its associated facilities.

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

SECTION 1. The foregoing "WHEREAS" clauses are incorporated herein.

SECTION 2. The rate schedule as set forth in Exhibit "A" which is attached hereto and incorporated herein, is hereby adopted by the Town Commission.

SECTION 3. The Town Manager is hereby delegated the authority to approve discretionary changes to the rate schedule on a case-by-case basis for purposes of generating increased revenues and promoting the use of the Marina and its associated facilities. The Town Manager shall provide written documentation for any case-by case rate changes deemed to be in the best interests of the Town and the Marina.

SECTION 4. This Resolution shall become effective immediately upon adoption.

Lake Park Harbor Marina

	Slip #	Occupied	Unoccupied	Slip Len	Present Boat Len	Boat Name	Annual Income	Current Rate	Proposed Rate/ Boat Length	31% Occupancy (Present)	50% Occupancy	75% Occupancy	100% Occupancy
1	A19	1		30	40	Deep Obsession	10,320.00	21.50	20.00	2,978.00	4,800.00	7,200.00	8,600.00
2	A20	1		30	30	Sirana	7,740.00	21.50	20.00	2,232.00	3,600.00	5,400.00	7,200.00
3	B21		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
4	B22		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
5	B23		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
6	B24		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
7	B25		x	35	32		0.00		17.00	2,023.88	3,284.00	4,898.00	6,528.00
8	B26	1		40	40	Lady in Red	9,360.00	19.50	17.00	2,629.60	4,080.00	6,120.00	8,160.00
9	B27	1		40	40	US Customs 1	9,360.00	19.50	17.00	2,629.60	4,080.00	6,120.00	8,160.00
10	B28	1		38	38	Little Deeper	9,804.00	21.50	20.00	2,827.20	4,560.00	6,840.00	9,120.00
11	B29		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
12	B30		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
13	C31		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00
14	C32		x	60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
15	C33		x	60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
16	C34	1		60	64	Spirit of Palm Beach	16,512.00	21.50	20.00	4,781.60	7,880.00	11,820.00	16,360.00
17	C35		x	60	55		0.00		17.00	3,478.20	5,610.00	8,415.00	11,220.00
18	C36		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
19	C37		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
20	D39		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
21	D39		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
22	D40	1		40	37	Mac	8,658.00	19.50	17.00	2,339.88	3,774.00	5,681.00	7,548.00
23	D42	1		40	40	Shawn C	9,360.00	19.50	17.00	2,629.60	4,080.00	6,120.00	8,160.00
24	D43	1		40	27	Wild Eagle	8,316.00	19.50	17.00	1,707.48	2,754.00	4,131.00	5,508.00
25	D44	1		40	38	Jonahly	8,424.00	19.50	17.00	2,278.64	3,672.00	5,508.00	7,344.00
26	D45	1		40	35	Running Free	8,190.00	19.50	17.00	2,213.40	3,670.00	5,355.00	7,140.00
27	D45		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
28	D46		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
29	D47		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
30	D48		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
31	D49		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
32	D50		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
33	D51		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
34	D52		x	40	36		0.00		17.00	2,278.64	3,672.00	5,508.00	7,344.00
35	D53	1		40	34	BaBa III	7,858.00	19.50	17.00	2,150.18	3,488.00	5,202.00	6,936.00
36	D54		x	40	37		0.00		17.00	2,339.88	3,774.00	5,681.00	7,548.00
37	D55		x	40	37		0.00		17.00	2,339.88	3,774.00	5,681.00	7,548.00
38	D56		x	40	37		0.00		17.00	2,339.88	3,774.00	5,681.00	7,548.00
39	D57	1		40	40	Seafarer	9,360.00	19.50	17.00	2,629.60	4,080.00	6,120.00	8,160.00
40	D58		x	40	37		0.00		17.00	2,339.88	3,774.00	5,681.00	7,548.00
41	D59		x	40	37		0.00		17.00	2,339.88	3,774.00	5,681.00	7,548.00
42	E61		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
43	E62		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
44	E63		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
45	E64	1		30	30	Aqua Hunter	7,740.00	21.50	20.00	2,232.00	3,600.00	5,400.00	7,200.00
46	E65		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
47	E66	1		30	29	Champagne	8,788.00	19.50	17.00	1,833.96	2,858.00	4,437.00	5,916.00
48	E67		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
49	E68		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
50	E69	1		30	31	Kaliko	7,254.00	19.50	17.00	1,960.44	3,182.00	4,743.00	6,324.00
51	E70		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
52	E71		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
53	E72	1		30	27	Overdran	6,918.00	19.50	17.00	1,707.48	2,754.00	4,131.00	5,508.00
54	E73		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
55	E74	1		30	29	One More II	8,788.00	19.50	17.00	1,833.96	2,858.00	4,437.00	5,916.00
56	E75		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
57	E76		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
58	E77		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
59	E78		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
60	E79		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
61	E80		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
62	E81		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
63	E82		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
64	E83		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
65	E84		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
66	E85		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508.00
67	F88		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00
68	F89		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00
69	F90		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00
70	F91	1		45	48	Narwhal	10,630.00	19.50	17.00	2,845.80	4,590.00	6,885.00	9,180.00
71	F92		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00
72	F93		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00
73	F94		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00
74	F95		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00
75	F96		x	45	41		0.00		17.00	2,692.84	4,182.00	6,273.00	8,364.00

Lake Park Harbor Marina

Slip #	Occupied	Unoccupied	Slip Len	Present Boat Len	Boat Name	Annual Income	Current Rate	Proposed Rate/ Boat Length	31% Occupancy (Present)	50% Occupancy	75% Occupancy	100% Occupancy
76 F97	1		45	25	Florida Fish & Wildlife	5,850.00	18.50	17.00	1,561.00	2,550.00	3,825.00	5,100
77 FD2	1		30	34	Karyypao	8,772.00	21.50	20.00	2,529.60	4,080.00	6,120.00	8,160
78 G98	1		50	22	Bones	5,148.00	19.50	17.00	1,391.28	2,244.00	3,366.00	4,488
79 G99		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180
80 G99		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180
81 G100	1		50	45	Ingram	10,530.00	19.50	17.00	2,845.80	4,590.00	6,885.00	9,180
82 G101		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180
83 G102		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180
84 G103		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180
85 G104		x	50	45		0.00		17.00	2,845.80	4,590.00	6,885.00	9,180
86 G105	1		50	60	Lucille	11,700.00	19.50	17.00	3,162.00	5,100.00	7,650.00	10,200
87 G106		x	60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
88 G107	1		60	44	Turning Point	10,296.00	19.50	17.00	2,782.56	4,488.00	6,732.00	8,976
89 G108			60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
90 G109			60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
91 G110			60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
92 G111			60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
93 G112			60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
94 G113			60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
95 G114	1		60	70	Escapade	16,380.00	19.50	17.00	4,426.80	7,140.00	10,710.00	14,280
96 G115		x	60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
97 H116	1		60	74	Aln't No Big Thing	17,316.00	19.50	17.00	4,679.76	7,548.00	11,322.00	15,096
98 H117	1		30	28	Whistler II	6,552.00	19.50	17.00	1,770.72	2,856.00	4,284.00	5,712
99 H118	1		60	38	Barrels of Fun	8,592.00	19.50	17.00	2,403.12	3,676.00	5,814.00	7,752
100 H119		x	60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
101 H120	1		60	48	Patriot	10,764.00	19.50	17.00	2,908.04	4,692.00	7,038.00	9,384
102 H121		x	60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
103 H122		x	60	55		0.00		17.00	3,478.20	5,810.00	8,415.00	11,220
104 H123	1		60	63	Shear Water	16,254.00	21.50	20.00	4,687.20	7,680.00	11,340.00	15,120
105 H125		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508
106 H126		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508
107 H128		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508
108 H129	1		30	28	Fellowship	6,084.00	19.50	17.00	1,644.24	2,652.00	3,978.00	5,304
109 H130	1		19	17	Minnow	3,978.00	19.50	17.00	1,075.08	1,734.00	2,601.00	3,468
110 H131	1		30	38	Avatar	8,682.00	19.50	17.00	2,403.12	3,676.00	5,814.00	7,762
111 H132	1		30	77	Ya Baby	18,018.00	19.50	17.00	4,669.48	7,654.00	11,761.00	15,708
112 J134		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508
113 J135		x	30	27		0.00		17.00	1,707.48	2,754.00	4,131.00	5,508
35						332,202.00			276,395.32	444,166.00	666,279.00	888,372.

31%

Proposed Rate/Boat Length
 Annual Rate 17.00
 Charter Annual Rate 20.00
 Monthly Summer Rate 17.00
 Monthly Winter Rate 24.00
 Daily Transient Rate 2.00 per foot

Historical Occupancy Rates/Period
 June - August 50%
 September - November 47%
 December - February 59%
 March - May 70%

September 13, 2012

To: All General Employees

Please be advised that since October 1, 2011 there has been an error in the sick leave accrual rate credited to all full-time, non-union, employees. The incorrect credit to your accrual bank for sick leave was done at a rate of 2.16 hours per pay period, when it should have accrued at 1.56 hours per pay period.

With this enclosed paycheck/Notice of Deposit, we have adjusted your accumulated sick leave balance to reflect the correct accrual rate for sick leave for this fiscal year.

In addition, as a reminder, the use of your Personal Leave allowance from your accrued sick leave balance is limited to 24 hours per fiscal year.



Dale S. Sugerman
Town Manager

TAB 6



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. *Tab 6*

Agenda Title: Special Call Commission Meeting Final Budget Hearing September 24, 2012

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

Approved by Town Manager *DSS* Date: 10/2/12

Shari Canada, Deputy Town Clerk
Name/Title

Originating Department: Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda Meeting Minutes Exhibit "A"
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>R</i> Please initial one.

Summary Explanation/Background:

Recommended Motion: To approve the Special Call Commission Meeting Final Budget Hearing of September 24, 2012.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Special Call Final Public Hearing
On the Budget Meeting
Monday, September 24, 2012, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley, CMC	—	Town Clerk

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

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA
- F. PUBLIC HEARING:

***** OPEN PUBLIC BUDGET HEARING*****

- A. Staff Report
- B. Public Comments
- C. Commission Deliberation

1. Resolution No. 28-09-12 Final Millage

Tab 1

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A FINAL MILLAGE RATE FOR THE TOWN

OF LAKE PARK FOR THE FISCAL YEAR BEGINNING, OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2012/2013; PROVIDING FOR AN EFFECTIVE DATE.

2. Resolution No. 25-09-12 Final Budget

Tab 2

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

***** CLOSE PUBLIC BUDGET HEARING*****

G. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

H. ADJOURNMENT:



**Minutes
Town of Lake Park, Florida
Special Call Meeting Final Public Hearing
On the Fiscal Year 2013 Budget
Monday, September 24, 2012, 6:30 p.m.
Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Special Call Commission Meeting Final Public Hearing On the Tentative Budget on Monday, September 24, 2012 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioners Steve Hockman and Tim Stevens, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Commissioner Jeanine Longtin was absent.

Vice-Mayor Rumsey led the Invocation and Mayor DuBois led the Pledge of Allegiance. Town Clerk Vivian Lemley performed the Roll Call

ADDITIONS/DELETIONS/APPROVAL OF AGENDA:

Motion: A motion was made by Commissioner Hockman to approve the Agenda; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin			Absent
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0

PUBLIC HEARING:

Mayor DuBois reconvene the Final Public Hearing for the Fiscal Year 2013 Budget from September 19, 2012.

Town Manager Sugerman provided a recap of the proposed budget and an analysis of the Millage Rate on the Budget (see attaches Exhibit "A").

Commissioner Hockman asked if the phone budget and similar equipment has been evaluated.

Town Manager Sugerman stated that staff is currently in the process of doing that analysis and any impact it would have could be implemented during the next fiscal year, but this budget does not assume any cost savings at this point.

Commissioner Hockman asked if this budget assumes that money will be taken from the Marina litigation settlement to balance the Marina Fund.

Town Manager Sugerman stated that the budget does assume that the \$880,000 from the Marina litigation settlement will be received in the next fiscal year in the Marina Fund. Approximately \$112,000 from those proceeds will be used to balance the Marina Funds operating account, \$100,000 will be in a contingency line item, and approximately \$650,000 will go into the Marina Fund surplus.

Commissioner Hockman asked if there is a guarantee that these funds will be received by the Town and if the Town has received any cost estimates for the repairs to the Marina.

Town Manager Sugerman explained that \$100,000 has been appropriated in the contingency line item and would be available for any additional studies, possible replacement of the existing walkways, or other items at the Marina. He pointed out that there is also a surplus of \$650,000 that are not appropriated, but still available.

Attorney Baird stated that he expects the settlement documents to be circulated this week and as requested by the Town the settlement documents would not be executed until after October 1, 2012.

Mayor DuBois stated that Commissioner Longtin shared Commissioner Hockman's concerns regarding the Marina litigation settlement funds and asked if there was any follow up with Commissioner Longtin since the last meeting.

Town Manager Sugerman stated that all of Commissioner Longtin's questions were answered at the meeting and that he has not had any further conversations with Commissioner Longtin regarding that subject.

Commissioner Stevens thanked staff for putting together a clear and transparent plan and that the Commission will be able to monitor this plan through monthly budget reports to make sure that it is on track and we are on the same page.

Public Comment:

Mayor DuBois pointed out that he has received no public comment cards.

Public Comment Closed.

Commissioner Stevens stated that on a positive note that after a year of not borrowing funds and paying down existing debt that there is a downward trend in the debt service millage. However, the Town is still paying \$1,8 million in annual debt service with about \$580,000 going to interest alone. He stated that the Commission has given direction to

staff to explore renegotiation of this debt and is looking forward to an update in November. He stated that executive costs have been reduced by \$80,000, \$60,000 reduction in fire costs due to depreciating property values, Palm Beach Sheriff's Office (PBSO) costs have leveled off. Staff has been given direction to explore contracting with neighboring communities for police services and renegotiation with PBSO. He stated that he is hoping that PBSO will provide a transparent breakdown of administration cost. He stated that he wanted to poll the Commission on a few issues that he had that he thinks could strengthen the Lake Park community and stated that the issues are fireworks, kids and senior programs, community garden and a dog park. He stated that he is also open to any other ideas that would strengthen the community and provide services to residents. He stated that regarding fireworks that he is not suggesting dedicating money at this time, but to provide staff with direction. He stated that there is \$2,500 in a line item for 4th of July and that the Town was known for its 4th of July fireworks and that the Commission should make sure that there are 4th of July fireworks this year.

Motion: A motion was made by Commissioner Stevens directing staff to provide an updated fireworks proposal for discussion listing what can be done for \$10,000, \$15,000 and \$20,000 for Saturday, June 29, 2013; Vice-Mayor Rumsey made the second.

Mayor DuBois stated that he does not object to finding out the cost, but he is not sure that they are ready to allocate funds.

Vice-Mayor Rumsey asked if the Commission can just reach consensus to provide direction to staff to get proposals for fireworks.

Commissioner Stevens clarified that he is not requesting that funds be allocated, but that staff get proposals. He stated that he is not ready to allocate funds without knowing what the cost is and what the Town would be receiving, but he wants to provide direction to staff to get those proposals. He withdrew his motion.

The Commission reached consensus to direct staff to provide an updated fireworks proposal for discussion listing what can be done for \$10,000, \$15,000 and \$20,000 for Saturday, June 29, 2013.

Commissioner Stevens thinks that the Commission should provide direction on where to go from here regarding the Community Garden. He stated that there is a line item in the Library tab in the Budget for senior bus trips for \$2,500 and \$0 funding for Library Children Program. He thinks that Lake Park should be providing more programs for seniors and kids, that the Library should have a calendar of events and activities for residents year round including after school activities and other community building activities. He stated that he spoke with Town Manager Sugerman and that staff is in the initials stages of putting programs together, however it may be helpful for staff in forming their specific proposals for the Commission to advise if they are willing to designate additional funding. He clarified that he is not requesting funds be allocated, but to provide a ballpark number of what the Commission might be willing to spend so that staff has limits when putting together programs.

Vice-Mayor Rumsey stated that he would want to see what is being proposed and that he is fine with directing staff to put together some ideas, but he does not want to say that he is open to spending the money until he knew what was being proposed.

Commissioner Stevens stated that it is a "catch 22" on whether or not the Commission wants to direct staff to do the work of putting together the programs when the Commission is not open to the idea of expending more funds on these types of services.

Vice-Mayor Rumsey thinks it is great that Commissioner Stevens is bring forth ideas that he would like to see implemented into the Budget and not just throwing it back on staff, but he would like to see before the Commission decides to expend additional funds a wish list of programs and their cost from staff.

Commissioner Hockman thinks that staff should provide a plan of action before the Commission allocates additional funds for kids and senior programs.

Commissioner Stevens clarified that he is asking for staff to put together programs for the Commission to consider, but so staff can give concrete specific proposals he is asking the Commission to reach consensus that if they approve the programs presented by staff that a certain amount of dollars could be made available.

Commissioner Hockman believes that staff can put an outline together for different programs and then Town Manager Sugerman can provide that information to the Commission for discussion and funds could be allocated at that time if needed.

Commissioner Stevens asked Town Manager Sugerman if he has the clarity he needs from the Commission to move forward.

Town Manager Sugerman stated that he is clear that the Commission wants fireworks and kids and senior programs and that he will work with staff to develop ideas for additional programming and bring back the programming ideas to the Commission for support before any funds are allocated.

Commissioner Hockman asked how soon could the programming ideas be before the Commission.

Town Manager Sugerman stated some time during the next fiscal year and that the Commission can set a deadline.

Commissioner Stevens asked what would be a reasonable deadline.

Town Manager Sugerman stated that he has not spoken with staff regarding developing additional kids and senior programs and is not comfortable answer that question at this time.

Commissioner Stevens suggested a November 7 deadline for ideas.

Commissioner Hockman suggested that in the next couple of months they look at whether there will be a Christmas Tree lighting ceremony and other events. He stated that 4 of July is a ways off and depending upon how money is spent between now and then could determine whether there is even going to be funds available for fireworks.

Commissioner Stevens stated that he is new to this process and that what he is frustrated with is that the Commission discussed last year to bring the fireworks back and it never materialized and that he understands that there was a change in the administration, but that he wants to give the direction that staff needs to move forward.

Vice-Mayor Rumsey agrees that is also one of his frustrations and that it seems like the Commission is always trying to catch up and that the Commission is not putting out a vision for the community. He suggested a deadline of November 7 for staff to have ideas for Commission discussion.

Commissioner Stevens stated that a possible location for a dog park would be to fence the area south of the Fire Station and wanted to get consensus from the Commission to direct staff to put together a dog park proposal including locations and capping the cost at \$4,000. He stated that he contacted Petsmart Event Donations online and Pets Supplies Plus and they are interested, but he thinks that until the Town has to have a concrete proposal before they advise what they are willing to pay if anything. He stated that is a low cost way of building community.

Mayor DuBois stated that all of Commissioner Stevens' suggestions are great, but what about master planning, infrastructure, five-year road improvement plan for Silver Beach Road, Old Dixie Highway, Congress Avenue, and 10th Street and Railroad station and he would like to be able to hire a firm to assist staff in these plans. He has not brought these items forward because of a lack of funding.

Commissioner Stevens stated that those are all big ticket items and that he is talking about spending overall \$40,000 on all of these things and that he is tired of hearing that the Town does not have the money. He suggested bringing in corporate sponsors for some of these programs and that the General Fund reserves has \$400,000.

Mayor DuBois stated he said that the Town could not be run on the funds that we had and was voted down regarding the Millage Rate and he understands that the Budget that the new administration prepared is different from last year's budget and that the Town could afford what it needed to do with the Millage Rate that had been proposed, but he is surprised at hearing the comments regarding what can this money be spent on.

Commissioner Stevens thinks that the Town is about providing services to residents, taxpayers pay their money and they deserve to get services and the least the Commission can do after years of saying no is to say yes to a few things like fireworks, a dog park, and kids and senior programs.

Mayor DuBois stated that there was significant participation in bringing back events to the Town.

Commissioner Stevens stated that people do not come to events that typically have fireworks if there are not any fireworks and that the Town was known for its fireworks display and thinks it is one small thing that the Commission can do for the community.

Vice-Mayor Rumsey thinks that these small things are what makes a community and that the Commission had a long discussion regarding marketing the Town and how to distinguish ourselves and suggested that if all of these programs are going to cost \$40,000 or less that the Commission at least take the opportunity to see what can be done. He stated that as long as the Commission continues to say no and not add anything to the vitality of the Town we will be in the same position we are in now.

Mayor DuBois stated that through working with other organizations that all of the events got brought back this year and that he is willing to have staff put together the actual costs. He stated that if it costs \$40,000 that he would want to spend half of that to develop a marketing plan that expands the Town's circle of influence that would attract home buyers and business to the Town.

Vice-Mayor Rumsey agrees with Mayor DuBois, but thinks that these types of programs do is create a sense of community that is a great marketing tool.

Mayor DuBois stated that he would like to see the Town develop a method for bring sponsors in for doing these events through the Community Development Corporation. He thinks that is the vehicle through which money can be contributed and that the Commission can go out solicit funds for these events.

Commissioner Hockman stated that the Irish Festival and Easter Egg Hunt this year was done by Kiwanis not the Town.

Mayor DuBois stated that by going out and meeting with Kiwanis and getting participation from Kiwanis those events were brought back to the Town.

Commissioner Hockman stated that he is all for bringing stuff back to the Town, but the Commission is actually letting employees go with this budget and he is concerned with the fact that manpower has been an issue in getting things done and now the Town is losing two staff people and there is more work. He is hesitant to set money aside to do these things until the Commission sees how things go over the next few months.

The Commission reached consensus to direct staff to determine what programs can be done and how much it would cost.

Commissioner Stevens stated that a good example of building community is the Community Garden. He asked if the Commission was open to the idea of providing a few thousand dollars to the Community Garden to assist low income families grow fruit and vegetables to feed their family. He stated that he is not suggesting actually appropriating funds, but telling the group that runs the garden to put together a proposal for the Commission to consider.

Mayor DuBois stated that the lot that now houses the Community Garden works in with the expansion and development of Park Avenue.

Commissioner Stevens stated that right now there are no realistic plans for turning that lot into a parking lot for use in the expansion and development of Park Avenue.

Mayor DuBois stated that he would rather spend those funds on developing the businesses that would utilize that lot for parking then to provide it for use at the Community Garden.

Commissioner Hockman stated that even if all the businesses were built up on Park Avenue, the Town would need to develop that lot into a parking lot.

Mayor DuBois stated that he can think of one business that could use that parking right now.

Commissioner Stevens stated that it would be a few thousand dollars so that in the mean time residents can get plots and gardening materials.

Mayor DuBois asked if there was any thought on a Christmas Tree Lighting Event for this year.

Vice-Mayor Rumsey stated that the CRA has paid for it for the past few years.

Town Manager Sugerman stated that staff has talked about the Christmas Tree Lighting Event and he does not know the specifics at this time but, that staff is looking at holding the event.

Commissioner Stevens asked Mayor DuBois if he had any infrastructure projects that he thought the Commission should consider.

Mayor DuBois stated that he has met with staff, property owners and stakeholders regarding various projects, but does not think he needs to go into them at this meeting.

1. Resolution No. 28-09-12 Final Millage

Motion: A motion was made by Vice-Mayor Rumsey to approve Resolution No. 28-09-12 Final Millage setting the Millage at 8.5000 Mills; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin			Absent
Commissioner			

Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0

2. Resolution No. 25-09-12 Final Budget

Motion: A motion was made by Commissioner Stevens to approve Resolution 25-09-12 Final Budget; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin			Absent
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0

Mayor DuBois closed the Public Hearing.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Stevens stated that the Sunset Celebration is on Friday, September 28, 2012 at 6:00pm at the Marina.

Commissioner Hockman no comments.

Vice-Mayor Rumsey no comments.

Mayor DuBois stated that the Palm Beach County League of Cities meeting is on Wednesday, September 26, 2012 and the Sunset Celebration is on Friday, September 28, 2012. He stated that the October 1, 2012 Planning and Zoning Board meeting has been cancelled.

Attorney Baird no comments.

Town Manager Sugerman no comments.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to recess by Vice-Mayor Rumsey and seconded by Commissioner Stevens, and by unanimous vote, the Public Hearing was recessed at 7:12 p.m.

Mayor James DuBois

Deputy Town Clerk, Shari Canada, CMC

Town Clerk, Vivian Mendez Lemley, CMC

Town Seal

Approved on this _____ of _____, 2012

Exhibit "A"

TOWN OF LAKE PARK - PROPOSED ANNUAL BUDGET 2012-2013
 RECAP OF ALL FUNDS

FUND	ALL	Proposed Budget 2012-13	General Fund	Insurance Fund	Streets & Roads Fund	Debt Service Fund	Marina Fund	Stormwater Fund	Sanitation Fund
		RECAP							
Budget Summary									
Revenues		8,261,402	277,950	332,000	772,700	2,007,828	505,000	1,486,900	
Personal Services		2,171,858	79,000	70,574	-	161,921	194,914	517,744	
Operating Expenses		5,150,635	173,950	90,296	-	701,308	153,253	586,911	
Capital Outlay		4,000	-	39,125	-	3,000	-	-	
Debt Service		420,909	-	16,715	772,700	380,090	104,110	112,210	
Non-operating Expenses		457,200	25,000	100,000	-	110,001	51,300	250,000	
Total Budgeted Expenses		8,204,602	277,950	316,710	772,700	1,356,320	503,577	1,466,865	
Surplus (Deficit)		56,800	-	15,290	-	651,508	1,423	20,035	
Total Expenses and Surplus		8,261,402	277,950	332,000	772,700	2,007,828	505,000	1,486,900	
Balanced		√	√	√	√	√	√	√	√

**TOWN OF LAKE PARK - PROPOSED ANNUAL BUDGET 2012-2013
RECAP OF ALL FUNDS**

FUND	GENERAL	Proposed Budget 2012-13
		Analysis of affect of changing the Millage rate

Current Millage
8.5083

Millage	Surplus
8.5000	\$ 56,800
8.4750	\$ 47,046
8.4500	\$ 37,292
8.4250	\$ 27,537
8.4000	\$ 17,783
8.3956	\$ -

TAB 7



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. *Tab?*

Agenda Title: Commission Meeting Minutes of October 3, 2012

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

Approved by Town Manager *AS* Date: 10/5/12

Shari Canada, Deputy Town Clerk
Name/Title

Originating Department: Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda Meeting Minutes Exhibit "A" Exhibit "B"
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <i>(AS)</i> Please initial one.

Summary Explanation/Background:

Recommended Motion: To approve the Commission Meeting of October 3, 2012.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 3, 2012,
Immediately Following the
CRA Board Meeting
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley, CMC	—	Town Clerk

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

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA

F. PROCLAMATION:

1. In Honor of Former Commissioner William "Bill" Otterson

Tab 1

G. PRESENTATION:

2. Presentation by Nader Salour, Agent for Congress Avenue Properties Ltd., Requesting that the Town Commission Consider Modifying the Town Code, Section 78-148 (a) and (b), to Eliminate the 1,200 Foot Distance Separation Between Two Gasoline and Filling Stations

Tab

H. PUBLIC and OTHER COMMENT:

This time is provided for audience members to address 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.

- I. 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.

Recommended For Approval:

3. Resolution No. 30-10-12 To Amend the Town Uniform Classification System to Revise the Dock Attendant Job Description

Tab 3

4. Instructor Agreement

Tab 4

J. RESOLUTION:

5. Resolution No. 31-10-12 Recognizing Florida League of Cities Florida City Government Week October 21 – 27, 2012

Tab 5

K. DISCUSSION AND POSSIBLE ACTION:

6. Restructuring of the Facility Rental Fee Schedule

Tab 6

L. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

M. ADJOURNMENT:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 3, 2012, 7:05 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, October 3, 2012 at 7:05 p.m. Present were Vice-Mayor Kendall Rumsey, Commissioners Jeanine Longtin and Tim Stevens, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Commissioner Hockman was absent.

Mayor DuBois arrived at

Vice Mayor Rumsey led the invocation and pledge of allegiance.
 Town Clerk Vivian Lemley performed the Roll Call

ADDITIONS/DELETIONS/APPROVAL OF AGENDA:

Attorney Baird requested to add under Discussion and Possible Action the Settlement Agreement regarding the Marina Litigation versus ATM and Murphy Construction.

Motion: A motion was made by Commissioner Stevens to approve the Agenda as amended; Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois			Absent

Motion passed 3-0

PROCLAMATION:

1. In Honor of Former Commissioner William "Bill" Otterson

Vice-Mayor Rumsey presented a Proclamation to the family of former Commissioner William "Bill" Otterson.

PRESENTATION:

2. Presentation by Nader Salour, Agent for Congress Avenue Properties Ltd., Requesting that the Town Commission Consider Modifying the Town Code, Section 78-148 (a) and (b), to Eliminate the 1,200 Foot Distance Separation Between Two Gasoline and Filling Stations

Nader Salour stated that Congress Avenue Properties Ltd is in the final stages of negotiating with Racetrack to bring a gas station and convenience store to the Town and that during the due diligence the issue regarding the distance separation between two gasoline and filling stations was discovered. He stated that the proposed site for the gasoline station is on the corner of Congress Avenue and the proposed extension of Park Avenue and that the proposed site is approximately 950 feet from an existing gasoline station. He stated that they were surprised by the Code requirement, as it is unusual to see gasoline stations across the street from one another. He stated that during discussions with staff it was discovered that the Code provision was adopted in 1966 has not been modified since and the requirements for gasoline stations in 1966 were different from today and that a letter was submitted from Ardaman & Associates, Inc. explaining what has changed (see attached Exhibit "A"). He requested that in the Code the reference to the 1,200 foot distance between two gasoline and filling stations be removed.

Vice-Mayor Rumsey stated that he does not have an issue with the 1,200 feet, but that he does have an issue that this will remove more property from the Bioscience District and putting something else on it. He stated that this property was set aside for Bioscience and that the land available for Bioscience has gotten smaller. He stated that he is not in favor of permitting a use other than Bioscience on this property and that the Town needs to honor its commitment to the Bioscience community.

Mr. Salour stated that he believes that this tract of land was taken out of the Bioscience Overlay.

Vice-Mayor Rumsey stated that he does not agree.

Mayor DuBois requested that staff check if the property is in the Bioscience Overlay and provide a memorandum to the Commission.

Mayor DuBois asked if there are monitoring wells associated with gasoline stations and reported on a regular basis.

Roberto Balbis, Ardaman & Associates, Inc Principal Engineer stated that the system is better than monitor wells because sensors are installed in the tank and that as soon as there is a leak in the tank or lines to the dispensers the sensors are triggered and repairs can be made. Additionally the tanks can be pressure tested to detect issues.

Mayor DuBois asked if and how often are reports made regarding to status of the tanks.

Mr. Balbis stated that the Department of Environmental Protection (DEP) through the Palm Beach County Department of Environmental Resources Management (ERM) is provided regular reports.

Commissioner Stevens asked if the tanks and lines are double walled and made of fiberglass and if there is any leak to the interior lining an alarm would be triggered and it would be inspected.

Mr. Balbis stated "yes" and that appropriate action would be taken.

Vice-Mayor Rumsey requested that the item be tabled until the Commission is provided information regarding whether the land is in the Bioscience Overlay.

Mayor DuBois suggested that a motion to postpone would be appropriate.

Motion: A motion was made by Vice-Mayor Rumsey to postpone consideration of this item until staff provides to the Commission a report on whether the subject property is in the Bioscience Overlay; Commissioner Stevens made the second.

Commissioner Stevens stated that an alternative is to approve the location of the gasoline station on the condition that the property not be located in the Bioscience Overlay.

Mayor DuBois stated that some members of the Commission may not be concerned if the property is located in the Bioscience Overlay and that a gasoline station may be an approved use within the Bioscience Overlay.

Mr. Salour stated that this request does not entitle him to build a gasoline station at that location that it would have to be brought back for site plan approval.

Mayor DuBois stated that his concern is that he is not sure it matters if the property is located within the Bioscience Overlay or not and that it may be an approved use within the Bioscience Overlay. He stated that the Business Development Board has advised the Town that the Town does not offer anything that the Bioscience industry is interested in. He stated that when the property in the western part of the Town was annexed it was annexed to increase the commercial tax base of the Town and that the Bioscience Overlay was added later. He stated that he is interested in increase the commercial tax base in the Town in whatever way possible whether it falls in the Bioscience Overlay or not.

Town Manager Sugerman clarified that the motion is to postpone this item, which is a presentation from Congress Avenue Properties Ltd. and that there is no staff report and that action as proposed by the motion would only postpone the presentation.

Mayor DuBois explained that the purpose of the motion is to postpone the item until the Commission is provided from staff additional information and suggested that a date certain of October 17, 2012 for staff to provide the information requested.

Attorney Baird suggested changing the motion to a motion to continue the presentation to a date and time certain.

Vice-Mayor Rumsey amended the motion to a motion to continue the item to the October 17, 2012 Commission meeting.

Commission Stevens seconded the amendment.

Mayor DuBois explained that staff is to provide further information regarding whether the property is in the Bioscience Overlay.

Town Manager Sugerman explained that the closure date to add items to the agenda has been changed and that the closure for the October 17, 2012 Commission Meeting has already passed and requested that the item be continued to the November 7, 2012 Commission meeting.

Mayor DuBois stated that the Commission often directs at a meeting that items be placed on the next Commission meeting and requested that staff provide allowances for items added by the Commission.

Town Manager Sugerman stated that the item will be placed on the October 17, 2012 agenda.

Commissioner Stevens stated that he hopes that the Commission will make a decision on this request at the next meeting after staff has provided the additional information requested.

Commissioner Longtin stated whether the property is in the Bioscience Overlay or not that she is not in favor of amending the Code. She does not want to see that as a gasoline station corner and that it is too close to the school and that it is unfair to the existing gasoline station that came in under the existing Code and had the believe that that would not have competition within so many feet. She stated that a past Commission made a commitment to Bioscience, but there has not been commitment from Bioscience. She stated that her concern is not Bioscience, but that she does not want to see that as a gasoline station corner and thinks that the land could be used differently.

Mr. Salour stated that the property does meet the Code requirements for distance from school facilities. He stated that there are numerous gasoline stations within the Town that are within several hundred feet of other gasoline stations.

Vice-Mayor Rumsey asked which gasoline station that Mr. Salour is referencing.

Mr. Salour stated that on US 1 south of Northlake Boulevard there are three (3) stations located within 1200 feet of each other.

Vice-Mayor Rumsey stated that only one (1) of those stations is within Lake Park.

Mr. Salour stated that the Code does not specify that the requirement is for gasoline stations only within the Town.

Town Manager Sugerman stated that the Code does specify the requirement is for gasoline stations within the Town.

Mr. Salour stated that there are several stations along Northlake Boulevard that are located within 1,200 feet of each other.

Vice-Mayor Rumsey stated that the Town shares a borders along Northlake Boulevard with other municipalities.

Mayor DuBois stated that there is likely compliance with the Code for facilities within the Town, but that he understands Mr. Salour's point.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0

PUBLIC and OTHER COMMENT:

Ricky Petty, Director of Bridges at Lake Park, thanked the Town for their support and marketing of their events. He stated that they work closely with the Library and that he looks forward to the continued partnership and ensure that the children of Lake Park grow up happy, safe and strong.

Commissioner Longtin asked Mr. Petty to explain what the organization does.

Mr. Petty explained that Bridges of Lake Park works to increase healthy births, decrease child abuse and neglect, and increase school readiness for young children. He stated that they serve families with children between 0 and 8 years old.

Vice-Mayor Rumsey asked if Bridges of Lake Park will be doing "Trunk or Treat" and if so when.

Mr. Petty stated that "Trunk or Treat" will be on October 31, 2012 at Kelsey Park.

Vice-Mayor Rumsey asked how people sign-up to participate and if there is a charge.

Mr. Petty stated that people can sign-up by contacting Bridges at Lake Park at 561-881-5060 and that he does not believe there is a charge to participate. Additionally, he stated that Mayor DuBois is participating in a County-wide initiative and will be reading the book "Ladybug Legs" at a local day care center on Thursday, October 4, 2012.

Mayor DuBois stated that he will be reading at the Bright Futures of Lake Park and the Library. He stated that the programs such as Fill in the Gap and the Easter Egg Hunt have been a great success and that he appreciates their participation.

CONSENT AGENDA ITEMS:

3. Resolution No. 30-10-12 To Amend the Town Uniform Classification System to Revise the Dock Attendant Job Description

4. Instructor Agreement

Mayor DuBois requested that item 4 Instructor Agreement be pulled from the Consent Agenda.

Vice-Mayor Rumsey requested that item 3 Resolution No. 30-10-12 be pulled from the Consent Agenda.

3. Resolution No. 30-10-12 To Amend the Town Uniform Classification System to Revise the Dock Attendant Job Description

Town Manager Sugerman stated that the purpose of this item is to revise the job description for the Dock Attendant to more accurately reflect the current duties and requirements of the position.

Vice-Mayor asked if there is a change in salary.

Town Manager Sugerman stated "no".

Mayor DuBois asked for clarification of the changes in the job description.

Town Manager Sugerman provided examples of the changes (see attached job description Exhibit "B").

Commissioner Stevens requested that in the future items of this nature have the changes underlined.

Town Manager Sugerman stated that it will be done for future items.

Motion: A motion was made by Vice-Mayor Rumsey to approve Resolution No. 30-10-12; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0

4. Instructor Agreement

Mayor DuBois asked if there is a similar document for volunteers.

Town Manager Sugerman stated that the document for Commission approval is for paid instructors.

Recreation Director Kathleen Carroll stated that a volunteer instructor Agreement could be developed.

Commissioner Stevens stated that the Commission had directed that the process for volunteers related to background checks be streamlined.

Commissioner Longtin stated that the process had required that volunteers receive a physical.

Recreation Director Carroll stated that there are already volunteer forms that are being used.

Town Manager Sugerman stated that he considers this a contract and that all contracts require the endorsement of the Town Commission unless the Commission assigns the ability to staff. He explained that there are going to be multiple classes and programs offered, upwards of twenty (20) to thirty (30) Agreements throughout the year and asked the Commission if they want all the contracts to come before them for approval or are they willing to delegate the approval of the instructor Agreements to staff. He recommended that the Commission delegate the approval of the instructor Agreements to the Town Manager or the Recreation Director.

Mayor DuBois stated that the instructor Agreement is so through that he does not think the Commission needs to discuss each individual instructor Agreement and thinks that it would be appropriate to delegate the approval to staff.

Commissioner Longtin stated that she wants the individual contract to come before the Commission and that she wants to know who is being hired.

Commissioner Stevens stated that the Commission can be updated on what instructors have been hired.

Motion: A motion was made by Commissioner Stevens to approve the instructor Agreement; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0.

Motion: A motion was made by Commissioner Stevens to delegate Instructor Agreement authority to the Town Manager and/or the Recreation Director and any approved instructor Agreement to the Commission via e-mail; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin		X	
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 3-1.

RESOLUTION:

5. Resolution No. 31-10-12 Recognizing Florida League of Cities Florida City Government Week October 21- 27, 2012

Town Manager Sugerman stated that the Florida League of Cities recognizes the benefits provided by municipal governments to the citizens of the State of Florida each year by sponsoring the *Florida City Government Week* annually in October, and asks its member municipalities to support the recognition and to educate the general public of the value of municipal government with a Resolution.

Motion: A motion was made by Vice-Mayor Rumsey to approve Resolution No. 31-10-12 Recognizing Florida League of Cities Florida City Government Week October 21- 27, 2012; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0.

DISCUSSION AND POSSIBLE ACTION:

6. Restructuring of the Facility Rental Fee Schedule

Motion: A motion was made by Commissioner Stevens to approve the restructuring of the Facility Fee Schedule; Vice-Mayor Rumsey made the second.

Commissioner Longtin stated that there are resident and non-resident fees for facility rentals and asked if that can be done at the Marina.

Town Manager Sugerman stated that there are not different fees for resident and non-resident dockage space and that this item only covers the community room at the Marina.

Mayor DuBois requested that staff find out if different fees can be charged for resident and non-resident for the Marina facilities because of the FIND grant and the Interlocal Agreement with the County. He suggested that if the item is approved that it be approved with the caveat that staff check the fees for the Marina facilities and make corrections as necessary.

Vice-Mayor Rumsey withdrew the second to the motion.

Commissioner Steven withdrew his motion.

Motion: A motion was made by Vice-Mayor Rumsey to approve the Facility Rental Fee Schedule with the caveat that if the FIND grant prohibits different non-residential rates at the Marina facilities then the Marina facilities rate will be amended to a uniform rate the same as the residential rate in Fee Schedule; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0.

7. Discussion of the Settlement Agreement between the Town of Lake Park and ATM and Murphy Construction

Town Attorney Baird stated that this item is the result of the mediation between the Town of Lake Park and ATM and Murphy Construction. He stated that the Settlement Agreement is coming before the Commission now because of a recommendation by Town Manager Sugerman and Finance Director Blake Rane to provide that the fund received from the Settlement are categorized as revenue for budgeting purposes for fiscal year 2013. He stated that the Agreement has been approved by all parties, except for a change that is advantageous to the Town by one of the minor parties to the Agreement. He explained that the reason the change has not been approved yet is because the affect party is out of the country and could not be reached, but an objection is not expected based on previous dialogue. If there is an objection then he would be obligated to bring the Agreement back before the Commission. He stated that the Attorneys of record for the Town are recommending that the Town enter into the Settlement Agreement and Release and that they are representing that the Settlement Agreement being presented is consistent with the Agreements made at mediation. He stated that the Settlement Agreement confirms that the Town will receive \$880,000 on the Settlement Agreement has been fully executed and that once the Town receives all the funds totaling \$880,000 the Town obligated to dismiss with prejudice the lawsuit.

Commissioner Longtin asked if the Commission is being asked to accept this at this meeting.

Attorney Baird stated that he is asking the Commission to authorize the Mayor to sign the Settlement Agreement and Release on behalf of the Town.

Commissioner Longtin stated that she received the document tonight and she has not had the opportunity to review the document.

Mayor DuBois asked if the document looks acceptable to Attorney Baird.

Attorney Baird stated that he is asking the Commission to find the Agreement acceptable to the Commission.

Commissioner Stevens asked if there are any confidentiality portions that would prevent any records that they have from becoming public record.

Attorney Baird stated that anything entered into the litigation is a public record.

Commissioner Longtin asked for an explanation of what each party is agreeing to pay.

Attorney Baird stated that Applied Technology is paying \$300,000, Murphy Construction is paying \$250,000, Bridge Design is paying \$140,000, Florida Floats is paying \$55,000, Dawdy Construction is paying \$60,000 and Carter & Slup is paying \$75,000.

Commissioner Longtin stated that she does not recall hearing about Carter & Slup.

Attorney Baird explained that Carter & Slup was brought in by one of the other defendants. The Town named Applied Technology, Murphy Construction and Bridge Design as defendants and then they name other parties as defendants in a cross claim against them because of negligence or breach of contract that they claim caused the Town's claim.

Motion: A motion was made by Vice-Mayor Rumsey to authorize the Mayor to enter into a Settlement Agreement for the finalization of the Marina Lawsuit in the amount of \$880,000; Commissioner Stevens seconded the motion.

Commissioner Longtin asked if any of the members of the Commission received the Settlement Agreement before tonight.

Vice-Mayor Rumsey stated "no", but that he has spoken with Attorney Baird several times regarding the issue.

Mayor DuBois stated "no" and that he reviewed it between the CRA and Commission meetings.

Commissioner Stevens stated that he reviewed the Agreement between the CRA and Commission meetings.

Attorney Baird stated that the Commission expressed the desire that this Agreement be brought before them as soon as possible after the beginning of the fiscal year and that this is the first meeting of the Commission after the first of the year.

Commissioner Longtin stated that she appreciated receiving the Agreement so quickly, but that she did not appreciate receiving the Agreement today and being expected to vote on it tonight.

Mayor DuBois stated that Attorney Baird was provided the Agreement today and provided it to the Commission as soon after he received it as possible.

Commissioner Stevens stated that he is glad that the litigation is at an end that it has been too many years of accumulating lawyer's fees and engineer's fees and that he is happy this is done and that the Town is at least getting the \$880,000.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman			Absent
Commissioner Longtin		X	
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 3-1.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Longtin asked for a status update on the negotiations with the Burt Reynolds Institute for Film & Theatre (BRIFT) for the use of Town facilities.

Town Manager Sugerman stated that draft Agreement has been provided to BRIFT approximately one (1) month ago. He explained that Mr. Reynolds is traveling abroad and that the Board has not met to review the draft Agreement.

Commissioner Longtin asked what the agenda process is that Town Manager Sugerman spoke of earlier in the meeting.

Town Manager Sugerman stated that the agenda process was provided to the Commission in last month's monthly report. He explained that deadlines haven been established with Town staff that is approximately one week earlier than it had been previously and that has resulted in the Commission receiving the agenda packages on Wednesday before the Commission meeting instead of on Friday before the Commission meeting.

Commissioner Longtin stated that she appreciates having more time to review the agenda packages.

Town Manager Sugerman stated that a schedule of deadlines for all Commission meetings through December 2013 can be provided to the Commission.

Commissioner Longtin stated that the Palm Beach County Sheriff's Office National Night Out will be held on Friday, October 12 from 5:00 pm to 9:00 pm in Royal Palm Beach.

Commissioner Stevens stated that he is grateful to former Commissioner Otterson's service to the Town. Thanked the Bridges of Lake Park for coming to the meeting and explaining what they do. He stated that the Presidential Debate is on tonight at 9:00 pm.

Mayor DuBois stated that November 11 is Veteran's Day and that there will be a Veteran's Day ceremony led by the Veteran's of Foreign Wars (VFW) at Kelsey Park. He stated that Kiwanis is having Oktoberfest on October 20, 2012 and that there are still openings for vendors and sponsors. He stated that he requested Richard Aherns to step down from the Marina Task Force and is being replaced by Wayne Creber.

Commissioner Longtin requested that the Kiwanis Oktoberfest be added to the Town calendar.

Mayor DuBois requested that the Mayor's schedule be added to the Town calendar on the website.

Town Manager Sugerman stated "yes" as long as the Mayor informs Town staff of his schedule.

Mayor DuBois stated that he provides his schedule to the Town Clerk.

Vice-Mayor Rumsey had no comments.

Attorney Baird had no comments.

Town Manager Sugerman stated that a tentative Agreement has been reached with the Union on all three articles in the Collective Bargaining Agreement and congratulated Ray Wilson and Guy Masters who represent the Union and Bambi Turner and Blake Rane who represented the Town. He explained that the tentative Agreement must now be taken to the membership on the Union and voted on. As soon as the Union membership approves it the Agreement will come to the Commission for ratification.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Rumsey and seconded by Commissioner Stevens, and by unanimous vote, the meeting adjourned at 8:03 p.m.

Mayor James DuBois

Deputy Town Clerk, Shari Canada, CMC

Town Clerk, Vivian Mendez Lemley, CMC

Town Seal

Approved on this _____ of _____, 2012



Ardaman & Associates, Inc.

Geotechnical, Environmental and
Materials Consultants

AAI File No. 12-2179
September 6, 2012

Community

SEP 07 2012

Development
(via email)

Congress Avenue Properties
4500 PGA Boulevard, Suite 207
Palm Beach Gardens, Florida 33418

Attention: Nader Salour

**ENVIRONMENTAL ISSUES
PARCEL 34.03D SERVICE STATION PROJECT
LAKE PARK, FLORIDA**

The captioned project consists of the construction of a service station for distribution of vehicular fluids and other goods on the east side of Congress Avenue, north of the future extension of Park Avenue, in Lake Park, Florida. The location of this service station will be less than 1,200 feet from the location of the existing Murphy USA #7362 station which is located on the west side of Congress Avenue.

It is our understanding that Lake Park has a stipulation that no gasoline dispensing station can be established within 1,200 feet of an existing one. It is believed that this restriction was made in consideration to the concentration of potential sources of contamination in a small area of the town. This restriction was apparently set more than 40 years ago. It is apparent that it has not been uniformly applied (if at all), since some stations in Lake Park are closer than 1,200 feet apart.

Contamination in service stations is mainly caused by leakage from aging, single wall underground steel tanks and distribution lines which tend to corrode. Gasoline products tend to remain at the top of the groundwater table and move in the direction of groundwater flow. Certain products persist and may reach hundreds of feet from the source pending the velocity of groundwater flow.

We note that drastic changes took place in the 1990's in regards to the use of underground storage tanks because of concerns with regards to the deterioration of surficial aquifers due to contamination from petroleum products. Thus, Chapter 62-761, Florida Administrative Code called for the replacement of all single wall underground steel tanks pending their age, so that very old tanks would be replaced by 1998 and newer tanks by 2009. New technology has permitted the replacement of such tanks with double-walled fiberglass tanks. These are basically a regular storage tank inside a larger, empty tank, with the space between the walls serving as containers of any spill from the interior container where the fluid is stored. Sensors are installed to detect leaks as soon as possible. Distribution lines are similarly protected.

New service stations such as the nearby Murphy USA #7362 and the proposed service station are constructed with double wall appurtenances and sensors. Stations are inspected regularly by the Florida Department of Environmental Protection to check for violations in operating procedures.

Because of the implementation of effective protective measures there is little risk of the development of a substantial spill. The likelihood of spills at two stations at the same time is of course minimal. We note that techniques for the remediation of spills is basically standardized by now, with the installation of recovery wells and the treatment of the contaminated water by volatilizing the products of concern, as well as by filtering the recovered groundwater through charcoal beds. Thus, there is no fear of developing a large plume. The nearest drinking water wellfield is located approximately 1,700 feet west of the site but the site is not within the published zone of influence of these wells.

In brief, present regulations have resulted in the safe, monitored operation of protected storage and distribution appurtenances so that there is no danger of the development of a significant, combined plume from stations less than 1,200 feet apart. It is evident that the 1,200 feet separation rule is obsolete and can be safely eliminated.

Please do not hesitate to contact us if you have any questions concerning this report.

ARDAMAN & ASSOCIATES, INC.



Roberto E. Balbis, P.E.
Principal Engineer

Attachment: Murphy FDEP Annual Tank Inspection dated December 1, 2011

DOCK ATTENDANT

JOB CODE: 610
DEPARTMENT: MARINA

CHARACTERISTICS OF THE CLASS:

Under the general supervision of the Dock Master and/or Harbor Marina Director, performs required marina related work in the operation of the Lake Park Harbor Marina. Performs minor repair work and maintenance related tasks on Marina property, assists in providing safe and pleasant conditions for Marina visitors, and ensures that dockage and boat ramp fees are collected and accounted for on a daily basis. Work is reviewed through observation for the achievement of desired results. Performs other work as requested. This is a non-exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of any one position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such duties are a logical assignment to the Dock Attendant position.

1. Operate the Marina Dock Master software program for vessel reservations, point of sale transactions, billing, contracts, arrivals, departures, and daily reconciliation of revenues.
2. Collect boat ramp and dockage fees, issue docking permits and parking permits for the boat ramp operations, and maintain related records.
3. Check boat arrivals daily for inventory purposes and to ensure that they are secure and in proper condition; assist docking boats on a daily basis.
4. Clean up litter around Marina and parking lot area; check dock area for unsafe conditions and report any to Dock Master and/or the Harbor Marina Director.
5. Assist the Dock Master and/or Harbor Marina Director in general maintenance tasks including but not limited to pressure washing facilities, dispensing fuel, trash removal, minor equipment repair, cleaning restrooms, and other assigned duties.
6. Enforce Marina rules and regulations and report infractions to the Dock Master and/or Harbor Marina Director.

7. Assist the Dock Master and/or Harbor Marina Director in the general operation of the Marina office including such tasks as, programming fuel and dockage rates, filling out work orders, stocking supplies for the cleaning service, and checking restrooms.
8. Operate a boat for clean-up of litter and debris throughout the Marina harbor and for other assigned maintenance tasks as needed.
9. Maintain ship store and boat ramp office and reorder any merchandise, bait or supplies as needed.

REQUIREMENTS:

A. Education and Experience

High School diploma or equivalent supplemented by (1) year of experience in operating and berthing boats. Valid Florida driver's license also required.

B. Knowledge, Skills and Abilities

- Knowledge of computers including Microsoft outlook
- Knowledge of marina facilities, security and safety precautions
- Knowledge of motor boat operation, docking and casting off
- Knowledge of the rules and regulations of docking facilities
- Ability to maintain simple records
- Ability to perform general maintenance and repair tasks
- Ability to understand and follow oral and written instructions
- Ability to establish and maintain effective working relationships with other employees and the public
- Must be able to swim

PHYSICAL REQUIREMENTS:

Tasks involve the regular, and at times sustained, performance of heavier physical tasks such as walking over rough or uneven surfaces, bending stooping, working in confined spaces and lifting or carrying moderately heavy (20 – 50 pound) items, or diesel-powered machinery or shop equipment requiring the manipulation of multiple controls, fine adjustments or both.

ENVIRONMENTAL REQUIREMENTS:

Tasks may require frequent exposure to adverse environmental conditions.

SENSORY REQUIREMENTS:

Tasks require color, sound, odor and form perception and discrimination.

BLOODBORNE PATHPGENS:

Category II-Moderate to Minimal Risk Exposure

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

DOCK ATTENDANT

JOB CODE: 610
PAY GRADE:
DEPARTMENT: MARINA

CHARACTERISTICS OF THE CLASS:

Under the general supervision of the Dock Master and/or Harbor Marina Director, performs general maintenance work in the operation of the Marina. Performs minor repair work and custodial tasks on Marina property, and assists in ensuring safe and pleasant conditions for Marina visitors. Work is reviewed through observation for the achievement of desired results. Performs other work as requested. This is a non-exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of anyone position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the Dock Attendant position.

1. Operate the Marina Dock Master software program for vessel reservations and point of sale transactions.
2. Collect ramp and dockage fees, issue docking permits and maintain related records.
3. Check boats daily to ensure they are secure and in proper condition; assist docking boats.
4. Clean up litter around Marina and parking lot area; check dock area for unsafe conditions and report any to Dock Master and/or Harbor Marina Director.
5. Paint Marina property and assist the Dock Master and/or Harbor Marina Director in general maintenance tasks.
6. Enforce Marina rules and regulations and report infractions to the Dock Master and/or Harbor Marina Director.
7. Assist the Dock Master and/or Harbor Marina Director in the general operation of the Marina office.

REQUIREMENTS:

A. Education and Experience:

High school diploma or equivalent supplemented by one (1) year of experience in operating and berthing boats. Valid Florida driver's license required.

*Approved 10/7/09
permanently to
Resolution 47-10-09.*

B. Knowledge, Skills and Abilities:

- Knowledge of computers
- Knowledge of marina facilities, security and safety precautions
- Knowledge of motor boat operation, docking and casting off
- Knowledge of the rules and regulations of docking facilities
- Ability to maintain simple records
- Ability to perform general maintenance and repair tasks
- Ability to understand and follow oral and written instructions
- Ability to establish and maintain effective working relationships with other employees and the public
- Must be able to swim

PHYSICAL REQUIREMENTS:

Tasks involve the regular, and at times sustained, performance of heavier physical tasks such as walking over rough or uneven surfaces, bending, stooping, working in confined spaces and lifting or carrying moderately heavy (20 – 50 pound) items, or diesel-powered machinery or shop equipment requiring the manipulation of multiple controls, fine adjustments or both.

ENVIRONMENTAL REQUIREMENTS:

Tasks may require frequent exposure to adverse environmental conditions.

SENSORY REQUIREMENTS:

Tasks require color, sound, odor and form perception and discrimination.

BLOODBORNE PATHOGENS:

Category II-Moderate to Minimal Risk Exposure.

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

**Discussion
And
Possible
Action**

TAB 8



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. *Tab 8*

Agenda Title: Palm Beach County Commission on Ethics Compliance Review Memorandum

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

Approved by Town Manager *[Signature]* Date: *10/2/12*

Vivian Lemley – Town Clerk
Name/Title

Originating Department: Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	<u>Attachments:</u> PBC Commission on Ethics Compliance Review Memo Letters to Board Member Email correspondence with James Poag
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case ____ Please initial one.

Summary Explanation/Background: The Town of Lake Park recently received a letter from the Palm Beach County Commission on Ethics notifying the Town that under their policy section A12-024B Ethics Training Compliance, the Town of Lake Park failed to comply. See attached.

Since the Town Clerk's office does not have the authority to remove the Library Board member who has not complied with the ethics training requirement (as mentioned in the letter attached), we are asking the Commission to take an action on the board member who has not complied with the training requirements of the Commission on Ethics.

Attached is the documentation setting forth the chronology of the actions that the Town Clerk's

office has taken to date to encourage that board member to comply. The board member has been notified that the Commission is being asked to take action on this matter.

Recommended Motion: We recommend that the Commission remove the board member from the Library Board.

PALM BEACH COUNTY COMMISSION ON ETHICS
COMPLIANCE REVIEW MEMORANDUM

To: Alan S. Johnson, Executive Director
From: James A. Poag, Investigator
Re: A12-024B – Ethics Training Compliance (Town of Lake Park-Advisory)

- **Background**

As of June 1, 2011, all municipalities within Palm Beach County came under the jurisdiction of the Palm Beach County Code of Ethics (the Code). Pursuant to Section 2-446 of the Code, each municipal administrator is required to establish by policy a mandatory training schedule for all employees and elected/appointed officials to provide them with training on their ethical responsibilities as prescribed by the Code. The Commission on Ethics is required to develop and deliver training programs and to coordinate and cooperate with the municipalities to ensure effective and meaningful training of elected/appointed officials and employees. For verification, a training acknowledgment form for each full-time employee and elected/appointed official should be maintained on file by the Human Resources Department for each municipality.

On August 14, 2012, on behalf of the Commission on Ethics (COE), I initiated a compliance review of the Town of Lake Park (the Town) for ethics training. In order to complete this task I contacted Ms. Vivian Mendez Lemly, Town Clerk for the Town of Lake Park. On August 16, 2012, I met with Ms. Mendez Lemly and conducted an on-site compliance review of the Town's ethics training acknowledgement forms for all appointed officials. Prior to the start of my review, I was provided with an alphabetical list of all appointed officials, which I used to cross reference individual Training Acknowledgement Forms. As of August 16, 2012, the Town had 20 appointed officials. At the time of the initial review (2) appointed officials were not in compliance with the training requirement established by the Palm Beach County Code of Ethics. The Town was given additional time to comply with the training requirement as prescribed by the code.

- **Scope**

The scope included a review of all Town of Lake Park appointed officials required to submit an Ethics Training Acknowledgement Form. All forms submitted to the Clerks Office were maintained in an electronic training file folder alphabetically by last name.

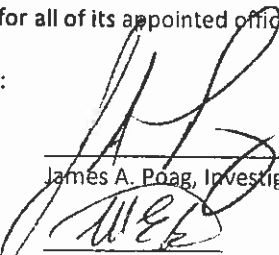
- **Assessment**

On September 19, 2012, a follow-up compliance review of the Town of Lake Park Ethics Training Program was completed for all appointed officials. The overall assessment indicated the Town of Lake Park had a total of 61 appointed officials. As of this date, all appointed officials have complied with the ethics training requirement, with the exception of one. The Town of Lake Park is not in compliance with the training requirement established by the Palm Beach County Code of Ethics.

- **Conclusion**

Based on the aforementioned information, the Town of Lake Park is not in full compliance with the ethics training requirement for all of its appointed officials.

Submitted by:



James A. Poag, Investigator

9/20/12
Date

Reviewed by:



(Initials)

9/20/2012
Date



Office of the
Town Clerk

August 15, 2012

Antony Lewis
225 E. Ilex Drive
Lake Park, FL 33403

Dear Mr. Lewis,

The Palm Beach County Code of Ethics requires that all Board Members receive ethics training. The Town provided to you an opportunity to receive this training. However, when I was reviewing your Board records I did not find the acknowledge of receipt form indicating that you received the training. If you have the form please provide a copy to the Town Clerk's office at your earliest convenience.

Otherwise, the Ethics Training for Advisory Board Members DVD, acknowledgement of receipt form, Palm Beach County Code of Ethics Guide for Elected Officials and Advisory Board Members 2011 Edition and a copy of the Code of Ethics is enclosed. Please watch the DVD and then return the acknowledgement form to the Clerk's Office as soon as possible.

Mr. Lewis, the Town appreciates your willingness to serve on Library Board. If you have any questions or concerns, please contact the Office of the Town Clerk at 561-881-3311.

Sincerely,

Shari Canada

Shari Canada, CMC
Deputy Town Clerk

Called 8/20/12 Left msg
regarding ethics training.
received no return phone call
AC

335 Park Avenue

Lake Park, FL 33403

Phone: 561-881-3311

Fax: 561-881-3311

www.lakeparkflorida.gov



Office of the
Town Clerk

September 27, 2012

Antony Lewis
225 E. Ilex Drive
Lake Park, FL 33403

Dear Mr. Lewis,

The Town sent you a letter on August 15, 2012 regarding the requirement that all Board Members receive ethics training. The Town has provided to you the opportunity to view the DVD that was provided and return the acknowledgement of receipt form stating that you received the training. The Town has not received the acknowledgement of receipt form nor been contacted by you regarding the ethics training.

On September 20, 2012 the Palm Beach County Commission on Ethics sent to the Town a Compliance Review Memorandum regarding Ethics Training Compliance and concluded that the Town is not in full compliance with the ethics training requirement in the Palm Beach County Code of Ethics (attached is the Compliance Review Memorandum). The Town takes this matter very seriously and is desirous to rectify this situation and receive a Compliance Review Memorandum that stated that the Town is in full Compliance. Therefore, the Commission will be considering your continued membership on Library Board at the October 17, 2012 Commission Meeting, you are invited to attend this meeting if you so desire.

Mr. Lewis, the Town appreciates your willingness to serve on Library Board. If you have any questions or concerns, please contact the Office of the Town Clerk at 561-881-3311.

Sincerely,

Shari Canada, CMC
Deputy Town Clerk

Attachment

332 Park Avenue
Lake Park, FL 33403
Phone: (361) 881-3311
Fax: (361) 881-3313

www.lakeparkflorida.gov

Shari Canada

From: James Poag A. [JPoag@palmbeachcountyethics.com]
Sent: Friday, August 17, 2012 10:54 AM
To: Vivian Lemley
Cc: Gina A. Levesque; Mark Bannon E.; Shari Canada
Subject: RE: Town of Lake Park Compliance Review

Thank you so much

James A. Poag
Investigator
Commission on Ethics
Ph 561-233-0722
Fx 561-233-0735

www.palmbeachcountyethics.com



"Honesty, Integrity, Character"

From: Vivian Lemley [<mailto:vlemley@lakeparkflorida.gov>]
Sent: Friday, August 17, 2012 10:36 AM
To: James Poag A.
Cc: Gina A. Levesque; Mark Bannon E.; Shari Canada
Subject: RE: Town of Lake Park Compliance Review

Good morning James,

We sent letters with the Ethics information to each of the members when we realized that they were missing from our records. We have given both members deadlines to have the signed Ethics forms ASAP. We will follow up with them on Monday and stress the importance.

Thank you for your patience in this matter.

Sincerely,

Vivian Mendez Lemley, CMC
Town Clerk
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403
561-881-3311
561-881-3313 fax
vlemley@lakeparkflorida.gov

* Please note: Florida has a very broad public records law. Written communication regarding Town business are public records available to the public upon request. Your e-mail communications are therefore subject to public disclosure. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity, instead contact this office by phone. Section 668.6076, F.S.

From: James Poag A. [<mailto:JPoag@palmbeachcountyethics.com>]
Sent: Friday, August 17, 2012 8:52 AM
To: Vivian Lemley
Cc: Gina A. Levesque; Mark Bannon E.
Subject: Town of Lake Park Compliance Review

Ms. Lemley,

Please find below the names of those Advisory Board Members that did not have an Ethics Training Acknowledgement form on file at the time of my initial review August 16, 2012:

1. Christiane Francois
2. Anthony Lewis

The Commission on Ethics will issue the final compliance memorandum for the Town of Lake Park on September 17, 2012 based on the information contained in the file. Please provide this office with all necessary updates and documentation prior to this date in order to ensure accuracy of the memorandum. If the Town has not achieved 100% compliance at the time the report is published, the COE will continue to work with the Town and amend the initial report upon receipt of all outstanding training acknowledgement forms. We would like to thank you and your staff for your cooperation in this matter. If you require any assistance or need any additional information please do not hesitate to contact us.

Best Regards

James A. Poag
Investigator
Commission on Ethics
Ph 561-233-0722
Fx 561-233-0735

www.palmbeachcountyethics.com



"Honesty, Integrity, Character"

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

TAB 9



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. *Tab 9*

Agenda Title: Presentation by Nader Salour, agent for Congress Avenue Properties Ltd., requesting that the Town Commission consider modifying the Town Code, Section 78-148 (a) and (b), to eliminate the 1,200 foot distance separation between two gasoline and filling stations.

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

Approved by Town Manager *[Signature]* **Date:** *10/5/12*

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

Originating Department: <p style="text-align: center;">Community Development</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: <ul style="list-style-type: none"> → Excerpt of the Town of Lake Park Future Land Use Map → Congress Avenue Properties Location Map → Distance Separation spreadsheet of all gas stations in Town → Code Section 78-148 → Environmental letter dated 09/06/12
Advertised: Date: <u><i>N/A</i></u> Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><i>ND</i></u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

At the October 3rd Town Commission meeting, Mr. Nader Salour, agent for Congress Avenue Properties Ltd., provided a presentation requesting consideration by the Town Commission to modify Section 78-148 (a) and (b) of the Town Code such that if amended, the required 1,200 foot distance separation between two gasoline/oil filling stations, would no longer apply. Mr. Salour's environmental consultant, Mr. Roberto Balbis, also spoke at the meeting in regards to his letter dated 09/06/2012 which provides some justification for this request.

In response to the Town Commission's comments and concerns, staff has prepared a spreadsheet outlining the various gas stations in Town and their distance from one another. The path of reference, as well as the spreadsheet is attached. Staff has determined that we have three (3) gas stations that do not meet the 1,200 foot distance requirement from another station within the Town. Two of these stations were built prior to the Code taking effect in 1966. The third station, Sunoco at 980 Northlake Boulevard, was built in 1983 when the Code was in full effect. Staff is unable to locate the development order to determine whether unique conditions were applied to the approval of this gas station.

In addition, there was some concern with regards to Mr. Salour's parcel being located within the Bioscience Research Protection Overlay (BRPO). An excerpt of the Future Land Use Map, as well as a location map is attached. A small portion of the entire Congress Avenue Properties parcel is actually within the BRPO. The portion within the BRPO is that part of the parcel which is reserved for the future Park Avenue extension road as shown on the attached location map. The gas station will be proposed to be built just north of the road and will not be located within the BRPO.

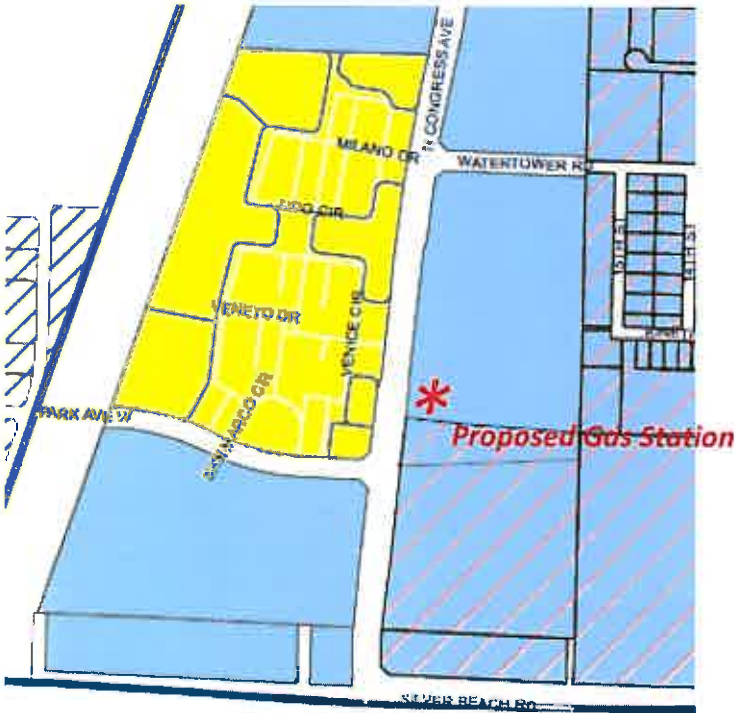
The gas station discussed by Congress Avenue Properties at the October 3rd Town Commission meeting, is proposed to be located on the portion of the site directly north of the proposed alignment for the Park Avenue extension road. Only the Park Avenue extension portion of the parcel is located within the BRPO. All areas located north of the proposed Park Avenue extension, along Congress Avenue, are not located within the BRPO (see attached Location Map). This being said, staff would like to advise the Town Commission of the following:

- (1) Since this would be a code amendment, consideration for the elimination of the 1,200 foot distance separation would apply to all areas in Town, not only Congress Avenue Properties.
- (2) This agenda item is not being considered for site plan approval.
- (3) All aspects of development, inclusive of zoning and land use designations, must be considered through the site plan approval process which includes a public hearing component. At that time, the Town Commission may likely consider incorporating the Park Avenue extension road portion that immediately abuts the proposed development as a condition of approval.

Recommended Motion: Based on the presentation previously provided and the information provided this evening, it is recommended that the Town Commission make a determination as to whether any action should be taken and if so, can direct staff on how to proceed.

EXCERPT OF THE TOWN OF LAKE PARK FUTURE LAND USE MAP

PROPOSED GAS STATION LOCATION SHOWN BELOW



Legend

 Bioscience_2

LOCATION MAP

CONGRESS AVENUE PROPERTIES LTD

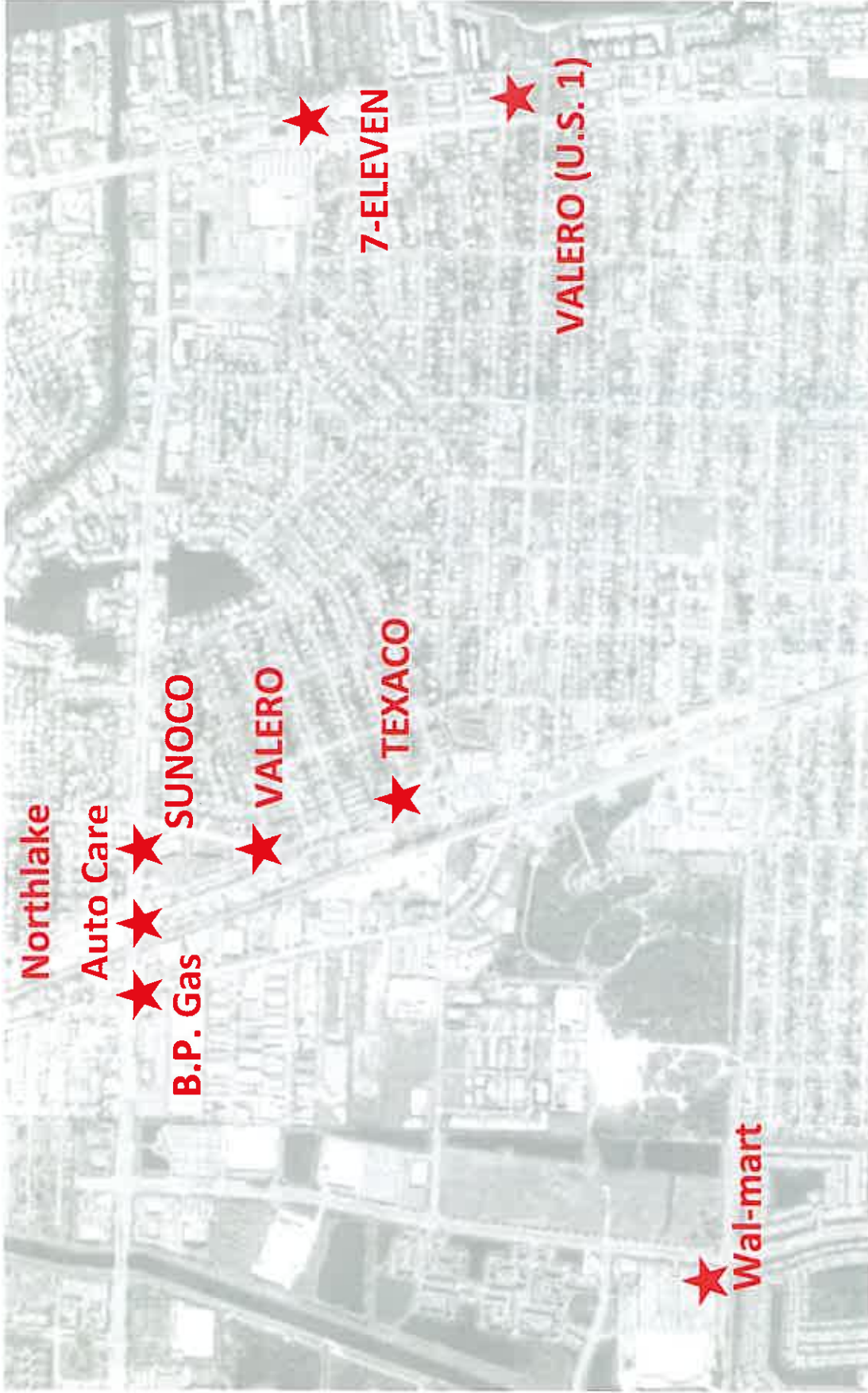
Property Control Number: 36-43-42-19-00-000-5040



GAS STATION DISTANCE SEPARATION RESEARCH

Name		Address	Year Building Constructed	Date of Opening	Distance (Measured to the closest station IN LAKE PARK)
Murphy Oil USA #7362 (WALMART)	103 N. Congress	2006	7/23/2008	Walmart to B.P.: <u>7392 feet</u>	
Hess Express #09240 (B.P. GAS)	1216 Northlake	2001	8/23/2002		
Northlake AutoCare	1000 Northlake	1965	9/16/2003	B.P. to Northlake Auto Care: <u>528 feet</u>	
Assume 1st Inc. (SUNOCO)	980 Northlake	1983	9/12/2008	Northlake Auto Care to SUNOCO: <u>272 feet</u>	
Pit Stop Food Mart (VALERO)	1401 10th St	1961	3/1/2006	SUNOCO to VALERO: <u>1056 feet</u>	
Hayma Enterprise (TEXACO)	917 10th St	1964	5/17/2011	VALERO to TEXACO: <u>1584 feet</u>	
Longrun Oil Corp (VALERO)	140 N. Fed. Hwy	1960	7/3/2003	TEXACO to VALERO (US.1): <u>8976 feet</u>	
Chaves Lakes Park Corp (7-ELEVEN)	1220 N. Federal	1990	9/5/2006	VALERO (US.1) to 7-ELEVEN: <u>3696 feet</u>	

Lake Park Gas Stations



Sec. 78-148. - Gasoline and filling stations—Prohibited near certain uses.

(a)

Prohibition. No gasoline and oil filling station and no service station shall be erected within 1,200 feet of any church, hospital, school or other similar institution, or within 1,200 feet of location of another gasoline and oil filling station or service station located within the town.

(b)

Method of measurement. The method of measurement that shall apply in such cases shall be by measurement of the air-line distance made or taken from the nearest boundary of the lot or premises where such existing station is located to such building or structure used as a church, hospital, school or other similar institution or to the boundary of the lot or premises where another station is to be erected. Nothing in this section shall prohibit the operation of existing gasoline or reconstruction of any presently existing gasoline and oil filling stations or service stations.

(c)

Exception. This section shall not apply to any automobile service station and permitted ancillary uses located in the C-3 zoning district.

(Code 1966, § 45-62; Ord. No. 4-1966, § 1, 4-4-1966; Ord. No. 26-1990, § 8, 10-31-1990; Ord. No. 3-1997, § 1, 1-22-1997; Code 1978, § 32-92)



AAI File No. 12-2179
September 6, 2012

Congress Avenue Properties
4500 PGA Boulevard, Suite 207
Palm Beach Gardens, Florida 33418

Attention: Nader Salour

**ENVIRONMENTAL ISSUES
PARCEL 34.03D SERVICE STATION PROJECT
LAKE PARK, FLORIDA**

The captioned project consists of the construction of a service station for distribution of vehicular fluids and other goods on the east side of Congress Avenue, north of the future extension of Park Avenue, in Lake Park, Florida. The location of this service station will be less than 1,200 feet from the location of the existing Murphy USA #7362 station which is located on the west side of Congress Avenue.

It is our understanding that Lake Park has a stipulation that no gasoline dispensing station can be established within 1,200 feet of an existing one. It is believed that this restriction was made in consideration to the concentration of potential sources of contamination in a small area of the town. This restriction was apparently set more than 40 years ago. It is apparent that it has not been uniformly applied (if at all), since some stations in Lake Park are closer than 1,200 feet apart.

Contamination in service stations is mainly caused by leakage from aging, single wall underground steel tanks and distribution lines which tend to corrode. Gasoline products tend to remain at the top of the groundwater table and move in the direction of groundwater flow. Certain products persist and may reach hundreds of feet from the source pending the velocity of groundwater flow.

We note that drastic changes took place in the 1990's in regards to the use of underground storage tanks because of concerns with regards to the deterioration of surficial aquifers due to contamination from petroleum products. Thus, Chapter 62-761, Florida Administrative Code called for the replacement of all single wall underground steel tanks pending their age, so that very old tanks would be replaced by 1998 and newer tanks by 2009. New technology has permitted the replacement of such tanks with double-walled fiberglass tanks. These are basically a regular storage tank inside a larger, empty tank, with the space between the walls serving as containers of any spill from the interior container where the fluid is stored. Sensors are installed to detect leaks as soon as possible. Distribution lines are similarly protected.

New service stations such as the nearby Murphy USA #7362 and the proposed service station are constructed with double wall appurtenances and sensors. Stations are inspected regularly by the Florida Department of Environmental Protection to check for violations in operating procedures.

Because of the implementation of effective protective measures there is little risk of the development of a substantial spill. The likelihood of spills at two stations at the same time is of course minimal. We note that techniques for the remediation of spills is basically standardized by now, with the installation of recovery wells and the treatment of the contaminated water by volatilizing the products of concern, as well as by filtering the recovered groundwater through charcoal beds. Thus, there is no fear of developing a large plume. The nearest drinking water wellfield is located approximately 1,700 feet west of the site but the site is not within the published zone of influence of these wells.

In brief, present regulations have resulted in the safe, monitored operation of protected storage and distribution appurtenances so that there is no danger of the development of a significant, combined plume from stations less than 1,200 feet apart. It is evident that the 1,200 feet separation rule is obsolete and can be safely eliminated.

Please do not hesitate to contact us if you have any questions concerning this report.

ARDAMAN & ASSOCIATES, INC.



Roberto E. Balbis, P.E.
Principal Engineer

Attachment: Murphy FDEP Annual Tank Inspection dated December 1, 2011

TAB 10



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 17, 2012

Agenda Item No. Tab 10

Agenda Title: Request from the Village of North Palm Beach (NPB) for a joint meeting on November 8th, 2012 at 6:30 p.m. at the Village of North Palm Beach Council Chambers located 501 US-Highway-1.

- Consent Agenda, Presentation/Proclamation, Public Hearing, Bid/RFP Award, Discussion/Possible Action, Resolution, Ordinance on Reading, Other.

Approved by Town Manager [Signature] Date: 10/5/12

Nadia Di Tommaso / Community Development Director [Signature]

Table with 3 columns: Originating Department (Community Development), Costs (\$0.00), Attachments (Village of NPB Code Section 45-35.1(10)(f), amendment request, Ordinance 03-2003), Advertised (N/A), and notification status.

Summary Explanation/Background: North Palm Beach (NPB) contacted staff regarding a joint meeting. The Village Shoppes, the eastern portion of the Publix plaza located in NPB, is requesting a change to their conceptual signage plan to allow more signage. Given the shared municipality boundary, their development order requires that this change be presented at a joint meeting with the Lake Park Planning & Zoning Board which is already scheduled for Thursday, October 18th at 6:30 p.m. in the North Palm Beach Council Chambers. Consequently, their Village Code Section 45-35.1(10)(f) (attached) requires that a Joint approval hearing of both Commissions also be held. This item is being initiated by NPB. They will be handling the notices and providing the necessary back-up materials for distribution prior to the meeting. The joint Commission meeting is scheduled for Thursday, November 8th at 6:30pm in the NPB Council Chambers located at 501 US-1. The Village of NPB is respectfully requesting the Town Commission's attendance in an attempt to discuss all proposed modifications which require joint approval.

Recommended Motion: Staff is requesting that the Town Commission consider attending a joint meeting on Thursday, November 8th, 2012

VILLAGE OF NORTH PALM BEACH CODE SECTION

Sec. 45-34.1. - C-3 regional business district.

(...)

(10)

Special C-3 Planned Unit Development (PUD) provisions.

(...)

f.

Applications abutting or crossing a municipal boundary: Any PUD application for property abutting or crossing the Lake Park town boundary shall meet all of the above requirements. In addition, to protect the interests of other C-3 landowners and the town, a decision on the PUD application shall be made by the village council only at a joint meeting with the Lake Park Town Commission.

NORTH PALM BEACH REQUEST

**ADDITIONAL INFORMATION, INCLUSIVE OF JUSTIFICATION
STATEMENT, WILL BE PROVIDED PRIOR TO THE PUBLIC HEARING.**

North Palm Beach

Law Offices
Gary, Dytrych & Ryan

PROFESSIONAL ASSOCIATION
Est. 1975

JOHN W. GARY, III
JAMES H. RYAN
DONALD R. BICKNELL, JR.
LAWRENCE W. SMITH
ALYS NAGLER DANIELS
PETER M. ARMOLD
GREGORY C. PICKEN

RICHARD G. DYTRYCH
1925 - 1996

701 U.S. HIGHWAY ONE, SUITE 402
NORTH PALM BEACH, FLORIDA 33408
TELEPHONE (561)-844-3700
FAX (561)-844-2388
www.gdr-law.com

October 8, 2012

Village of North Palm Beach
Attn: Jodi Nentwick
501 U.S. Highway One
North Palm Beach, FL 33408

Re: Amendment and Additional Justification Statement for PUD Minor Amendment
Request by Village Shoppes at U.S. 1

Dear Ms. Nentwick:

Please consider this letter our request for an amendment to the minor amendment request to the Village Shoppes PUD. Our application for minor amendments to Ordinance 03-2003 was submitted under my cover letter of July 13, 2012 and requested certain modifications to the monument signage to allow tenant names on the monument signs as now allowed by the Village Code.

By this amendment to our application, we are hereby asking for a waiver from the Village's Sign Code, Section 6-115(C)b. We hereby request that our client be allowed to place an additional monument sign at the north end of the property on U.S. 1. This would result in two monument signs along on U.S. 1 and one monument sign along Palmetto Drive.

The justification for this request is that the large building at the north end of the center is being marketed for lease to one or more large national tenants who will require specific signage containing their names. This additional signage is critical to the leasing program and ultimately to the vitality of the center.

Village of North Palm Beach
Attn: Jodi Nentwick
October 8, 2012
Page | 2

To that end, we are attaching a site plan, which is the same site plan attached to Ordinance 03-2003 revised as of October 4, 2012 to show the "Proposed Additional Sign Location" at the north end of the property along U.S. 1.

Additionally, we have previously provided a prototype illustration of a typical monument sign.

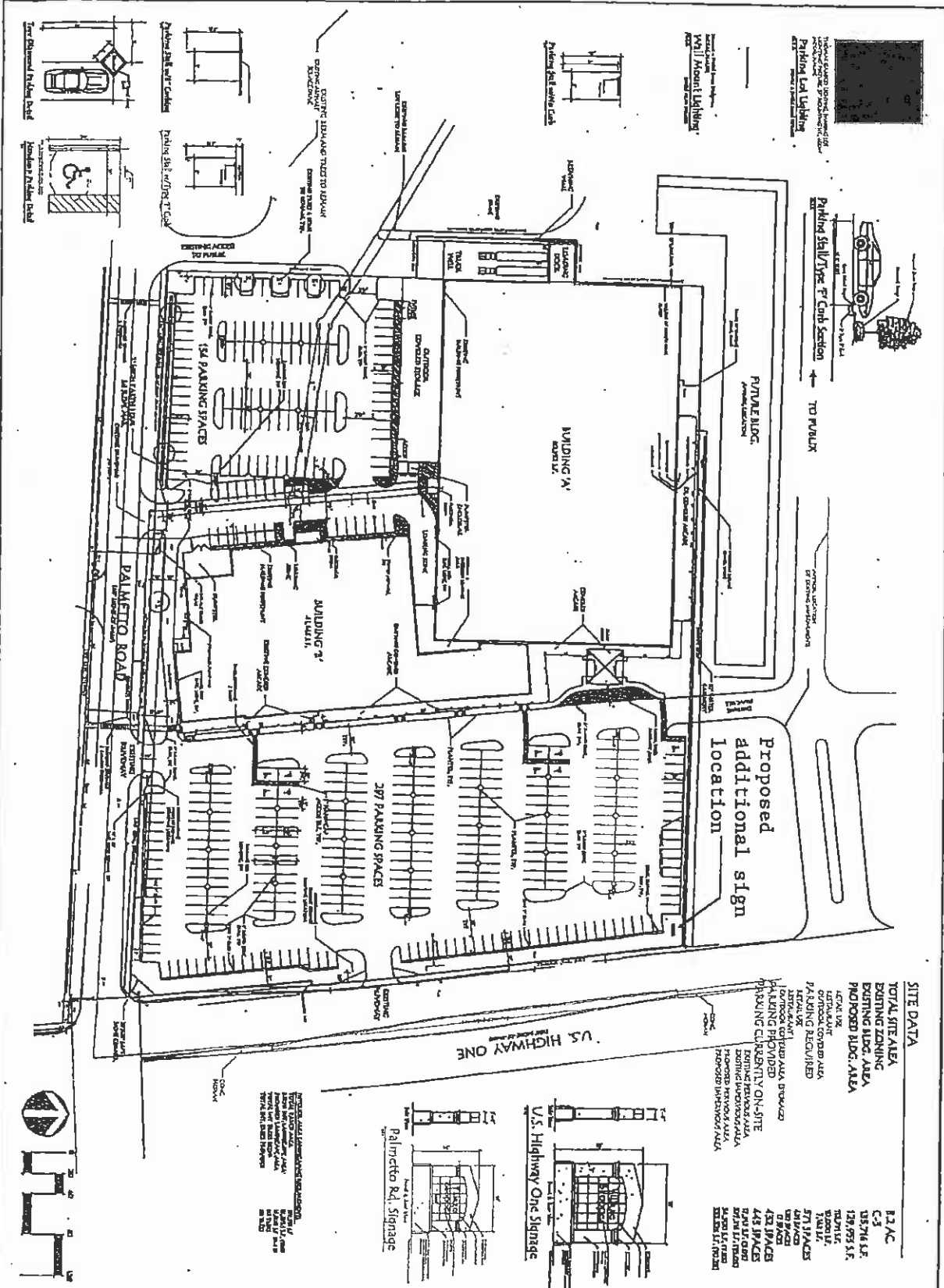
Please let us should you need anything further.

Sincerely,

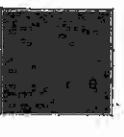
A handwritten signature in black ink, appearing to read "LWS", with a long horizontal line extending to the right.

Lawrence W. Smith, Esquire

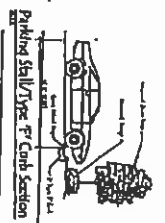
LWS/md
Enclosure
cc: Client



SP-1 SITE PLAN REVISED OCTOBER 4, 2012 TO SHOW ADDITIONAL PROPOSED MONUMENT SIGN ON U.S. HIGHWAY ONE



Proposed Monument Sign
 12' x 12' x 12' (H x W x D)
 12' x 12' x 12' (H x W x D)
 12' x 12' x 12' (H x W x D)

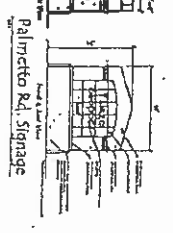
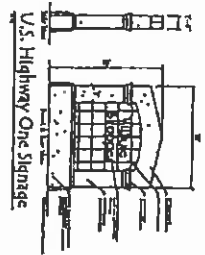


TO PARKING

Proposed additional sign location

SITE DATA

TOTAL SITE AREA	12.2 AC
EXISTING ZONING	C-3
EXISTING ADJ. AREA	128,792 SF
PROPOSED ADJ. AREA	128,792 SF
NET SITE AREA	128,792 SF
EXISTING COVERED AREA	128,792 SF
PARKING REQUIRED	387 SPACES
PROVIDED	387 SPACES
PROVIDED CURBENTLY ON-SITE	387 SPACES
PROVIDED OFF-SITE	0 SPACES
PROVIDED TOTAL	387 SPACES
PROVIDED TOTAL	387 SPACES



Village Shoppes
 at U.S. One



Graphic
 Holloway
 O'Malley
 Architects
 1000 N. ...
 ...
 ...

Project Name	Village Shoppes at U.S. One
Site Address	U.S. Highway One, Palmetto, FL
Client	...
Architect	Holloway O'Malley Architects
Scale	1" = 10'
Date	October 4, 2012
Sheet No.	SP-1

North Palm Beach

Law Offices
Gary, Dytrych & Ryan

PROFESSIONAL ASSOCIATION
Est. 1975

JOHN W. GARY, III
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TELEPHONE (561)-844-3700
FAX (561)-844-2388
www.gdr-law.com

July 13, 2012

Village of North Palm Beach
Attn: Jodi Nentwick, Village Planner
501 U.S. Highway One
North Palm Beach, FL 33408

Re: PUD Minor Amendment Request by Village Shoppes at U.S. 1, LLC, Owner of
101-133 U.S. Highway One, North Palm Beach, FL 33408
(See Legal Description attached as Exhibit "A")

Dear Ms. Nentwick:

Please consider this as our cover letter for an application for a minor amendment to the Village Shoppes PUD which was originally approved by Ordinance 03-2003.

We are requesting to amend Ordinance 03-2003 in order to provide additional signage for the Center consistent with the Village's current codes. Changes proposed are to Section 3, paragraphs 1 and 8. We also propose adding a sentence to Section 6 clarifying the method of approving minor amendments to the PUD. We have attached to this letter our proposed minor amendments to those paragraphs which are set forth in a document titled "Minor Amendments to Ordinance 03-2003 With Respect to Signage at the Village Shoppes".

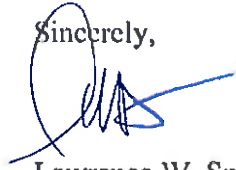
Our application is attached and enclosed is a check for \$100.00 made payable to the Village of North Palm Beach for the application fee. I am also enclosing a notarized authorization executed by our client, Villages Shoppes at U.S. 1, LLC, authorizing me as the agent to act on behalf of the owner.

Village of North Palm Beach
Jodi Nentwick
July 13, 2012
Page | 2

Should you need any further information, please contact me and we will furnish it immediately.

Thank you very much for your favorable consideration to this request.

Sincerely,



Lawrence W. Smith, Esquire

LWS/md
Enclosures
cc: Client

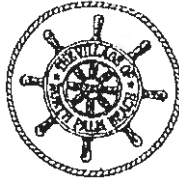
Minor Amendments to Ordinance 03-2003 With Respect to Signage at the Village Shoppes

Section 3.

1. Monument signs will be permitted, as allowed by Village Code, Chapter 6, Buildings and Building Regulations, Article V entitled "Signs and Outdoor Display". Each monument sign may include the name and address of the subject property and tenant names as allowed by the Village Code.

8. DELETED

Section 6. Minor modifications to this Ordinance may be made by Resolution of the Village Council without the necessity of review by the Planning Commission or advertisement or public hearing. If any section, paragraph, sentence clause, phrase or word of this Ordinance is for any reason held by a court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.



VILLAGE OF NORTH PALM BEACH
ZONING CHANGE APPLICATION

- [] Annexation
[] Zoning Text
[] Rezoning
[X] SUBDIVISION/PUD
Minor Amendment

Date July 11, 2012

This application must be completed and returned with all required enclosures to be accepted by the Village Council of the Village of North Palm Beach. The application will then be referred to the Village Planning Commission and Village Staff for study and recommendations.

Applicant (print) Village Shoppes at U.S. 1, LLC
Address 133 U.S. Highway One
City North Palm Beach State FL Zip Code 33408
Telephone (561) 844-3700 Fax (561) 844-2388
Legal Description: SEE ATTACHED EXHIBIT "A"
Lot ; Block ; Plat Parcel Number

- 1. Dimensions of area or acres covered by application. 8.0575 acres
2. Highway and street boundaries or address U.S. 1; Palmetto Drive; Northlake Blvd.
3. Existing Zoning Classification C-3/PUD Requested Zoning Classification No change
4. Are any structures now located on the property? yes If so, what type(s)? shopping center

The following enclosures are submitted to complete this Application for Public Hearing:

- [] Site Plan of proposed layout.
[] Building plans of structures to be erected.
[] Certified survey of area.
[] Tentative Sub-Division plat.
[] Two sketches showing all property owners within 300 ft. of the property covered by this Application.
[] List of names and mailing addresses of property owners and legal description of property within 300 ft. of the property covered by this Application. State source used to secure same:

Fee of \$100 00, (one hundred dollars) as required by Ordinance No. 185-68 in cash or check drawn to the order "Village of North Palm Beach." SEE NOTE "A"

Attach notarized affidavit of owner authorizing applicant to submit Application for Public Hearing.

The information above and contained on the enclosures is accurate and correct to the best of my knowledge. The Village may rely on said information in considering the Application.

[Signature]
Applicant's Signature LAWRENCE W. SMITH

NOTE "A" Sub-Division and PUD application fees are in addition to the \$100 00 application fee required by Ordinance No. 185-68

EXHIBIT A

TRACT I

A certain parcel of land in Section 21, Township 42 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the intersection of the westerly right-of-way line of State Road No. 5 as described in a deed from Tesdem, Inc. to the State of Florida as same is recorded in Deed Book 838, Page 25, Public Records of Palm Beach County, Florida with the northerly right-of-way of Palmetto Road as shown on the Plat of Kelsey City (now Lake Park) as same is recorded in Plat Book 8, Page 35, Public Records of Palm Beach County, Florida, and from said point of intersection run (for convenience the said northerly right-of-way line of Palmetto Road is assumed to bear North 89°57'15" West and all other bearings mentioned herein are relative thereto), North 89°57'15" West running along the said northerly right-of-way line a distance of 468.28 feet; thence North 7°27'45" West, a distance of 247.44 feet; thence South 88°43'22" West a distance of 249.34 feet to a point in a line parallel with and one foot westerly from (measured at right angles to) the westerly wall of the Truck Well so called at the westerly end of the J.M. Fields Store Building, so called; thence North 01°19'04" West, along said parallel line, a distance of 152.45 feet, more or less, to a point in the westerly extension of the North face of the South wall of the Garden Shop so called, said Garden Shop located in the Northwesterly corner of the said J.M. Fields Store Building; thence North 88°40'56" East along the just said westerly extension and along the just said North face of the South wall a distance of 41 feet, more or less, to a point in the West face of the East wall of said Garden Shop; thence North 01°19'04" West running along the just said West face of the East wall and the northerly extension thereof a distance of 120.27 feet, more or less, to a point in the face of the curb, said curb being 20.25 feet northerly from and parallel with the face of the North wall of said building; thence North 88°40'56" East running along the said face of the curb and its Easterly extension of a distance of 637.31 feet, more or less, to a point in the said westerly right-of-way line of State Road No. 5, said point being also a point on a curve concave to the West, having a radius of 11384.22 feet and whose tangent passing through said point bears South 10°13'29" East; thence Southerly running along the arc of the just described curve and along the said Westerly right-of-way line subtending a central angle of 01°48'07", a distance of 358.34 feet, more or less, to the end of said curve; thence South 81°34'38" West running along a line radial to the just described curve and radial to the next described curve and continuing along said westerly right-of-way line a distance of 5 feet to a point in a curve concave to the West, being concentric with the last described curve and having a radius of 11389.22 feet; thence Southerly running along the arc of the just described curve and continuing along the said Westerly right-of-way line; subtending a central angle of 00°25'22", a distance of 84.04 feet to the end of said curve; thence South 08°00'00" East along the Westerly right-of-way line a distance of 91.77 feet, more or less, to the POINT OF BEGINNING.

TRACT II

A parcel of land lying in Section 21, Township 42 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

Commence at the intersection of the Westerly Right-of-way line of State Road No. 5, as described in Deed from Tesdem, Incorporated to the State of Florida, recorded in Deed Book 838, Page 25, Public Records of Palm Beach County, Florida, with the Northerly right-of-way line of Palmetto Road, as shown on the Plat of Kelsey City (now Lake Park), recorded in Plat Book 8, Page 35, Public Records of Palm Beach County, Florida; thence Westerly, along said Northerly right-of-way line, a distance of 468.28 feet to a point on a portion of the Westerly boundary of that certain parcel of land described in Official Records Book 3343, Page 1788, Public Records of Palm Beach County, Florida, and the point of beginning of the hereinafter described parcel; thence Northerly along said Westerly boundary, making an angle with the preceding course, measured from East to North of 97°30'30", a distance of 247.44 feet to a point; thence Westerly, making an angle with the preceding course, measured from South to West of 96°11'07", a distance of 208.80 feet to the of the Easterly boundary of that certain parcel of land described in Official Records Book 3259, Page 276, Public Records of Palm Beach County, Florida; thence Southerly, along said Easterly boundary, making an angle with the preceding course, measured from East to South of 89°58'58", a distance of 240.56 feet to a point on said Northerly right-of-way line, making an angle with the preceding course, measured from North to East of 91°20'25", a distance of 235.45 feet to the point of beginning.

Village Shoppes at U.S. 1, LLC
133 U.S. Highway One
North Palm Beach, FL 33408

June 26, 2012

Village of North Palm Beach
Attn: Jodi Nentwick, Village Planner
501 U.S. Highway One
North Palm Beach, FL 33408

Re: PUD Amendment Request by Village Shoppes at U.S. 1, LLC, Owner of
101-133 U.S. Highway One, North Palm Beach, FL 33408
(See Legal Description attached as Exhibit "A").

Dear Ms. Nentwick:

Please consider this letter as authorization from Village Shoppes at U.S. 1, LLC, owner of the property which is the subject of the above-referenced application, for Lawrence W. Smith, Esq. and the law firm Gary, Dytrych & Ryan, P.A., to act on behalf of Village Shoppes at U.S. Highway 1, LLC with regard to a PUD Amendment Application. Thank you.

VILLAGE SHOPPES AT U.S. 1, LLC
a Florida limited liability company

By: J&J Village Shoppes, LLC,
a Florida limited liability company,
Its: Sole Member/Managing Member

By: 
John Staluppi, Manager

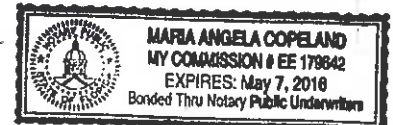
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me on JUNE 29, 2012, by JOHN STALUPPI, as Manager of J&J Village Shoppes, LLC, a Florida limited liability company, as Sole Member/Managing Member of Village Shoppes at U.S. 1, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me or who produced _____ as identification.

SEAL

My Commission Number is: _____
My Commission Expires: _____


Notary
Print Notary Name: _____
Notary Public--State of Florida



ORDINANCE 03-2003

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A COMMERCIAL PLANNED UNIT DEVELOPMENT UPON THOSE CERTAIN LANDS LOCATED AT THE CORNER OF NORTHLAKE BOULEVARD AND U.S. HIGHWAY 1 (FORMERLY KNOWN AS THE TWIN CITY MALL) LOCATED IN C-3 REGIONAL BUSINESS DISTRICT AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; SAID LANDS TO BE DEVELOPED IN ACCORDANCE WITH THE PLANS ATTACHED HERETO AS EXHIBITS, WHICH PLANS ARE EXPRESSLY MADE A PART HEREOF; ESTABLISHING PROJECT SPECIFIC DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of North Palm Beach, Florida, created the C-3 Regional Business District under Ordinance No. 8-95 which was subsequently codified as Section 45-34.1 of the Code of Ordinances of the Village; and

WHEREAS, subject real property was rezoned to C-3 Regional Business District by Ordinance No. 9-95 of the Village; and

WHEREAS, the C-3 Regional Business District provides for and allows for the approval of a Planned Unit Development (PUD) thereon to encourage economical, efficient and imaginative design, and application has been made for approval of a PUD on the subject real properties; and

WHEREAS, the Village Council of the Village of North Palm Beach, Florida, has held a joint meeting with the town commission of the Town of Lake Park, Florida, for the purpose of coordinating the approval of a Planned Unit Development on the subject real property formerly known as the Twin City Mall; and

WHEREAS, the applicant has presented plans and other development specifications for the PUD project on the real property, and testimony has been presented by the property owner and other interested parties.

BE IT ORDAINED BY THE VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA:

Section 1. The Village Council of the Village of North Palm Beach, Florida, does hereby approve the application for a commercial Planned Unit Development on the real property more particularly described in Exhibit "A" attached hereto and made part hereof submitted by the Village Shoppes at U.S. 1, L.L.C.. The Planned Unit Development shall be in accordance with the maps, plans, drawings and other documents submitted therewith and reviewed by the Village's Public Services Department, Planning Commission and the Village Council and any recommendations and modifications approved thereto by the Village and subject to the provisions of Section 45-34.1, C-3 Regional Business District, and other applicable sections of the Code of Ordinances of the Village and law, and the special conditions, and modified development standards as provided herein and in Section 45-34.1 of the Code of Ordinances of the Village.

Section 2. The uses permitted on the subject real property shall be those described in Section 45-34.1 of the Code of Ordinances of the Village in effect at the time of the passage of this ordinance.

Section 3. The approved conceptual site development plan for this commercial planned unit development is attached as composite Exhibit "B" consisting of four (4) sheets entitled respectively CSP-1, SP-1 last revised 1/14/03, L-1 last revised 1/14/03 (Landscape Development Plan), L-2 last revised 1/14/03 (Landscape Specification Sheet), P-1 last revised 1/14/03 (Photometric Development Plan), all prepared by Gentile Holloway O'Mahoney & Associates, Inc., which said exhibit is made a part hereof, together with sheet A-1, last revised 1/23/03 and sheet EL, last revised 1/3/03, prepared by the Sun Group, Inc., with the following amendments and conditions:

1. That only two monument signs will be permitted, one on U.S. Highway One and one on Palmetto Drive; that neither sign may have any tenant names on them. Each monument sign may include the name and address of the subject property. The specific locations of the two (2) monument signs as set forth on composite Exhibit "B" are approved. That the developer shall return to a joint meeting of Lake Park and North Palm Beach Planning and Zoning Boards for approval of a concept plan for monument signs.

2. That all ground-mounted equipment shall be screened from view from all public rights-of-way.
3. That all existing roof-mounted equipment shall be screened from view from all public rights-of-way with a parapet wall as shown on the Site Development Plan, Sheet SP-1 attached hereto as Composite Exhibit "B"; all roof-mounted equipment which is installed in the future shall be screened and shall be painted to match the color of the building.
4. That the landscaping on U.S. Highway One shall be as shown on Sheets L-1 and L-2 attached hereto as Composite Exhibit "B".
5. That lighting in the parking lot be mounted on poles not to exceed 37 feet in height and the light fixture itself be a metal halide fixture of a shape and style compatible and equivalent to the fixture shown on Sheet SP-1 attached hereto as Composite Exhibit "B".
6. That the cross parking agreement with the adjacent landowner to the north and west shall be maintained in perpetuity.
7. That the developer and Village staff may work together to make minor changes such as shifting locations and styles of storefronts, doors and windows as necessary to accommodate a tenant.
8. That the developer shall return to a joint meeting of Lake Park and North Palm Beach Planning and Zoning Boards for the approval of a concept plan for tenant signage.
9. The Village logo being a ship's wheel shall be placed on the southeast corner of the planned unit development. The Village shall provide and install the logo at its expense.
10. That the developer's landscape architect shall certify to the Village of North Palm Beach that the landscape improvements have been completed pursuant to the approved landscape plans prior to the issuance of a certificate of occupancy for the property.
11. That the following waivers are hereby granted with this approval:
 - a. From Section 45-34.1(2), Off-Street Parking, and Section 45-34.1(3), Off-Street Loading and Internal Circulation of the Village Code, to allow for a minimum of 432 parking spaces on site and for the size and configuration of the parking spaces to be shown on SP-1 included within Composite Exhibit "B" attached hereto.

- b. From Section 45-34.1(4)a., Landscaping, to provide for a landscaped buffer between Palmetto Road and the off-street parking areas along the south boundary of the Property of between 3.5 feet and 21.8 feet with at least five (5) trees and eighteen (18) shrubs for each one hundred (100) lineal feet of buffer along Palmetto Road, as shown on L-1 and L-2 included within Composite Exhibit "B" attached hereto; and
- c. From Section 45-34.1(4)b., Landscaping, to provide for the interior landscaping for unroofed parking areas as shown on L-1 and L-2 included within Composite Exhibit "B" attached hereto.
- d. From Section 45-34.1(5), Setbacks and Height, to waive the setback requirement along the north and west boundaries of the Property and to permit the existing structures to exist in their current locations and as currently set back as shown on the SP-1 included within Composite Exhibit "B" attached hereto.

Section 4. If there is any conflict between the written terms of this Ordinance and the Site Development Plan set forth as Composite Exhibit "B", the terms of this Ordinance shall prevail.

Section 5. Prior to issuance of building or other permits by the Village of North Palm Beach, applicant shall submit for approval a recordable unity of title for the commercial planned unit development lands described in Exhibit "A" in lieu of platting the property. Upon approval by the Village attorney, the unity of title shall be recorded in the Public Records of Palm Beach County, Florida, at the cost of applicant.

Section 6. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 7. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

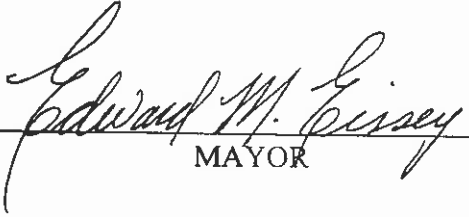
Section 8. This Ordinance shall take effect immediately upon passage.

PLACED ON FIRST READING THIS 23rd DAY OF JANUARY, 2003.

PLACED ON PUBLIC HEARING THIS 13th DAY OF FEBRUARY 2003.

PLACED ON SECOND, FINAL READING AND PASSED THIS 13th DAY OF FEBRUARY, 2003.

(VILLAGE SEAL)


MAYOR

ATTEST:

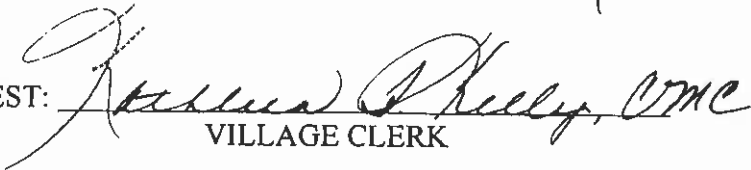

VILLAGE CLERK

EXHIBIT A

TRACT I

A certain parcel of land in Section 21, Township 42 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

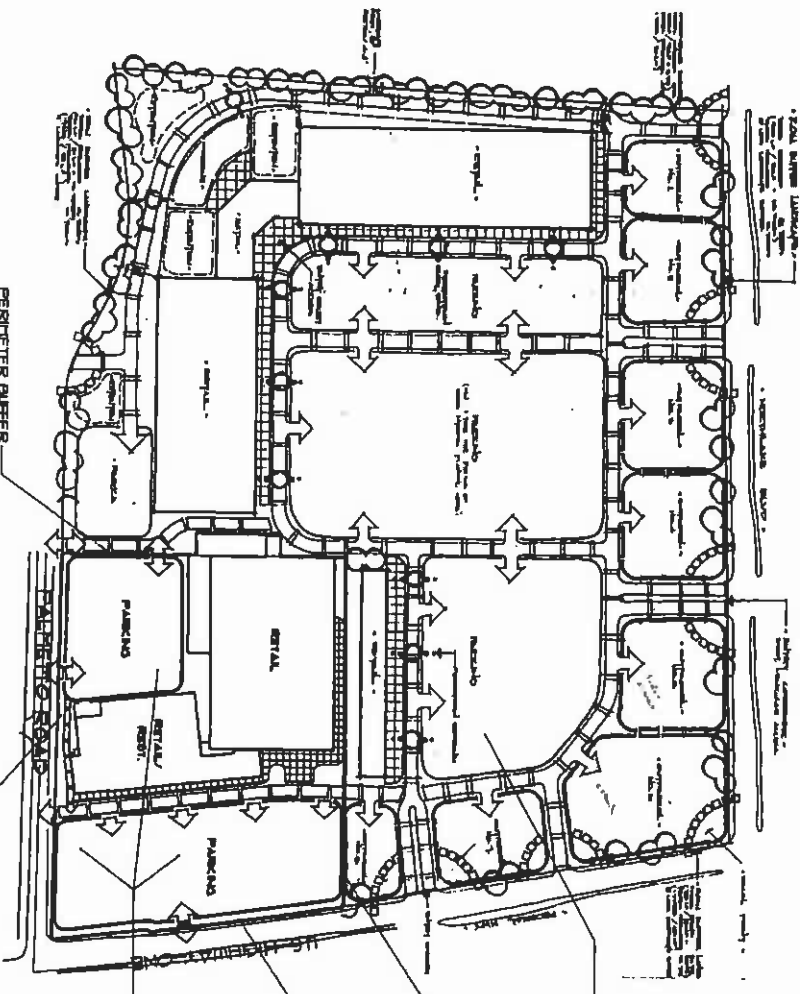
Beginning at the intersection of the westerly right-of-way line of State Road No. 5 as described in a deed from Tesdem, Inc. to the State of Florida as same is recorded in Deed Book 838, Page 25, Public Records of Palm Beach County, Florida with the northerly right-of-way of Palmetto Road as shown on the Plat of Kelsey City (now Lake Park) as same is recorded in Plat Book 8, Page 35, Public Records of Palm Beach County, Florida, and from said point of intersection run (for convenience the said northerly right-of-way line of Palmetto Road is assumed to bear North 89°57'15" West and all other bearings mentioned herein are relative thereto), North 89°57'15" West running along the said northerly right-of-way line a distance of 468.28 feet; thence North 7°27'45" West, a distance of 247.44 feet; thence South 88°43'22" West a distance of 249.34 feet to a point in a line parallel with and one foot westerly from (measured at right angles to) the westerly wall of the Truck Well so called at the westerly end of the J.M. Fields Store Building, so called; thence North 01°19'04" West, along said parallel line, a distance of 152.45 feet, more or less, to a point in the westerly extension of the North face of the South wall of the Garden Shop so called, said Garden Shop located in the Northwest corner of the said J.M. Fields Store Building; thence North 88°40'56" East along the just said westerly extension and along the just said North face of the South wall a distance of 41 feet, more or less, to a point in the West face of the East wall of said Garden Shop; thence North 01°19'04" West running along the just said West face of the East wall and the northerly extension thereof a distance of 120.27 feet, more or less, to a point in the face of the curb, said curb being 20.26 feet northerly from and parallel with the face of the North wall of said building; thence North 88°40'56" East running along the said face of the curb and its Easterly extension of a distance of 637.31 feet, more or less, to a point in the said westerly right-of-way line of State Road No. 5, said point being also a point on a curve concave to the West, having a radius of 11384.22 feet and whose tangent passing through said point bears South 10°13'29" East; thence Southerly running along the arc of the just described curve and along the said Westerly right-of-way line subtending a central angle of 01°48'07", a distance of 353.34 feet, more or less, to the end of said curve; thence South 81°34'38" West running along a line radial to the just described curve and radial to the next described curve and continuing along said westerly right-of-way line a distance of 5 feet to a point in a curve concave to the West, being concentric with the last described curve and having a radius of 11389.22 feet; thence Southerly running along the arc of the just described curve and continuing along the said Westerly right-of-way line; subtending a central angle of 00°25'22", a distance of 84.04 feet to the end of said curve; thence South 08°00'00" East along the Westerly right-of-way line a distance of 91.77 feet, more or less, to the POINT OF BEGINNING.

TRACT II

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NOTE:
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PLANNING SHALL BE PROVIDED ALONG THE PERIMETER OF THE PROPERTY.
 2. REQUIRED LANDSCAPING SHALL INCLUDE AT LEAST THE FOLLOWING TREES AND SHRUBS: ...
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PLANNING SHALL BE PROVIDED ALONG THE PERIMETER OF THE PROPERTY.



PREVIOUSLY APPROVED
 CONCEPTUAL P.L.D.

PERIMETER BUFFER
 TREES REQUIRED: 3 TREES
 (10 FT. LONG UP - 30 TREES)
 49 - 116' LANDSCAPING DIMENS
 BY LANDSCAPE DESIGN

ROCK BUFFER
 TREES REQUIRED: 35 TREES
 (10 FT. LONG UP - 30 TREES)
 49 - 116' LANDSCAPING DIMENS
 BY LANDSCAPE DESIGN

INTERIOR AREA LANDSCAPING REQUIREMENTS:
 TREES REQUIRED: 21 TREES
 (10 FT. LONG UP - 21 TREES)
 107' - 116' LANDSCAPING DIMENS
 BY LANDSCAPE DESIGN

ROCK BUFFER
 TREES REQUIRED: 21 TREES
 (10 FT. LONG UP - 21 TREES)
 107' - 116' LANDSCAPING DIMENS
 BY LANDSCAPE DESIGN

PERIMETER BUFFER
 TREES REQUIRED: 10 TREES
 (10 FT. LONG UP - 10 TREES)
 107' - 116' LANDSCAPING DIMENS
 BY LANDSCAPE DESIGN





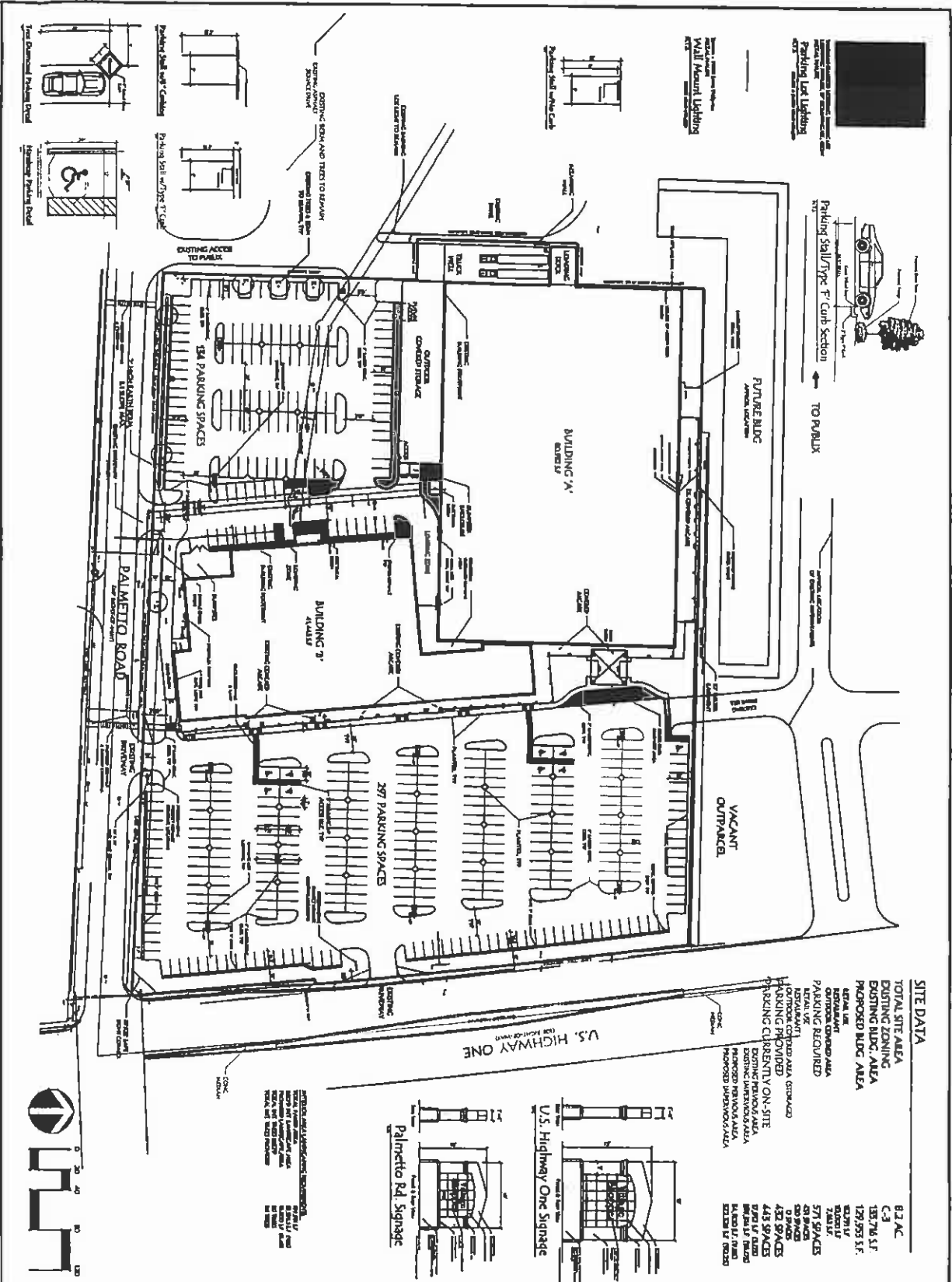
**Gentle
Holloway
O'Mahony
Architects, Inc.**
 A PROFESSIONAL CORPORATION
 1000 ...
 ...

Village Shoppes

at U.S. One

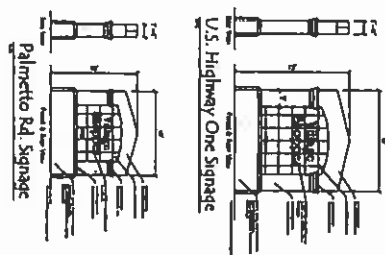
1000 ...
 ...
 ...

LE: ...
 Conceptual Site Develop. Plan
 Scale: 1" = 50'
 C&D-1
 07-1983



SITE DATA

TOTAL SITE AREA	8.3 AC
EXISTING ZONING	C-3
EXISTING BLDG. AREA	133,776 S.F.
PROPOSED BLDG. AREA	179,995 S.F.
NET AREA	82,271 S.F.
RETAIL USE	82,271 S.F.
OFFICE/COMMERCIAL AREA	0 S.F.
PARKING PROVIDED	571 SPACES
PARKING REQUIRED	500 SPACES
OFF-SITE PARKING PROVIDED	443 SPACES
OFF-SITE PARKING REQUIRED	376 SPACES
EXISTING IMPROVEMENTS	11,000 S.F. ROAD
PROPOSED IMPROVEMENTS	11,000 S.F. ROAD



Village Shoppes
at U.S. One

Centra
Holloway
O'Malley
Associates, Inc.
Architectural Firm

Site: Village Shoppes at U.S. One
Address: U.S. Highway One, Palmetto, FL 34224
Date: 11/11/03

8P-1

Scale: 1/8" = 1'-0"

Site Development Plan

DATE: 11/11/03

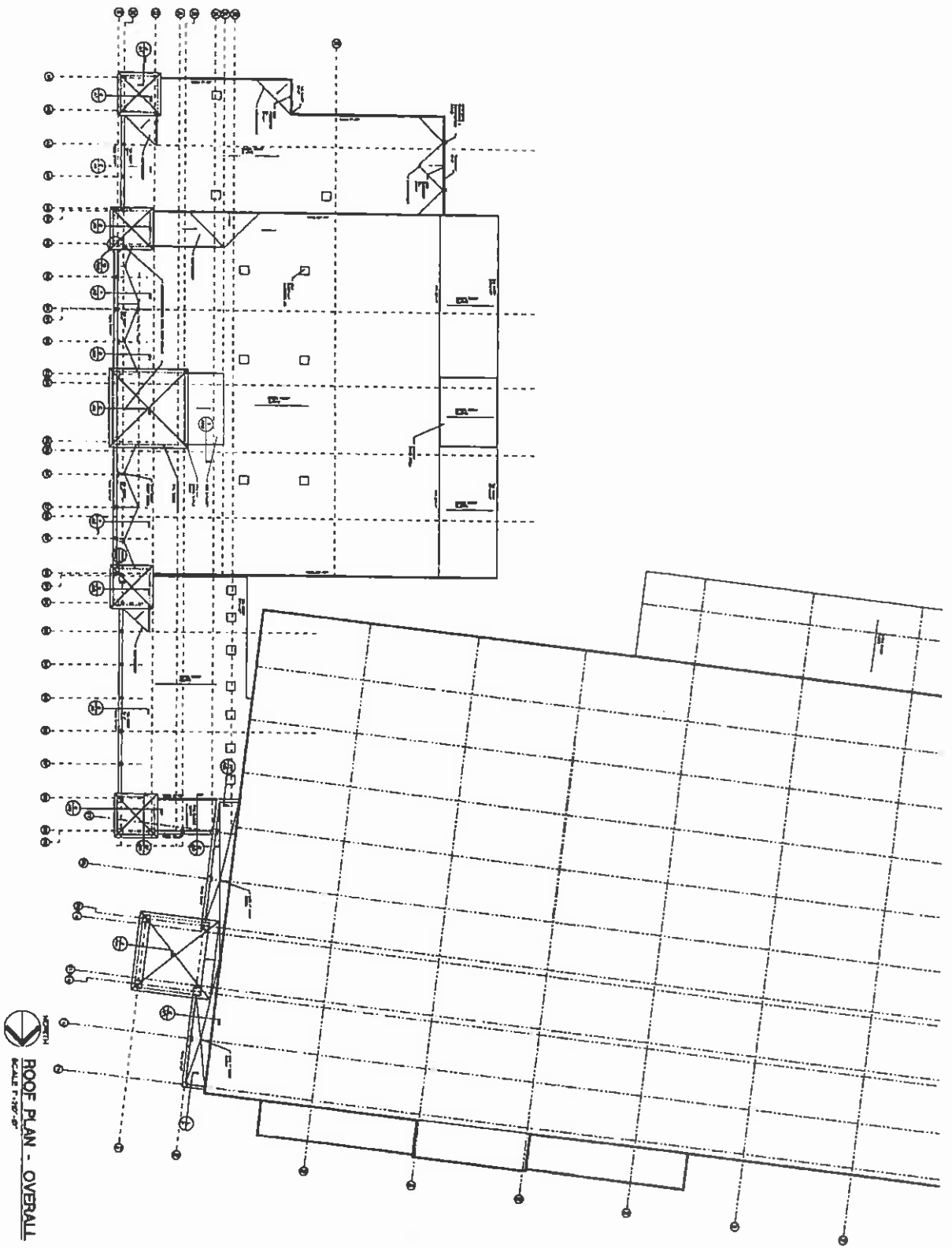
PROJECT: VILLAGE SHOPPES AT U.S. ONE


LOCATION: U.S. HIGHWAY ONE, PALMETTO, FL


OWNER: CENTRA HOLLOWAY O'MALLEY ASSOCIATES, INC.

DESIGNER: CENTRA HOLLOWAY O'MALLEY ASSOCIATES, INC.

DATE: 11/11/03




ROOF PLAN - OVERALL
 SCALE: 1/8" = 1'-0"

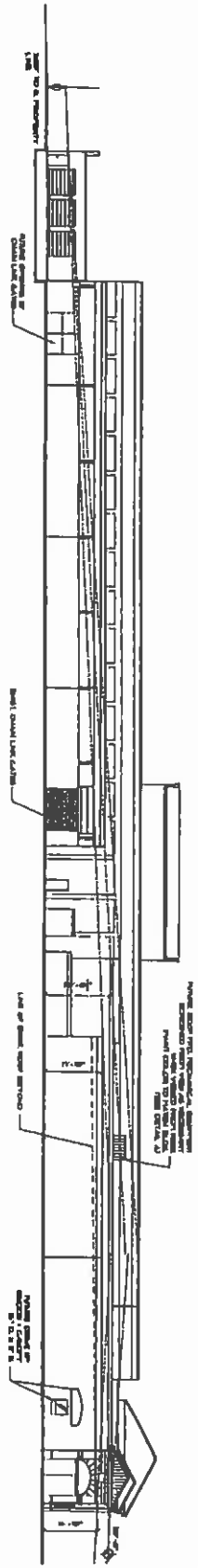


 THE SUN GROUP
 10000 W. 10th Avenue, Suite 100
 Denver, CO 80202
 Phone: 303.755.7700
 Fax: 303.755.7701
 Website: www.sun-group.com

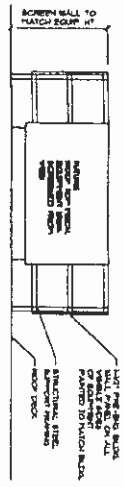
Village Shoppes
 at U.S. One

NO.	DATE	REVISION

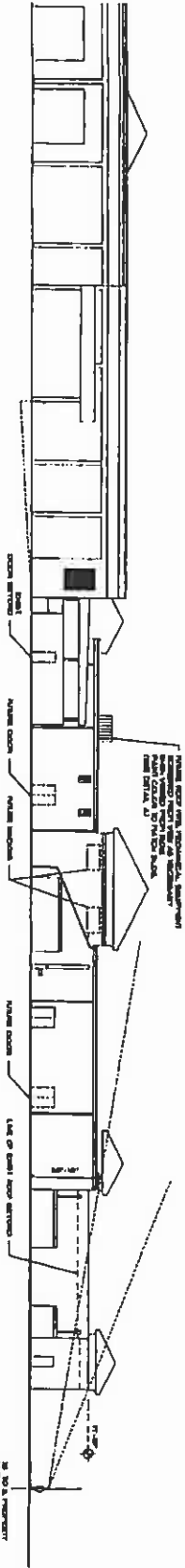
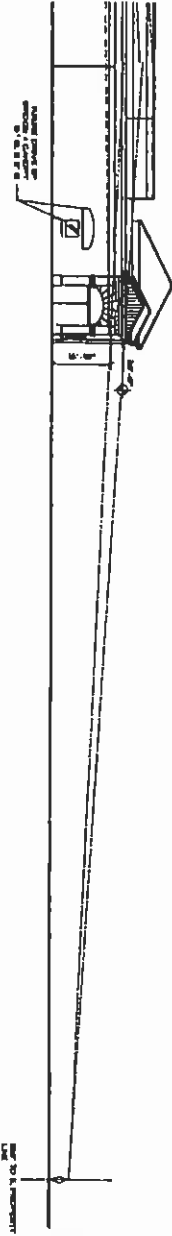
A2



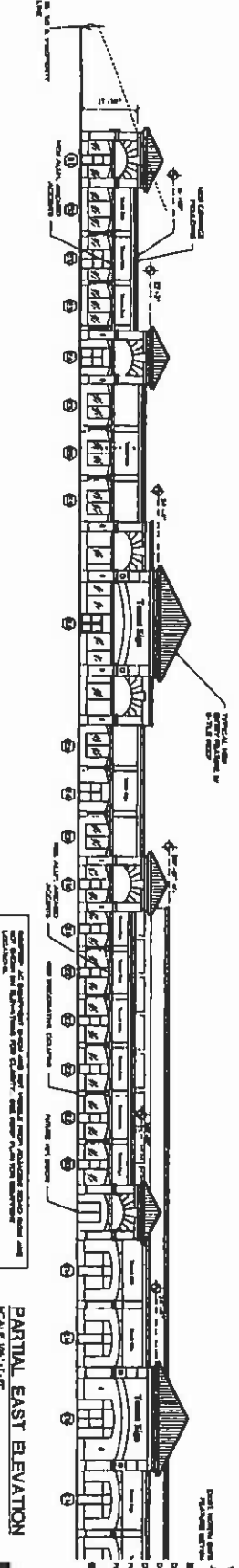
DETAIL 'A'
FUTURE EQUIPMENT SCREEN
 SCALE 1/4" = 1'-0"



SOUTH ELEVATION
 SCALE 1/4" = 1'-0"



PARTIAL WEST ELEVATION
 SCALE 1/4" = 1'-0"



PARTIAL EAST ELEVATION
 SCALE 1/4" = 1'-0"

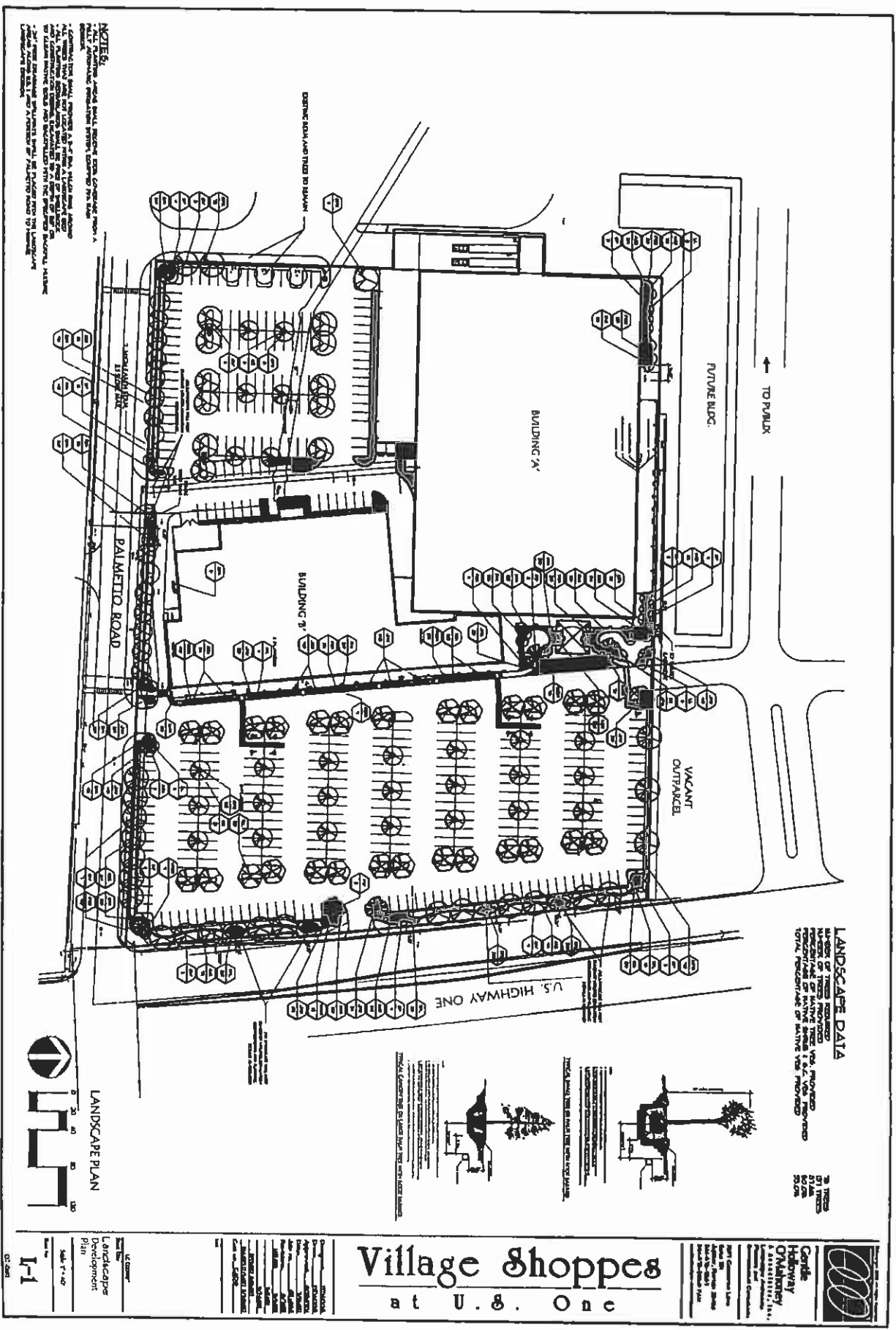
Village Shoppes
 at U.S. One

THE SUN GROUP

Architectural Firm

1234 Main Street
 Suite 500
 City, State, Zip

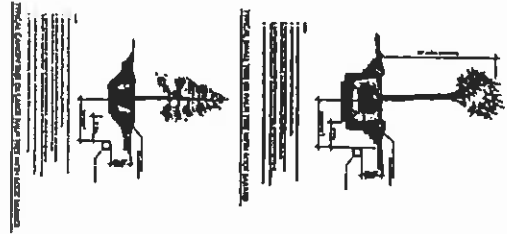
Phone: (555) 123-4567
 Fax: (555) 987-6543
 Website: www.sun-group.com



NOTES:
 1. All planting material shall be delivered to the site in accordance with the following specifications:
 - All trees shall be a minimum of 1 1/2" dbh (measured 4' above ground) and shall be well established and free from any defects.
 - All shrubs shall be a minimum of 18" high and shall be well established and free from any defects.
 - All plants shall be delivered to the site in accordance with the following specifications:
 - All plants shall be a minimum of 18" high and shall be well established and free from any defects.
 - All plants shall be delivered to the site in accordance with the following specifications:
 - All plants shall be a minimum of 18" high and shall be well established and free from any defects.

LANDSCAPE DATA

NUMBER OF TREES PROVIDED	24
PERCENTAGE OF NATIVE TREES PROVIDED	0%
TOTAL PERCENTAGE OF NATIVE TREES PROVIDED	0%



Village Shoppes

at U.S. One

PREPARED BY:
 Landscape Development Plan
 Scale: 1" = 40'
 Date: 11-1-87
 Project No: 15-0000

Graphic
 Highway
 O'Malley
 1500 Highway 1500
 Suite 100
 Palm Beach Gardens, FL 33418
 Phone: (407) 851-1111
 Fax: (407) 851-1112

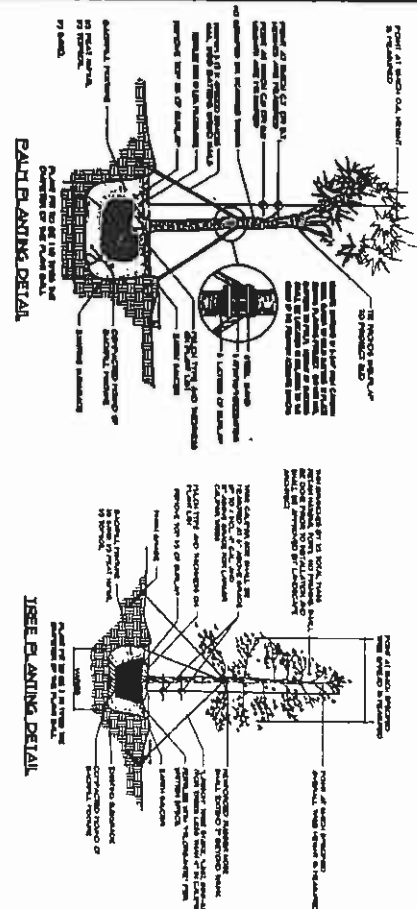


PLANT LIST

TREES & PALMS

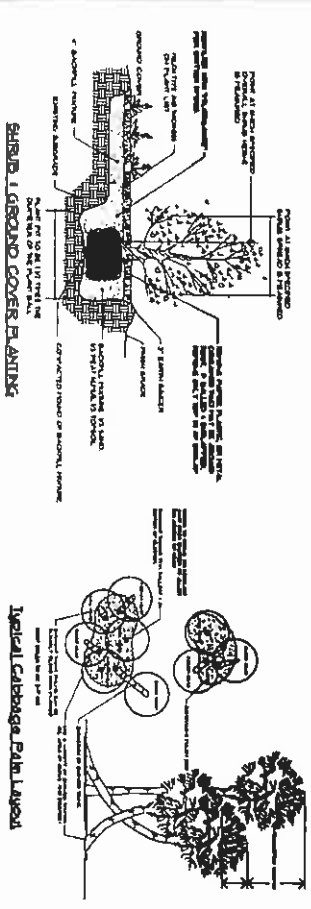
NO.	SYMBOL	COMMON NAME	SCIENTIFIC NAME	HEIGHT	SPREAD	PLANTING	MAINTENANCE	REMARKS
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DETAILS



SHIELD & GROUND COVER PLANTING

Typical Cabbage Palm Layout



SPECIFICATIONS

PALE PLANTING: Pale planting is the method of planting a tree in a shallow pit. The tree is placed in a 2-inch diameter hole in the center of a 4-inch diameter hole. The hole is filled with soil and mulch. The tree is watered and the soil is kept moist.

USEE PLANTING: Usee planting is the method of planting a tree in a deeper pit. The tree is placed in a 4-inch diameter hole in the center of a 12-inch diameter hole. The hole is filled with soil and mulch. The tree is watered and the soil is kept moist.

SHIELD & GROUND COVER PLANTING: Shield and ground cover planting is the method of planting a tree in a pit. The tree is placed in a 4-inch diameter hole in the center of a 12-inch diameter hole. The hole is filled with soil and mulch. The tree is watered and the soil is kept moist.

Typical Cabbage Palm Layout: The typical cabbage palm layout is a row of cabbage palm trees with a 4-foot spacing between them. The trees are planted in a row and the soil is kept moist.

PALE PLANTING DETAIL: Pale planting detail shows a tree in a shallow pit with a 2-inch diameter hole for the trunk, surrounded by a 4-inch diameter hole for the root ball. It includes layers for soil, mulch, and a drainage layer.

USEE PLANTING DETAIL: Usee planting detail shows a tree in a deeper pit with a 4-inch diameter hole for the trunk and a 12-inch diameter hole for the root ball. It includes layers for soil, mulch, and a drainage layer.

SHIELD & GROUND COVER PLANTING DETAIL: Shield and ground cover planting detail shows a tree in a pit with a 4-inch diameter hole for the trunk and a 12-inch diameter hole for the root ball. It includes layers for soil, mulch, and a drainage layer.

Typical Cabbage Palm Layout: The typical cabbage palm layout shows a row of cabbage palm trees with a 4-foot spacing between them. It includes labels for 'SHIELD & GROUND COVER PLANTING DETAIL' and 'Typical Cabbage Palm Layout'.

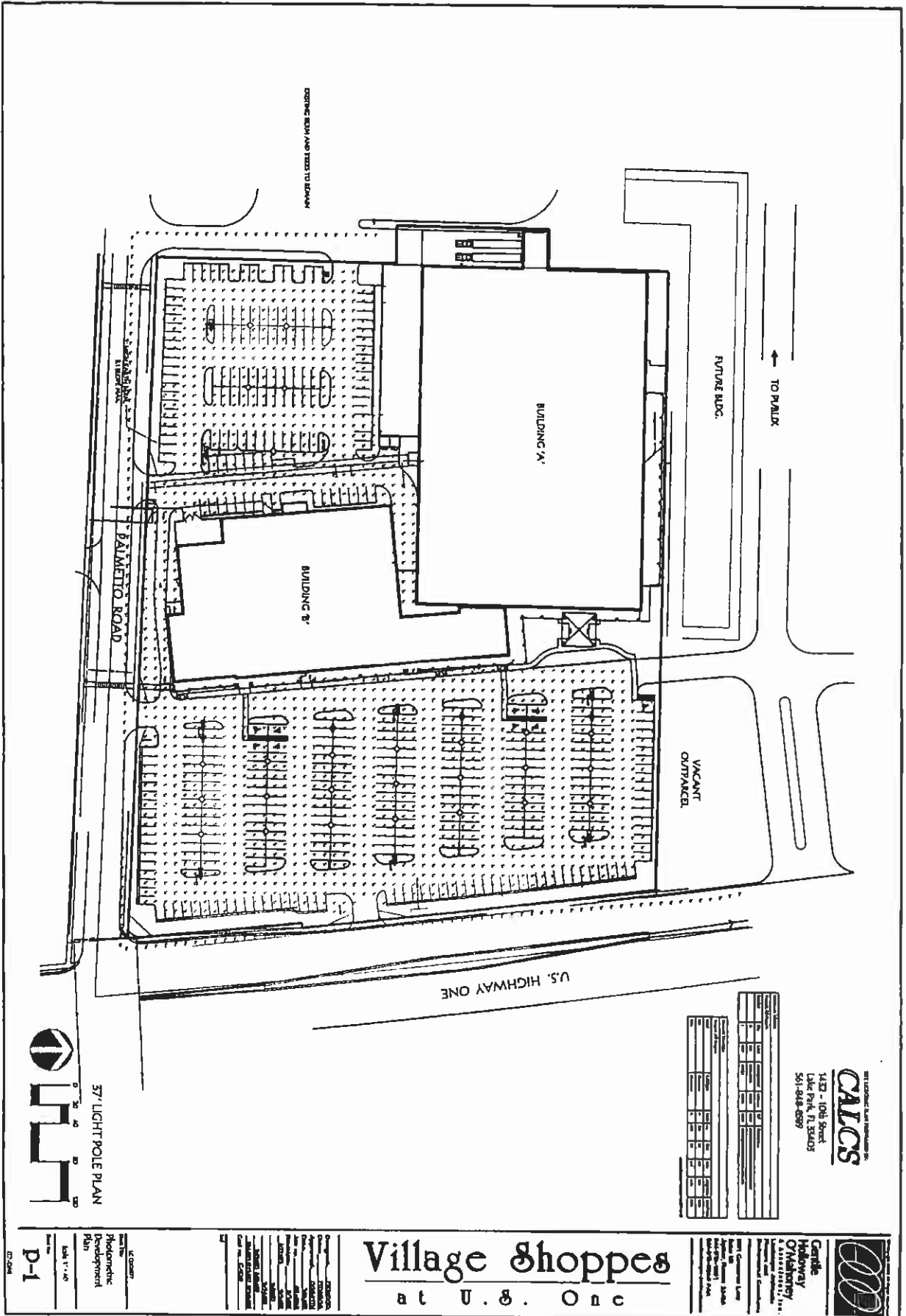


Gentle Hospitality Overlay
A Hospitality Group

Village Shoppes

at U.S. One

1-2



EXISTING SIGN AND REEFS TO REMAIN

FUTURE BLDG.

TO PALUX

BUILDING A

BUILDING B

PALMETTO ROAD

VACANT OUTPARCEL

U.S. HIGHWAY ONE



37' LIGHT POLE PLAN

1432 - 10th Street
 Lake Park, FL 32025
 561-944-6597

CALCS

NO.	DESCRIPTION	QTY	UNIT	AMOUNT
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Village Shoppes

at U.S. One



Gentle
 Holloway
 O'Malley
 Architects, Inc.

1432 - 10th Street
 Lake Park, FL 32025
 561-944-6597

37' LIGHT POLE PLAN
 Scale: 1" = 40'
 Date: 11/14/05
 P-1
 02/04