



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, February 16, 2011, 7:00 PM  
Lake Park Town Hall  
535 Park Avenue

<b>Desca DuBois</b>	—	<b>Mayor</b>
<b>Patricia Osterman</b>	—	<b>Vice-Mayor</b>
<b>Steven Hockman</b>	—	<b>Commissioner</b>
<b>Jeanine Longtin</b>	—	<b>Commissioner</b>
<b>Kendall Rumsey</b>	—	<b>Commissioner</b>
.....		
<b>Maria V. Davis</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian M. Lemley, CMC</b>	—	<b>Town Clerk</b>

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

A. **CALL TO ORDER**

B. **INVOCATION**

C. **PLEDGE OF ALLEGIANCE**

D. **ROLL CALL**

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

F. **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.

G. **SWEAR IN CEREMONY:**

Swearing in Ceremony for Mayor conducted by Town Clerk Vivian Lemley

**H. APPOINTMENT OF A VICE-MAYOR**

**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.**

**For Approval:**

- |  |       |
|--|-------|
| 1. Regular Commission Meeting Minutes of January 5, 2011   | Tab 1 |
| 2. Regular Commission Meeting Minutes of January 19, 2011  | Tab 2 |
| 3. Regular Commission Meeting Minutes of February 2, 2011  | Tab 3 |
| 4. Great American Cleanup on April 16, 2011  | Tab 4 |
| 5. Engineering Design Services for Downtown Alleyway Improvements of 7 <sup>th</sup> and 8 <sup>th</sup> Street with Simmons & White | Tab 5 |

**J. ORDINANCE ON FIRST READING:**

**6. ORDINANCE NO. 01-2011 - Garage/Yard Sale Signage** Tab 6  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 70, ARTICLE IV, SECTION 70-103(1), OF THE TOWN CODE ENTITLED "RESIDENTIAL SIGNS"; PROVIDING FOR AMENDMENTS TO THE REGULATIONS PERTAINING TO GARAGE OR YARD SALE SIGNS; PROVIDING FOR ADDITIONAL REGULATIONS PERTAINING TO SIGN REMOVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**K. DISCUSSION AND POSSIBLE ACTION**

**7. Town Manager Performance Evaluation** Tab 7

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

**M. ADJOURNMENT:**

# **Consent Agenda**

# TAB 1



**Town of Lake Park Town Commission  
Agenda Request Form**

Meeting Date: **February 16, 2011** Agenda Item No. |

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION                       |
| <input type="checkbox"/> Ordinance on Second Reading |   |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION                       |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD                    |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input checked="" type="checkbox"/> <b>CONSENT AGENDA</b> |
| <input type="checkbox"/> Other: Board Appointment    |   |

**SUBJECT:** Regular Commission Meeting Minutes of January 5, 2011

**RECOMMENDED MOTION/ACTION:** To Approve the Regular Commission Meeting Minutes of January 5, 2011.

Approved by Town Manager *W. J. Davis* Date: *2/10/11*  
 Deputy Clerk *Jessamyn [Signature]* Date of Actual Submittal *2/11/11*

<b>Originating Department:</b> Town Clerk	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Meeting Minutes
Department Review: <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>VML</i> <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <input checked="" type="checkbox"/> :  Please Initial one.

**Summary Explanation/Background:**



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, January 5, 2011, 7:30 p.m.**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, January 5, 2011 at 7:30 p.m. Present were Mayor Desca DuBois, Vice-Mayor Patricia Osterman, Commissioners Kendall Rumsey, Steven Hockman and Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Commissioner Jeanine Longtin was absent during roll call but arrived at the meeting at 7:50 p.m.

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

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**

Item #2, Agreement with the Supervisor of Elections for Vote Processing Equipment Use and Election Services was pulled from the Consent Agenda.

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

Vote on Motion:

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

Motion passed 4-0

**PUBLIC AND OTHER COMMENTS:**

None

**CONSENT AGENDA:**

1. Regular Commission Meeting Minutes December 1, 2010
2. Resolution No. 1-11-11 Establishing the 2011 Municipal Election for Mayor

**Public Comment Open.**

*None*

**Public Comment Closed.**

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

Vote on Motion:

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

Motion passed 5-0

**ORDINANCE ON 2nd READING**

**ORDINANCE NO. 13-2010 – Ad Valorem Tax Exemption**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES TO CREATE A NEW ARTICLE V ENTITLED "ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS"; PROVIDING FOR SECTION 28-251, ENTITLED "TITLE"; PROVIDING FOR SECTION 28-252, ENTITLED "INTENT"; PROVIDING FOR SECTION 28-253, ENTITLED "DEFINITIONS"; PROVIDING FOR SECTION 28-254, ENTITLED "ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION ESTABLISHED"; PROVIDING FOR SECTION 28-255 ENTITLED "APPLICATION FOR EXEMPTION"; PROVIDING FOR SECTION 28-256, ENTITLED "CONSIDERATION OF APPLICATION"; PROVIDING FOR SECTION 28-257, ENTITLED "APPLICATION FEE"; PROVIDING FOR SECTION 28-258, ENTITLED "REVOCATION OF EXEMPTION; RECOVERY OF FUNDS"; PROVIDING FOR SECTION 28-259 ENTITLED "APPEALS"; PROVIDING FOR SECTION 28-260, ENTITLED "SURVIVAL"; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Motion: A motion was made by Commissioner Hockman to approve Ordinance No. 13-2010 upon 2nd reading; Commissioner Rumsey made the second.**

Vote on Motion:

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

Motion passed 5-0

Attorney Baird read Ordinance No. 13-2010 by caption-only.

**PRESENTATION**

**Final Report for Cost Alternatives for Town Wide Street Lighting**

Mr. Youngross began a PowerPoint presentation on a final report for Town-wide street lighting cost alternatives. He stated that since his last presentation, he went back and revised some of the numbers and received additional information from FPL. He reviewed "Required Services RFP" (see page 3 of Exhibit "A"). He reviewed and explained "Estimated Costs" (see page 4 of Exhibit "A"). He reviewed and explained the estimated costs for "Town Owned LED Cobra Head Streetlight: Overhead Wiring" (see page 9 of Exhibit "A"). He reviewed and explained the estimated costs for "Town Owned LED Cobra Head Streetlight: Underground Wiring" (see page 10 of Exhibit "A"). He reviewed and explained the estimated costs for "Town Owned Residential LED Streetlights" (see page 11 of Exhibit "A"). He reviewed and explained estimated costs for "Town Owned LED Acorn Head Streetlight" (see page 12 of Exhibit "A"). He reviewed and explained "Estimated Costs Per Household" (see page 13 of Exhibit "A"). He reviewed and explained "Estimated Operating Costs" (see page 14 of Exhibit "A"). He explained and showed pictures of "Photometrics" (see pages 15 through 18 of Exhibit "A"). He showed the residential street light layout (see page 19 of Exhibit "A"). He gave picture examples of "Existing FPL Roadway Lighting" and different styles of "LED Fixtures" (see pages 29 through 36 of Exhibit "A").

Mayor DuBois asked if it would take approximately three years to change the lighting out.

Mr. Youngross stated that light fixtures would be installed within a year and a half.

Mayor DuBois asked if \$610,000 was the figure for FPL to remove the light fixtures.



Mr. Youngross explained that \$610,000 would be the cost to remove all the light fixtures in the areas where town wide fixtures would be installed. He stated that it depended on what fixtures are taken out and in what areas. The cost could range from \$320,000 to \$610,000. He stated that FPL charges a premium for removing the fixtures if they have been installed for less than 10 years.

Commissioner Rumsey asked Mr. Youngross to clarify and explain the figures he presented on page 5 of Exhibit "A". He asked if the figure on the bottom right reflected two fixtures per block.

Mr. Youngross stated yes.

Commissioner Rumsey asked where the fixtures would be installed.

Mr. Youngross stated that the fixtures would be installed in the residential areas at approximately mid-block.

Commissioner Rumsey asked if they did the option on page 5 of Exhibit "A" they would be paying \$62,000 and if they added the additional poles mid-block that figure would be approximately \$129,900 per year. He referred to page 7 of Exhibit "A" and asked how long the \$148,100 yearly cost would be guaranteed by FPL.

Mr. Youngross stated that the rate would vary each month based on electrical usage and rate charges.

Commissioner Rumsey asked that figure would go up if FPL asked for a rate increase.

Mr. Youngross stated "yes that was correct".

Commissioner Rumsey asked if it was one million dollars to add the conduit.

Mr. Youngross stated "yes that was correct."

Commissioner Rumsey asked if it would be 2014 before FPL would add the new poles.

Mr. Youngross stated that they estimated two to three years in order for FPL to gather all materials and prepare their budget.

Commissioner Rumsey asked Finance Director Anne Costello to tell him what \$148,100 times 20 would be.

Finance Director Anne Costello stated that it was \$2,962,000.

Commissioner Rumsey referred to page 9 of Exhibit "A" and asked when FPL would remove the old poles to install the new ones.

Mr. Youngross explained that the old poles would be left in service until the new poles come online.

Commissioner Rumsey referred to page 10 of Exhibit "A" and stated that there was a combination of an Acorn and Cobra light fixture.

Mr. Youngross explained that the Acorns would replace the existing town owned metal halo light fixtures on Park Avenue, the park and the Marina.

Commissioner Rumsey asked if the price reflected just replacing the inside of the light fixtures.

Mr. Youngross explained that the pricing was for the worst case scenario where the light fixture and pole would need to be replaced.

Commissioner Rumsey referred to page 14 of Exhibit "A" and asked if the electrician mentioned would be dedicated to just the lighting.

Town Manager Davis explained that initially the electrician would have a lot of time on their hands and would be able to work on other electrical projects but once the lighting was installed, that electrician would be working full-time on just that.

Commissioner Rumsey asked how much the Town was spending on electrician or electrician work.

Town Manager Davis explained that she did not know but it was not close to the \$66,000 per year allotted for the proposed lighting electrician.

Commissioner Rumsey asked if FPL would be compliant with the Town's requests regarding where to not to install lighting poles.

Mr. Youngross stated that FPL would work with the Town and their requests.

Commissioner Rumsey asked if the light poles would 26 foot or 28 foot.

Mr. Youngross stated that the poles would be 28 feet tall.

Commissioner Rumsey asked if more trees would be lost with the 28 foot poles mid-block than with the LED poles.

Mr. Youngross stated that more trees would not necessarily be lost. It would all depend on the design and the layout of the poles.

Commissioner Rumsey asked if FPL would be willing to work with the Town with regards to making modifications.

Mr. Youngross stated yes but the only problem would be the above-ground wiring where the trees mix with the wires. He stated that it would have to be coordinated to have them

install the wiring across the street from the tress or in any other way that would keep them from mixing with the trees because FPL would cut those trees to accommodate the wiring.

Commissioner Rumsey asked Finance Director Anne Costello for the monthly cost for residents on the 20 year plan.

Finance Director Anne Costello stated that the millage rate would be \$1.65 and would depend on the value of the home. Based on a home worth \$150,000 the yearly cost would be \$246.

Vice-Mayor Osterman stated that she reviewed the numbers. She gave examples of the costs per household for the FPL system and the LED system. She expressed her concerns with the monthly expenses and the increases when the Town's budget keeps shrinking. She asked Town Manager Davis to discuss and address those concerns.

Town Manager Davis stated that staff was concerned with adding the additional costs per year to the budget. She stated that they would make it work, but it would be difficult to find a way to come up with the additional \$148,000 per year.

Vice-Mayor Osterman asked if the additional millage rate was a special assessment.

Finance Director Anne Costello explained that it would be a debt service rate in addition to the operating millage.

Vice-Mayor Osterman stated that as much as she wants to see street lighting, her gut feeling is that the timing is bad because the Town has had to cut 1 million from the budget and she foresees more cuts in the next year and she was concerned with the timing of the LED lights in general. She stated that if the Town was do the lighting she wanted to have LED lighting underground, but the changes in the LED technology are so extreme right now and makes her want to hold off. She stated that if the Commission wanted to vote to put the lighting to referendum that would be fine and it would ultimately be up to the residents, but she could not vote to put it to referendum and feel that as a Commissioner she would be fiscally responsible to the Town.

Commissioner Hockman asked why Mr. Youngross was proposing concrete poles instead of wood.

Mr. Youngross explained that he proposed concrete poles since it was a figure cost since the concrete poles were standardized with LED lighting. He stated that the Town could have wood poles and they would be less money than the concrete poles.

Commissioner Hockman stated that Mr. Youngross added additional poles for spacing.

Mr. Youngross explained that he was being safe and conservative with his estimates.

Commissioner referred to page 2 of Exhibit "A" and asked why it states under FPL lighting that the new fixtures would spread out the lighting more effectively but would not be designed for street lighting for the ISENA. He asked why it stated that.

Mr. Youngross explained that the lighting was not roadway design lighting but supplemental lighting.

Commissioner Rumsey asked Mr. Youngross if the FPL lighting would not light the same as the LED.

Mr. Youngross stated that in his opinion he would study it. He stated that he did a comparable spacing of the FPL cobra head and the spacing came out to the same as the LED which were five poles per block in a staggered layout.

Commissioner Hockman asked if overhead wiring would have to be eliminated if the Town used the LED lighting because in his opinion you cannot mix the underground wiring with the overhead wiring.

Mr. Youngross stated that was correct.

Commissioner Hockman asked what the wattage Mr. Youngross was using to make his calculations of monthly charges.

Mr. Youngross stated that he used 120 watts for the cobra head and 105 watts for the acorn head.

Questions and answers continued between the Commissioners and Mr. Youngross regarding the final report on the lighting cost study.

Commissioner Rumsey asked Town Manager Davis if the objective that night was to determine whether or not the Town wide street lighting would go to referendum.

Town Manager Davis stated that was correct. She stated that she was confused because her recollection was that the Commission voted unanimously at the last meeting to go with the Acorn LED lighting and based on the Commission's comments she was now confused on which direction they wanted to take.

Commissioner Rumsey stated that some of the comments that were made that night were almost "laughable". He stated that when the Commission decided to go out and obtain a lighting consultant, Vice-Mayor Osterman insisted that if a consultant was hired and paid for then the item would have to go to referendum and she made everyone say that if the money was spent that the item would go to referendum. He stated that there have been comments made that the Commission does not listen to the public and the public was afraid to come and talk to them. Also, the Commission just does what they want and not listen to them. He stated that the referendum would be the chance to let the public speak. He stated that the public had the right to speak and the Commission stated that if they hired a lighting consultant then the question would have to go to referendum.

Mayor DuBois stated that the Acorn lighting should be one of the choices on the referendum.

Discussion ensued regarding options to place on the referendum and whether or not to go to referendum.

Town Manager Davis asked Town Attorney Baird to clarify and navigate the direction the Commission should take.

Town Attorney Baird stated that he understood that the Commission would agree on the design of a lighting system, and then would place that system on the ballot for referendum. He also understood that the Commission decided on Acorn lighting with underground wiring. He stated that they would have to decide whether or not to put that choice to referendum.

Vice-Mayor Osterman stated that there would need to be education on the lighting system for the public. She asked what the cost would be for the educational material.

Town Manager Davis stated that it would cost approximately \$10,000.

Vice-Mayor Osterman recommended that the Commission choose the design of the system and put it to referendum that way.

Commissioner Rumsey asked if the referendum would include the industrial section of the Town.

Vice-Mayor Osterman stated that it was her recollection that the Commission decided on acorn lighting for residential and LED cobra head lighting in commercial.

Commissioner Longtin stated that unless the FPL lighting went to referendum she probably would not vote for it. She stated education would need to be very big and she does not see it happening. She stated that the public has had a chance to speak and no one has come to speak on the topic. She stated that she did not see a big groundswell. She stated that she would be in favor of the FPL lighting with concrete poles as a referendum. She stated that she was concerned with the maintenance and having the Town take on more maintenance when it was not fulfilling the maintenance it has now.

Vice-Mayor Osterman stated that what Commissioner Rumsey stated about what she said was absolutely right but the numbers and monthly costs have increased dramatically for the maintenance and the electricity. She stated that she was concerned.

Commissioner Rumsey stated that his answer to that was when you go to the polls vote against it but the public has the right to come and vote on it.

Vice-Mayor Osterman stated that she understood that but as the leaders they have to stand behind it and say they believe in it. She stated that she was very concerned about the budget and by them putting it forward they are saying they endorse it.

Commissioner Rumsey stated that he disagreed.

Vice-Mayor Osterman stated that they have to be very careful about the education piece that they put forward.

Commissioner Rumsey stated that they could not legally put out an education piece that goes either way. He asked Town Manager Davis if he was correct.

Town Manager Davis stated that was correct and explained that the referendum question would have to say for example "Do you want construction for the installation of lighting in the amount of...". She stated that they could give the facts in relation to the education and because it would be such a tight timeline, if they go that route, she would send mailers to every household.

Mayor DuBois asked if the cost for the educational flyers would cost approximately \$10,000.

Town Manager Davis explained that the cost of the flyers would be approximately \$20,000 with postage and design.

Mayor DuBois asked Commissioner Hockman what his opinion was on the lighting referendum.

Commissioner Hockman stated that from a personal standpoint, he did not agree with it. He stated that he was happy with the current lighting. He understood that some areas needed lighting, but if he were to choose, he preferred the Acorn lighting. He stated that one year ago the costs started at approximately 2.5 million and it was now at approximately 8 million. He continued to express his concerns with possible maintenance costs and other replacement costs and issues. He stated that the project would cost the Town approximately 10 million by the time it was all done.

Commissioner Longtin thanked Mr. Youngross for his presentation and his time and she stated that she agreed with Vice-Mayor Osterman that the figures that were originally presented were different and the cost has dramatically increased. She stated that the numbers do not work for the Town at this time.

Vice-Mayor Osterman clarified and stated that Commissioner Hockman stated that the FPL lighting was only a little bit more in cost but it was actually double in terms of maintenance because while the figure was close to the same it was almost half the lights.

Commissioner Hockman explained that basically there was half the lights but the same amount of lighting just a different color. He explained why it was the same amount.

**Public Comment Open.**

*None*

**Public Comment Closed.**

A motion was made by Commissioner Rumsey to approve a referendum question on the ballot for the March 2011 Election for Acorn lighting with underground wiring in the residential areas and Cobra head lighting with overhead wiring in the industrial areas.

Mayor DuBois passed the gavel to Vice-Mayor Osterman and seconded the motion.

Vote on Motion:

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

Motion failed 3-2.

Mayor DuBois recessed the meeting at 8:50 p.m.

Mayor DuBois reconvened the meeting at 8:56 p.m.

### DISCUSSION AND POSSIBLE ACTION

#### **Flagler Boulevard Irrigation System Phase II**

Town Manager Davis asked Public Works Director Dave Hunt to explain the item.

Public Works Director Hunt gave a brief history and background on the discussion item. He explained that the irrigation contractor had stated that he could get the system operational but because of the nature and condition of the system the contractor was reluctant to give a total renovation price. The contractor began work on a time and material contract. The first phase was for \$6000 to bring pressure to the existing main trunk lines of the system which included new pumps, controllers and operational valves. The contractor worked with the materials the Town had and the agreement was that upon pressurizing the system, a better idea could be had as to what further work needed to be done to begin phase two and that is where the system is at now. The contractor was able to supply water to all of the zones and all of the valves were operational. He stated that there was pressure to each one of the zones. He stated that the report he has brought forward to the Commission was the figure that the contractor has come up with to complete phase two.

Vice-Mayor Osterman stated that she thought that continuing with the project would be cost prohibitive to the Town and did not think the Town should put any more money towards fixing the sprinklers at this point.

Commissioner Longtin stated that she did not understand that and wanted to know who would want to drive through a blighted area of Town to get to the CRA.

Commissioner Hockman stated that he did not understand Vice-Mayor Osterman's comment. He stated that the system was functioning but since the system has sat for approximately five years, sand has gotten into the lines. He asked why the Town's own in-house irrigation person could not go out and replace the sprinkler heads.

Public Works Director Hunt explained that the valves were functioning but have not yet been located by the contractor. He stated that 30% of the heads were visible and spraying and another 30% appeared as wet damp spots on the ground and another 30% were not visible at all. He stated that there would need to be a lot digging and exploratory work to find those sprinkler heads and would be very time consuming. He stated that the contractor worked for two months for perform the first phase of work at \$6,000. He stated that it would now be double the amount of work and be more expense on top of the \$6000 already spent. He estimated that phase two would take approximately three to four months. He stated that the system was very unique and staff was not familiar with that type of system. He stated that if he took staff away from other irrigation maintenance at the parks to work on the Flagler irrigation, the other irrigation systems in the Town would suffer.

Commissioner Hockman asked if the contractor could turn the valve on one day per week. He stated that the wet spots would show where those sprinkler heads were.

Public Works Director explained the difficulties with the system in detail and the work it would take to investigate the issues.

**A motion was made by Vice-Mayor Osterman to discuss tabling the Flagler Boulevard irrigation project until next year; Commissioner Longtin made the second.**

Mayor DuBois stated that the Commission was very aware of making sure that with anything that they approve that requires funds must be bid. She stated that they have been informed that the contractor cannot provide the information that the Town Manager needs to competitively quote the remainder of the project to prepare a budget estimate. She stated that she would love to see every square inch of Flagler Boulevard and the Town of Lake Park beautiful but the Town does not have the funds in these economic times.

Commissioner Longtin stated she did not vote for the lighting systems because of the lack of funds because the Town could not maintain a sprinkler system. She stated that the Town has a gentleman who is employed to work on irrigation systems. She asked why the Town was closing a road and asked where the Town was getting the money to go do that. She recommended that the Town take a loan from the CRA in order to make the rest of Lake Park beautiful so that people would want to go to the CRA.



Commissioner Rumsey stated that he did not support the current motion. He stated that he wanted to the project voted on up or down regardless.

Commissioner Hockman stated that he did not understand what all of the difficulty was about. He explained the reasons why.

Attorney Baird explained that the discussion was whether or not to table the sprinkler project.

**Vice-Mayor withdrew her motion.**

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Motion: A motion was made by Vice-Mayor Osterman to not continue and spend any more funds on the Flagler Boulevard sprinkler system; Commissioner Rumsey made the second.**

Vote on Motion:

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

Motion passed 3-2

Mayor DuBois stated that she wanted to refer to the comment made that there were parts of Lake Park were blighted. She stated that nowhere in Lake Park was it blighted.

Commissioner Longtin stated that it was blighted

#### **COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY**

**Commissioner Rumsey** stated that he wanted to congratulate Mayor DuBois for her work on the sober house issue. He stated that Attorney Baird and the Town's Lobbyist Fausto Gomez have been working on the issue as well. He stated that it looked like the sober house issue would come up before the legislature this year and the Town may get positive results. He thanked Mayor DuBois for her leadership and hard work on the issue.

**Commissioner Longtin** stated that she wanted to make everyone aware that the Palm Beach County surtax of .5% has ended on December 31, 2010 and the state's sales tax was now 6%.

**Vice-Mayor Osterman** stated that she understood why the Mayor did not like the word blight but if it weren't for blight the Town would not have the CRA. She wished everyone a "Happy New Year".

**Commissioner Hockman** stated that he was not for spending money but felt that most people would like to see the irrigation system fixed. He stated that he believed that the Town's irrigation tech could accomplish the job and that the Town should fix it. He stated that to spend the \$6,000 now and then to leave it sit for another five years that would mean the Town threw that money out the window. He stated that he believed that they should do everything they can to try and fix the system by having someone going out and replacing the sprinkler heads possibly once every two weeks.

**Mayor DuBois** stated that she received some phone calls from senators regarding the sober house issue and stated that there was some good traction in the legislative year on the issue.

**Attorney Baird** stated that there has been ongoing coverage regarding the foreclosure issue. He stated that the properties are starting to move through the process and putting them back on the market. He stated that a lot of the lenders have been coming to the Special Magistrate Hearings and have been paying for releases of liens and because of that the Town has been able to recover the costs that occurred in the original prosecution of those code enforcement cases and also in most cases collect the fines and interest accrued. He explained that the lenders were not obligated to pay the liens because the foreclosure process wiped out the lien but in re-selling the properties it was more expeditious for the lenders to pay those liens and fines. He stated that for example they will settle three cases and expect to recover in excess of \$1000 in administrative costs and \$12,500 in fines. He stated that he reached an agreement to join the firm of Jones, Foster, Johnson, & Stubbs. He stated that the law firm once represented Lake Park and has been represented cities in Palm Beach County since 1909. He stated that he would be working out of their Jupiter and West Palm Beach office and the move would bring additional support for himself and different areas of expertise in law in which he would otherwise have to retain an outside law firm for. He reviewed and explained the advantages the move would bring to the Town and gave a brief history of the law firm. He asked for consensus from the Commission to authorize the Mayor to execute an assignment of his contract to the firm. He explained that nothing would change in the way he does business with the Town and his personnel would be going with him.

**Vice-Mayor Osterman** asked if there were a situation where he would need to go to another partner in the firm would he still charge the current rate to the Town.

**Attorney Baird** explained that he would negotiate and try to get the same rate charged. If he was not able to do that the rate that would be above his rate would be comparable to the going rate.

**Vice-Mayor Osterman** stated that if they were to put the item on the agenda for the next meeting she would appreciate that Attorney Baird would have definite answer concerning rates.

**Mayor DuBois** explained that Attorney Baird was asking for consensus and the law firm he was moving to was an excellent law firm and he had her consensus since his rate would not change.

**Commissioner Rumsey** gave his consensus.

**Commissioner Longtin** asked when Attorney Baird's contract would come up for renewal.

**Attorney Baird** explained that his contract would be up for renewal in August and the contract renews unless it is terminated.

**Commissioner Longtin** gave her consensus.

**Vice-Mayor Osterman** gave her consensus.

**Commissioner Hockman** gave his consensus.

**Town Manager Davis** announced the American Cancer Society Relay for Life pep rally in support of its 2011 Lake Park Relay for Life. The rally will be held on Tuesday, January 11<sup>th</sup> at Dance Tonight located at 914 Park Avenue next to the post office at 5:30 p.m. She announced that Town hall has had new carpeting installed in the hallway and laminate wood flooring was installed on the landing in front of the Mirror Ballroom. She stated that the finishing touches were being done to Ilex Park and the dedication is planned for early February and would be sending invitations for the dedication to the neighborhood. She stated that she had before pictures of the park and it previously looked like a "dust bowl".

**Commissioner Longtin** stated that it sounded like Flagler Boulevard's sprinkler system.

**Town Manager Davis** wished everyone a "Happy New Year".

**Mayor DuBois** invited everyone to come out to the art reception at Art on Park on Saturday from 6 p.m. to 8 p.m. She stated that she looked forward to sharing her work with everyone.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rumsey and seconded by Vice-Mayor Osterman, and by unanimous vote, the meeting adjourned at 9:30 p.m.

\_\_\_\_\_  
Mayor Desca DuBois

\_\_\_\_\_  
Deputy Town Clerk, Jessica Shepherd, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2011

# TAB 2



**Town of Lake Park Town Commission  
Agenda Request Form**

Meeting Date: **February 16, 2011**

Agenda Item No. **2**

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION                       |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION                       |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> BID/RFP AWARD                    |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input checked="" type="checkbox"/> <b>CONSENT AGENDA</b> |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    |   |
| <input type="checkbox"/> Other: Board Appointment    |   |

**SUBJECT:** Regular Commission Meeting Minutes of January 19, 2011

**RECOMMENDED MOTION/ACTION:** To Approve the Regular Commission Meeting Minutes of January 19, 2011.

**Approved by Town Manager** *H. Davis* **Date:** 2/10/11

*Jessie Stoler*  
Deputy Clerk

2/1/11  
Date of Actual Submittal

<b>Originating Department:</b> Town Clerk	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Meeting Minutes
<b>Department Review:</b> <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>vml</i> <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <input checked="" type="checkbox"/> _____:  Please initial one.

**Summary Explanation/Background:**



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, January 19, 2011, 7:00 p.m.**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, January 19, 2011 at 7:00 p.m. Present were Mayor Desca DuBois, Vice-Mayor Patricia Osterman, Commissioners Kendall Rumsey, and Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Commissioners Jeanine Longtin and Steven Hockman were absent.

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

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**

None

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

Vote on Motion:

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

Motion passed 3-0

**PROCLAMATION**

**Alice Louise Fullerton**

Mayor DuBois read and presented the Proclamation to Ms. Fullerton.

Ms. Fullerton thanked the community and the Commission.

**PUBLIC AND OTHER COMMENTS:**

None

**CONSENT AGENDA:**

1. Sale and Removal of Metal Building at 115 Federal Highway
2. Resolution No. 02-01-11 Support of Community Learning Outreach
3. Renewal of Marina Security Services Contract

**Public Comment Open.**

*None*

**Public Comment Closed.**

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

Vote on Motion:

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

Motion passed 3-0

**COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY**

**Mayor DuBois** requested that staff provide a spreadsheet from accounting of how much money the parking meters bring in on the holidays. She also requested an accounting of the number of the Town vehicles. She wanted to see if it would be more economic to pay Economic Development Director Jennifer Spicer mileage and gas instead of having her use a Town vehicle. She asked that the two items be placed under Discussion and Possible Action at the next Commission Meeting.

**Commissioner Rumsey** stated that Ms. Fullerton was a cornerstone of the community and thanked her for all of her hard work and dedication.

**Vice-Mayor Osterman** also thanked Ms. Fullerton and stated that she has been a valuable member of the community and a model citizen.

**Mayor DuBois** thanked Ms. Fullerton and stated that people like her is what makes the Town special. She thanked everyone who came out to her art opening. The show will be coming down on February 3<sup>rd</sup> and the tent was still up if anyone still wanted to come and look. She stated that it has been a pleasure for her to be Mayor of Lake Park and would be running for re-election.



**Attorney Baird** stated that he has been working on a Bank Registration Ordinance for bank owned properties. He explained that the Ordinance would require the bank to pay an application fee and register with the Town. They would then be required to maintain the property themselves or retain a management company.

**Town Manager Davis** announced that on January 25, 2011 the Town would be reopening the Children's Library and would be honoring those individuals who donated their time and money. She stated that there would be a Sunset Celebration at the Marina on January 28, 2010 from 6 p.m. to 8 p.m.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Osterman and seconded by Commissioner Rumsey, and by unanimous vote, the meeting adjourned at 7:20 p.m.

\_\_\_\_\_  
Mayor Desca DuBois

\_\_\_\_\_  
Deputy Town Clerk, Jessica Shepherd, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2011

# TAB 3



**Town of Lake Park Town Commission  
Agenda Request Form**

Meeting Date: **February 16, 2011**

Agenda Item No. **3**

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION                       |
| <input type="checkbox"/> Ordinance on Second Reading |   |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION                       |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD                    |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input checked="" type="checkbox"/> <b>CONSENT AGENDA</b> |
| <input type="checkbox"/> Other: Board Appointment    |   |

**SUBJECT:** Regular Commission Meeting Minutes of February 2, 2011

**RECOMMENDED MOTION/ACTION:** To Approve the Regular Commission Meeting Minutes of February 2, 2011.

Approved by Town Manager *[Signature]* Date: 2/10/11  
 Deputy Clerk *[Signature]* Date of Actual Submittal 2/10/11

<b>Originating Department:</b> Town Clerk	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b> Meeting Minutes
Department Review: <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> <b>Town Clerk</b> _____ <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> <b>Not Required</b>	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 <input checked="" type="checkbox"/> _____: Please initial one.

**Summary Explanation/Background:**



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, February 2, 2011, 7:00 p.m.**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 2, 2011 at 7:00 p.m. Present were Mayor Desca DuBois, Vice-Mayor Patricia Osterman, Commissioners Kendall Rumsey, Steven Hockman and Jeanine Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

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

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**

A presentation for Black History Month was added to the agenda.

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

Vote on Motion:

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

Motion passed 5-0

**PRESENTATION**

**Black History Month**

Ms. Leila Jenkins began her presentation. She explained that Dr. Carter G. Wilson was the creator of Black History Month. She gave a brief history on Dr. Wilson and how Black History Month was created. She gave reasons why Black History Month should be observed. She invited everyone to the Lake Park Library to review the books on display for Black History Month. She also stated that the Jenkins House on Palm Beach Lakes Boulevard was also observing Black History Month. She thanked the Commission for the opportunity to speak about Black History Month.

## **Intergovernmental Consultant Fausto Gomez**

Mr. Gomez explained that he created a document in draft that he would subsequently give Town Manager Davis to distribute to the Commission titled "The Legislative Principles of the Town of Lake Park Moving Forward in this Session". He explained that they were going into "uncharted waters" because of having a new governor, a brand new cabinet, 40 new members of the House and approximately half of the Senators were first time Senate members. He stated that they were facing a 5 billion dollar budget deficit and facing governmental reorganization. He explained that based on that he developed four legislative principles and a legislative agenda from those principles. He stated that the first principle was "State Government should focus on State level issues and allow Cities to operate with minimal State interference". The second principle was "For Florida's economy to prosper, Cities need to succeed". The third principle was "State Government should not be allowed to continue disrupting the relationship between citizens and their City Elected Officials' authority to make decisions impacting the provision of municipal services and the quality of life". The final principle was "State mandates should be funded with state resources and should not tap local tax dollars". He explained each principle and stated that he also developed priorities in draft form as well. He explained that some of the priorities were aspirational and some were very real. The first aspirational priority was for the Town to support a grant and legislative line item funding to address water resource and water supply development. He explained the reasons for this priority. The second priority was that the Town of Lake Park supports continued funding for the Florida Forever Program and the Florida Recreation Development Assistance Program. He stated that he spoke with Grants Writer Virginia Martin and was made aware that the Town had an application in for the part of the 15 million dollars that they were able to secure last year for the Florida Forever Program. He stated that another priority was continued funding of the Town's library. He discussed and reviewed policy in the Town. He reviewed and discussed the sober house issue. He spoke about how the Town of Lake Park was the only community to bring it to the legislation and force the issue. He gave a brief history of the work that he, the Mayor and the Attorney did on the sober house issue. He stated that as a result is that they have crafted language and that language has been signed off by the Department of Children and Families and by the Association that represents drug and alcohol rehabilitation and has been filed as independent legislation by Senator Bogdanoff in the Senate and Representative Garcia in the House. He read the language to the Commission and continued to discuss the sober house issue. He stated that a second issue that he felt was important to the Town was the Burt Harris Property Rights Act. He discussed and explained the act and why it was important to the Town. He reviewed and discussed the "pill mill" issue. He concluded his presentation by discussing and explaining the "Tax Payers Bill of Rights".

Mayor DuBois thanked Mr. Gomez for his presentation.

Mr. Gomez stated that he was honored to represent Lake Park.

### **PUBLIC AND OTHER COMMENTS:**

None

**CONSENT AGENDA:**

1. Regular Commission Meeting Minutes of December 15, 2011
2. Agreement between Supervisor of Elections and the Town of Lake Park to conduct a Municipal Election
3. Renewal of Fausto Gomez' consulting contract
4. Resolution No. 03-02-11 Submit Grant Application to FCT for Additional Ball Field Land
5. Resolution No. 04-02-11 Poll Workers
6. Resolution No. 05-02-11 Agreement between Simmons & White and the Town of Lake Park
7. Award Bid to Chris Wayne & Associates for Date Palm Drive landscaping

**Public Comment Open.**

*None*

**Public Comment Closed.**

Commissioner Hockman asked for item numbers 3 and 6 to be pulled from the Consent Agenda for discussion.

Commissioner Longtin asked for item numbers 2, 4, and 7 to be pulled from the Consent Agenda for discussion.

**Motion: A motion was made by Commissioner Rumsey to approve item numbers 1 and 5 of the Consent Agenda; Commissioner Hockman made the second.**

**Vote on Motion:**

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

Motion passed 5-0

Commissioner Longtin asked when the canvassing board would meet after the Town's election.

Attorney Baird explained that the canvassing board would meet when the chairman of the board calls the board after the election and sets a date.

Commissioner Longtin asked if all municipalities would have a canvassing board.

Attorney Baird explained that it would depend on the municipalities' charter but believed that the Supervisor of Elections wanted to uniformly implement a canvassing board for all of the municipalities. He stated that if a municipality did not have their own canvassing board it would default to the County canvassing board.

Commissioner Longtin expressed her concerns and asked if the Town could bring back their own canvassing board in the future if they wanted to.

Attorney Baird stated yes.

**Motion: A motion was made by Commissioner Rumsey to approve item #2 of the Consent Agenda; Commissioner Hockman made the second.**

Vote on Motion:

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

Motion passed 5-0

Commissioner Hockman asked that Schedule B on page 17 of Fausto Gomez' contract be updated with the correct numbers.

**Motion: A motion was made by Vice-Mayor Osterman to approve item #3 of the Consent Agenda with corrections; Commissioner Rumsey made the second.**

Vote on Motion:

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



DuBois	X		
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Motion passed 5-0

Commissioner Longtin stated that she did not approve of Resolution No. 03-02-11 because she did not agree with taking more land off of the Town's tax rolls. She expressed her concerns and stated that she did not think it was necessary.

**Motion: A motion was made by Commissioner Rumsey to approve item #4 of the Consent Agenda; Vice-Mayor Osterman made the second.**

Vote on Motion:

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

Motion passed 3-2

Commissioner Hockman explained that he pulled item #6 from the Consent Agenda because he needed to abstain from voting because of a conflict of interest.

**Motion: A motion was made by Commissioner Rumsey to approve item #6 of the Consent Agenda; Vice-Mayor Osterman made the second.**

Vote on Motion:

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

Motion passed 4-0

Commissioner Longtin stated that she would vote in favor of item #7 but asked that curbing be added to the Date Palm Drive landscaping.

**Motion: A motion was made by Commissioner Longtin to approve item #7 of the Consent Agenda; Commissioner Hockman made the second.**

Vote on Motion:

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

Motion passed 5-0

**DISCUSSION & POSSIBLE ACTION**

**Holiday Parking Meter Revenue**

Mayor DuBois explained why patrons who attend a Veteran's Day Memorial Service should not be charged for parking. She stated that Veteran's Day was one holiday that she would not compromise on when it came to the parking meters.

Commissioner Rumsey thanked Mayor DuBois for requesting the parking meter discussion. He agreed that the Town should not charge for parking meters on any holidays.

Commissioner Hockman stated that he was also in favor of not charging parking meter fees on holidays.

**Motion: A motion was made by Commissioner Rumsey for the Town to not run any and all parking meters and have free parking on all federal holidays; Commissioner Hockman made the second.**

Vote on Motion:

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

DuBois	X		
--------	---	--	--

Motion passed 5-0

### **Change to Signage Regulations for Garage Sales**

Community Development Director Sullivan stated that he would answer any questions the Commission may have on the issue.

Commissioner Rumsey asked that Community Development Director Sullivan explain what the current Ordinance for signage at garage sales states.

Community Development Director Sullivan explained that the Ordinance allows for a person to have signs announcing their garage sales on their property and on the swales that abuts their property. The Ordinance allows one street sign per swale and a corner lot allows two signs. A property owner can have up to four signs on their property and would be a total of five to six signs per sale. Signs are not allowed off site and are considered off site advertising which has never been allowed.

Mayor DuBois asked for clarification of where the signs were allowed.

Community Development Director Sullivan explained that the signs were only allowed on the property in which the garage sale was being held and on the swale that immediately abuts your property.

Commissioner Rumsey asked if the garage sale signs were only allowed on your property or on your swale. He stated that that was the reason he brought up the issue. He stated that several people have approached him about the issue because it doesn't make sense to have a garage sale unless you know there is a garage sale on a particular street then nobody would know to go there for the garage sale. He asked what the Ordinance allowed before it was revised.

Community Development Director explained that the signage was only allowed on the property and only one sign was allowed and not in the swale. Off site signs were never allowed.

Commissioner Longtin stated that she liked the alternative 1a where it states that there was no limit on signs and the address is required on the signs and if they are not picked up by Monday the person would be fined.

Commissioner Hockman asked if there was a limit on how many garage sales a property owner can have within one year.

Community Development Director Sullivan stated that he thought that it was limited to two but had to look at the Ordinance to be sure.

Commissioner Hockman stated that he was also in favor of alternative 1a.

Commissioner Rumsey stated that he was also in favor of alternative 1a with one stipulation which was if any signage was attached to trees or power poles in the Town, the property owner be fined immediately.

Commissioner Osterman stated that she was okay with that as long as the property is handed the rules when they receive their permit.

Community Development Director Sullivan asked for clarification and wanted to know if the property owner would receive a ticket immediately or be given a chance to take it down.

Discussion ensued between the Commissioners regarding how and when to enforce a fine for breaking the garage sale signage rules.

**The Commission came to consensus to choose option 1a for the garage sale signage Ordinance and for a property owner to be ticketed and fined without warning for placing a sign on a tree or FPL pole and for signs to be removed by 8 a.m. on the Monday following the garage sale.**

#### **COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY**

**Commissioner Rumsey** stated that he was very excited to know that Ilex Park was being dedicated. He asked that in the future the dedications for parks be done on weekends so that more children could attend.

**Commissioner Longtin** stated that she thought that the Inspector General for the Commission on Ethics would be funded from 2.25% of vendor payments to a municipality and has been informed that that was not happening.

**Town Manager Davis** explained that what they were proposing was .25% of the operating budget. She stated that she was very concerned about the broad powers given to the Inspector General. She stated that the current Inspector General had already come in and requested all of the Town's procurement procedures, auditing, and organizational charts. She stated that she was concerned about the Inspector General's job description because it gives them the power to come in to tell a municipality that they are not operating efficiently. She continued to express her concerns regarding the issue.

**Commissioner Longtin** stated that she felt she was misinformed regarding the funding for the Inspector General. She stated that the Senate would be discussing Senate bill 276 which has to do with allowing the Commission discuss funding with regards to engineering firms.

**Vice-Mayor Osterman** stated that Community Development Director Sullivan was leaving the Town for a new position. She congratulated him and stated that she knew that his job was hard and has watched him over the years systematically go through the code and improve and was leaving the Town in a far better situation than what it was when he first came to work there. She thanked him for the job he has done.

**Commissioner Hockman** stated that he attended the League of Cities Meeting when the Inspector General was there. He stated that the Inspector General explained that she would be making recommendations to municipalities and it would be up to them whether or not to make the changes. He stated that he was disheartened with the fact that the Town would have to come up with approximately \$30,000 that they do not have to fund the Inspector General. He stated that he was for improving the ball field but that it could be done without demolishing more homes. He stated that a recreational center could be built there along with plenty of parking and keeping the ball field.

**Mayor DuBois** stated that she met with the Senate President and Senator Bougandolf on Monday morning and it was a very lively and interesting discussion. She stated that it was heartening to be thanked by other municipalities who see the light at the end of the tunnel with the sober house issue.

**Attorney Baird** stated that at Jupiter's Council Meeting last evening the Inspector General issue was also a concern and discussion topic. He reviewed and explained the changes that were made to the powers of the Inspector General and the process in how it was done. He encouraged the Commission to speak with the Municipal League Representatives who are involved in the drafting of the Ordinances related to the Inspector General. He encouraged the Town to lead the way in stepping up to voice their concerns and make a difference. He stated that he has had an opportunity to work with several Community Development Director's in his tenure with the Town and Community Director Sullivan was by far the best he has worked with. He wished Community Development Director Sullivan well.

**Town Manager Davis** stated that the Library Board has one open position and if anyone was interested to apply at Town Hall or contact the Library Director. She announced that tax season was here and AARP would be resuming tax assistance and filing this Saturday at the Library from 9 a.m. to 1 p.m. She also announced the Artist Showcase of the Palm Beaches and Friends of the Lake Park Library. She invited everyone to a contemporary art perspective with a featured exhibit from artist Joe Pierre who was one of the Art Studio Gallery artists. The exhibit would run on Tuesday, February 8th at 6 p.m. She stated that the art would be on sale. She stated that she had mixed emotions about Community Director Sullivan leaving. She stated that he was a Town Manager's dream with his caliber of expertise. She stated that he was highly respected by staff and everyone would miss him. She stated that she would have a difficult time finding someone to fill his shoes.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Osterman and seconded by Commissioner Hockman, and by unanimous vote, the meeting adjourned at 8:20 p.m.

\_\_\_\_\_  
Mayor Desca DuBois

\_\_\_\_\_  
Deputy Town Clerk, Jessica Shepherd, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2011

# TAB 4



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date: February 16, 2011**

**Agenda Item No. 4**

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

**SUBJECT: Notification of Great American Cleanup on April 16, 2011**

**RECOMMENDED MOTION/ACTION: N/A**

**Approved by Town Manager** W. J. Davis **Date:** 2/10/11

Name/Title \_\_\_\_\_ Date of Actual Submittal \_\_\_\_\_

<b>Originating Department:</b>	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b> Announcement from Palm Beach County
<b>Department Review:</b> <input type="checkbox"/> Attorney _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____	<input type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Information Technology _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____	<input type="checkbox"/> PBSO _____ <input checked="" type="checkbox"/> Public Works <u>JWH</u> <input type="checkbox"/> Recreation _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____ <b>Please initial one.</b>

**Summary Explanation/Background:** The Town's Public Works Department is volunteering to participate in Palm Beach county's "Great American Cleanup – Keep America Beautiful" Event on Saturday, April 16, 2011. The Public Works Department employees are soliciting volunteers and coordinating this year's "clean up" efforts. The locations will be determined closer to the event date.



# TAB 5



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date: February 16, 2011**

**Agenda Item No. 5**

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

**SUBJECT: Authorize an Agreement with Simmons & White, Inc. for Engineering Design Services for the Downtown Alleyway Improvements, 7<sup>th</sup> to 8<sup>th</sup> Street.**

**RECOMMENDED MOTION/ACTION: Approve Agreement**

Approved by Town Manager *W. Davis* Date: *2/10/11*

Richard Pittman, CRA Project Manager  
Name/Title

February 10, 2011  
Date of Actual Submittal

<b>Originating Department:</b> Administration	<b>Costs: \$19,750.00</b> <b>Funding Source: Stormwater</b> <b>Acct. # 402-63100</b>	<b>Attachments:</b> <b>Consultant Proposal</b>
<b>Department Review:</b> <input type="checkbox"/> Attorney _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____	<input type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Information Technology _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____	<input type="checkbox"/> PBSO _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Recreation _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> <b>Not Required</b>	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"/> <b>Not applicable in this case</b> <i>RP</i> Please initial one.

**Summary Explanation/Background:** During the period from Sept. 2008 to Oct. 2009 the Downtown Alleyways were improved with landscaping, pavement resurfacing, fencing, pavement markings and dumpster enclosures. The Downtown Alley between 7<sup>th</sup> Street and 8<sup>th</sup> Street was not improved due to pending demolition of CRA acquired buildings on Foresteria Drive. There is a need to resolve drainage issues in this alley and to complete improvements similar to the improvements accomplished to the alleyways to the west.

Simmons & White, Inc. has evaluated the needs of the alley improvements between 7<sup>th</sup> Street and 8<sup>th</sup> Streets. They have prepared an engineering proposal to prepare the design of paving and drainage improvements, pavement marking & signage, alley lighting with electric panel, and dumpster enclosures. The proposal for the design is in the amount of \$19,750.

The design and installation of landscaping and irrigation will be under a separate contract.

It is anticipated that design & bid documents will be complete within sixty days. The Town will then advertise the project expecting to receive bids for construction in June. When a construction contractor is selected, Simmons & White, Inc. will be asked to prepare a proposal for construction inspection. At this time the fee for construction inspection services is estimated to be \$4,050.

The project is funded by Stormwater Utility funds.

Approval for engineering design services in the amount of \$19,750 is recommended.



February 9, 2011

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

Attention: Ms. Maria Davis  
Town Manager

Reference: PROPOSAL FOR ENGINEERING DESIGN SERVICES  
DOWNTOWN ALLEY IMPROVEMENTS  
7<sup>TH</sup> STREET TO 8<sup>TH</sup> STREET  
Town of Lake Park, Florida

Dear Ms. Davis:

We are pleased to submit the following proposal for professional services in connection with the site improvement of the above referenced alley located on the south side of Park Avenue between 7<sup>th</sup> and 8<sup>th</sup> Street in the Town of Lake Park, Florida. Simmons & White, Inc., hereinafter referred to as the Consultant, proposes to furnish professional services for Town of Lake Park, hereinafter referred to as the Client of the scope outlined below for the fees stipulated herein.

#### Scope of Services

The Consultant will perform the following:

1. Coordinate with Surveyor to obtain detailed field survey of existing alley improvements and elevations (see attached proposal from Lidberg Land Surveying in the amount of \$2,550.00).
2. Based on the final Survey, prepare preliminary layout/conceptual plan for alley design including layout of parking spaces, dumpsters, landscape islands and proposed curbing, valley gutters and drainage. Submit to the Town of Lake Park for review and comments. Incorporate comments and prepare finalized Conceptual Engineering Plan/Base Plan for the preparation of final Engineering Plans.

\_\_\_\_\_ Int.

Simmons & White, Inc.  
5601 Corporate Way Suite 200 West Palm Beach Florida 33407  
T: 561.478.7848 F: 561.478.3738 www.simmonsandwhite.com  
Certificate of Authorization Number 3452

Scope of Services

3. Based on Conceptual Engineering Plan prepared in Item 2, prepare Paving and Drainage Plans, Water Management Calculations and a Preliminary Engineer's Cost Estimate. Prepare Schedule of Bid Items for Town's use during the bidding process. Respond to RFI's (Requests for Information) during the bidding process.
4. Prepare and submit courtesy notice plan packages to the Town of Lake Park and Seacoast Utility Authority (SUA), FPL, FPU, Bellsouth and Comcast for the improvement of the 7<sup>th</sup> and 8<sup>th</sup> Street alley, south of Park Avenue.

NOTE: No permitting with SUA is included. If SUA requires permitting for the adjusting of valve boxes, water meters, backflow preventers or other appurtenances, Simmons & White, Inc. will perform these service on an hourly basis in accordance with Item 9.

5. Coordinate with Geotechnical Consultant to provide asphalt core samples of the existing pavement. Coordinate with Geotechnical Consultant regarding findings and provide recommendations to the Town of Lake Park (see attached proposal from ECS in the amount of \$700.00).
6. Coordinate with Electrical Consulting Engineer regarding the preparation of Site Lighting Plan and details utilizing LED fixtures and decorate poles (see attached proposal from RGD & Associates in the amount of \$2,500.00).

NOTE: RGD has included a fee of \$550.00 to perform contract administration/services during construction following the design phase of the project.

7. Provide services during construction as required to certify the completed project in general accordance with Attachment "A".
8. Revisions to the above based on Site Plan changes, governing agency requests for additional information, or items beyond the control of the Consultant.
9. Additional services requested by the Client and agreed to by the Consultant such as, but not limited to, additional assistance with bidding not outlined in Item 2 above, assistance with South Florida Water Management District Water Use permitting, and providing assistance to the Town, Town Attorney and/or Surveyor if required during design and construction to coordinate utilities with FP&L, AT&T, Cable TV and others.

Items to be Furnished by the Client  
at No Expense to the Consultant

Assist the Consultant by placing at his disposal all available pertinent information relative to the project.

Furnish at no cost to the Consultant:

1. All permit application and governmental fees.
2. Construction testing.
3. All surveying not specifically identified in the Scope of Services such as but not limited to soft –dig as-builts, if required.
4. “Soft-dig” report showing horizontal and vertical location of existing utilities within off-site utility routed and connection locations, if required.
5. Any groundwater modeling and/or analysis required for water use and/or de-watering permitting with South Florida Water Management District (not anticipated to be required).
6. Complete landscape and irrigation plans, showing landscape and irrigation details.

NOTE: These items are anticipated to be required following the completion of the Conceptual Engineering Plan and Engineering Drawings and may be provided by Town staff via the design-build process.

7. Details regarding required conduit locations for irrigation and utilities, etc. (if any). It is anticipated the Town will request a conduit for SUA water for backup irrigation if the Town well should be out of service.

In addition to the above, other special data, all of which the Consultant will rely upon in performing services.

It is agreed and understood that the accuracy and veracity of said information and data may be relied upon by the Engineer without independent verification of the same.

Time of Performance

The Scope of Services will be completed within a time frame to be mutually agreed upon except for delays beyond the control of the Consultant.

Fees to be Paid

The Consultant shall be paid a lump sum fee for the following Items in the Scope of Services:

Item 1	=	\$2,550.00
Items 2 – 4	=	\$14,000.00 (NOTE: This Item does not include services during construction outlined in Item 7 and budgeted at \$3,500.00)
Item 5	=	\$700.00
Item 6	=	\$2,500.00 (plus \$550.00 for contract administration/ services during construction following the design phase)
Item 7	=	Hourly Budget \$3,500.00 (see below)

For Items 7 through 9, the Consultant shall be paid an hourly rate of \$160 for Principal, \$185 for Traffic Principal, \$250 for Expert Testimony, \$135 for Senior Engineer, \$110 for Engineer, \$100 for Senior Technician, \$80 for Technician, \$50 for Clerical, plus reimbursement for direct non-salary expenses including, but not limited to, automobile travel at \$.60 per mile, long distance telephone, printing, postage, courier and reproduction. Any applicable Florida State Sales Tax will be added to the above amounts. We estimate the cost of Item 7 to be \$3,500.00. It should be emphasized that this estimate is for budget purposes only and should not be considered a guaranteed amount. The above fees are subject to increase one year from the date of this proposal.

Payments shall be made upon monthly billing, payable within 21 days from the date of invoice. Any billing dispute or discrepancy shall be set forth in writing and delivered to Simmons & White, Inc. prior to the due date for payment. Any matter not set forth in writing and delivered prior to the due date shall be deemed waived and the invoice shall be deemed correct and due in full. Past due payments shall include interest from the date of invoice at a simple interest rate of 1-1/2 percent per month.

Fees to be Paid (Continued)

In the event any invoice or any portion thereof remains unpaid for more than forty-five (45) days following the invoice date, the Consultant may initiate legal proceedings to collect the same and recover, in addition to all amounts due and payable, including accrued interest, its reasonable attorney's fees and other expenses related to the proceeding. Such expenses shall include, but not be limited to the cost, determined by the Consultant's normal hourly billing rates, of the time devoted to such proceeding by its employees.

Construction Phase Services (See Attachment "A")

Services during construction will endeavor to provide protection for the Client against defects and deficiencies in the work of the Contractor. However, the furnishing of services during construction does not guarantee the work of the Contractor, nor assume liability on the part of the Contractor for job safety.

Estimates

Consultant's opinions of probable Construction Cost are to be made on the basis of Consultant's experience and qualifications and represent Consultant's best judgment as an experienced and qualified professional generally familiar with the construction industry. However, because the Consultant has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractor's methods of determining prices, or over competitive bidding or market conditions, Consultant cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by Consultant. If Client requires greater assurance as to probable Construction Cost, Client must employ an independent cost estimator.

Termination

This Agreement may be terminated by either party by giving three (3) days advance written notice. The Consultant shall be paid for services rendered to the date of termination on the basis of a reasonable estimate of the portion of services completed prior to termination and shall be paid for all reasonable expenses resulting from such termination and for any unpaid reimbursable expenses.



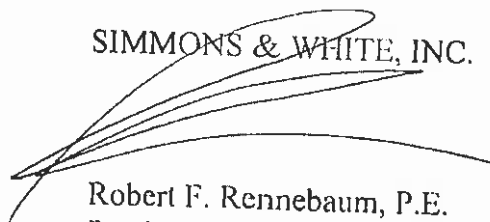
Ms. Maria Davis  
February 9, 2011 – Page 6

Acceptance

Acceptance of this proposal may be indicated by the signature of a duly authorized official of the Client in the space provided below. One signed copy of this proposal, along with Item 1 under "Items to be Furnished by the Client," returned to the Consultant will serve as an Agreement between the two parties and as Notice to Proceed. (By his signature, the Client certifies that he has sufficient funds reserved to pay for these professional services.) Should this proposal not be accepted within a period of 60 days from the above date, it shall become null and void.

Very truly yours,

SIMMONS & WHITE, INC.



Robert F. Rennebaum, P.E.  
President

Accepted by:

Town of Lake Park

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

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

cc: Addressee  
Sa/ja. x:/docs/proposals/prop davis71hstalleyrev.word

ATTACHMENT "A"

DESCRIPTION OF SERVICES DURING CONSTRUCTION

**(Hourly Budget of \$3,500.00 Not Included in Lump Sum Fees)**

1. Attend pre-construction meetings.
2. Review shop drawings.
3. Observe storm sewer construction.
4. Observe on-site road/parking lot base construction, as required.
5. Observe on-site road/parking lot asphalt placement.
6. Conduct pre-agency final observation.
7. Conduct semi-final and final inspection with Town of Lake Park.
8. Conduct semi-final and final inspection with Seacoast Utility Authority (if required).
9. Provide additional construction observation: Consultant will make visits to the site at intervals appropriate to the various stages of construction to observe the progress and quality of the executed work and to determine, in general, if the work is proceeding in accordance with the Contract Documents. Consultant will not be required to make exhaustive or continuous on-site inspections to check the quality of the work. Consultant's efforts will be directed toward providing for Client a greater degree of confidence that the completed work will conform to the Contract Documents. On the basis of such visits and on-site observations as an experienced and qualified design professional, Consultant will keep Client informed of the progress of the work and will endeavor to guard Client against defects and deficiencies in the work. The furnishing of construction observation services does not guarantee the work of the Contractor, nor assume liability on the part of the Consultant for job safety. Consultant will have authority to disapprove or reject work which is defective.
10. Project Certifications: Upon the Contractor's completion of the required site improvements, Client's or Contractor's registered land surveyor will prepare record drawings. Upon approval of the construction, Engineer will submit record drawings together with letters of certification to the applicable governing agencies.
11. Review job progress with Client.

# LIDBERG LAND SURVEYING, INC.

675 West Indiantown Road, Suite 200, Jupiter, Florida 33458  
VOICE 561-746-8454 FAX 561-575-3735

Mr. Paul Buri, P.E.  
Simmons and White, Inc.  
5601 Corporate Way  
Suite 200  
West Palm Beach, Florida 33407

January 20, 2011

Dear Mr. Buri:

Re: **TOPOGRAPHIC SURVEY FOR ALLEY SOUTH OF PARK AVENUE  
AND BETWEEN 7<sup>TH</sup> AND 8<sup>TH</sup> STREETS, LAKE PARK, FLORIDA**

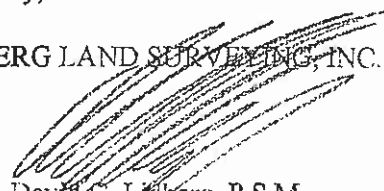
Lidberg Land Surveying, Inc. is pleased to have the opportunity to offer this proposal to provide our Professional Surveying and Mapping services on the above referenced project.

The Scope and Fees for Services to be provided is attached as **Exhibit A**. The complete scope of services is based upon the work being performed in accordance with the applicable codes and permitting requirements in force at the time of this agreement. All fees quoted in this agreement are for one time performance of the stated work and are applicable for one year from date of the agreement. At that time, fees are reviewed and adjusted accordingly. Any hourly charges or reimbursable costs shall be subject to the Hourly Rate Schedule attached as **Exhibit B** that is in effect at the time the services are performed.

If this proposal meets with your approval, please sign and return one copy to this office prior to commencement of work by Lidberg Land Surveying, Inc. Please do not hesitate to call me if you have any questions or concerns. We look forward to working with you on this project.

Sincerely,

LIDBERG LAND SURVEYING, INC.

By:  David C. Lidberg, P.S.M.  
President

enc.

Simmons & White, Inc.  
Topo route survey p/o alley Blk. 10, Kelsey City  
January 21, 2011

**Lidberg Land Surveying, Inc.**  
**Exhibit "A"**  
**Scope and Fees for Services**

**SCOPE OF SERVICES:**

- 1.) Prepare a topographic route survey for a portion of the alley through Block 10, according to the Plat of Kelsey City as recorded in Plat Book 8, Page 37, Public Records of Palm Beach County, Florida. We will locate all improvements within alley and all adjacent buildings located on the lots to the south of the alley. We will also locate all pavement, fences, above ground utilities, etc. Cross sections of the alley will be taken at fifty foot intervals and will obtain the finish floor elevation for each building along with spot elevations along the building exterior. We will also obtain detailed elevations on the alley pavement in areas that appear to be holding water. All elevations will be referenced to National Geodetic Vertical Datum of 1929 (NGVD 29). Two permanent benchmarks will be established for the project. We will provide you with an AutoCAD Release 2008 digital base map at a mapping scale of 1"=20' and six signed and sealed prints.

The fee for this service will be hourly not to exceed **\$2,550.00**.

This Proposal is accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

By: \_\_\_\_\_ Title: \_\_\_\_\_  
(Signature and title of authorized representative)

Print Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Purchase Order: \_\_\_\_\_

Simmons & White, Inc.  
Topo route survey p/o alley Blk 10, Kelsey City  
January 21, 2011

**Lidberg Land Surveying, Inc.**  
**Exhibit "B"**  
**Hourly Rate Schedule**

2 MAN FIELD CREW	\$130.00 HR.
3 MAN FIELD CREW	\$155.00 HR.
1 MAN CREW WITH ROBOTIC TOTAL STATION	\$110.00 HR.
COMPUTER TECHNICIAN	\$80.00 HR.
PRINCIPAL	\$165.00 HR.
EXPERT WITNESS	\$250.00 HR.
PROFESSIONAL SURVEYOR	\$135.00 HR.
MATERIALS	Cost plus 5%
CLERICAL	\$45.00 HR.
GLOBAL POSITIONING SYSTEM (GPS) 2 Men, 2 Rovers	\$200.00 HR.
HYDROGRAPHIC EQUIPMENT: Odom Echotrac Survey Recorder 2001 26 Foot Parker Survey Vessel Laptop Computer Hypack Hydrographic Software Topcon Hiper Pro GPS (1 Base and 1 Rover)	Call for Quotation

**Hourly Charges**

Hourly work will be billed at our current prevailing rates; however, these are subject to change due to increasing labor and material costs. Hourly work performed outside of normal business hours will be billed at one and a half times the current rates for overtime. No notice of change in prevailing rates shall be required. The firm's normal business hours are from 7:00 a.m. to 6:00 p.m., Monday through Friday.



24 January 2010

City of Lake Park, FL  
535 Park Avenue  
Lake Park, Florida 33403

Attn: Ms. Maria Davis, Town Manager

Re: Lighting for Alleyway 7<sup>th</sup> to 8<sup>th</sup> engineering services.

Dear Ms. Davis

Based on the documents provided to our office by Simmons & White the fee for RGD & Associates Inc. to prepare construction documents as requested to add sighting lighting to the 7<sup>th</sup> and 8<sup>th</sup> alleyway would be \$2,500.00, this includes the creation of a photometric plan using LED fixtures and decorative poles. Also to include an electrical plan, with panel schedule, riser diagram and load calculations for the new street lighting and well pump. Contract administration and photometric survey will be additional if required.

1. Contract administration, \$550.00
2. Photometric survey at the end of the project, \$330.00

This fee would be due at the time of delivery and delinquent after thirty days. The fee would be fixed through the receipt of building permits. Any changes to the construction documents required by the building dept prior to issuing the permit would be made at no additional cost. All other changes would be considered additional services.

Additional services and would be performed on an hourly basis at the following rates:

P.E Principle Engineer	\$180.00
E.I. Engineer II	\$155.00
E.I. Engineer I	\$135.00
Senior Designer	\$95.00
Designer II	\$85.00
Designer I	\$65.00
Drafter/Clerical	\$55.00

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*R.G.D and Associates, Inc.*  
1003 Jupiter Park Lane Suite 2 Jupiter Florida 33458  
561.743.0165 Fax 561.743.0193  
[www.rgdengineers.com](http://www.rgdengineers.com)

Invoices for additional services rendered shall be presented on a monthly basis and are due and payable within **Fifteen (15) calendar days** from the date of invoice. Payments which are not received within forty five days from the date of the invoice will be considered delinquent and will be considered sufficient cause for the Engineer to discontinue performing and providing services until payment in full is received. If the Engineer is required to take action to collect past due invoices, the Client will pay all legal fees and cost. Should a court decide upon payment of these invoices, the prevailing party shall receive payment of the attorney's fees.

This contract shall be governed by the laws of the State of Florida, and the venue for any actions arising out of the agreement would be West Palm Beach, Florida.

#### **TERMINATION**

This agreement may be terminated by either party by giving fourteen (14) days advanced written notice. The Engineer shall be paid for services rendered to the date of termination on the basis of a reasonable estimate of the portion of services completed prior to termination and shall be paid for all reasonable expenses resulting from such termination and for any unpaid reimbursable expenses.

#### **ACCEPTANCE**

Acceptance of this proposal may be indicated by the signature of a duly authorized official of the Client in the space provided below. One signed copy of this proposal returned to the Engineer will serve as an agreement between the two parties and as a notice to proceed. Should this proposal not be accepted within thirty (30) days from the date of this proposal, it shall become null and void.

\_\_\_\_\_  
Authorized Agent  
Client

Date \_\_\_\_\_



\_\_\_\_\_  
Robert Davenport P.E. President  
RGD and Associates Inc.

24 January 2010  
Date \_\_\_\_\_

---

*R.G.D and Associates, Inc.*  
1003 Jupiter Park Lane Suite 2 Jupiter Florida 33458  
561.743.0165 Fax 561.743.0193  
[www.rgdengineers.com](http://www.rgdengineers.com)



# AUTHORIZATION FOR PROFESSIONAL SERVICES

2000 Avenue P, Suite 3  
West Palm Beach, Florida 33404

Phone (561) 840-3667  
Fax (561) 840-3668

ECS Florida, LLC (ECS) is pleased to provide the services outlined in the proposed scope of services below. This contract confirms your authorization for the services requested and the general conditions under which the services are provided.

### PROJECT INFORMATION

Project Name	Lake Park Core	ECS Project No:	
Street Address:	7 <sup>th</sup> street	ECS Proposal No:	25:2300-CP
City, State:	Lake Park, Florida	Zip Code:	

### CLIENT INVOICE INFORMATION

Firm:	Simmons and White, Inc.	Attn:	Paul Buri, PE
Mailing Address:	5601 Corporate Way, Suite 200	Phone:	(561) 478-7848
City, State:	West Palm Beach, Florida	Zip Code:	33407

### PROPOSED SCOPE OF SERVICES

- Foundation Testing     Compaction Testing     Concrete Testing     Reinforcing Steel Observation  
 Masonry Testing     Structural Steel Observation     Coring Services     Reinforcing Steel Location  
 Soils Testing     Fireproofing Testing     Roofing Observation     Phase I ESA  
 Other: \_\_\_\_\_

### FIELD SERVICES

- Asphalt Coring at 6 locations
- Base Rock Material Thickness
- Dynamic Cone Penetrometer Testing (to 3' below grade)
- Completion Letter (Includes 3 signed/sealed copies)

Lump Sum: \$700.00

### Work Authorized By:

Signature:		Date:	
Print Name:		Title:	
Firm:			

Signatory warrants his/her authority to bind the entity represented

### For ECS Florida, LLC:

Signature:		Date:	1/21/2011
Project Manager:	Richard DeBerardinis		
Signature:		Date:	1/21/2011
Principal:	Ryan Bridger		

<sup>(1)</sup> NOT FOR SERVICES WHICH REQUIRE PENETRATION OF GROUND SURFACE, SAMPLING, OR WHERE ESTIMATED COST EXCEEDS \$10,000



# TAB 6



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 16, 2011

Agenda Item No. 6

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING                        | <input type="checkbox"/> RESOLUTION                 |
| <input checked="" type="checkbox"/> ORDINANCE ON FIRST READING | <input 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:** GARAGE & YARD SALE SIGNAGE

**RECOMMENDED MOTION/ACTION:**

Approval of new Garage/Yard sale signage on first reading.

Approved by Town Manager

*W. Davis*

Date:

2/10/11

Name/Title: Nadia Di Tommaso, Planner

*[Signature]*

Date of Actual Submittal: 02/09/2011

<b>Originating Department:</b>	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b> Ordinance
<b>Department Review:</b> <input checked="" type="checkbox"/> Attorney <u>2013</u> <input checked="" type="checkbox"/> Community Development <u>ND</u> <input type="checkbox"/> Finance <input type="checkbox"/> Fire Dept	<input type="checkbox"/> Grants <input type="checkbox"/> Human Resources <input type="checkbox"/> Information Technology <input type="checkbox"/> Library <input type="checkbox"/> Marina	<input type="checkbox"/> PBSO <input type="checkbox"/> Public Works <input type="checkbox"/> Recreation <input type="checkbox"/> Town Clerk <input type="checkbox"/> Town Manager
<b>Advertised:</b> Date: _____ 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>ND</u> OR Not applicable in this case _____ <b>Please initial one.</b>

**Summary Explanation/Background:**

New garage/yard sale signage allowing for an unlimited number of sale signs to a maximum of four (4) square feet per sign face. Signage shall be removed by 8:00am Monday morning for weekend sales, or by 8:00am the day immediately following the sale on weekdays. Signs that are not removed; that do not reflect the address and phone number; or that are placed on utility poles or columns will be subject to a \$50 fine.

## Chapter 70 – Signs

### Article IV. – Sign Regulations

#### Section 70 – 103

##### 1. Residential Signage

.....

(c) Garage sale and yard sale signs. Signs established pursuant to this section shall not be subject to the prohibition of portable signs set forth in subsection 70-102 (9), (22). Signs with one or two faces, and wall-mounted signs with one face shall be permitted subject to the following restrictions:

(1) Permitted content: Type of sale, the address, dates and hours of the sale, directional information and other related information.

(2) Required content: Address of the sale site, date of sale. Any such sign posted without an address or date shall be subject to immediate removal.

~~(2)~~ (3) Maximum area: Four square feet per face.

~~(3)~~ (4) Maximum number: ~~Not more than one per lot, per street side, nor four per sale.~~  
No Limit.

(5) Placement of Signs:

a. An offsite garage sale or yard sale sign may be placed in the public swale.

b. No sign shall be placed on private property without the owner's permission.

c. No sign shall be posted on any utility pole or column. Such signs will be subject to immediate removal and a fine of \$50 will be assessed.

(4) (6) Maximum height:

a. If freestanding, four feet;

b. If wall-mounted, no higher than the wall on which it is mounted;

(7) Sign Removal: 1) Weekend Sales. All such signs shall be removed by 8:00 A.M. on the Monday following the sale. 2) Weekday Sales. All such signs shall be removed by 8:00 A.M. on the day immediately following the date of the sale. Signs not removed by the required time shall be subject to immediate removal and a fine of \$50 will be assessed to the person or property owner responsible for posting the sign.

(8) The town may remove signs not in compliance with this section in accordance with the provisions of section 70-64

~~(5) Illegally placed signs shall be removed by the town, at the expense of the property owner and/or the sign owner and/or the individual responsible for the illegal placement.~~

~~(6) A garage sale or yard sale sign may be placed in the swale on the day of the sale only.~~

~~(7) All such signs shall be removed within 12 hours of the sale. Failure to remove such signs shall result in the imposition of a fine in an amount established by resolution of the town commission but not to exceed \$250.00 for the first violation, together with an assessment of the town's administrative costs; repeat violations are subject to the imposition of a \$500.00 fine together with an assessment of the town's administrative costs.~~

~~(8) The town may remove signs not in compliance with this section in accordance with the provisions of section 70-64.~~

**ORDINANCE NO. 01-2011**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 70, ARTICLE IV, SECTION 70-103(1), OF THE TOWN CODE ENTITLED "RESIDENTIAL SIGNS"; PROVIDING FOR AMENDMENTS TO THE REGULATIONS PERTAINING TO GARAGE OR YARD SALE SIGNS; PROVIDING FOR ADDITIONAL REGULATIONS PERTAINING TO SIGN REMOVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the Town Commission has a comprehensive sign code which has been codified in the Town's Code of Ordinances, Chapter 70, Articles I through IV, and Sections 70-1 through 70-108; and

**WHEREAS**, the Town Commission has determined that an amendment to the regulations contained Town Code, Chapter 70, Article IV, Section 70-103(1)(c), pertaining to garage sale and yard sale signs to provide additional regulations pertaining to required content, sign removal and sign location;

**WHEREAS**, the Town Commission has determined that providing for changes to signage regulations in Section 70-103(1)(c) would further the public's health, safety and general welfare.

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

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

**Section 2.** Chapter 70, Article IV, Section 70-103(1)(c) of the Town Code is hereby amended to read as follows:

**ARTICLE IV. SIGN REGULATIONS.**

**Sec. 70-103. Permitted Signs.**

(c) Garage sale and yard sale signs. Signs established pursuant to this section shall not be subject to the prohibition of portable signs set forth in subsection 70-102 (9), (22). Signs with one or two faces, and wall-mounted signs with one face shall be permitted subject to the following restrictions:

(1) Permitted content: Type of sale, the address, dates and hours of the sale, directional information and other related information.

(2) Required content: The property owner shall provide the address of the site of the garage or yard sale and the date of same. Any sign posted without an address or date shall be subject to immediate removal by the town's coed compliance officers.

~~(2) (3) Maximum area: Four square feet per face.~~

~~(3) (4) Maximum number: Not more than one per lot, per street side, nor four per sale. No Limit.~~

(5) Placement of Signs:

- a. An offsite garage sale or yard sale sign may be placed in the public swale.
- b. No sign shall be placed on private property without the owner's permission.
- c. No sign shall be posted on any utility pole or column. Such signs will be subject to immediate removal and a fine of \$50 will be assessed.

(4) (6) Maximum height:

- a. If freestanding, four feet;
- b. If wall-mounted, no higher than the wall on which it is mounted;

(7) Sign Removal: 1) Weekend Sales. All approved signs shall be removed by 8:00 A.M. on the Monday following the sale. 2) Weekday Sales. All approved signs shall be removed by 8:00 A.M. on the day immediately following the date of the sale. Signs not removed by the required time shall be subject to immediate removal and a fine of \$50 may be assessed to the person or property owner responsible for the permit for the garage or yard sale.

(8) The town may remove signs not in compliance with this section in accordance with the provisions of section 70-64

~~(5) Illegally placed signs shall be removed by the town, at the expense of the property owner and/or the sign owner and/or the individual responsible for the illegal placement.~~

~~(6) A garage sale or yard sale sign may be placed in the swale on the day of the sale only.~~

~~(7) All such signs shall be removed within 12 hours of the sale. Failure to remove such signs shall result in the imposition of a fine in an amount established by resolution of the town commission but not to exceed \$250.00 for the first violation, together with an assessment of the town's administrative costs; repeat violations are subject to the~~

~~imposition of a \$500.00 fine together with an assessment of the town's administrative costs.~~

~~(8) The town may remove signs not in compliance with this section in accordance with the provisions of section 70-64.~~

**Section 3. Severability.**

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

**Section 4. Codification.**

The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

**Section 5. Repeal of Laws in Conflict.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6. Effective Date.**

This Ordinance shall take effect immediately upon adoption by the Town Commission.

# TAB 7



**Town Manager Evaluations will be uploaded on the Town website  
and provided in hard copy to the Commission on Monday, February  
14, 2011**



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date: February 16, 2011**

**Agenda Item No.**

- |  |  |
|--|--|
| <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: Town Manager Twelve-Month Performance Evaluation for the Evaluation Period of February 1, 2010 to January 31, 2011**

**RECOMMENDED MOTION/ACTION:**

Approved by Town Manager

*Handwritten signature: W. Davis*

Date: *2/15/11*

*Handwritten signature: Pamela M. K...  
Name/Title: HR DIRECTOR*

Date of Actual Submittal

<b>Originating Department:</b>  <b>Human Resources</b>	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Completed Performance Evaluation Forms, Matrix, and Memorandum
<b>Department Review:</b> <input type="checkbox"/> Attorney _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____	<input type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Information Technology _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____	<input type="checkbox"/> PBSO _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Recreation _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case BMT _____  <b>Please initial one.</b>

**Summary Explanation/Background:**

Pursuant to Section 8 of the Employment Agreement between the Town of Lake Park and the Town Manager, a twelve-month evaluation of the Town Manager's performance is required. Attached are the following items:

- Memorandum to the Town Commission dated January 31, 2011
- Memorandum from the Town Manager reporting on the attainment of goals for the evaluation period of February 1, 2010 through January 31, 2011
- Matrix summarizing the evaluation results; and
- Copies of completed performance evaluation forms submitted

## TOWN OF LAKE PARK MEMORANDUM

**TO:** Mayor, Vice Mayor and Commission Members

**FROM:** Maria V. Davis, Town Manager

**SUBJECT:** Town Manager's Forth Performance Evaluation

**DATE:** January 31, 2011

January 31, 2010 concluded my <sup>fourth</sup> ~~forth~~ year of employment with the Town. This past year has been as exciting, rewarding and challenging as the last three years. It is gratifying for me to look back at our progress, notwithstanding the abysmal budget situation. I have thoroughly enjoyed working with the Commission and find it almost unbelievable that another year has passed by so quickly.

In accordance with Section 8 of the Town Manager's Employment Agreement, the Commission and Manager mutually established the Manager's goals. I've attached an outline of the forth year's goals with a brief description of the progress made on each of the goals since February 2010. Despite filling in for the Public Works Director, progress was made on all of the goals. I've also included a listing of accomplishments, which is in addition to the agreed upon goals.

I am enclosing the Manager's performance evaluation instrument for you to complete for the February 16, 2011 Commission Agenda. A "Discussion" Agenda Item will be generated for you to evaluate me at your February 16, 2010 meeting. It would be most helpful for you to complete the evaluation instrument and submit it to me by **February 10** in order to allow for the Human Resources Director to develop a matrix of your evaluations to be included in the Commission Agenda of February 16th.

The Compensation Section (6) of the Town Manager's Employment Agreement states, "*The Town Manager shall receive an annual merit increase upon a satisfactory performance evaluation by a majority vote of the Town Commission. The amount of said increase shall be determined by the Town Commission*". If my performance is deemed satisfactory by the majority of the Commission, it would be appropriate to discuss a merit increase; however, I am declining any additional compensation for the upcoming year due to the financial constraints that currently exist. This is the second year that I have declined a merit increase.

Lastly, I will make myself available at your convenience if you wish to discuss my evaluation on an individual basis.

Attachments

**Town Manager Goals**  
**February 1, 2010 – January 30, 2011**

- **GOAL:** Continue to pursue grant funds and combine them with stormwater utility funds to construct the Stormwater Improvements Project for Lake Shore Drive.

***Status: Completed and On-Going***

*Staff was given specific instructions to seek grant funds for the project. In March 2010, the Grants Writer went to the West Palm Beach office of the USDA to attend a pre-application meeting for Stormwater funding for the Lake Shore Drive Project. We were informed that we did not qualify for grant funding for this project; however, the USDA would be able to provide a low interest loan and fund 70% of the project over 40 years at 3% interest.*

*In May, we submitted a 319 Non Point Source Pollution Grant application with Florida Department of Environmental Conservation, requesting \$1,250,000 to cover 30% of the proposed estimated cost of the project (with USDA providing a loan for the balance); we received word in November that this project was not funded.*

*In June, we submitted information to the South Florida Water Management District to add Lake Shore Drive Stormwater Project to their list of projects for funding in the amount of \$2,809,043. We are awaiting word on this request.*

*In October, we submitted a request for \$2,809,043 to the Lake Worth Lagoon Initiative to become part of their Community Based Infrastructure funding request. We are awaiting word on this request.*

- **GOAL:** Continue to pursue funding through the Florida Communities Trust and through emergency management sources to acquire property west and south of the ballfields to build a community center and expand the ballfields.

***Status: Completed and On-going***

*In March 2010, the Grants Writer approached the Trust for Public Lands about buying the entire proposed expansion land, and repaying the purchase with moneys from the Florida Communities Trust when the*

*next cycle opened. We had requested \$6,000,000. In the end, they had budget cuts of their own, and staffing constraints forced them to turn down our request in April.*

*The Grants Writer also spoke with the USDA Community Facilities Program to determine whether funding would be available to build the community center in the event we were able to get the funding to purchase the additional land.*

*In December 2010, an RFP was released by the Florida Communities Trust. We are currently preparing an application to acquire 7-10 properties (we are still awaiting 3 willing owner statements) for properties located between 7<sup>th</sup> Street and 7<sup>th</sup> Court to the West of the existing park. In the event there are only 6 properties available, we will submit the application for those properties.*

- **GOAL:** Continue to implement best practices in creating a welcoming, business friendly environment in the Town through the Community Development Department.

***Status: Completed and On-going***

*The Community Development Director and I attended a Regulatory Climate Workshop conducted by the Economic Council of Palm Beach County on May 11, 2010. This workshop focused on private and public sector impressions of the development process from both the private and public perspectives. As a result of this workshop, there were a number of best practices identified and implemented that were appropriate for our processes in the Community Development Department. The following are some examples of practices implemented.*

- *At my request, staff developed a comprehensive Business Welcome Package which a draft is currently under review in my office.*
- *A resolution which adopted “expedited permitting” procedures was written by staff, adopted by the Town Commission and implemented by staff.*
- *Onerous signage code requirements were rewritten by staff and adopted by the Town Commission.*

– *At my request, staff now introduces the Town Manager to every potential developer and new business owner who visits the Community Development Department.*

- **GOAL:** Continue to participate in the North County Chamber Economic Development Advisory Committee to promote Lake Park, and stay updated on best practices.

***Status: Completed and On-Going***

*I attend and participate in the quarterly meetings. Participants from North County municipalities and businesses share ideas/activities that were implemented during the former quarter, and discuss plans for the upcoming quarter. The Business Development Board participants provide everyone with updates on new projects and/or prospects wishing to relocate to the community.*

- **GOAL:** Continue to work with the Business Development Board to ensure that the Town’s “shovel ready” parcels are considered for business recruitment.

***Status: Completed and On-going***

*Members of the Business Development Board are also members of the North County Chamber Economic Development Advisory Committee. I ensure that the Town’s privately owned vacant parcels remain “front and center” with the Business Development Board representatives who serve and participate with me on the committee.*

- **GOAL:** Continue to place emphasis on economic development initiatives for the Downtown District.

***Status: Completed and On-going***

**Goal Indicator# 1:** Develop and host events to be held on Park Avenue to further introduce and showcase the Downtown.

*Status: Completed and On-going. There have been seven events produced to date: Art on Park Fine Arts Festival, two car shows, one motor cycle show, Beer and Wine Festival, Seafood Festival, Holiday Arts and Craft Fair.*

**Goal Indicator # 2:** Assist existing Park Avenue businesses with façade improvements, small business loans, marketing, etc.

*Status: Completed and On-going. There have been 11 grants and loans approved by the Board for the 2010/2011 Fiscal Year.*

**Goal Indicator # 3:** Encourage the establishment of a Park Avenue Business Owners' Association to promote ownership with economic development initiatives and to encourage input from the businesses for the downtown.

*Status: Partially Completed and On-going. I assisted the Mayor with two Park Avenue business owner meetings.*

**Goal Indicator # 4:** Continue outreach efforts to restaurants, antique dealers, and art related businesses.

*Status: Completed and On-going. Through staff's outreach efforts, there are three restaurants in various stages of construction on Park Ave. Also, staff recruited a photography business to relocate from the Lake Park industrial area to Park Ave.*

**Goal Indicator # 5:** Continue to capitalize on the arts by "branding" the downtown as the Arts District.

*Status: Completed and On-Going. I had "Arts District" banners designed and installed on Park Ave. I worked with Adkins and Associates in designing way-finding signs containing "Arts District" language, which were installed on Federal Highway and Old Dixie Highway. I ensured that Arts District information is included on our web site, in printed newsletters and Palm Beach Post Articles.*

- **GOAL:** Promote the Artists' Studios and Gallery and establish it as a destination for the business community on Park Avenue.

***Status: Completed and On-going***

**Goal Indicator # 1:** Conduct monthly openings to feature studio/display artists' work.



*Status: Completed and On-going. We have conducted seven successful monthly "openings" to date. July 2010 Clair May Bronze Sculpture; August 2010 Mary Delaney Stamp Art; September 2010 Salusa Painting and Poetry; October 2010 Highwayman R. L. Lewis; November 2010 Damion Devine Ceramics; December 2010 Julie Feldman Fused Glass; January 2011 Desca DuBois Oil Painting. We have three more scheduled for February, March and April, 2011, David Willison, Photography, Joe Pierre, Oil Painting, and Anne Lawtey, Oil Painting.*

**Goal Indicator # 2:** Develop and advertise art classes to increase revenue utilizing under-utilized facilities such as the Lake Shore Park Pavilion, Marina 2<sup>nd</sup> floor space and the 2<sup>nd</sup> floor space located at the ball field concession stand.

*Status: Partially Completed and On-going. Pottery classes have been developed and are conducted at the Gallery; Classes in other mediums are in the planning phase.*

**Goal Indicator # 3:** Budget for, design and construct a pedestrian friendly sculpture garden at the Art on Park Studio and Gallery to include furniture, landscaping and sculpture.

*Status: Partially Completed and Pending. The design is completed; however, due to budgetary constraints, no construction has occurred; however, I have been soliciting sculpture donations to be utilized in the garden. To date, I have a commitment on a life size bronze sculpture of a little girl and dog which was featured at our July 2010 Art Opening . One of our display ceramists Kate Missett, whose studio is in Manhattan, NY has agreed to donate a sizable ceramic sculpture. Lastly, we have a tentative agreement from Sculptor, Franco Castellucco for a 15' tall bronze sculpture. Mr. Castellucco participated in our fine arts festival in March 2010.*

- **GOAL:** Expand the CRA Boundaries.

*Status: Partially Completed and Pending.*

**Goal Indicator # 1:** Budget for and hire a consultant to perform the necessary steps to expand the Boundaries in accordance with Commission direction.

*Status: I met with CRA consultant Chris Brown of Civic Design, Inc. We discussed the extent to which the boundaries should be expanded. He recommended that the CRA wait another year or two to expand the boundaries until the real estate market reaches its lowest value.*

- **GOAL:** Continue to educate the public regarding the purpose and value of the CRA and how it is funded.

*Status: Completed and On-Going:*

**Goal Indicator # 1:** Utilize the CRA website, newsletters and cable channel to continue the education process.

*Status: I have included educational pieces on the CRA website, newsletters and on the cable channel. All of these measures will continue to be utilized to educate the public.*

- **GOAL:** Modify/improve the format of the annual budget.

*Status: Completed*

**Goal Indicator # 1:** Include graphical historical analysis of new construction.

*Status: A new graph was developed and inserted depicting the value of new construction from a historical perspective.*

**Goal Indicator # 2:** Include additional description of line items to make the document more user friendly.

*Status: I developed and included a comprehensive Executive Summary of the budget. It contains detailed line item descriptions and explanations so that anyone can read and understand the budget.*

- **GOAL:** Install tree material in the medians on Date Palm Drive between 6<sup>th</sup> and 9<sup>th</sup> streets utilizing grant funds.

***Status: Completed***

*I designed a landscape on Date Palm Drive that was submitted with the grant application. Staff successfully obtained grant funds for trees. A competitive bid in the amount of \$17,800 was awarded at the February 2, 2011 Commission Meeting.*

- **GOAL:** Renovate Ilex Park utilizing grant funds to make it more pedestrian friendly.

***Status: Completed:*** *Staff and I designed a site plan that was utilized to apply for grant funds. The plan consisted of playground equipment, picnic shelter, furniture, landscaping, sidewalks and fencing.*

**Goal Indicator # 1:** Install playground equipment, picnic shelter, furniture, landscaping, sidewalk and fencing.

***Status: Completed***

*Staff was successful in obtaining grant funding for the restoration of the park. The renovations were completed in December of 2010. The grand opening celebration has been scheduled for February 9, 2011*

- **GOAL:** Continue to work with the Sheriff's Department to implement crime prevention measures.

***Status: Completed and On-going***

*A close, cooperative, on-going relationship with Command Staff has been very productive. I have specifically worked with the Lieutenant on various problems and issues with the Opabola and Humani Court Apartment complexes. Special attention has been placed on and around Park Avenue from the clock tower to 10<sup>th</sup> Street. We worked with the Sheriff's office in locating cameras for the "eyes on park" project. Additionally, the Lieutenant initiated multiple "saturation" operations, which have been very successful and resulted in multiple arrests.*

- **GOAL:** Institute the necessary steps to develop a referendum question on street closures.

***Status: Completed***

**Goal Indicator # 1:** Hire a firm to perform traffic counts along the boundaries of the desired street closure areas.

*Status: Staff hired All Traffic Data, Inc. to conduct traffic counts. Traffic counts were conducted on many streets along Silver Beach Road, 10 Street from Silver Beach Road to Northern Road, along Northlake Blvd., and Federal Highway*

**Goal Indicator # 2:** Analyze data and develop various alternatives for street closures.

*Status: Staff electronically inserted the data on a map and identified those streets that were not recommended for closure.*

**Goal Indicator # 3:** Conduct multiple workshops with both Town Commission and residents.

*Status: There were multiple workshops and commission meetings conducted. The Town Commission chose not to forward a referendum on this issue.*

- **GOAL:** Institute the necessary steps to develop a referendum question on increased street lighting.

***Status: Partially Completed***

**Goal Indicator # 1:** Develop and advertise a Request for Proposal (RFP) and hire a qualified firm to perform a comprehensive analysis of existing lighting and develop a reliable cost estimate to install additional lighting throughout the town.

*Status: An RFP was developed and advertised. The firm of Thompson and Youngross was selected by the Town Commission to conduct the analysis.*

**Goal Indicator # 2:** Ensure that adequate educational materials are distributed.

*Status: This action was not required because the Town Commission chose not to pursue the measure any further due to budgetary considerations.*

**Goal Indicator # 3:** Conduct public workshops with residents to fully educate them regarding the cost of lighting vs. the benefits.

*Status: Public Workshops were not required due to the Town Commission's decision not to pursue the measure.*

- **GOAL:** Provide assistance in developing Sober House Legislation.

***Status: Completed and On-Going***

**Goal Indicator # 1:** Provide the Town's lobbyist with the appropriate supporting information to ensure that appropriate legislation is adopted at the state level.

*Status: Information was provided to the Town's lobbyist, who in-turn was able to forward a bill which regulates the distance between Sober Houses to be deliberated at this year's legislative session.*

**Goal Indicator # 2:** Maintain lines of communication with Palm Beach County and Municipal jurisdictions to coordinate collective lobbying efforts.

*Status: The Lobbyist and I coordinated a collective effort between several cities in Miami and Palm Beach County to participate in a series of conference calls with the Department of Community Affairs, Department of Children and Families, Florida Association of Alcohol and Drug Abuse in Tallahassee to educate the departments about the proliferation of Sober Houses. Those conference calls resulted in a bill regulating Sober Houses being supported by both the House and Senate.*

## **Major Accomplishments in Addition to the Agreed Upon Goals:**

1. Balanced the Budget without Increasing the Millage Rate: For the third year in a row, a balanced budget was presented to the Town Commission without increasing the millage rate, reducing services, or recommending the use of cash reserves. This is a significant accomplishment in light of property tax values plummeting, thus reducing the amount of revenue for the general fund.
2. \$2.4 Million Grant Award: Palm Beach County issued the Town a grant to purchase a parcel of land abutting the marina parking lot in order to provide additional boat trailer parking for improved water access. This was a multi-year collective effort of the Community Development Director, the Mayor, Principals of South Florida Yachts and I attending numerous meetings with County Commissioners and staff. The County Commission was impressed with the project as well as our vision for the potential development of the area. To that end, they re-allocated funding from other projects to fund this project. The parcel was purchased in December 2010, and will be renovated to provide for boat trailer parking. In turn, S. Florida Yachts has plans to build a restaurant on Lake Shore Drive.
3. Constructed a Marina Overflow Parking Lot: The Town Commission voted to create additional parking for Marina patrons utilizing a vacant Town owned parcel directly northwest of the Marina entrance. A combination of in-house forces and contractors was utilized to successfully construct a lot which provides for an additional 20 parking spaces.
4. New Town Logo: I requested the Town's communications firm to develop several designs for the adoption of a new Town Logo. They were presented to the Town Commission and a new logo was adopted in October 2010.
5. Design and Installation of Way-finding Signs: This project was initiated at the request of the Mayor and voted upon by the Town Commission. New signage has been installed on Federal Highway and Old Dixie Highway.

6. Hired a New Consulting Engineer: In an effort to improve the quality of engineering and reduce the cost for services we advertised for Requests for Proposals for a new consulting engineering firm. The Town Commission voted to hire Simmons and White.
7. Redesigned the Website and Replaced our Webhost: The website was not user friendly and in certain instances was counter-intuitive. We hired a new webhost at a reduced cost and are in the process of redesigning our various websites.
8. Voted in as Chair of the Seacoast Utility Authority Board: I represent the Town as a member of the Seacoast Utility Board. My colleagues on the Board voted me in as Chair for the second year in a row.

**TOWN MANAGER TWELVE-MONTH PERFORMANCE EVALUATION MATRIX**

**For the Evaluation Period of 2/1/2010 to 1/31/2011**

<b>Mayor/Commissioner</b>	<b>1. Management Style/Professional Skills</b>	<b>2. Fiscal Management</b>	<b>3. Personal Skills/Communications</b>	<b>4. Relations with Town Commission</b>	<b>5. Community Relations</b>	<b>Overall Ratings</b>
Mayor Desca DuBois	4.98	5.00	5.00	5.00	5.00	5
Vice Mayor Patricia Osterman	4.68	4.67	4.38	4.40	4.44	5
Commissioner Kendall Rumsey	4.27	4.50	4.50	4.40	4.22	4
Commissioner Steven Hockman	3.27	2.50	2.88	2.60	3.00	3
Commissioner Jeanine Longtin	*	*	*	*	*	2.5
					<b>Overall Average</b>	<b>3.9</b>

**\* Denotes that numerical ratings not provided for these areas.**

**Evaluation Scale:**

- 5 Outstanding Consistently achieves and exceeds all standards/objectives of work performance
- 4 Very Effective Regularly meets and frequently exceeds standards of work performance
- 3 Effective Regularly meets standards of work performance
- 2 Marginally Effective Often fails to meet standards of work performance
- 1 Ineffective Clearly and consistently fails to meet standards of work performance





Copy

# Town of Lake Park

## PERFORMANCE EVALUATION FORM

### TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

*Mary Rose Davis*  
Evaluator's Name

EVALUATION PERIOD

2/1/2010 to 1/31/2011

### EVALUATION SCALE

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |

### 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 5 Maintains open and informative communications with the City Commission
- 5 Knowledgeable of current developments affecting the local government management field.
- 5 Effectively implements and enforces Town policies and procedures
- 5 Demonstrates a capacity for innovation and creativity

Rec'd. 2/11/11  
BMT

1. MANAGEMENT STYLE/PROFESSIONAL SKILLS (Continued)

- 5 Anticipates problems and develops effective approaches for solving them.
- 4.9 Maintains a work atmosphere conducive to productivity and efficiency
- 5 Takes responsibility for staff actions.
- 4.9 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 5 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 5 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 5 Effectively recruits professional staff

COMMENTS:

*Maria's stoic strength may sometimes prove to be intimidating to some of staff. The ability to make clear what is expected from an employee should further the employee's confidence in doing their job.*

2. FISCAL MANAGEMENT

- 5 Possesses knowledge of governmental accounting/budget procedures
- 5 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 5 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 5 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 5 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 5 Expenditures are made within budget limitations according to established policy

COMMENTS:

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**3. PERSONAL SKILLS/COMMUNICATIONS**

- 5 Willing to commit time necessary to complete required tasks
- 5 Demonstrates high concern for ethical behavior
- 5 Skillful in verbal communication
- 5 Skillful in written communication
- 5 Informs the Commission of current issues and administrative developments
- 5 Encourages a positive attitude regarding the Town
- 5 Receptive to constructive criticism and advice
- 5 Manages stress effectively

COMMENTS:

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**4. RELATIONS WITH THE TOWN COMMISSION**

- 5 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 5 Carries out the directives of the Commission as a whole, rather than those of any one member
- 5 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 5 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 5 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

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**5. COMMUNITY RELATIONS**

- 5 Effectively addresses and accommodates citizen complaints
- 5 Shows a sensitivity to and appreciation of diversity of the Town's population
- 5 Responsive to issues of both commercial and residential populations
- 5 Takes a "hands-on" approach when necessary
- 5 Maintains an effective working relationship with other local governments
- 5 Takes a diplomatic approach to problem solving
- 5 Projects a positive image on behalf of the Town of Lake Park
- 5 Provides management support to Town Boards
- 5 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

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ADDITIONAL SUMMARY COMMENTS:

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OVERALL RATING:

- |                        |                          |
|------------------------|--------------------------|
| <u>5</u> - Outstanding | 2 - Marginally Effective |
| 4 - Very Effective     | 1 - Ineffective          |
| 3 - Effective          |                          |

*Debra N. Davis*  
EVALUATOR'S SIGNATURE

*February 6, 2011*  
DATE



Copy

# Town of Lake Park

## PERFORMANCE EVALUATION FORM

### TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

Osterman

Evaluator's Name

EVALUATION PERIOD

2/1/2010 to 1/31/2011

### EVALUATION SCALE

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |

### 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 4 Maintains open and informative communications with the City Commission
- 5 Knowledgeable of current developments affecting the local government management field.
- 4.5 Effectively implements and enforces Town policies and procedures
- 5 Demonstrates a capacity for innovation and creativity

Rec'd. 2/10/11  
BMT

**1. MANAGEMENT STYLE/PROFESSIONAL SKILLS (Continued)**

- 5 Anticipates problems and develops effective approaches for solving them.
- 5 Maintains a work atmosphere conducive to productivity and efficiency
- 5 Takes responsibility for staff actions.
- 5 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 5 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 5 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 3 Effectively recruits professional staff

COMMENTS:

It is wonderful to see the team effort of  
staff, and that speaks to your leadership.  
Impressed by staff volunteers at so  
many events.

**2. FISCAL MANAGEMENT**

- 5 Possesses knowledge of governmental accounting/budget procedures
- 5 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 4 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 5 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 5 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 4 Expenditures are made within budget limitations according to established policy

COMMENTS:

Kudos to you + staff for balancing budget  
again while maintaining services.

**3. PERSONAL SKILLS/COMMUNICATIONS**

- 5 Willing to commit time necessary to complete required tasks
- 5 Demonstrates high concern for ethical behavior
- 4 Skillful in verbal communication
- 4 Skillful in written communication
- 5 Informs the Commission of current issues and administrative developments
- 5 Encourages a positive attitude regarding the Town
- 3 Receptive to constructive criticism and advice
- 4 Manages stress effectively

COMMENTS:

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**4. RELATIONS WITH THE TOWN COMMISSION**

- 4 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 5 Carries out the directives of the Commission as a whole, rather than those of any one member
- 4 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 4 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 5 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

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5. COMMUNITY RELATIONS

- 4 Effectively addresses and accommodates citizen complaints
- 4 Shows a sensitivity to and appreciation of diversity of the Town's population
- 5 Responsive to issues of both commercial and residential populations
- 5 Takes a "hands-on" approach when necessary
- 5 Maintains an effective working relationship with other local governments
- 3 Takes a diplomatic approach to problem solving
- 5 Projects a positive image on behalf of the Town of Lake Park
- 4 Provides management support to Town Boards
- 5 Effectively informs residents of Town news through Town produced

media. i.e. Newsletter.

COMMENTS:

The ~~newsletter~~ Town's Newsletter ~~is a great tool for~~  
~~and pride~~ has become a source of information  
 and pride, a great marketing tool.  
 Looking forward to a more dynamic website!

ADDITIONAL SUMMARY COMMENTS:

The town continues to improve despite  
 budget constraints ~~caused by the economic downturn~~  
 that speaks for itself in this economic  
 climate. Looking forward to action on soberhouses  
 well done.

OVERALL RATING:

- 5 - Outstanding
- 4 - Very Effective
- 3 - Effective
- 2 - Marginally Effective
- 1 - Ineffective

P. Osterman  
 EVALUATOR'S SIGNATURE

2/9/11  
 DATE





Copy

# Town of Lake Park

## PERFORMANCE EVALUATION FORM

### TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

Kendall R. Rumsey

Evaluator's Name

EVALUATION PERIOD

2/1/2010 to 1/31/2011

### EVALUATION SCALE

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |

### 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 5 Maintains open and informative communications with the City Commission
- 4 Knowledgeable of current developments affecting the local government management field.
- 5 Effectively implements and enforces Town policies and procedures
- 5 Demonstrates a capacity for innovation and creativity

Rec'd. 2/9/11  
AMT

**1. MANAGEMENT STYLE/PROFESSIONAL SKILLS (Continued)**

- 4 Anticipates problems and develops effective approaches for solving them.
- 4 Maintains a work atmosphere conducive to productivity and efficiency
- 4 Takes responsibility for staff actions.
- 4 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 4 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 4 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 4 Effectively recruits professional staff

COMMENTS:

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**2. FISCAL MANAGEMENT**

- 4 Possesses knowledge of governmental accounting/budget procedures
- 5 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 5 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 4 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 5 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 4 Expenditures are made within budget limitations according to established policy

COMMENTS:

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### 3. PERSONAL SKILLS/COMMUNICATIONS

- 5 Willing to commit time necessary to complete required tasks
- 5 Demonstrates high concern for ethical behavior
- 5 Skillful in verbal communication
- 5 Skillful in written communication
- 4 Informs the Commission of current issues and administrative developments
- 5 Encourages a positive attitude regarding the Town
- 3 Receptive to constructive criticism and advice
- 4 Manages stress effectively

COMMENTS:

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### 4. RELATIONS WITH THE TOWN COMMISSION

- 5 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 5 Carries out the directives of the Commission as a whole, rather than those of any one member
- 4 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 4 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 4 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

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5. COMMUNITY RELATIONS

- 4 Effectively addresses and accommodates citizen complaints
- 5 Shows a sensitivity to and appreciation of diversity of the Town's population
- 4 Responsive to issues of both commercial and residential populations
- 4 Takes a "hands-on" approach when necessary
- 5 Maintains an effective working relationship with other local governments
- 3 Takes a diplomatic approach to problem solving
- 5 Projects a positive image on behalf of the Town of Lake Park
- 4 Provides management support to Town Boards
- 4 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

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ADDITIONAL SUMMARY COMMENTS:

*My only concern with Ms Davis performance is her ability to move beyond disagreement & criticism. It is understandable that one is passionate regarding ones opinions however my concern is that sometimes Ms. Davis lacks any ability to bend on her recommendations or position.*

OVERALL RATING:

- |                          |                         |
|--------------------------|-------------------------|
| 5- Outstanding           | 2- Marginally Effective |
| <u>4- Very Effective</u> | 1- Ineffective          |
| 3- Effective             |                         |

  
 EVALUATOR'S SIGNATURE

2.8.11  
 DATE



*Copy*

# Town of Lake Park

## PERFORMANCE EVALUATION FORM

### TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

Steve Hockman

Evaluator's Name

EVALUATION PERIOD

2/1/2010 to 1/31/2011

### EVALUATION SCALE

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |

### 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 2 Maintains open and informative communications with the City Commission
- 5 Knowledgeable of current developments affecting the local government management field.
- 4 Effectively implements and enforces Town policies and procedures
- 4 Demonstrates a capacity for innovation and creativity

*Rec'd. 2/11/11 @MT*

## 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS (Continued)

- 4 Anticipates problems and develops effective approaches for solving them.
- 3 Maintains a work atmosphere conducive to productivity and efficiency
- 3 Takes responsibility for staff actions.
- 3 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 3 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 3 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 2 Effectively recruits professional staff

### COMMENTS:

FROM WHAT I HAVE SEEN AND HEARD, WE SEEM TO HIRE A LOT FROM DOWN SOUTH IN MIAMI. LONG RUN COST MORE WHEN WE HAVE TO PAY FOR TRAVEL/COMP.

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## 2. FISCAL MANAGEMENT

- 3 Possesses knowledge of governmental accounting/budget procedures
- 3 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 2 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 2 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 3 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 2 Expenditures are made within budget limitations according to established policy

### COMMENTS:

BASED ON OVER ALL COST, PROJECTS SEEM TO HAVE A HISTORY OF BEING COMPLETED OVER BUDGET. RFP'S NEED TO BE DONE AS TO LIMIT CHANGE ORDERS, PROJECTS NEED TO BE REVIEWED PRIOR TO PAYMENT TO BE SURE THEY ARE WITHIN WHAT THEY SAY THEY ARE. FOR EXAMPLE PARK AVE, PLANS SEEM TO BE ONLY ABOUT 60% COMPLETED. SAME THING WITH LAKE SHORE.

### 3. PERSONAL SKILLS/COMMUNICATIONS

- 3 Willing to commit time necessary to complete required tasks
- 3 Demonstrates high concern for ethical behavior
- 3 Skillful in verbal communication
- 3 Skillful in written communication
- 2 Informs the Commission of current issues and administrative developments
- 4 Encourages a positive attitude regarding the Town
- 2 Receptive to constructive criticism and advice
- 3 Manages stress effectively

#### COMMENTS:

TALKING WITH TOWN PEOPLE & EMPLOYEES OVER THE PAST YEAR MOST FEEL AFRAID FOR THEIR JOB. THE RESIDENCE FEEL THEY DO GET THE WHOLE TRUTH, NEED TO TELL EVERYONE THE FACTS WITHOUT HIDING ANYTHING OR LEAVING THINGS OUT THAT MIGHT NOT LOOK IN FAVOR FOR TOWN MANAGER.

### 4. RELATIONS WITH THE TOWN COMMISSION

- 3 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 2 Carries out the directives of the Commission as a whole, rather than those of any one member
- 3 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 3 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 2 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

#### COMMENTS:

I TRULY FEEL THAT I AM LEFT OUT AS COMMISSIONER ON ITEMS. THIS PAST YEAR, IT SEEMS THAT 3 COMMISSIONERS HAVE ALL THE FACTS WHILE I HAVE TO TRY TO MAKE HEADS OR TAILS OF WHAT IS HAPPENING.

5. COMMUNITY RELATIONS

- 2 Effectively addresses and accommodates citizen complaints
- 3 Shows a sensitivity to and appreciation of diversity of the Town's population
- 3 Responsive to issues of both commercial and residential populations
- 3 Takes a "hands-on" approach when necessary
- 4 Maintains an effective working relationship with other local governments
- 3 Takes a diplomatic approach to problem solving
- 4 Projects a positive image on behalf of the Town of Lake Park
- 3 Provides management support to Town Boards
- 2 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

OVER THE PAST YEAR, I HAVE HEARD FROM MANY PEOPLE ABOUT THE TV IS NOT WORKING, NO SOUND OR THEY HAVE SOUND AND NO PICTURE ALSO, NOT GETTING THE NEWS LETTERS.

ADDITIONAL SUMMARY COMMENTS:

SEE ATTACHED

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OVERALL RATING:

- 5 - Outstanding
- 4 - Very Effective
- 3 - Effective
- 2 - Marginally Effective
- 1 - Ineffective

AKP Hood  
EVALUATOR'S SIGNATURE

2/10/11  
DATE



Town Manager Forth Performance Evaluation  
February 10, 2011  
Commissioner S. Hockman Additional Comments

In my opinion, you could become even a better town manger if you work at being able to work with everyone. That is being able to take the good and the bad comments whether you agreed or not. This is from both the town residence and from the employees. That is that you don't have to agree with everything they might have to say or want done but at the same time, they might have something good that we can all benefit from as a whole.

The town employees need to be able to feel that they can come to you and talk to you with concerns that they might have without the feeling that they might lose their job if what they have to say is not what you want to hear. Something such as your way of doing something is more costly or that they feel that what you want done doesn't benefit the town.

In my opinion, Lake Park has a lot of good employees at which might have good ideas on how to save money and cut cost to the town. But they need to know that they won't get fired if they bring up items that you as town manager don't agree with. This item will be a very tough item for you to change the perception that if they speak up that they will be fired. I would like to see you take the time and work on having a better relationship with all employees to break that gap. To make them realize that they won't get fired for talking to you about their concerns. We all have something to give.

Even more importantly, I have a lot of concerns on the budget and fiscal management items. In my opinion, the town needs to work on better RFP's when items are to go out to bid. Based on what I have seen over the past year or so, we need to be sure that when a project goes out to bid, that we have covered everything so that at the completion of the project, we are within the proposed budget. The information needs to be clear so if anyone requests the information, that it is clear and easy to understand.

Reports need to be clear and precise such as the lighting study. In my opinion, the report lacks a lot of information and is unclear as to the actual cost. That's both the installation and the operational costs. I would like to see reports such as this one done so that if the town ever wanted to revisit it, all we have to do is update the cost for the current information and not have to redo the report. I would like for you to provide a copy of the RFP to the commission prior to it being released so they could make any comments that could help to get a better product for the dollar.

All cost and information needs to be done so that the entire commission and the town people are able to follow it without to much difficulty. All information needs to be included whether good or bad. Both the pros and the cons of the options.

While it seems that there is a lot of focus on the Park Ave CRA area, we can not forget the rest of the town.

In my opinion some of the goals such as the buying property by the ballfield are not in the best interest of the town at this time. Taking away taxable income from the town revenue does not seem in the best interest of the town. My opinion on this matter would be to work with the homeowners to enhance their properties which would increase the value which increases the revenue that the town receives.

As town manager, you need to find a way to work at getting more events in the town park by the water without charging people for the parking. To work at making the town become known as a friendly town and willing to work with them so they can have a great event at a wonderful location and that they go and spread the word of how wonderful the town is and to work with.

As town manager, you need to be able to work with all the businesses within the town. To make them all feel welcome whether they are something you would use or not. My opinion is the more friendly the town is, the more businesses will want to come and open up in the town.

#### Goals for 2011/2012

1. Work with the City of Riviera Beach and Palm Beach County to redo/upgrade Silver Beach Road. To enhance the roadway from Congress Ave to the Marina.
2. To work at enhancing other parts of the town beside just the CRA area.
3. Work towards having the town be known as a friendly town for business owners and that we are willing to work with them. That is the entire town and not just the CRA area.
4. Continue to work on getting grant money for projects around the town.



Copy

# Town of Lake Park

## PERFORMANCE EVALUATION FORM

### TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER *Maria Davis*

*Jeanne Longtin*  
Evaluator's Name

EVALUATION PERIOD

~~2/1/2010 to 1/31/2011~~  
*3/10/2010 to 2/11/2011*

#### EVALUATION SCALE

5	Outstanding	Consistently achieves and exceeds all standards/objectives of work performance.
4	Very Effective	Regularly meets and frequently exceeds standards of work performance.
3	Effective	Regularly meets standards of work performance.
2	Marginally Effective	Often fails to meet standards of work performance.
1	Ineffective	Clearly and consistently fails to meet standards of work performance.

#### 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- Maintains open and informative communications with the ~~City~~ *Town* Commission
- Knowledgeable of current developments affecting the local government management field.
- Effectively implements and enforces Town policies and procedures
- Demonstrates a capacity for innovation and creativity

*Rec'd - 2/14/11  
@MT*

**1. MANAGEMENT STYLE/PROFESSIONAL SKILLS (Continued)**

- \_\_\_ Anticipates problems and develops effective approaches for solving them.
- \_\_\_ Maintains a work atmosphere conducive to productivity and efficiency
- \_\_\_ Takes responsibility for staff actions.
- \_\_\_ Encourages department heads to make decisions within their own area, without the Town Manager's approval, yet maintains general control of operations
- \_\_\_ Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving;
- \_\_\_ Properly controls the Town's operational and functional activities and motivates others to maximum performance
- \_\_\_ Effectively recruits professional staff

COMMENTS:

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**2. FISCAL MANAGEMENT**

- \_\_\_ Possesses knowledge of governmental accounting/budget procedures
- \_\_\_ Prepares a balanced budget to provide services at a level directed by the Town Commission
- \_\_\_ Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- \_\_\_ Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- \_\_\_ Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- \_\_\_ Expenditures are made within budget limitations according to established policy

COMMENTS:

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**3. PERSONAL SKILLS/COMMUNICATIONS**

- \_\_\_\_\_ Willing to commit time necessary to complete required tasks
- \_\_\_\_\_ Demonstrates high concern for ethical behavior
- \_\_\_\_\_ Skillful in verbal communication
- \_\_\_\_\_ Skillful in written communication
- \_\_\_\_\_ Informs the Commission of current issues and administrative developments
- \_\_\_\_\_ Encourages a positive attitude regarding the Town
- \_\_\_\_\_ Receptive to constructive criticism and advice
- \_\_\_\_\_ Manages stress effectively

**COMMENTS:**

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**4. RELATIONS WITH THE TOWN COMMISSION**

- \_\_\_\_\_ Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- \_\_\_\_\_ Carries out the directives of the Commission as a whole, rather than those of any one member
- \_\_\_\_\_ Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- \_\_\_\_\_ Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- \_\_\_\_\_ Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

**COMMENTS:**

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**5. COMMUNITY RELATIONS**

- Effectively addresses and accommodates citizen complaints
- Shows a sensitivity to and appreciation of diversity of the Town's population
- Responsive to issues of both commercial and residential populations
- \_\_\_ Takes a "hands-on" approach when necessary
- \_\_\_ Maintains an effective working relationship with other local governments
- \_\_\_ Takes a diplomatic approach to problem solving
- \_\_\_ Projects a positive image on behalf of the Town of Lake Park
- \_\_\_ Provides management support to Town Boards
- \_\_\_ Effectively informs residents of Town news through Town produced media, i.e. Newsletter.

**COMMENTS:**

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**ADDITIONAL SUMMARY COMMENTS:**

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**OVERALL RATING:** 2.5

- 5 - Outstanding
- 4 - Very Effective
- 3 - Effective
- 2 - Marginally Effective
- 1 - Ineffective

J. Longtin  
**EVALUATOR'S SIGNATURE**

02-14-2011  
**DATE**

Please see attached 3 pg. document

Town of Lake Park  
Performance Evaluation  
Town Manager Maria Davis  
Evaluator – Jeanine Longtin  
Evaluation Period: 03/10/2010 – 02/11/2011

Lake Park is a town, not a city.

Allowing original documentation to leave town hall without, at least, making copies to keep in house is a concern.

CRA paperwork/documentation for grants/loans, etc. was pitiful. This is not something that should have to have been “learned”. Yes, the paperwork has improved.

Paying out money prior to work being completed is also something that should not have to have been “learned” ie: CRA grants.

That you share only some commissioner’s emails with the entire commission is confusing, odd, unprofessional and perhaps juvenile.

Constructive criticism is not well received.

Subject lines on emails should be a very short description of what the email actually contains.

Have to give a low rating re: budget. If one item in the budget is suspect then the entire budget is suspect. That you fail to show labor costs in regard to the parking meters in order to prove a profit is a concern. The parking meters were supposed to be shown as its own department (so to speak).

As of mid-November 2010 you still had not shown Commissioner Hockman the information regarding the marina lawsuit. The entire commission needs to be on the same page.

Communication seems, at times, to be selective. For example at the beginning of the period in question, a citizen asked for a grant to add windows to their home. Only three of the commissioners knew who the requestor was.

Communication with our neighboring municipalities should be better. That our neighbors learned of the possibility of street closures through the newspaper was disheartening.

When asked if there was anything holding up occupancy of One Park Place you responded something to the effect of, “not a thing”. A couple weeks later you confessed that the building had not received a CO and that the building did not have water as well as other things that would hold up occupancy. You allowed the commission, and the public, to believe the 75% occupancy of One Park Place was possible and imminent.

Town of Lake Park  
Performance Evaluation  
Town Manager – Maria Davis  
Evaluator – Jeanine Longtin  
Evaluation Period: 03/10/2010 – 02/11/2011

You knew that the commission, as well as some in the community, wanted to see the parking meters as an agenda item (Sept. 2010) yet you failed to show it as its own subject and hid it in the agenda.

In October 2010 the CRA Board came up with many good suggestions and ideas. Your Economic Development Director took no notes. At the end of a lengthy discussion among the board members, your response was a very negative, “No money, no manpower”. This speaks to your not being able to take constructive criticism/ suggestions. Some of the suggestions required no money and very little manpower.

That, after all this time, you can only focus on two blocks of the CRA is a concern. You want to increase the size of the CRA and yet you can focus on just two blocks.

You have failed to contact the Lake Park homeowner to discuss the dredging of Southlake. I do not know to what other residents and business owners you have shown the same disregard.

We had a lady (I regret that I cannot remember her name) come before the commission with a program to aid the elderly. The commission told her that her information would appear in the next newsletter. I believe you failed to follow through with that.

You have failed to address a basic maintenance issue year after year after year after year. That you brought a general maintenance issue before the commission is astounding. It is your job to handle these things and that you have found a sprinkler system overwhelming speaks volumes.

That you “need the money” from code enforcement is a concern.

It is unfair that the town enforces codes on its citizens and business owners when it/you cannot maintain a sprinkler system!

True economic advancements in the CRA have been lacking. We’ve been told so many things that, in the end, do not pan out – the Mexican restaurant for example. You had made, and the taxpayers paid for, a banner to announce the coming of the Mexican restaurant when the building does not even have water!

You still do not obtain bids/quotes ie: landscapers, newsletter, etc.

All agenda items (including presentation items) should be available on the Town’s website.



Town of Lake Park  
Performance Evaluation  
Town Manager - Maria Davis  
Evaluator - Jeanine Longtin  
Evaluation Period: 03/10/2010 - 02/11/2011

The commission was told at a meeting (December 2010) that the cost to temporarily close Poplar Court would be \$450-500. Then the commission was informed that the cost was actually much more. It seems like often the commission is told one thing regarding price but then the actual price is much different. This is unacceptable as decisions are made based on information given. If you require more time to obtain an accurate answer, the commission would, most likely, allow it.

The uprising against Commissioner Hockman should not have happened. It should have been handled in-house between you, Commissioner Hockman and the town attorney. What took place was not good for the town.

It is sad that Lake Park STILL does not have a recreation department. It is only because of some excellent citizens that any recreation is offered.

I cannot agree with your philosophy of the town acquiring land in our small community. The loss of tax dollars, especially now, will be harmful.

The marina overflow parking lot is falling apart. The asphalt is breaking up which will, in turn, break up the painted areas.

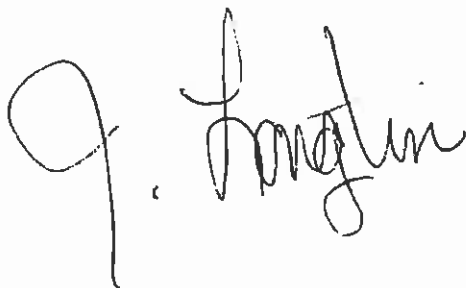
Overall, at this time, from what I've seen this past year or so, I would give an overall grade of 2.5. I believe you have potential.

You gave a very nice tour of the art building (August 2010). Your enthusiasm for its possibilities is infectious.

Your effort regarding the Palm Beach County Fire Rescue contract, I believe, was sincere and tenacious. It was also greatly appreciated.

You quit smoking. I don't know when this occurred but I may just list this on every evaluation I write for you as it is an ongoing effort. Kudos to you!

You can be quite determined which can be a positive. Should the commission ever choose annexation I believe you are one of the few that could accomplish the very difficult task.



02-14-2011