



REVISED AGENDA

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

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

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

- A. **CALL TO ORDER**
- B. **INVOCATION**
- C. **PLEDGE OF ALLEGIANCE**
- D. **ROLL CALL**
- E. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**
- F. **PUBLIC 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. **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 March 2, 2011 | Tab 1 |
| 2. Proclamations Declaring April as Florida's Water Conservation Month and May 15-21 as Water Reuse Week | Tab 2 |
| 3. Resolution No. 08-03-11 FIND Grant Submission | Tab 3 |
| 4. Resolution No. 09-03-11 Change to Fine Fee Schedule | Tab 4 |
| 5. Resolution No. 10-03-11 Change to Development Review Fee Schedule | Tab 5 |

H. **PUBLIC HEARING (S):**

ORDINANCE ON 2nd READING:

6. **ORDINANCE NO. 02-2011 – Bank Registration**

Tab 6

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE III OF THE CODE OF ORDINANCES ENTITLED "HOUSING CODE" TO CREATE A NEW DIVISION 4, TO BE ENTITLED, "ABANDONED REAL PROPERTY;" PROVIDING FOR SECTION 54-101, ENTITLED "INTENT AND PURPOSE"; PROVIDING FOR SECTION 54-102, ENTITLED "DEFINITIONS"; PROVIDING FOR SECTION 54-103, ENTITLED "APPLICABILITY"; PROVIDING FOR SECTION 54-104, ENTITLED "REGISTRATION OF ABANDONED REAL PROPERTY"; PROVIDING FOR SECTION 54-105 ENTITLED "MAINTENANCE REQUIREMENTS"; PROVIDING FOR SECTION 54-106, ENTITLED "SECURITY REQUIREMENTS"; PROVIDING FOR SECTION 54-107, ENTITLED "IMMUNITY OF ENFORCEMENT OFFICER"; PROVIDING FOR SECTION 54-108, ENTITLED "ADDITIONAL AUTHORITY"; PROVIDING FOR SECTION 54-109, ENTITLED "REMOVAL OF ABANDONED PERSON PROPERTY AUTHORIZED"; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

I. **ORDINANCE ON FIRST READING:**

7. **ORDINANCE NO. 03-2011 – Non-Conforming Signage Expiration Date**

Tab 7

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLE IV, SECTION 70-104(e)(3) OF CHAPTER 70 PERTAINING TO LEGAL NON-CONFORMING SIGNS; PROVIDING FOR THE EXTENSION OF THE AMORTIZATION DATE FOR LEGAL NON-CONFORMING SIGNS

TO JULY 5, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

J. DISCUSSION AND POSSIBLE ACTION:

- | | |
|---|---------------|
| 8. Resolution Adopted by the Town of Palm Beach, Palm Beach County | Tab 8 |
| 9. Re-Assignment of Board Liaison | Tab 9 |
| 10. Designation of Voting Delegate and Alternate to the Palm Beach County League of Cities, Inc. | Tab 10 |

K. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

L. ADJOURNMENT:

Consent Agenda

TAB 1



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

Meeting Date: **March 16, 2011**

Agenda Item No. **1**

- | | |
|--|---|
| <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"/> CONSENT AGENDA |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | |
| <input type="checkbox"/> Other: Board Appointment | |

SUBJECT: Regular Commission Meeting Minutes of March 2, 2011

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

Approved by Town Manager *Vin Lerdy for Maria Davis* Date: *3/11/11*
 Deputy Clerk *[Signature]* Date of Actual Submittal *3/10/11*

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

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, March 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, March 2, 2011 at 7:00 p.m. Present were Mayor Desca DuBois, Vice-Mayor Kendall Rumsey, Commissioners Steven Hockman and Jeanine Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Commissioner Patricia Osterman was 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 Hockman to approve the Agenda; Vice-Mayor Rumsey made the second.

Vote on Motion:

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

Motion passed 4-0

PUBLIC AND OTHER COMMENTS:

Trenesia Rozier 300 10th St., Lake Park – stated that she was from the new program “Bridges at Lake Park”. She stated that she wanted to introduce herself and network to share the program’s calendar of events. She stated that their target age group was three to five years old. She explained the program and its scope in the county. She stated that they wanted to bring in activities and events for the children and teens.

Mayor DuBois stated that the phone number to contact Ms. Rozier was 561-881-5060.

Ms. Rozier stated that that was the general number and her extension was 225.

Sue Duchene 306 Hawthorne Dr. – stated that she was wondering if the Town would consider a moratorium on the parking fees at the Marina for a period of time.

Mayor DuBois asked Ms. Duchene if she was aware that the Town had waived parking fees on Federal holidays.

Ms. Duchene stated that she was aware but was wondering if they would consider waiving fees at Town sponsored events. She asked if a cost study could be done to see if the fees warrant paying a parking meter attendant for two hours during an event.

Commissioner Longtin stated that she would be willing to work with Ms. Duchene to allow an independent study.

Ms. Duchene stated that she would like to see if more people would come to the functions.

Vice-Mayor Rumsey asked Ms. Duchene if she was referring to the Marina Sunset Events.

Ms. Duchene stated that the Marina Sunset Event was one event she had in mind but she wanted a study done on all Town sponsored events.

Vice-Mayor Rumsey asked if the other Town sponsored events were on Federal holidays.

Town Manager Davis stated that she was not aware of any other Town functions.

Vice-Mayor Rumsey stated that at the last Sunset Event he attended, people were complaining about the parking meters and he agrees that the Town should want people to come and not be chased away by having to pay for parking at an event for two hours.

Mayor DuBois stated that she also attended the event and no one had come up to her with complaints about the parking meters. She explained that the Finance Department had the spreadsheets and numbers on the parking meters already available for viewing.

Commissioner Longtin asked Ms. Duchene to clarify how long she wants the study done for.

Ms. Duchene stated that she would like to see a 6 month study done.

Mayor DuBois stated that the spreadsheets and numbers were already available.

Vice-Mayor Rumsey asked what the study was and what it consisted of.

Mayor DuBois again clarified that the paperwork and numbers were already available.

Ms. Duchene stated that she wanted to see how much income is generated at the event compared to how much the parking meter attendant is paid for working the event.

Town Manager Davis explained that the cost analysis could be done but that it needed to be considered that the employee was not sitting at the Marina for two hours but is roving and monitoring other parking meters. She asked for direction on how to provide the information and bring it back to the Commission.

Mayor DuBois asked that the information be brought back in memo form first.

The Commission came to consensus to have Ms. Duchene's request for a cost study on parking meters during Town sponsored events done in memo form.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of February 16, 2011
2. Response to Commissioner Longtin's Written Statement to the Town Manager's 2010 Evaluation
3. Resolution No. 06-03-11 Community Development Block Grant Agreement for Bert Bostrom Park
4. Sale of Metal Storage Building on 115 U.S. Highway One to NuJak Development Inc. in the Amount of \$2250
5. Resolution No. 07-03-11 New Rental Fee for West Ilex Park Picnic Pavilion

Public Comment Open.

None

Public Comment Closed.

Commissioner Hockman requested that items 3, 4, and 5 of the Consent Agenda be pulled for discussion.

Vice-Mayor Rumsey requested that item 2 of the Consent Agenda be pulled for discussion.

Motion: A motion was made by Commissioner Hockman to approve item number 1 of the Consent Agenda; Vice-Mayor Rumsey made the second.

Vote on Motion:

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

Mayor DuBois	X		
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Motion passed 4-0

Vice-Mayor Rumsey explained the reason for item number 2 on the Consent Agenda. He explained how the Town Manager's Evaluation is done and that one of the Commissioners did not follow the matrix but instead wrote three pages of comments regarding the Town Manager. He explained that the Town Manager requested at the last meeting that she be able to address those items individually since there were over ten comments that were not factual. He stated that the Town Manager's response to those comments were online for viewing so that the public could be aware of the facts.

Motion: A motion was made by Vice-Mayor Rumsey to approve item number 2 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 4-0

Commissioner Hockman asked if there have been any plans for a restroom or of what the Town was proposing to do at Bert Bostrom Park.

Town Manager Davis asked CRA Project Manager Richard Pittman to answer any questions Commissioner Hockman had.

CRA Project Manager Pittman explained that he had a floor plan prepared that he sent to Browning & Becker and had done a written description to Royal Prefab Concrete to give him an idea if the floor plan would come close to \$53,000. He stated that the one comment he received was that it was close to that figure so his idea was to decrease the floor plan size by 100 square feet. He explained that there would be a separate women's facility and a separate men's facility with at least three stalls in each.

Town Manager Davis explained that they had originally talked about going out for a design build but Commissioner Hockman suggested that they look at prefab concrete structures and they were in the process of investigating that now. She explained that Mr. Pittman was floating a trial balloon first with a few contractors to see if they could build

the project for \$53,000. Browning & Becker stated that it would be "tight" and Royal Prefab was in the process of providing a response.

Mr. Pittman stated that he thought the proposal would be very close to \$53,000.

Commissioner Hockman asked if the restroom would be placed in the same location and if they would be using the existing foundation.

Town Manager Davis stated that they were not using the existing foundation and that they planned to keep it in the same location. If they were to move the restroom it would cost more money to run new plumbing and electricity.

Discussion ensued between Commissioner Hockman and Mr. Pittman regarding the possibility of relocating the restroom and the practicality of having the restroom centrally located.

Recreation Director Greg Dowling explained that he did not think it was safe to centrally locate the restrooms due to the activity that takes place at the playground.

Commissioner Hockman asked if a storage room was considered in the restroom facility.

Mr. Pittman explained that in the floor plan he currently has there would not be any storage.

Commissioner Longtin asked if the current facility was at all usable.

Town Manager Davis stated that the bathrooms could be used but the storage area was in very bad shape.

Commissioner Longtin asked if there was any asbestos in the building.

Mr. Pittman explained that the County did a report that concluded that there was no asbestos or hazardous material in the building.

Commissioner Longtin asked what the cost would be to the Town.

Town Manager Davis stated that it would be the cost of the demolition which would include a 40 yard container and the rental of heavy equipment.

Motion: A motion was made by Commissioner Hockman to approve item number 3 of the Consent Agenda; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner			

Hockman	X		
Vice-Mayor Rumsey	X		
Commissioner Osterman			Absent
Mayor DuBois	X		

Motion passed 4-0

Commissioner Hockman asked if NuJak Development was going to pay the Town \$2,250 for the Metal Storage Building on 115 U.S. Highway One.

Town Manager stated yes that was correct.

Commissioner Hockman asked how much it cost for the Town to put out the RFP.

Mr. Pittman stated that he did not know how much it cost to advertise but a sign was put out on the site at a cost of \$180 plus Public Works labor. He stated that he had approximately 20 hours of his work time involved.

Commissioner Hockman asked if there were any other costs.

Town Clerk Lemley stated that she had the cost of the advertisement but not with her and could provide that to Commissioner Hockman in the morning.

Commissioner Hockman asked if a cost was estimated for the repairs to the asphalt and prep the site.

Town Manager Davis stated that they had not yet estimated costs.

Commissioner Hockman stated that the Town needed to be careful since the Town paid 2.4 million for a property appraised at \$800,000 and expressed his concerns with spending more money in order to get the parking lot done.

Commissioner Longtin stated that at the November 3, 2010 Commission Meeting it was stated on an Agenda Request Form that arrangements had been made to remove the metal storage building down to the concrete slab at no cost to the Town. She asked what happened to that.

Town Manager Davis explained that the deal that South Florida Yachts had made with the Town had fallen through. She stated that she did not recall what happened and she would provide a report to the Commission regarding what happened.

Commissioner Longtin stated that the Commission voted on the item and the item stated that arrangements had been made.

Town Manager Davis stated that she needed time to provide the Commission with the report explaining what happened.

Commissioner Hockman expressed his concerns with the parking lot and did not want the Town to overspend on the project.

Vice-Mayor Rumsey explained that the 2.4 million that was spent on the property was from a grant that was awarded to the Town from Palm Beach County. He wanted to clarify to the public that the funds used to purchase the property did not come out of the Town's funds.

Commissioner Longtin asked how much it would cost to extend the pavement from underneath the metal storage building.

Town Manager Davis stated that they had not done a takeoff and she did not know how much asphalt would need to be installed. She stated that she would be happy to have staff look at it and provide a report.

Motion: A motion was made by Commissioner Hockman to approve item number 4 of the Consent Agenda; Commissioner Longtin made the second.

Vote on Motion:

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

Motion passed 4-0

Commissioner Hockman stated that he wanted to make sure that if a family wanted to come over and use the pavilion for a picnic that they would not be charged \$50.

Recreation Director Greg Dowling explained that the rental fee was to reserve the pavilion exclusively for an event and residents just using it for a picnic would not be chased away or charged.

Vice-Mayor Rumsey stated that he agreed with Commissioner Hockman. He stated that he would like to see the resident fee less than the non-resident fee.

Town Manager Davis explained that it could not be done because the park was built with grant dollars and the grant was very specific in stating that they could not charge anyone more than they would charge a resident.

Commissioner Longtin stated that in her opinion government money was taxpayer money and the taxpayers have already paid for the park and should be able to use it without being charged.

Motion: A motion was made by Vice-Mayor Rumsey to approve item number 5 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 3-1

PUBLIC HEARING:

ORDINANCE ON 2nd READING

ORDINANCE NO. 01-2011 – Garage/Yard Sale Signage

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.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Rumsey to approve Ordinance No. 01-2011 upon 2nd reading; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner			

Hockman	X		
Vice-Mayor Rumsey	X		
Commissioner Osterman			Absent
Mayor DuBois	X		

Motion passed 4-0

Attorney Baird read Ordinance No. 01-2011 by caption-only.

ORDINANCE ON 1ST READING

ORDINANCE NO. 02-2011 Bank Registration

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE III OF THE CODE OF ORDINANCES ENTITLED "HOUSING CODE" TO CREATE A NEW DIVISION 4, TO BE ENTITLED, "ABANDONED REAL PROPERTY;" PROVIDING FOR SECTION 54-101, ENTITLED "INTENT AND PURPOSE"; PROVIDING FOR SECTION 54-102, ENTITLED "DEFINITIONS"; PROVIDING FOR SECTION 54-103, ENTITLED "APPLICABILITY"; PROVIDING FOR SECTION 54-104, ENTITLED "REGISTRATION OF ABANDONED REAL PROPERTY"; PROVIDING FOR SECTION 54-105 ENTITLED "MAINTENANCE REQUIREMENTS"; PROVIDING FOR SECTION 28-106, ENTITLED "SECURITY REQUIREMENTS"; PROVIDING FOR SECTION 54-107, ENTITLED "IMMUNITY OF ENFORCEMENT OFFICER"; PROVIDING FOR SECTION 54-108, ENTITLED "ADDITIONAL AUTHORITY"; PROVIDING FOR SECTION 54-109, ENTITLED "REMOVAL OF ABANDONED PERSON PROPERTY AUTHORIZED"; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

Matthew Leger, Realtors Association of the Palm Beaches – explained and gave a history of the foreclosure situation in the Town and in the County. He stated that RAPB understands the foreclosure situation and could be of assistance to the Town should it move forward with the Bank Registration Ordinance. He gave examples of issues that could arise during the foreclosure process that the Town should consider when passing the Ordinance and the procedures followed thereafter.

Public Comment Closed.

Commissioner Hockman discussed his concerns and recommendations for the Ordinance and the procedures that the Town should follow with regards to foreclosed properties. He stated that the fees charged should be reasonable.

Mayor DuBois expressed her concerns with foreclosed properties and asked if the Ordinance was the beginning of a process the Town can take to resolve the issues.

Attorney Baird explained that the biggest foreclosure problem municipalities were experiencing is that banks have stopped the foreclosure process because of problems they were having with proof of participating in the foreclosure process. He explained that there were 22 properties in the Town in foreclosure which continue to be vacant. He stated that the issue was even though the bank has expressed ownership interest, they have halted the foreclosure process before closing on the property. He recommended that the Town follow what other municipalities have done which is adopt the Ordinance which would require the banks take responsibility for maintaining and securing those properties.

Vice-Mayor Rumsey stated that his concern was that there is a property two doors down from his home that has been abandoned for four years. He stated that people have tried to purchase the home and can't get in touch with anyone in order to purchase it. He stated that his fear was that the value of the home would not even be worth the bank maintaining the yard. He asked what would happen if the bank did not maintain the home.

Attorney Baird explained that the bank would be cited for a violation of the Town code and they would then be process like any other code enforcement case. He stated that in his experience as Magistrate in North Palm Beach, the banks respond to the citation by hiring a management company or caretaker to take care of the violations.

Discussion ensued among the Commission and Attorney Baird regarding Ordinance No. 02-2011.

Motion: A motion was made by Vice-Mayor Rumsey to approve Ordinance No. 02-2011 upon 1st reading; Mayor Dubois passed the gavel and seconded the motion.

Vote on Motion:

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

Motion passed 3-1

Attorney Baird read Ordinance No. 02-2011 by caption-only.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Osterman

Absent

Commissioner Longtin stated that the company Deevan who was also working with Alliance Concrete was doing a very respectable job with replacing sewer lines in the Town. She asked the public to put themselves in the place of a police officer or firefighter and see if their house numbers are easily identifiable. She asked that residents make sure their house numbers could be easily seen from the road during the day time and night time as it is a life safety issue.

Vice-Mayor Rumsey asked if the Committee assignments could be reviewed at the next Commission Meeting.

Town Manager Davis stated that she could put the Committee assignments review as an item on the next agenda.

Vice-Mayor Rumsey thanked "Bridges at Lake Park" for introducing themselves at the meeting. He stated that they sounded like a wonderful organization and recommended that they have a booth at the Marina Sunset Parties and at other Town events and festivals. He discussed the possibility of a Community Center for the Town. He asked if it was possible to have a discussion item at an upcoming Commission meeting to discuss where they are in the process and try to move the project forward.

Commissioner Hockman stated that it was great seeing the crowd at the last Marina Sunset Party and seeing all of the artists there. He wanted to thank everyone for coming out to the Boy Scouts Car Show which was a great success. He thanked everyone for their support. He requested copies of the basic RFP's that are done in the Town. He stated that he thought that the Commission would like to know what was going out as RFP's.

Mayor DuBois stated that the Marina Sunset Party was packed and she was surprised to see so many people out. She invited everyone to attend the next party.

Attorney Baird stated that he wanted to alert the Commission that his firm decided to have an open house on March 31st and the invitations would be going out. He stated that the open house begins at 5:30 p.m.

Town Manager Davis asked for clarification on the request for copies of RFP's. She asked if it was the request of the whole Commission.

Mayor DuBois stated that she did not need the copies of every RFP.

Vice-Mayor Rumsey agreed and stated that they would be able to find out the information if they needed to.

Commissioner Longtin stated that she agreed with Commissioner Hockman and thought that the Commission should be informed. She stated that she wanted to get a copy of the RFP's as well.

Town Manager Davis stated that she did not have a problem with providing any information the Commission requests. She stated that she just wanted clarification on what the Commission was requesting.

Mayor DuBois stated that the consensus was that the two of the Commissioners want the copies of the RFP's and the other two, herself and Vice-Mayor Rumsey do not feel that they need that information.

Commissioner Hockman clarified and stated that he just wanted a brief synopsis of all of the RFP's.

Vice-Mayor Rumsey stated that he did not disagree with Commissioner Hockman. He asked Town Manager Davis what the amount an RFP would need to be which requires the Town Manager to inform the Commission.

Town Manager Davis stated that she is required to inform the Commission of any RFP that is \$25,000 and over.

Commissioner Hockman stated that he would like to see RFP's from a couple of thousand and up in case there was something he or another Commissioner may catch as an error and save the Town money.

Town Manager Davis announced Joe Pierre as the featured artist of the month at the Art on Park Studio and Gallery. His opening would be Saturday, March 12th from 6 p.m. to 8 p.m. and the building is at 800 Park Avenue. She announced that the Town's Art Festival would be taking place on March 19th and 20th. She invited everyone to see the new trees and irrigation on Date Palm Drive between 6th and 9th Street thanks to a grant that was awarded from the efforts of Grants Writer Virginia Martin.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Hockman and seconded by Vice-Mayor Rumsey, and by unanimous vote, the meeting adjourned at 8:25 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: March 16, 2011

Agenda Item No. 2

- | | |
|--|---|
| <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: Proclamations Declaring April as Florida's Water Conservation Month and May 15-21 as Water Reuse Week

RECOMMENDED MOTION/ACTION: Approve

Approved by Town Manager W. Davis Date: 3/11/11
Vini Luley March 8, 2011
 Name/Title Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ 0.00 Funding Source: Acct. #	Attachments: Email from South Florida Water Management District Proclamations
Department Review: <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 checked="" type="checkbox"/> Town Clerk <u>VML</u> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u>VML</u> Please initial one <u>VML</u>

Summary Explanation/Background: Governor Rick Scott has proclaimed April as Water Conservation Month and also May 15-21 as Water Reuse Week. These are critical issues in South Florida and South Florida Water Management District is requesting participation from municipalities to work together to maintain both a vibrant natural environment and viable public water supply.

Vivian Lemley

From: Corry, Laura [lcorry@sfwmd.gov]
Sent: Monday, March 07, 2011 1:18 PM
To: Corry, Laura
Subject: Water Conservation Month and Water Reuse Week Proclamations for Local Governments and Utilities
Attachments: Water Conservation Month April 2011 proclamation (2).doc; Reuse Week Model Local Proclamation 2011 (2).doc

Good Morning Everyone,

Subject: Water Conservation Month and Water Reuse Week Proclamations for Local Governments and Utilities

This year, Governor Rick Scott has proclaim April as Water Conservation Month. The South Florida Water Management District supports this initiative, and we are asking local governments and utilities to adopt their own version of the attached proclamations. *Please notify us of your participation by contacting me at 561-682-6012 or via email at lcorry@sfwmd.gov* with your adoption date(s) or if you have any questions.

Also, Water Reuse Week is scheduled for May 15-21, so I have attached a template for Water Reuse Week for your use as well. This week has not been finalized, so it may change, but I wanted to go ahead and send you the template, so that you may be able to begin working on your own version.

Water conservation and water reuse are critical for South Florida to maintain both a vibrant natural environment and viable public water supply. Given the lingering impacts of a severe multi-year water shortage, it is more important than ever for communities to be reminded that conservation and reuse can ease the pain of water shortage and help protect our vital water resources for the environment and future generations of South Floridians.

The District's goal is to have the largest number of Water Conservation Month and Water Reuse Week proclamations in the State, and they will be presented to the Governor.

Thank you for your consideration. We look forward to hearing from you.

Laura R. H. Corry
**Intergovernmental Representative
Palm Beach County Service Center
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
Office: (561) 682-6012
Cell: (561) 906-4641
Fax: (561) 682-2346**



**Proclamation
Town of Lake Park
Florida**

WATER REUSE WEEK

WHEREAS, safe, clean, and sustainable water resources are essential to Florida's environment, economy, citizens and visitors; and

WHEREAS, Florida's water supplies are finite, while our population and our need for water resources continues to increase; and

WHEREAS, water reuse provides a means for conserving and augmenting Florida's precious water resources; and

WHEREAS, Florida has established the encouragement and promotion of water reuse as state objectives in Chapters 373 and 403, Florida Statutes, and

WHEREAS, Florida's permitted reuse capacity exceeds 1.5 billion gallons per day (more than 62 percent of Florida's total permitted capacity for all domestic wastewater treatment facilities); and

WHEREAS, Florida leads the nation in reusing 667 million gallons of reclaimed water each day to conserve freshwater supplies and replenish our rivers, streams, lakes and aquifers; and

WHEREAS, the State of Florida has declared the week of May 15-21, 2011 to be Water Reuse Week in Florida; and

WHEREAS, the Town of Lake Park has joined with the State of Florida, the Florida Department of Environmental Protection, and the South Florida Water Management District in encouraging and promoting water reuse and conservation; and

WHEREAS, the Town of Lake Park has implemented a water reuse program and encourages efficient and effective use of reclaimed water; and

NOW, THEREFORE, be it resolved that by virtue of the authority vested in me as Mayor, of the Town of Lake Park do hereby proclaim the week of May 15-21, 2011 as Water Reuse Week.

The Town of Lake Park is calling upon each citizen and business to help protect our precious resource by practicing water conservation and to use reclaimed water in an efficient and effective means.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of March, in the year two thousand eleven.

Mayor

Town Clerk

PROCLAMATION
Water Conservation Month

WHEREAS, Florida's natural beauty, crystal blue waters and white sand beaches attract residents and visitors from around the world; and

WHEREAS, clean and sustainable water resources are vital to Florida's environment, economy and quality of life; and

WHEREAS, more than 90 percent of Florida's drinking water is supplied by underlying aquifers, and our quality of life and the economy depend upon a clean and healthy environment; and

WHEREAS, Floridians consume more than 7.9 billion gallons per day of fresh water, and the future of Florida depends greatly upon the availability of water; and

WHEREAS, South Florida residents consume 179 gallons per person, per day – the highest water usage in the state; and

WHEREAS, the State of Florida, together with local partners, are investing billions of dollars to develop alternative water supplies, clean up stormwater pollution, restore rivers, lakes and springs, upgrade drinking water facilities and improve wastewater treatment; and

WHEREAS, water conservation can cost as little as 6 cents to 72 cents per 1,000 gallons of water saved, while the cost of constructing alternative water supply facilities may exceed \$7 per 1,000 gallons of water created; and

WHEREAS, all water users including commercial, industrial, agricultural, institutional, hospitality, private citizens and others can make positive contributions to reduce water use and protect Florida's water resources;

WHEREAS, the South Florida Water Management District, is implementing a Comprehensive Water Conservation Program to instill a lasting culture of conservation in our communities; and

WHEREAS, the Governor and Cabinet of the State of Florida are designating April as Florida's Water Conservation Month to encourage Floridians to conserve the state's precious water resources;

NOW, THEREFORE, be it resolved that by virtue of the authority vested in me Desca DuBois, of the Town of Lake Park do hereby proclaim the month of April as Water Conservation Month.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of March, in the year two thousand eleven.

Mayor

Town Clerk

TAB 3

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

Meeting Date: March 16, 2011

Agenda Item No. 3

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <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"/> ORDINANCE ON SECOND READING | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> Other: |

SUBJECT: FIND grant

RECOMMENDED MOTION/ACTION: Authorize Grant Submission

Approved by Town Manager

W. Davis

Date:

3/14/11

Virginia Martin, Grants Writer
Name/Title

March 10, 2011
Date of Actual Submittal

Originating Department: Grants	Costs: \$2,900,000 Funding Source: FIND: \$500,000 Land cost: \$2,400,000 Acct. #	Attachments: Resolution
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____	<input checked="" type="checkbox"/> Grants <u>GM</u> <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> IT _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____	<input type="checkbox"/> PBSO _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input checked="" type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u>GM</u> : Please initial one.

Summary Explanation/Background: The Town is requesting funding from FIND to renovate the parking lot on US 1 and to provide 1/2 of the pedestrian walkway along Lake Shore Drive by the Marina. The Town Manager and the Grants Writer will be meeting with the Palm Beach County FIND Commissioner and the FIND Assistant Director on Wednesday to determine the exact scope of work allowable under FIND guidelines..

RESOLUTION NO. 08-03-11

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO SUBMIT A GRANT APPLICATION FOR THE LAKE PARK HARBOR MARINA PROMENADE PROJECT UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM.

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

WHEREAS, the Town is interested in carrying out the following described project for the enjoyment of the citizens of Lake Park and the State of Florida:

Project Title: Lake Park Harbor Marina Promenade Project

Total Estimated Cost: \$2,900,000

Brief Description of Project: This project consists of one-half of the promenade area and the parking lot on US 1 for 30 new trailer parking spaces and 16 standard parking spaces for Marina use.

AND, Florida Inland Navigation District financial assistance is required for the project described above.

NOW, THEREFORE, BE IT RESOLVED by the Town Commission of the Town of Lake Park, Florida that the project described above be authorized:

AND, be it further resolved that said Town of Lake Park make application to the Florida Inland Navigation District in the amount of \$500,000 of the actual cost of the project on behalf of said Town of Lake Park, **AND**, be it further resolved by the Town of Lake Park that it certifies to the following:

1. That it will accept the terms and conditions set forth in FIND rule 66B-2 F.A.C. and which will be a part of the Project Agreement for any assistance awarded under the attached proposal.
2. That it is in complete accord with attached proposal and that it will carry out the Program in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the District.
3. That it has funded \$2,400,000 of the cost of the project with the purchase of the property, and that the project will be operated and maintained at the expense of said Town of Lake Park for public use.
4. That it will not discriminate against any person on the basis of race, color or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, BI 88.352 (1964) and design and construct all facilities to comply fully with statutes relating to accessibility by handicapped persons as well as other federal, state and local laws, rules and requirements.
5. That it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement.
6. That it will make available to FIND if requested, a post-audit of expenses incurred on the project prior to, or in conjunction with, request for the final 10% of the funding agreed to by FIND.

This is to certify that the foregoing is a true and correct copy of a resolution duly and legally adopted by the Town of Lake Park at a legal meeting held on the 16th day of March, 2011.

TAB 4



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 16, 2011

Agenda Item No. 4

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

SUBJECT: Change to Fine Fee Schedule

RECOMMENDED MOTION/ACTION: APPROVAL

Approved by Town Manager *Vinny Lely* for *Maria Davis* Date: *3/11/11*

Name/Title: Nadia Di Tommaso, Interim CDD Date of Actual Submittal 03/09/2011 *MD*

Originating Department:	Costs: \$ Funding Source: Acct. #	Attachments: Resolution Exhibit "A"
Department Review: <input checked="" type="checkbox"/> Attorney <u><i>[Signature]</i></u> <input checked="" type="checkbox"/> Community Development <u><i>ND</i></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 _____
Advertised: 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><i>MD</i></u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

Amending the schedule of fees to add a \$50 Garage/Yard sale signage violation fee pursuant to the updated garage/yard sale language adopted on 03/02/2011.

RESOLUTION NO. 09-03-11

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING RESOLUTION NO. 37-09-10 TO REVISE THE CITATION FINE SCHEDULE FOR VARIOUS VIOLATIONS OF THE TOWN'S CODE OF ORDINANCES, AS PRESENTED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Town Commission had previously adopted a fine schedule for various violations of the Town's Code of Ordinances which are enforced by citation and which has been previously codified in Chapter 9, Section 9-71 of the Town Code; and

WHEREAS, the Town Commission repealed the fine schedule previously codified at Code Section 9-71 and now provides for the establishment of a fine schedule for citations by Resolution; and

WHEREAS, the Town Commission recognizes that the use of citations to enforce certain sections of the Town will be an efficient and cost effective additional method of code enforcement; and

WHEREAS, the Town Commission desires to revise the list of citations; and

WHEREAS, the Town Commission has determined that it is in the best interest of the public health, safety and general welfare to revise the schedule of fines established in Resolution No.09-03-11; and

WHEREAS, a copy of the revised fine schedule listing the Code Sections and corresponding fines for violations of the Town Code to be enforced by citation is attached hereto and incorporated herein as **Exhibit "A"**.

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

Section 1. The foregoing recitals are hereby incorporated as true and correct as the legislative findings of the Town Commission.

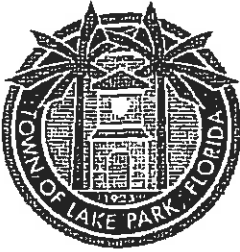
Section 2. The Town Commission hereby approves the revised schedule of fines for violations of the Town Code to be enforced by citation, as presented in **Exhibit "A"**, and Town staff is directed to implement the revised list of citations commencing with the effective date of this Resolution.

Section 3. This Resolution shall take effect immediately upon its adoption.

Exhibit A

Code Section	VIOLATION DESCRIPTION	FINE
10-32	Nuisance	\$100
10 -154	Noise disturbance	\$250
16 -3	Unlawful trespass on public land	\$125
18 -61	Domestic animals prohibited in park	\$50
18 -85	Violation of permit terms for use of park	\$50
18 -81	No permit for special event	\$250
20 -32	No permit for garage sale	\$50
24 -34	Illegal roll-off (residential)	\$250
24 -74	Illegal roll-off (commercial)	\$250
24 -8	Illegal dumping / littering	\$250
24-39	Overloaded sanitation container (Residential)	\$50
24 -78	Overloaded sanitation container (Commercial)	\$50
30 -2	Prohibited parking	\$50
30 -33	Commercial loading and unloading	\$250
30 -35	Parking commercial vehicle in residential are	\$125
32 -57	Illegal watering 1 st offense	\$50
32 -57	Illegal watering 2 nd offense	\$250
32-57	Illegal watering 3 rd or more offense	\$500
34 -6	Hatracking; tree topping	\$250
70 -32	Sign code violation	\$125
2-320	No out of Town Business Registration	<u>\$50</u>
<u>70- 103(1)(c)</u>	<u>Garage/Yard Sale Signage Violation</u>	<u>\$50</u>

TAB 5



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 16, 2011

Agenda Item No. **5**

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

SUBJECT: Change to Development Review Fee Schedule

RECOMMENDED MOTION/ACTION: APPROVAL

Approved by Town Manager Vin Luly for Moria Davis Date: 3/11/11

Name/Title: Nadia Di Tommaso, Interim CDD Date of Actual Submittal 03/09/2011 **MD**

Originating Department:	Costs: \$ Funding Source: Acct. #	Attachments: Resolution Exhibit "A"
Department Review: <input checked="" type="checkbox"/> Attorney <u>JAD</u> <input checked="" type="checkbox"/> Community Development <u>JAD</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
Advertised: 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>MD</u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

Amending the schedule of fees to add a \$200 Bank Registration Fee.

RESOLUTION NO. 10-03-11

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING THE SCHEDULE OF FEES FOR DEVELOPMENT ORDERS, PERMITS, MOBILE VENDORS, REASONABLE ACCOMODATION REQUESTS AND OTHER APPLICATIONS WHICH REQUIRE ADMINISTRATIVE PROCESSING BY THE TOWN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Town Commission has previously adopted Resolution No. 20-05-09, pursuant to which the Town Commission established a Schedule of Fees that the Town charges for the review and processing of applications for development orders, permits, and other applications which require processing by the Town staff and Attorney and consultants ; and

WHEREAS, Town staff has recommended that the Schedule of Fees previously adopted in Resolution No. 23-06-10 be amended as set forth in **Exhibit "A"** attached hereto, and incorporated herein to increase and add certain fees.

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

Section 1. The whereas clauses are hereby incorporated herein.

Section 2. The Town Commission hereby adopts the amended Schedule of Fees as contained in **Exhibit "A"** which is attached hereto and incorporated herein.

Section 3. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

Section 4. This Resolution shall take effect immediately upon adoption.

EXHIBIT "A"**SECTION 1****DEVELOPMENT REVIEW PERMIT FEE SCHEDULE**

No.	TYPE OF FEE	FEE
1	Abandonment of rights of way	\$1500.00
2	Abandonment of easements	\$1500.00
3	Appeal of Administrative Decisions	\$600.00
4	Comprehensive Plan amendment	\$1250.00
5	Comprehensive future land use map change	\$1250.00
6	Development of Regional Impact	\$3000.00
	a. Annual report review	\$500.00
7	Development Approval extension	\$1000.00
8	Developer Agreements	\$1500.00
9	Planned Unit Development	
	a. Master Plan approval	\$1750.00
	b. Modification of an approved Master Plan	\$750.00
10	Site plan, nonresidential	
	a. 0-14999 square feet	\$1000.00
	b. Greater than 14999 square feet	\$1500.00
11	Site Plan residential	
	a. Base fee	\$750.00
	b. Additional fee, greater of 10.00 per dwelling unit or lot	\$10.00 per unit
12	Special Exception, nonresidential	
	a. 0-14999 square feet	\$750.00
	b. Greater than 14999 square feet	\$1250.00
13	Special Exception, residential	
	a. 0-14999 square feet	\$750.00
	b. Greater than 14999 square feet	\$1250.00

14	Variance, nonresidential	\$750.00
15	Variance, residential principal structure	\$550.00
16	Vegetation removal and land clearing permit	\$500.00
17	Zoning code text amendment	\$1250.00
18	Zoning map amendment	\$1250.00
19	Zoning determination letter	\$85.00
20	Zoning Confirmation Certificate	\$85.00
21	Home Occupation Zoning Confirmation Certificate	\$85.00
22	Special Event Permit (non-profit)	\$25.00
23	Special Event Permit (commercial entity)	\$75.00
24	Minor Replat	\$500.00
25	Tree Removal	\$50
26	Telecommunications Tower Pre-application permit	\$250
27	Telecommunications Tower/Co-Location Application	\$1500
28	Certificate of Appropriateness (Historic Preservation)	\$100
29	Site Plan or Development Approval Amendment	\$250
30	Abatement Request Application - Code	\$50
31	Time Extension Application - Code	\$50
32	Out of Town Business Registration Application	\$25
33	Name Change Administrative Fee	\$25
34	PADD Waiver	\$750
35	Parking meter fee per hour	\$1.00
36	Parking meter fee per quarter hour	\$.25
37	Parking meter discounts, passes and bulk purchases	TBD by the Town Mgr
38	Expired meter – illegal parking fine per ticket	\$20
39	Unauthorized parking in a handicapped space or zone	\$500
40	Annual Mobile Vendor fee	\$250
41	Mobile Vendor fee per event	\$25
42	Marina Event Fee – per event	\$500

43	Bank Registration Fee	\$200
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Recovery of additional costs. In addition to the afore-stated fees, the Town may, in addition to the applicable application fee, recover the costs referenced below, including, but not limited to, the following:

- 1) Consultant fees incurred by the Town, whenever the Town deems it necessary to retain an outside consultant to assist Town staff in the review and processing of applications for development orders, such as the review and analysis of property appraisals, traffic impact analysis, vegetation and environmental assessments, archeological or historic assessments, market studies, engineering studies or reports, telecommunications facility siting, and any other documents, studies, data, reports and other materials.
- 2) Attorney's fees incurred by the Town Attorney or other legal counsel retained by the Town in connection with the review and processing of an application for a development order, and the preparation and/or review of legal documents.
- 3) Costs incurred by the Town in connection with advertising, publication, and mailing of legal notices for public hearings, workshops, or other public meetings; recording fees for the cost of recording instruments in the public records of Palm Beach County.
- 4) In the event that at the time an application is received by the Town, additional costs are reasonably anticipated by the Town to be incurred by the Town, the Town may require the applicant as a condition precedent to processing the application, to deposit an amount estimated by the Town's Community Development Director, to be a sufficient cost deposit. Any monies provided to the Town as a cost deposit, shall be placed into an escrow account created by the Town. After the Town Commission takes final action on the application, the Town shall refund any unused cost deposit funds to the applicant.
- 5) The minimum cost deposit shall be \$800.00 or a greater amount if deemed necessary by the Town's Community Development Director to cover all anticipated expenses, whichever is greater.

TAB 6



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 16, 2011

Agenda Item No. **6**

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> DISCUSSION/POSSIBLE ACTION |
| <input checked="" 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: BANK REGISTRATION ORDINANCE

RECOMMENDED MOTION/ACTION:

Adoption of Bank Registration Ordinance on Second Reading.

Approved by Town Manager *Thomas J. Baird* *For Maria Davis* Date: 3/9/2011

Name/Title: Thomas J. Baird, Town Attorney Date of Actual Submittal 03/09/2011

Originating Department:	Costs: \$ Funding Source: Acct. #	Attachments: Ordinance
Department Review: <input checked="" type="checkbox"/> Attorney <i>TJB</i> <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
Advertised: 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 _____ Please initial one.

Summary Explanation/Background: This ordinance is modeled after ordinances which have been adopted throughout Florida because of the large number of foreclosures occurring. The ordinance creates a process whereby Banks taking title to properties following foreclosures must: 1) inspect the property and determine whether it has been abandoned; 2) register the property with the Town and pay a registration fee to defray the administrative costs of the Town; 3) maintain and secure the premises; and 4) if the Bank or Lender is out of state, hire a Management Company to maintain and/or secure the property. The management company must be available at all times so that the Town can contact it if there is a problem with the property which has been registered.

ORDINANCE 02-2011

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE III OF THE CODE OF ORDINANCES ENTITLED "HOUSING CODE" TO CREATE A NEW DIVISION 4, TO BE ENTITLED, "ABANDONED REAL PROPERTY;" PROVIDING FOR SECTION 54-101, ENTITLED "INTENT AND PURPOSE"; PROVIDING FOR SECTION 54-102, ENTITLED "DEFINITIONS"; PROVIDING FOR SECTION 54-103, ENTITLED "APPLICABILITY"; PROVIDING FOR SECTION 54-104, ENTITLED "REGISTRATION OF ABANDONED REAL PROPERTY"; PROVIDING FOR SECTION 54-105 ENTITLED "MAINTENANCE REQUIREMENTS"; PROVIDING FOR SECTION 54-106, ENTITLED "SECURITY REQUIREMENTS"; PROVIDING FOR SECTION 54-107, ENTITLED "IMMUNITY OF ENFORCEMENT OFFICER"; PROVIDING FOR SECTION 54-108, ENTITLED "ADDITIONAL AUTHORITY"; PROVIDING FOR SECTION 54-109, ENTITLED "REMOVAL OF ABANDONED PERSON PROPERTY AUTHORIZED"; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, this Ordinance is enacted pursuant to the home rule powers and authority of the Town Commission contained in Article VIII, Section 2, of the Florida Constitution and Chapter 166 Florida Statutes; and

WHEREAS, the Town Commission recognizes there has been an increase in the number of vacant and abandoned properties located throughout the Town; and

WHEREAS, the presence of vacant and abandoned properties can lead to a decline in property values and discourage potential buyers from purchasing property within the Town; and

WHEREAS, a large number of properties are in foreclosure and/or are no longer owner occupied due to national issues such as a decline in property values and unemployment; and

WHEREAS, Palm Beach County and the Town have become particularly impacted by these national issues resulting in homes being abandoned and/or foreclosed upon by large financial institutions and lenders; and

WHEREAS, in many cases where there has been a foreclosure instituted, the individuals or families who have resided therein have abandoned the property or ceased maintaining the property; and

WHEREAS, the failure to maintain properties results in numerous code violations such

as the accumulation of trash, debris and discarded personal property; overgrown grass and bushes; proliferation of vermin; unsecured swimming pools with standing water; vandalism and occupation by vagrants; and

WHEREAS, allowing properties to remain vacant, and to not be maintained creates a public nuisance, requires greater code enforcement activities by the Town, and results in a financial burden on all of the Town's residents and businesses; and

WHEREAS, the failure to maintain properties in the Town presents a serious threat to the public health, safety and general welfare; and

WHEREAS, many of the vacant and abandoned properties are the responsibility of out-of-state lenders and trustees who fail to adequately secure and maintain such properties; and

WHEREAS, the Town Commission determines that it is in the best interests of the Town of Lake Park to create new regulations requiring the registration of vacant properties which have been foreclosed to require their registration, maintenance and security to protect the integrity of the Town's existing residential neighborhoods.

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

Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.

Section 2. Chapter 54, Article III, Division 4 of the Code of Ordinances of the Town of Lake Park, Florida is hereby created as follows:

DIVISION 4

Sec. 54-101. Purpose and Intent

It is the purpose and intent of the Town Commission to establish a process to require that abandoned residential properties located within the Town be registered with the Town so that the Town may insure they are maintained. Further, it is the Town's intent to establish an abandoned residential property program to protect residential neighborhoods from becoming blighted because of the property owner's failure to maintain and secure an abandoned property.

Sec. 54-102. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned real property means any property that is vacant and is subject to an uncured Notice of Default and/or Notice of Mortgagee's Sale by the lender or a pending Tax Deed Sale; properties that have been the subject of a foreclosure sale where the title was retained by the beneficiary, successor or assign of a mortgage involved in the foreclosure; and any property transferred under a deed in lieu of foreclosure or sale.

Accessible building or property means a residential property with a building that is unsecured and/or breached in such a way as to allow access to the property, including a swimming pool, and/or interior space by unauthorized persons.

Evidence of vacancy means any condition that on its own, or combined with other conditions, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but not be limited to, overgrown and/or dead vegetation, accumulation of abandoned personal items and property, statements by neighbors, passers-by, delivery agents or government agents, among other evidence that the property is vacant.

Foreclosure means the process by which a property, placed as security for a real estate loan, is sold at public sale to satisfy the debt if the borrower defaults.

Enforcement officer means a law enforcement officer, building official, code enforcement officer, fire inspector or building inspector.

Property management company means a local property manager, property maintenance company or similar entity responsible for the maintenance of abandoned real property.

Residential building means any real property, or portion thereof, situated in the Town, improved by a single-family dwelling or multi-family dwelling, and shall include the buildings and structures (including pools) located on such improved real property.

Vacant means any building/structure that is not legally occupied.

Sec. 54-103. Applicability.

This division shall be considered cumulative and not superseding or subject to any other ordinance, code, law or provision, but shall constitute an additional remedy available to the Town above and beyond any other state, county and/or ordinance, code, law or provisions relating to same.

Sec. 54-104. Registration of Abandoned Real Property

(a) Any mortgagee who holds a mortgage on real property located within the Town shall perform an inspection of the property that is the security for the mortgage upon the issuance of a Notice of Default and the expiration of any cure period set forth in the mortgage documents. If such property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned and the mortgagee shall, within 10 days of the inspection, register the property with the Town's Community Development Department on a form provided by the Town. A registration fee as established by the Town from time to time is required for each vacant property or dwelling unit within a multi-family dwelling.

(b) If such property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within 10 days of that inspection, register the property with the Community Development Department on a form provided by the Town.

(c) Registration pursuant to this division shall contain the name of the mortgagee, the direct mailing address of the mortgagee, a direct contact name and telephone number of mortgagee, facsimile number and e-mail address and, in the case of a corporation or out-of-area mortgagee, the local property management company responsible for the security and maintenance of the property.

(d) This division shall also apply to properties improved with a residential building that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

(e) Properties subject to this division shall remain under the annual registration requirement, security and maintenance standards of this division as long as they remain vacant and for properties not yet subject to a foreclosure sale or a transfer under a deed in lieu of foreclosure, the property owner remains in default.

(f) Any person or corporation that has registered a property under this article must report any change of information contained in the registration within 10 days of the change.

Sec. 54-105. Maintenance Requirements.

(a) In addition to the requirements of this division, properties subject to the provisions of this division shall be maintained in accordance with the Town's relevant nuisance, minimum housing, landscaping, building, and other code regulations.

(b) Improved properties subject to this division shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state, or local law, discarded personal items included, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

(c) Residential buildings shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

(d) Landscaping shall be maintained in accordance with the Town's standard at the time registration was required. Landscaping shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, or decorative rock or bark.

(e) Maintenance shall include, but not be limited to, watering, irrigation, cutting, and mowing of required landscaping and the removal of all trimmings.

(e) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris. Pools and spas shall comply with the enclosure requirements of the Town Code and the Florida Building Code, as amended from time to time.

(f) Properties subject to this division shall be inspected and maintained on a monthly basis for so long as the property is vacant.

Sec. 54-106. Security Requirements

(a) Residential buildings subject to this division shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property and/or structure. Broken windows shall be secured by re-glazing or boarding of the window.

(c) If the property is owned by a corporation and/or out of area mortgagee, a local property management company shall be contracted to perform bi-weekly inspections to verify compliance with the requirements of this division, and any other applicable ordinances, codes or laws.

(d) The property shall be posted with the name and 24 hour contact phone number of the person or entity charged with the property's management, security and maintenance. The posting shall be no less than an eight-inch by ten-inch sign. The posting shall contain the following language:

THIS PROPERTY IS MANAGED BY:

TO REPORT PROBLEMS OR CONCERNS CALL:

The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible, or secured to the exterior of the building/structure facing the street to the front of the property so it is visible or, if no such area exists, on a stake of sufficient size to support the posting in a location as close as possible to the main door entrance of the property. Exterior postings shall be constructed of, and printed with, weather-resistant materials.

(e) The person, entity or property management company shall inspect the property on a bi-weekly basis to ensure that the property is in compliance with this division and other applicable Town ordinances, codes, and laws. Upon the request of Town, the person, entity or property management company shall provide a copy of the inspection reports to the Town's Community Development Department.

(f) Failure of the mortgagee and/or property owner of record to properly register and/or maintain the property may result in a violation of the Town Code and issuance of a Notice of Violation/Notice of Hearing by an enforcement officer. Alternatively, the Town may elect to abate any nuisance upon the property pursuant to Section 54-132 of the Code.

Sec. 54-107. Immunity of enforcement officer.

Any enforcement officer or other person authorized by or acting as an agent for the Town shall be immune from prosecution, civil or criminal, for reasonable, good faith trespass upon real property while in the discharge of duties imposed by this division.

Sec. 54-108. Additional Authority.

The Community Development Director, or his or her designee, shall have authority to require the mortgagee and/or owner of record of any property affected by this division, to implement additional maintenance and/or security measures as may be reasonably required to help prevent further decline of the property.

Sec. 54-109. Removal of abandoned personal property authorized.

(a) It shall be a violation of the Town's Code for any person or entity to abandon personal property, or permit personal property to be left outside of a structure on a property subject to this division. Abandoned personal property is hereby declared to be a public nuisance, the abatement of which is necessary to preserve the public health, safety and general welfare.

(b) Upon a determination by an enforcement officer that a property is vacant and that personal property has been abandoned, the enforcement officer shall make a reasonable effort to ascertain the name and address of the person abandoning said property. The enforcement officer's citation of the property owner for personal property which has been left on a property shall constitute a presumption of abandonment and a prima facie case established that the personal property has been abandoned, subject to rebuttal at a hearing before the Town's Special Magistrate.

(c) For the purposes of this division, a reasonable effort to ascertain the name and address of the owner of the property shall include a search of the public records of the Tax Collector, Property Appraiser, and Clerk of the Courts in Palm Beach County.

(d) The property owner who has abandoned property shall be noticed of a hearing that he is in violation in accordance with the notice provisions of §162.12, Florida Statutes, as it may be amended from time to time.

(e) If the Special Magistrate determines that the property constitutes abandoned property, a reasonable time shall be given to remove the property. If the property is not removed the Town shall be authorized to remove the personal property, and destroy, sell, or salvage the property, and shall be entitled to its proceeds to defray the Town's expenses.

(f) In the event the abandoned property is deemed to be an imminent public health and safety hazard, the Town is authorized to immediately remove the property. The Owner shall be noticed in accordance with §162.12 and assessed the cost of the Town's removal.

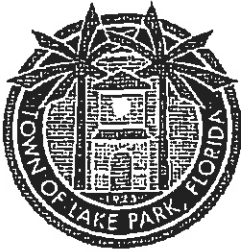
Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not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

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

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

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

TAB 7



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 2, 2011

Agenda Item No. 7

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

SUBJECT: NON-CONFORMING SIGNAGE EXPIRATION DATE

RECOMMENDED MOTION/ACTION:

Approval on first reading to modify the legal non-conforming signage expiration date from July 1, 2013 to July 5, 2016.

Approved by Town Manager Vin Luby for maria Davis Date: 3/11/11
 Name/Title: Nadia Di Tommaso, Interim CD Director Date of Actual Submittal 03/09/2011 MD
02/23/2011

Originating Department:	Costs: \$ Funding Source: Acct. #	Attachments: Memo Ordinance
Department Review: <input checked="" type="checkbox"/> Attorney <u>JAB</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
Advertised: 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>MD</u> or Not applicable in this case Please Initial one.

Summary Explanation/Background:

In August 2008, the Town Commission adopted, under Ordinance No. 11-2008, a July 1, 2013 expiration date for all signs that do not meet Code ("legal non-conforming"). The Northlake Boulevard Overlay Zone (NBOZ) has a compliance date of July 5, 2016. Given the recent economic climate and concerns from our local business owners and in order to remain consistent throughout the Town and alleviate the strain to commercial property owners in ALL areas of the Town, the Town Manager has requested that staff modify the overall signage Code to reflect a compliance date of July 5, 2016 for signs that do not meet Code.



Town of Lake Park Community Development Department

Nadia Di Tommaso,
Interim Community Development Director, *Planner*

Memo Date: March 8, 2011

To: TOWN COMMISSION

Re: Legal Non-Conforming Signage Compliance Date

Chapter 70, Section 70-104 – Legal Non-Conforming Signs.

NO change to the permitted or prohibited signs is being proposed. The Town's Northlake Boulevard Overlay Zone (NBOZ – *Chapter 78 Appendix A, Article 1, Division 5*), which was adopted by the Town in July 2006 and includes its own signage requirements that mirror the Town-wide requirements set forth in Chapter 70, Section 70-104, has a compliance date for signs that do not meet Code ("*legal non-conforming signs*") of July 5, 2016. Given the recent economic climate and concerns from our local business owners, the Town Manager has directed staff to modify Chapter 70 (*Signs*) to grant some additional relief to the business community Town-wide. This will allow for a fair and consistent enforcement throughout the Town. The change to the Code will be reflected as the following:

Section 70-104 – Legal Nonconforming Signs

(e) *Removal of legal nonconforming signs.* Any sign which may become nonconforming as a result of these regulations or any amendment to these regulations may be continued in operation and maintained until ~~July 1, 2013~~ **July 5, 2016** as a legal nonconforming sign, provided however that this amortization period shall not apply to real estate signs, and provided that:

- (1) No structural alteration, enlargement or extension shall be made to a legal nonconforming Sign unless the structural alteration, enlargement or extension will result in the elimination of the nonconforming features of the sign.
- (2) No sign shall be moved in whole or in part to any other location where it would remain nonconforming.
- (3) If a legal nonconforming sign is damaged or destroyed by any means except for intentional damage by the sign owner, to the extent that the repair value exceeds \$500.00 at the time of the damage, the sign may not be rebuilt or used thereafter unless it complies with all of the provisions of this section. Damaged nonconforming signs which may not be reconstructed or repaired under the terms of this section shall be removed within 20 days after the damage or destruction occurs. 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 an assessment of the town's administrative costs. In the event the damage or destruction is less than 50 percent of its replacement value at the time, the sign may be rebuilt to its original condition and may continue to be displayed, provided however that all nonconforming signs must be replaced with a conforming sign on or before ~~July 1, 2013~~ **July 5, 2016**.
- (4) Normal maintenance of legal, nonconforming signs, including necessary nonstructural repairs and incidental work, which does not extend or intensify the nonconforming features of the sign, shall be permitted.

Staff is recommending approval and is proposing that upon adoption a courtesy letter be sent out to all commercial property owners notifying them of this business-friendly initiative.

Nadia Di Tommaso
Interim Community Development Director, *Planner*
Community Development Department
Phone 881-3318 Fax 881-3323
NDiTommaso@lakepark.florida.gov

ORDINANCE NO. 03-2011

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLE IV, SECTION 70-104(e)(3) OF CHAPTER 70 PERTAINING TO LEGAL NON-CONFORMING SIGNS; PROVIDING FOR THE EXTENSION OF THE AMORTIZATION DATE FOR LEGAL NON-CONFORMING SIGNS TO JULY 5, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; 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 at Chapter 70, Articles I through IV, and Sections 70-1 through 70-108; and

WHEREAS, the Town adopted a zoning district known as the Northlake Boulevard Overlay Zone (NBOZ), and the NBOZ provides that signs therein shall be in conformance with the NBOZ sign regulations on or before July 5, 2016 ; and

WHEREAS, the Town Code presently requires that those non-conforming signs which are not in the NBOZ shall conform with the sign regulations in Chapter 70 on or before July 1, 2013; and

WHEREAS, the Town Commission has determined that it is appropriate to amend the sign regulations pertaining to legal non-conforming signs presently contained in Chapter 70 to be consistent with the NBOZ's compliance date for legal non-conforming signs; and

WHEREAS, the NBOZ's compliance date is July 5, 2016.

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 70-104(e)(3) of the Town Code is hereby amended to read as follows:

Sec. 70-104. - Legal nonconforming signs.

(e)

Removal of legal nonconforming signs. Any sign which may become nonconforming as a result of these regulations or any amendment to these regulations may be continued in operation and maintained until ~~July 1, 2013~~ July 5, 2016 as a legal nonconforming sign, provided however that this amortization period shall not apply to real estate signs, and provided that:

(1)

No structural alteration, enlargement or extension shall be made to a legal nonconforming sign unless the structural alteration, enlargement or extension will result in the elimination of the nonconforming features of the sign.

(2)

No sign shall be moved in whole or in part to any other location where it would remain nonconforming.

(3)

If a legal nonconforming sign is damaged or destroyed by any means except for intentional damage by the sign owner, to the extent that the repair value exceeds \$500.00 at the time of the damage, the sign may not be rebuilt or used thereafter unless it complies with all of the provisions of this section. Damaged nonconforming signs which may not be reconstructed or repaired under the terms of this section shall be removed within 20 days after the damage or destruction occurs. 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 an assessment of the town's administrative costs. In the event the damage or destruction is less than 50 percent of its replacement value at the time, the sign may be rebuilt to its original condition and may continue to be displayed, provided however that all nonconforming signs must be replaced with a conforming sign on or before ~~July 1, 2013~~ July 5, 2016.

(4)

Normal maintenance of legal nonconforming signs, including necessary nonstructural repairs and incidental work, which does not extend or intensify the nonconforming features of the sign, shall be permitted.

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 8



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 16, 2011

Agenda Item No. 8

- | | |
|--|--|
| <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: Resolution Adopted by the Town of Palm Beach, Palm Beach County

RECOMMENDED MOTION/ACTION:

Approved by Town Manager *W. Davis* Date: 3/7/11

Name/Title _____ Date of Actual Submittal _____

Originating Department: Commissioner Longtin	Costs: \$ N/A Funding Source: Acct. #	Attachments: Resolution adopted by the Town of Palm Beach
Department Review: <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 _____
Advertised: 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 <u>n/a</u> Please initial one.

Summary Explanation/Background: Commissioner Longtin requested that the attached resolution, which was adopted by the Town of Palm Beach Town Council, be placed on the Town Commission Agenda for discussion.

RESOLUTION NO. 11-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, URGING ALL PALM BEACH CITIZENS AND THE ELECTED OFFICIALS AND LEADERSHIP OF VARIOUS PALM BEACH COUNTY GOVERNMENTAL BODIES TO DO ALL THINGS WITHIN THEIR POWER TO BRING THE PALM BEACH COUNTY SHERIFF'S OFFICE AND THE PALM BEACH COUNTY SCHOOL DISTRICT UNDER THE OVERSIGHT OF THE OFFICE OF INSPECTOR GENERAL TO FACILITATE PRUDENT AND RESTRAINED BUDGET GOVERNANCE WITH REDUCED FRAUD AND WASTE; SETTING FORTH INSTRUCTIONS FOR DISTRIBUTION OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, property owners in the Town of Palm Beach and all other property owners in Palm Beach County pay disproportionately high levels of property taxes for the operation of Palm Beach County government and the Palm Beach County School District; and

WHEREAS, a large percentage of the Palm Beach County general operating budget and the resulting tax rate is directly related to the operations of the Palm Beach County Sheriff's Office; and

WHEREAS, the Town Council believes that the Palm Beach County Sheriff's Office and the Palm Beach County School District budget governance must be prudent and restrained and elected officials must review past decisions for sustainability without large future tax increases; and

WHEREAS, in November 2010 the voters of Palm Beach County, including those residing in the 38 municipalities in Palm Beach County, voted overwhelmingly to amend the Charter of Palm Beach County to establish a countywide code of ethics, an independent commission on ethics and an independent Office of Inspector General; and

WHEREAS, the Office of Inspector General is to provide independent oversight of publicly funded transactions, projects and other local government operations; and

WHEREAS, placing the Palm Beach County Sheriff's Office and the Palm Beach County School District under the oversight of the Office of Inspector General will ultimately facilitate the deliverance of budget governance that is both prudent and restrained and will also root out fraud, waste, malfeasance, misfeasance, theft, and other illegal acts and abuses to the extent that such exist.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, AS FOLLOWS:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The Town Council of the Town of Palm Beach hereby urges all of its citizens, the Palm Beach County Legislative Delegation, the Palm Beach County Board of County Commissioners, the School Board of the Palm Beach County School District, the Sheriff of Palm Beach County, the Commission on Ethics, the Ethics Ordinance Drafting Committee, the Palm Beach County League of Cities and the elected officials of each municipality in Palm Beach County to do all things within their power to bring the Palm Beach County Sheriff's Office and the Palm Beach County School District under the oversight of the Office of Inspector General.

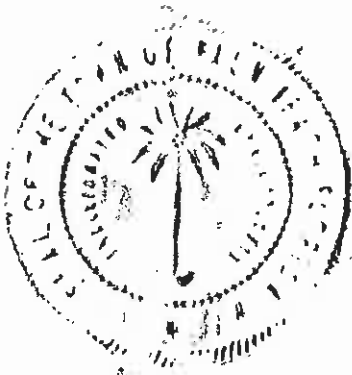
Section 3. The Town Clerk, or her designee, is hereby directed to provide a copy of this resolution to the members of the Palm Beach County Legislative Delegation, the members of the Palm Beach County Board of County Commissioners, the members of the School Board of the Palm Beach County School District, the Sheriff of Palm Beach County, the members of the Commission on Ethics, the members of the Ethics Ordinance Drafting Committee, the Palm Beach County League of Cities and the elected officials of each municipality in Palm Beach County.

Section 4. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 15th day of February, 2011.



Gail L. Coniglio, Mayor

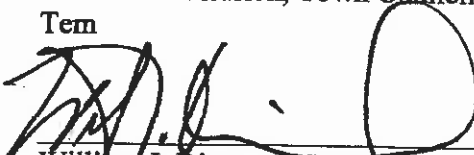

David A. Rosow, Town Council President



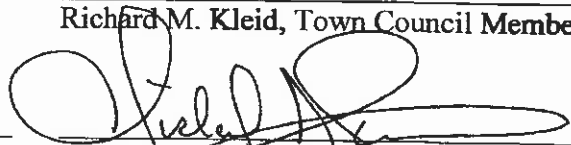
ATTEST:


Cheryl Somers, Acting Town Clerk


Robert N. Wildrick, Town Council President Pro Tem


William J. Diamond, Town Council Member


Richard M. Kleid, Town Council Member


Michael J. Pucillo, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 15, 2011

To: Mayor and Town Council

Via: Peter B. Elwell, Town Manager

From: Thomas G. Bradford, Deputy Town Manager

Re: Requests of the County Budget Task Force for Town Council Consideration
Resolution No. 11-11

Date: January 28, 2011

STAFF RECOMMENDATION

The County Budget Task Force (Task Force) has requested that the Town Council adopt a resolution to be sent to various pertinent governmental bodies urging the inclusion of the Palm Beach County Sheriff's Office and the Palm Beach County School District under the domain of the Office of the Inspector General approved by voters countywide in November 2010. Staff has prepared Resolution No. 11-11 to accommodate the request of the Task Force.

The Task Force has asked that the Town Council consider three other requests as well. Each request is enumerated below.

GENERAL INFORMATION

The County Budget Task Force was created by the Town Council on May 11, 2010, with the adoption of Resolution No. 55-10. The purpose of the Task Force is:

- Monitor the Palm Beach County budget
- Encourage fiscal responsibility by County officials
- Advise the Town Council in matters relating to the Palm Beach County budget
- Make recommendations in regard to the Palm Beach County budget

At their meeting January 24, the Task Force by appropriate motions requested that the following items be presented to the Town Council for their consideration:

- 1) The Task Force recommends to the Town Council that the Town Council take appropriate steps to cause the Palm Beach County School District, and the Palm Beach County Sheriff's Office to be placed under the oversight of the newly created Office of Inspector General. The Office of Inspector General was established to provide independent oversight of publically funded transactions, projects, and other local government operations for Palm Beach County and the 38 municipalities therein, with other Palm Beach County based governmental

agencies allowed to be added to the Inspector General's oversight via an Interlocal Agreement with the County. The Palm Beach County School District and the Palm Beach County Sheriff's Office are not currently under the oversight of the Office of the Inspector General. In the event the Town Council is amenable to implementing the request of the Task Force, to better memorialize this position and to help standardize the message that is transmitted to others, a formal resolution (Resolution No. 11-11) has been prepared and is attached hereto for your consideration.

- 2) The Task Force requests that the work of the Task Force be continued by the Town Council and any new direction be provided to the Task Force for the coming year. Per Resolution No. 55-10 the Task Force is dissolved at such time as the Town Council determines that the Task Force has completed its work. The Task Force members do not feel they have completed their work.
- 3) Ethics Ordinance Drafting Committee – The Task Force is concerned that this committee which was created to develop the ordinances to enable the voter approved Charter Amendment is attempting to water down the provisions of the enabling ordinance. The Task Force recommends that new Mayor Gail Coniglio in her capacity as official Town representative in meetings or hearings before elected officials of other governmental bodies fight any weakening of the voter approved Inspector General ordinance.
- 4) Task Force Appointment – At their last meeting the Task Force formally thanked Jack McDonald for his efforts in the creation of the Task Force and for his service as Chair of the Task Force. In accordance with Resolution No. 55-10, as the Town's new Mayor, Mrs. Coniglio shall now serve as Chair of the Task Force. In 2010, Stuart Schulman resigned from the Task Force to devote his attention to family matters. If you recall, each member of the Town Council was given one appointment to the Task Force. Stuart Schulman was appointed by Council President David Rosow. Mr. Rosow is not required to make his appointment at a public meeting, he can notify me of his appointment when ready, but the Task Force has requested that an appointment be made to give them a full complement of members to tackle their assignment.

FUNDING/FISCAL IMPACT

There are no direct costs attributable to the requests of the Task Force except for staff time in preparing related materials and incidental costs that are considered de minimis.

TOWN ATTORNEY REVIEW

Resolution No. 11-11 has been approved by the Town Attorney for legal form and sufficiency.

cc: John C. Randolph, Town Attorney

TAB 9



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 16, 2011

Agenda Item No. 9

- | | |
|--|--|
| <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: Re-assignment of Board Liaison

RECOMMENDED MOTION/ACTION:

Approved by Town Manager _____ **Date:** _____

Vin Lunday
Name/Title

March 8, 2011
Date of Actual Submittal

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

Summary Explanation/Background: At the April 7, 2010 Commission Meeting the Commission appointed liaisons to the Library Board and the Planning and Zoning Board. Commissioner Osterman was appointed liaison to the Planning & Zoning Board and Commissioner Hockman was appointed liaison to the Library Board. Vice-Mayor Rumsey requested the item be brought back before the Commission for reassignment of board liaisons.

TAB 10



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 16, 2011

Agenda Item No. 10

- | | |
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| <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: Designation of Voting Delegate and Alternate(s) to the Palm Beach County League of Cities, Inc.

RECOMMENDED MOTION/ACTION: Designate a Voting Delegate Member and Alternates to the Palm Beach County League of Cities.

Approved by Town Manager _____ **Date:** _____

Vin Lerly
Name/Title

March 8 2011
Date of Actual Submittal

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

Summary Explanation/Background: The Town Clerk's Office is in receipt of the Request for Designation of Voting Delegate & Alternate(s) to the Palm Beach County League of Cities. It is requested that the Town Commission designate its voting delegates and respective alternates to the Palm Beach County League of Cities.



Palm Beach County LEAGUE of CITIES, Inc.

Designation of Voting Delegate & Alternate(s) to the Palm Beach County League of Cities, Inc.

In accordance with Article Four of the Bylaws of the Palm Beach County League of Cities, Inc., as amended January 25, 2006, the governing body of (City, Town, or Village name):

Took the official action and designated the following voting delegate and alternate(s) to vote on behalf of the above named municipality at any League of Cities general membership meeting, special general membership meeting and/or function of the general membership. Such delegates and/or alternates are **NOT** authorized to vote at any meeting of the Board of Directors.

_____ <i>Voting Delegate</i>	_____ <i>Email:</i>
_____ <i>Alternate(s)</i>	_____ <i>Email:</i>
_____ <i>Alternate(s)</i>	_____ <i>Email:</i>
_____ <i>Alternate(s)</i>	_____ <i>Email:</i>
_____ <i>Alternate(s)</i>	_____ <i>Email:</i>
_____ <i>Alternate(s)</i>	_____ <i>Email:</i>
_____ <i>Alternate(s)</i>	_____ <i>Email:</i>

Action taken this _____ day of _____, 2011

Mayor Signature

Attest:

Clerk Signature (SEAL)