



REVISED AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, March 17, 2010, 7:00 p.m.
Lake Park Town Hall
535 Park Avenue

Desca DuBois	—	Mayor
Jeff Carey	—	Vice-Mayor
Edward Daly	—	Commissioner
Steven Hockman	—	Commissioner-Elect
Jeanine Longtin	—	Commissioner-Elect
Patricia Osterman	—	Commissioner
Kendall Rumsey	—	Commissioner
.....		
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. **RESOLUTION(S) - ACCEPTING ELECTION RESULTS**
RESOLUTION NO. 13-03-10 Accepting the Certified Results of the Election

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CERTIFYING THE RESULTS OF THE GENERAL ELECTION HELD ON MARCH 9, 2010 FOR THE FOUR COMMISSIONER SEATS.

G. SWEARING IN CEREMONY:

Swearing in Ceremony for Commissioners conducted by Town Clerk Vivian Lemley

H. APPOINTMENT OF A VICE-MAYOR

I. PROCLAMATIONS

Jeffery Carey

Edward Daly

J. 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.

K. 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 3, 2010 | Tab 1 |
| 2. Reimbursement Agreement with Palm Beach County | Tab 2 |

L. BOARD APPOINTMENTS:

- | | |
|--|-------|
| 3. Applicants Reapplying for the Library Board | Tab 3 |
|--|-------|

M. DISCUSSION AND POSSIBLE ACTION:

- | | |
|---|-------|
| 4. Use of the Mirror Ballroom for a Piano Recital | Tab 4 |
|---|-------|

N. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

O. ADJOURNMENT:

Town of Lake Park Town Commission
Agenda Request Form

Meeting Date: **March 17, 2010**

Agenda Item No.

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> ORDINANCE ON SECOND READING |
| <input type="checkbox"/> DISCUSSION | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |

SUBJECT: **Resolution No. 13-03-10; To Accept the Certified Results of the General Election.**

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager

[Signature: W.S. Davis]

Date: 3/10/10

[Signature: Vivian Lemley]
Name/Title

3/10/10
Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ Funding Source: Acct. #	Attachments: Resolution
<u>Department Review:</u> <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"/> Human Resources _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>WML</i> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ [X] 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:

RESOLUTION NO. 13-03-10

**A RESOLUTION OF THE TOWN COMMISSION OF
THE TOWN OF LAKE PARK, FLORIDA,
CERTIFYING THE RESULTS OF THE GENERAL
ELECTION HELD ON MARCH 9, 2010 FOR THE
FOUR COMMISSIONER SEATS.**

WHEREAS, a General Election for the office of four Commission Seats of the Town of Lake Park was held on Tuesday, March 9, 2010; and

WHEREAS, the duly appointed and acting clerks and inspectors of the Town Election Board have made their canvass of ballots as required by law; and

WHEREAS, the Town Commission has received the Election Board's report of the results from the General Election.

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

Section 1: Upon canvass of the election returns as presented by the Election Board and as certified by the Town Clerk, the Town Commission hereby declares and certifies that a total of 565 electors voted and cast ballots in the General Election held on March 9, 2010 as follows:

Commission:

Brenden Beard	26
Jeff Carey	65
Steve Hockman	91
Hollis "Holly" Langer	7
Jeanine Longtin	103
Joseph Lorelli	28

Patricia Osterman	140
Kendall Rumsey	105

Steve Hockman, Jeanine Longtin, Patricia Osterman, Kendall Rumsey, the Commission hereby declares that the four candidates receiving the greatest number of votes who in accordance with the provisions of the Town Charter, are hereby declared elected to the Office of Commission Seats of the Town of Lake Park.

Section 2. The foregoing tabulation of the votes cast is hereby certified as the results of the General Election.

Section 3. The Town Clerk is directed to send a certified copy of this Resolution to the Supervisor of Elections of Palm Beach County, and to post a copy for public notice and information at two prominent places within the Town, one of which shall be the entrance(s) of Town Hall.

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

REGISTRATION & TURNOUT
Palm Beach County

Completed Precincts	252 of 262
Total Registration	271,103
Precinct Ballots Cast	28,762 10.61%
Precinct ADA Ballots Cast	2 0.00%
Absentee Ballots Cast	5,334 1.97%
Early Voting Ballots Cast	0 0.00%
Early Voting ADA Ballots Cast	0 0.00%
Provisional Ballots Cast	97 0.04%
Total Ballots Cast	34,195 12.61%

MAYOR AT LARGE - BOYNTON BEACH

Completed Precincts	38 of 38
Under Votes	7
Over Votes:	1
Piotr Blass	26 0.49%
Brian Edwards	1,693 31.69%
Mack McCray	320 5.99%
Carl McKay	419 7.84%
Cliff Montross	41 0.77%
Jose Rodriguez	1,896 35.49%
Ronald R. Weiland	948 17.74%

City Comm Dist 3 - CITY OF BOYNTON BEACH (3)(MD)

Completed Precincts	10 of 10
Under Votes	61
Over Votes	0
Steven Holzman	764 58.59%
Mark Karageorge	540 41.41%

Comm Member Seat 2 2Yr - DELRAY BEACH(M)

Completed Precincts	45 of 45
Under Votes	9
Over Votes	0
Fred B. Feltzer	2,017 75.01%
Darrin Wade Mellinger	672 24.99%

Council Dist IV - GREENACRES(1)(M)

Completed Precincts	17 of 17
Under Votes	3
Over Votes	0
Doris Fouts	298 41.91%
Jonathan G. Pearce	413 58.09%

Mayor Elected at Large- JUPITER

Completed Precincts	30 of 30
Under Votes	45
Over Votes	0
Susan P. Arena	205 2.61%
Jimmy Burg	2,815 35.83%
Karen J. Golonka	4,281 54.49%
Kevin Johnson	556 7.08%

North District-JUPITER

Completed Precincts	30 of 30
Under Votes	593
Over Votes	0
Jim Kurelski	4,215 57.67%
Tom Ryan	3,094 42.33%

South District-JUPITER

Completed Precincts	30 of 30
Under Votes	641
Over Votes	1
Lew Lax	2,686 37.00%
Todd "Woody" Wodraska	4,574 63.00%

Commissioner LAKE PARK(M)

Completed Precincts	6 of 6
Under Votes	0
Over Votes	0
Brenden Beard	26 4.60%
Jeff Carey	65 11.50%
Steve Hockman	91 16.11%
Hollis "Holly" Langer	7 1.24%
Jeanine Longtin	103 18.23%
Joseph Lorelli	28 4.96%
Patricia Osterman	140 24.78%
Kendall Rumsey	105 18.58%

Seat #4-MANALAPAN

Completed Precincts	1 of 1
Under Votes	1
Over Votes	0
Louis DeStefano	162 77.88%
Gerald Kent Shortz	46 22.12%

Seat #6-MANALAPAN

Completed Precincts	1 of 1
Under Votes	6
Over Votes	0
Howard Roder	117 57.64%
Thomas Thornton	86 42.36%

Group 1-NORTH PALM BEACH(4)(M)

Completed Precincts	13 of 13
Under Votes	5
Over Votes:	0
Bob Gebbia	1,095 69.48%
Bill B. Norton	481 30.52%

Proclamation

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

Meeting Date: March 17, 2010

Agenda Item No.

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

SUBJECT: Proclamation in Honor of Commissioner Jeffery Carey

RECOMMENDED MOTION/ACTION: Approval of Proclamation

Approved by Town Manager W.D. Davis Date: 3/16/10

Barbara McElhannon-Lucas 2/18/10
Name/Title HR Director Date of Actual Submittal

Originating Department: Human Resources	Costs: \$ -0- Funding Source: Acct. #	Attachments: Copy of Proclamation
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Human Resources _____ <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 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 _____: Please initial one.

Summary Explanation/Background:

**PROCLAMATION
TOWN OF LAKE PARK, FLORIDA
IN HONOR OF VICE MAYOR JEFFERY CAREY**

WHEREAS; *Jeffery Carey* is a long-standing citizen of the Town of Lake Park and an integral member of this community; and

WHEREAS; *Jeffery Carey* has for many years demonstrated his civic enthusiasm for the Town of Lake Park; and

WHEREAS; while serving as a college intern in 1997, *Jeffery Carey* was instrumental in the development of the first Annual Lake Park Haunted House; and

WHEREAS; in March of 2004, *Jeffery Carey* was elected to the Lake Park Town Commission where he has served as a member commencing in April of 2004, and where since April of 2009 he has also served as Vice Mayor; and

WHEREAS; as a member of the Lake Park Town Commission, *Jeffery Carey* has assisted in several policymaking initiatives and actions of the Town Commission including, but not limited to, the renovation and expansion of the Lake Park Harbor Marina, the rebuilding of Mariner's Key, the transformation and rededication of Lake Shore Park, the completion of the alleyway project, and the acquisition and development of a site for the Art on Park Studio and Gallery; and

WHEREAS; *Jeffery Carey* has also served as a member of the Northlake Boulevard Task Force and as the liaison to the Marina Advisory Board; and

WHEREAS, the Town of Lake Park wishes to publicly recognize and honor *Jeffery Carey* for his contributions as a dedicated public official.

NOW, THEREFORE, on behalf of the citizens and Commission of the Town of Lake Park, I, Desca DuBois, Mayor of the Town of Lake Park, do hereby publicly commend *Jeffery Carey* and express our sincere gratitude for the service that he has rendered to this community.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 17th day of March, 2010.

BY:

Mayor Desca DuBois

ATTEST:

Vivian Mendez Lemley, Town Clerk

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

Meeting Date: March 17, 2010

Agenda Item No.

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input checked="" type="checkbox"/> Other: Proclamation | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Proclamation in Honor of Commissioner Edward Daly

RECOMMENDED MOTION/ACTION: Approval of Proclamation

Approved by Town Manager *W. J. Davis* Date: *3/16/10*
Susan McElhannon
 Name/Title *HR Director* *3/16/10*
 Date of Actual Submittal

Originating Department: Human Resources	Costs: \$ -0- Funding Source: Acct. #	Attachments: Copy of Proclamation
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Human Resources _____ <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 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 _____: Please initial one.

Summary Explanation/Background:

**PROCLAMATION
TOWN OF LAKE PARK, FLORIDA
IN HONOR OF COMMISSIONER EDWARD DALY**

WHEREAS; *Edward Daly* is a long-standing citizen of the Town of Lake Park and an integral member of this community; and

WHEREAS; *Edward Daly* commenced his public service to the Town of Lake Park by serving on the Town Code Compliance Board from August of 2002 until his resignation in April of 2004; and

WHEREAS; following his service as an alternate to the Marina Development and Control Board, *Edward Daly* was appointed as a member of this board in October of 2003 where he served until his resignation in April of 2004; and

WHEREAS; in March of 2004, *Edward Daly* was elected to the Lake Park Town Commission where he has served as a member commencing in April of 2004, as Vice Mayor from April of 2006 until April of 2009, and where he has continued to serve as a member; and

WHEREAS; as a member of the Lake Park Town Commission, *Edward Daly* assisted in several policymaking initiatives and actions including, but not limited to, the renovation and expansion of the Lake Park Harbor Marina, the rebuilding of Mariner's Key, the transformation and rededication of Lake Shore Park, the completion of the alleyway project, and the acquisition and development of a site for the Art on Park Studio and Gallery; and

WHEREAS; *Edward Daly* has also served as a member of the Bio Science Advisory Board and as the liaison to the Planning and Zoning Board; and

WHEREAS, the Town of Lake Park wishes to publicly recognize and honor *Edward Daly* for his contributions as a dedicated public official.

NOW, THEREFORE, on behalf of the citizens and Commission of the Town of Lake Park, I, Desca DuBois, Mayor of the Town of Lake Park, do hereby publicly commend *Edward Daly* and express our sincere gratitude for the service that he has rendered to this community.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 17th day of March, 2010.

BY:

Mayor Desca DuBois

ATTEST:

Vivian Mendez Lemley, Town Clerk

Consent Agenda

TAB 1

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

Meeting Date: **March 17, 2010**

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: | |

SUBJECT: Regular Commission Meeting Minutes of March 3, 2010.

RECOMMENDED MOTION/ACTION: Approve the Regular Commission Meeting Minutes of March 3, 2010.

Approved by Town Manager

W. Davis

Date:

3/11/10

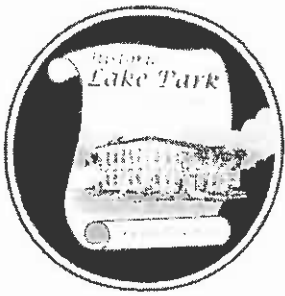
Juan Lopez
Deputy Clerk

3/11/10

Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments:
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>YML</i> <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 <input checked="" type="checkbox"/> _____: Please initial one

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, March 3, 2010, 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 3, 2010 at 7:25 p.m. Present were Vice-Mayor Carey, Commissioners Daly, Rumsey and Osterman, Town Manger Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Mayor DuBois was absent.

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

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

Motion: A motion was made by Commissioner Rumsey to approve the agenda; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Daly	X		
Commissioner Osterman	X		
Commissioner Rumsey	X		
Vice-Mayor Carey	X		
Mayor DuBois			Absent

Motion passed 4-0

Public and Other Comments:

Genanne Doughty, 1008 7th St. – gave an update on the Town’s Community Garden Project which will be known as “Seeds of Hope”. She stated that an organizational meeting was scheduled for Tuesday, March 16, 2010 at 6 p.m. at the Library. She stated that sign-up sheets would be available for anyone who would like to help with the preparation of the site. Flyers, posters, and applications for plots were available throughout Town Hall and also at the CRA Economic Development office located at 921 Park Avenue.

Public Comment Closed.

Consent Agenda:

1. Regular Commission Meeting Minutes of February 3, 2010
2. Regular Commission Meeting Minutes of February 17, 2010
3. Renewal of Marina Security Services Contract

Public Comment Open.

None

Public Comment Closed.

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

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Daly	X		
Commissioner Osterman	X		
Commissioner Rumsey	X		
Vice-Mayor Carey	X		
Mayor DuBois			Absent

Motion passed 4-0

PUBLIC HEARING:

ORDINANCE ON SECOND READING:

**ORDINANCE NO. 03-2010 Moratorium on Pain Management Clinics
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, DECLARING ZONING IN PROGRESS AND A MORATORIUM AS TO THE FILING AND/OR RECEIVING OF ANY PETITION FOR THE ESTABLISHMENT OF PAIN MANAGEMENT CLINICS AS DEFINED HEREIN; PROVIDING THAT ZONING IN PROGRESS AND THE MORATORIUM SHALL BE IN EFFECT FOR A PERIOD WHICH SHALL TERMINATE ON THE EFFECTIVE DATE OF THE TOWN'S ADOPTION OF LAND DEVELOPMENT REGULATIONS TO REGULATE PAIN MANAGEMENT CLINICS; PROVIDING FOR LEGISLATIVE FINDINGS, INTENT AND PURPOSE; PROVIDING FOR A DEFINITION OF PAIN MANAGEMENT CLINIC; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Attorney Thomas Baird explained the reason and purpose of Ordinance No. 03-2010.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Rumsey to approve Ordinance No. 03-2010 upon 2nd reading; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Daly	X		
Commissioner Osterman	X		
Commissioner Rumsey	X		
Vice-Mayor Carey	X		
Mayor DuBois			Absent

Motion passed 4-0

Attorney Thomas Baird read Ordinance No. 03-2010 by caption-only.

DISCUSSION AND POSSIBLE ACTION

Town Manager Evaluation

Public Comment Open.

Barbara Bursey, 209 Cypress Dr. – stated that she was tired of hearing the negative remarks about Town Manager Davis. She stated that Town Manager Davis has done great things for the Town. The alleyways were clean and looked great. The storm drains have been cleared of all of the junk and water goes down the drains. She stated that the Marina was gorgeous. She stated that the Town had great lighting, ten new security cameras and a new green chain link fence around the ball field. She stated that Town Manager Davis cares about the Town’s children. She gave a brief synopsis of all the good things that Town Manager Davis has done for the Town. She thanked Town Manager Davis for caring for the Town.

Leila Kidd, 415 Greenbriar Dr. – stated that she was a resident and business owner of Lake Park. She thanked Town Manager Davis for revitalizing Park Avenue and installing extra security. She stated that the alleyways were beautiful and clean. She stated that Town Manager Davis supported the installation of a deck for her storefront. She stated that Town Manager Davis was supportive and up front and forward with her

and she appreciated that. She stated that the art show would bring business into the Town. She thanked Town Manager Davis for being a patron at her shop. She stated that she wanted Town Manager Davis to stay because she wants the Town to keep progressing and without her the Town would go backwards.

Wayne Creber, 211 U.S. One – spoke on behalf of Town Manager Davis and stated that she has gotten major projects done in the Town in a short amount of time. He stated that Town Manager Davis was focused and had a great business attitude. He stated that she speaks with business owners and keeps in tune with them to find out what needs to get done in the Town.

Commissioner Daly asked Mr. Creber to explain the scope of his proposed project at the Marina.

Mr. Creber explained the scope of his project at the Marina.

Genanne Doughty, 1008 7th St. – listed items and projects that Town Manager Maria Davis had completed for the Town.

Neptalie Jerome – stated that Town Manager Davis had helped her find a space for her child program in the Town. She stated that she and the Haitian community in Town were able to depend on Town Manager Davis for help when needed.

Chuck Balius, 148 Date Palm Dr. - stated that he spent 12 years on the Commission and had never seen a better Town Manager than Town Manager Davis. He stated that there were projects that he had wanted done since the start of his term with the Commission in the 90's that never got done. He stated that it took Town Manager Davis one year to complete most of those projects. He stated that Town Manager Davis was the best Town Manager the Town has had.

Chris Price, 644 Date Palm Dr. - stated that Town Manager Davis was a take charge individual and was prepared when she took office. He gave a brief synopsis of Town Manager Davis' accomplishments.

Public Comment Closed.

Commissioner Rumsey stated that he has only had one year to work with Town Manager Davis. He stated that the Commission has heard from business owners, residents, the religious community and former colleagues and bosses and that no one has stepped up to the podium with anything negative to say about Town Manager Davis. He stated that Town Manager Davis was the best Town Manager that the Town has had. He stated that the one negative comment he put on Town Manager Davis' evaluation was the fact that the Town has not been able to keep or hire a good Public Works Director since her tenure. He stated that that was the only area that he has downgraded Town Manager Davis on. He stated that since she started the Town has been made cleaner and more beautiful. He stated that Commissioner Balius had given Ms. Davis a large list of projects to get done and she got them done. He stated that Ms. Davis hired a great Grants Writer who has been able to obtain a lot of grants for the Town. He stated that he has not

had to ask Town Manager Davis a question twice. He concluded by thanking Town Manager Davis and stated that he appreciated her hard work.

Commissioner Daly stated that there were things that Town Manager Davis has done that were positive. He stated that she has done good things for the Town, but there were things that he did not agree with that hopefully would end up for the better of the Town. He stated that he did not want Ms. Davis to think that everything about her evaluation was negative. He stated that hopefully the Town will succeed. He stated that overall he wanted to make it clear that there were issues of spending that he did not approve of but that Town Manager Davis has done a lot to improve the Town.

Commissioner Osterman stated that she has not seen anyone in the past seven years come forward to speak on behalf of the Town's manager. She stated that she was glad to see residents of the community come forward to speak positively on behalf of Town Manager Davis. She stated that the hiring of a Public Works Director has been challenging but she was thrilled with the hiring of other Department Heads such as Grants Writer Virginia Martin and Marina Director Michael Pisano. She gave a brief synopsis of their accomplishments. She stated that the Town's Finance Director Anne Costello had cleared up the issue the Town had with TIF monies which had gone unnoticed for years. She stated that she served on the CRA Board many years before becoming a Commissioner and remembered that many conversations were had about the alleyways but nothing was ever done. She stated that the CRA Board rarely ever met or got anything done and that has changed since Town Manager Davis came on board. She stated that Town Manager Davis has proven that she does not rest on issues and continues to move the Town forward. She thanked Town Manager Davis for her respect to the Commission and her leadership of the Town.

Vice-Mayor Carey stated that Town Manager Davis was the fourth Town Manager that he has worked with. He stated that he appreciated Ms. Davis presenting opportunities even though they do not always take advantage of them. He stated that she gets criticized for the Commission's decisions. He stated that her overall score was a 4.75 out of a possible 5. He stated that she would be entitled to a raise and wished he could give her a raise as well as all the other employees. He stated to Ms. Davis that she understood the financial situation of the Town and hoped that she would stick to the decision of not giving raises for the current budget year.

Town Manager Davis stated that she understood and was in agreement with the decision.

Commissioner Daly commended and congratulated Grants Writer Virginia Martin for her accomplishments.

Town Manager Davis thanked everyone who came out to speak on her behalf. She stated that she could not have accomplished anything without the help of staff. She commended staff for their good work and team effort. She explained the difficulties she's had in finding a good Public Works Director for the Town and stated that she has currently received 70 applications for the position. She thanked the Commission and stated that she loved working for the Town. She thanked them for their vote of confidence and looked forward to a lasting relationship with them.

Commissioner Osterman stated that she wanted to make it clear that all of the Town's Department Heads were doing a great job as well as the new hires that she mentioned earlier.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor DuBois

Absent

Commissioner Rumsey congratulated staff and Marina Director Michael Pisano on another successful Sunset Party at the Marina. He also thanked Recreation Director Greg Dowling for a successful 5K run event. He stated that residents have requested more 5K run events.

He stated that he was unable to attend the events because his mother passed on February 21, 2010. He stated that the people of the Town have been very gracious and kind since his return home. He thanked everyone for the kindness and graciousness.

Commissioner Osterman thanked Marina Director Michael Pisano for his work on the Sunset Party. She stated that the Safety Walk had a great turn out. She stated that the 5K run was a successful event. She gave details of the 5K run and stated that there would be pictures of the event on the Town's website. She stated that she was looking forward to similar events.

Commissioner Daly

None

Vice-Mayor Carey stated that the Safety Walk had a good turnout. He announced the Town's election on Tuesday, March 9, 2010 and he encouraged residents to come out and vote.

Town Attorney Baird gave an update on the status of the two Reasonable Accommodation hearings that took place and those that would take place in the future. He stated that Mayor DuBois and Fausto Gomez were in Tallahassee lobbying for legislation regarding sober housing.

Town Manager Davis stated that Mayor DuBois was in Tallahassee with Fausto Gomez lobbying legislation regarding sober housing and pain clinics as well as trying to get funding for the Town. She asked Recreation Director Greg Dowling to come up and discuss a raffle that would be taking place to send a child to the Town's Summer Camp. She stated that Shamrock Jewelers had made a donation for the raffle.

Recreation Director Greg Dowling stated that Shamrock Jewelers donated a \$600 Citizen EcoDrive Watch. He stated that there would be a raffle taking place on March 31, 2010 for the watch. Raffle tickets were \$5 a piece and could be purchased in the Finance Department. Proceeds would be used to pay for a child's scholarship to summer camp. If anyone had questions about the raffle he could be contacted at 881-3338. He

thanked Chik-Fil-A, Mullinax Ford, Shamrock Jewelers, Adkins & Associates, Someplace Restaurant, and Publix for their help with the 5K run.

Commissioner Osterman asked if tickets would be sold at the Art Show.

Recreation Director Greg Dowling stated that tickets would be sold at the Art Show.

Commissioner Osterman asked if someone would be collecting e-mail addresses at the Art Show.

Town Manager Davis stated that her assistant Janet Perry would be on duty to collect e-mail addresses at the Art Show.

Recreation Director Greg Dowling stated that money had been donated for the summer camp scholarship.

Commissioner Rumsey asked how much it was to send a child to summer camp.

Recreation Director Greg Dowling stated that the cost was \$500 for an 8 week summer camp program.

Commissioner Rumsey asked how many people ran in the 5K run.

Recreation Director Greg Dowling stated that there were 51 people who participated in the 5K run event.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Osterman and seconded by Commissioner Rumsey, and by unanimous vote, the meeting adjourned at 7:55 p.m.

Mayor Desca DuBois

Deputy Town Clerk, Jessica Shepherd

Town Seal

Approved on this _____ of _____, 2010

TAB 2

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

Meeting Date: ^{MARCH} ~~APRIL~~ 7, 2010

Agenda Item No. 2

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

SUBJECT: Item to authorize the mayor to sign a reimbursement agreement with the County for expenses incurred by 10 light poles on Silver Beach Road.

RECOMMENDED MOTION/ACTION: approval

Approved by Town Manager *W.P. Lewis* Date: 3/12/10

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Agreement
Department Review: <input checked="" type="checkbox"/> Town Attorney <u><i>W.P. Lewis</i></u> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development <u><i>W.P. Lewis</i></u>	<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 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>W.P. Lewis</i></u> Or 3/11/2010 Not applicable in this case _____: Please initial one.

Summary Explanation/Background: In 2008 the Town agreed at the request of then Commissioner Addie Greene to place 10 streetlights at the western end of Silver Beach Road to provide more lighting for pedestrians in the area. In exchange for the Town ordering and maintaining the lights and poles from FPL the county agreed to reimburse the Town for maintenance, improvements and energy usage for 20 years or for a total dollar amount of \$51, 250 whichever is reached first. The street lights are in place and operational and the Town has a contract with FPL. The agreement before you provides for a means to be reimbursed from the County for ongoing expenses.

**REIMBURSEMENT AGREEMENT
THE TOWN OF LAKE PARK STREET LIGHTING
SILVER BEACH ROAD FROM AVENUE 'S' TO CONGRESS AVENUE**

THIS REIMBURSEMENT AGREEMENT is made and entered into this _____ day of _____, by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, hereinafter referred to as "**COUNTY**" and **THE TOWN OF LAKE PARK**, a municipal corporation of the State of Florida hereinafter referred to as "**TOWN**"

WITNESSETH:

WHEREAS, on December 4, 2007 the **TOWN** and the **COUNTY** entered into an Reimbursement Agreement R2007-2154 providing funds to the **TOWN** for the design, operation and maintenance of street lighting along Silver Beach Road within the limits of the **TOWN** in an amount not to exceed **FIFTY EIGHT THOUSAND DOLLARS (\$58,000)**; and

WHEREAS, Reimbursement Agreement R2007-2154 expired on November 30, 2009 after which **TOWN** requested an extension of time for reimbursement to December 31, 2010; and

WHEREAS, the **TOWN** and **COUNTY** agree that due to the expiration of the agreement a new document is required to allow more time for completion and final invoices of the **IMPROVEMENTS** and **MAINTENANCE**; and

WHEREAS, the **TOWN** contracted with Florida Power and Light Company for the design and installation of street lights along Silver Beach Road from Avenue "S" to Congress Avenue hereinafter referred to as "**IMPROVEMENTS**"; and

WHEREAS, the **TOWN** is responsible and has contracted with Florida Power and Light Company for the operation and maintenance of street lights along Silver Beach Road from Avenue "S" to Congress Avenue hereinafter referred to as "**MAINTENANCE**"; and

WHEREAS, the **COUNTY** has reimbursed the **TOWN** for the **IMPROVEMENTS** in an amount not to exceed **SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$6,750)**; and

WHEREAS, the **COUNTY** shall reimburse the **TOWN** for **MAINTENANCE** for a period of 20 years in an amount not to exceed **FIFTY ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$51,250)**, after completion of the **IMPROVEMENTS**; and

WHEREAS, the **COUNTY** believes the **IMPROVEMENTS** and **MAINTENANCE** serve a public purpose by enhancing visibility and safety of the **TOWN** and wishes to

support the **IMPROVEMENTS** and **MAINTENANCE** by providing reimbursement funding for documented costs in an amount not to exceed **FIFTY EIGHT THOUSAND DOLLARS (\$58,000)**.

NOW THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties agree as follows:

1. The above recitals are true, correct and incorporated herein.
2. The **COUNTY** has provided to the **TOWN** reimbursement funding for the documented costs of **IMPROVEMENTS** in an amount not to exceed **SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$6,750)**. The **COUNTY** shall reimburse the **TOWN** for **MAINTENANCE** cost for a period of 20 years, in an amount not to exceed **FIFTY ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$51,250)**.
3. The **COUNTY** agrees to reimburse the **TOWN** the amounts established in paragraph 2, for costs associated with the **IMPROVEMENTS** and **MAINTENANCE**, upon the **TOWN's** submission of acceptable documentation needed to substantiate its cost for the **IMPROVEMENTS** and **MAINTENANCE**. The **COUNTY** will use its best efforts to provide said funds to the **TOWN** on a reimbursement basis within forty-five (45) days of receipt of all information required in paragraph 6, below.
4. The **COUNTY's** obligation is limited to its payment obligation and shall have no obligation to any other person or entity.
5. The **TOWN** agrees to assume all responsibility for design, contract preparation, and contract administration necessary for the **IMPROVEMENTS** and **MAINTENANCE** including payment(s) to contractor(s) pursuant to all applicable governmental laws and regulations.
6. The **TOWN** will obtain or provide all labor and materials necessary for the **IMPROVEMENTS** and **MAINTENANCE**. The **TOWN** shall furnish to the **COUNTY's** representative a request for payment supported by the following:
 - A Contract Payment Request Form and a Contractual Services Purchases Schedule Form, attached hereto and incorporated herein as Exhibit "A" (pages 1 & 2), which are required for each and every reimbursement to the **TOWN**. Said information shall list each invoice payable by the **TOWN** and shall include the vendor invoice number, invoice date, and the amount payable by the **COUNTY**. The **TOWN** shall attach a copy of each vendor invoice paid by the **TOWN** along with a copy of the respective check and shall make reference thereof to the applicable item listed on the

Contractual Services Purchases Schedule Form. Further, the **TOWN'S** Financial Officer shall also certify that each invoice listed on the Contractual Services Purchases Schedule Form was paid by the **TOWN** as indicated.

7. As it relates to this Agreement, the **COUNTY** may initiate a financial systems analysis and/or an internal fiscal control evaluation of the **TOWN** by an independent auditing firm employed by the **COUNTY** or by the County Internal Audit Department at any time the **COUNTY** deems necessary.

8. The **TOWN** agrees to be responsible for the subsequent **MAINTENANCE** following installation. The **TOWN** shall be solely responsible for obtaining and complying with all necessary permits, approvals and authorizations from any federal, state, regional, **COUNTY** or agency which are required for the **MAINTENANCE** and the **IMPROVEMENTS**.

9. The **IMPROVEMENTS** are completed and final invoices have been submitted to the **COUNTY** no later than December 31, 2010. The **MAINTENANCE** invoices shall be submitted annually by the end of each year for a maximum of 20 years or \$51,250, whichever occurs first. **COUNTY** shall have no obligation to the ~~CITY~~^{TOWN} or any other entity or person for any cost incurred thereafter. Any remaining funds shall be retained by the **COUNTY**. Failure to submit final invoice for **IMPROVEMENTS** by December 31, 2010 will result in automatic termination of this Agreement and **COUNTY** shall have no further funding obligation for **IMPROVEMENTS**. If the **TOWN** fails to submit the final invoice for **MAINTENANCE** by December 31, 2031 or by December 31st of the year in which the \$51,250 is exhausted, this Agreement will automatically terminate and **COUNTY** shall have no further funding obligation for the **MAINTENANCE**.

10. Each party shall be liable for its own actions and negligence and to the extent permitted by law; the **TOWN** shall indemnify, defend and hold harmless the **COUNTY** against any actions, claims or damages arising out of the **TOWN's** negligence in connection with this Agreement or the performance by the **TOWN** as it may relate to this Agreement. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in Florida Statutes, Section 786.28, nor shall the same be construed to constitute agreement by either party to indemnify the other party for such other party's negligence, willful or intentional acts or omissions.

11. Without waiving the right to sovereign immunity as provided by s.768.28 f.s., the **TOWN** acknowledges to be self-insured for General Liability and Automobile Liability under Florida sovereign immunity statutes with coverage limits of \$100,000 Per Person and \$200,000 Per Occurrence; or such monetary waiver limits that may change and be set forth by the legislature. In the event the **TOWN** maintains third-party Commercial General Liability and Business Auto Liability in lieu of exclusive reliance of self-insurance under s.768.28 f.s., the **TOWN** shall agree to maintain said insurance policies at limits not less than \$500,000 combined single limit for bodily injury or property damage. The **TOWN** agrees to maintain or to be self-insured for Worker's Compensation & Employer's Liability insurance in accordance with Florida Statute 440. When requested, the **TOWN** shall agree to provide an affidavit or Certificate of Insurance evidencing insurance, self-insurance, and/or sovereign immunity status, which **COUNTY** agrees to recognize as acceptable for the above mentioned coverage. Compliance with the foregoing requirements shall not relieve the **TOWN** of its liability and obligations under this Reimbursement Agreement.

12. As provided in F.S. 287.132-133, by entering into this Agreement or performing any work in furtherance hereof, the **TOWN** certifies that its affiliates, suppliers, sub-contractors, and consultants who perform work hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within 36 months immediately preceding the date hereof. This notice is required by F.S. 287.133(3)(a).

13. The **TOWN** shall require each contractor engaged by the **TOWN** for work associated with this Agreement to maintain:

- a. Workers' Compensation coverage in accordance with Florida Statutes, and;
- b. Commercial General Liability coverage, including vehicle coverage, in combined single limits of not less than ONE MILLION DOLLARS (\$1,000,000.00). The **COUNTY** shall be included in the coverage as an additional insured; and
- c. A payment and performance bond for the total amount of the **IMPROVEMENTS** in accordance with Florida Statute 255.05.

14. In the event of termination, the **TOWN** shall not be relieved of liability to the **COUNTY** for damages sustained by the **COUNTY** by virtue of any breach of the

Agreement by the TOWN and the COUNTY may withhold any payment to the TOWN for the purpose of set-off until such time as the exact amount of damages due the COUNTY is determined.

15. The TOWN's termination of this Agreement shall result in all obligations of the COUNTY for funding contemplated herein to be cancelled.

16. The TOWN warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, sexual orientation, or gender identity and expression.

17. In the event that any section, paragraph, sentence, clause or provision hereof is held invalid by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.

18. All notices required to be given under this Agreement shall be in writing, and deemed sufficient to each party when sent by United States Mail, postage paid, to the following:

AS TO THE COUNTY

Engineering and Public Works Department
Tanya N. McConnell, P.E.
Deputy County Engineer
P.O. Box 21229
West Palm Beach, Florida 33416-1229

AS TO THE TOWN

The Town of Lake Park
Mr. Patrick Sullivan
Community Development Director
535 Park Avenue
Lake Park, Florida 33403

19. This Agreement shall be construed and governed by the laws of the State of Florida. Any legal action necessary to enforce this Agreement shall be held in Palm Beach County. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every other remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power or remedy shall preclude any other or further exercise thereof.

20. Any costs or expenses (including reasonable attorney's fees) associated with the enforcement of the terms and conditions of this Agreement shall be borne by the respective parties; provided, however, that this clause pertains only to the parties to the Agreement.

21. Except as expressly permitted herein to the contrary, no modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and equality of dignity herewith.

22. Each party agrees to abide by all laws, orders, rules and regulations and the **TOWN** will comply with all applicable governmental codes during the **IMPROVEMENTS** and **MAINTENANCE**.

23. Each party shall promptly notify the other of any lawsuit-related complaint, or cause of action threatened or commenced against it which arises out of or relates, in any manner, to the performance of this Agreement.

24. The parties expressly covenant and agree that in the event any of the parties is in default of its obligations under this Agreement, the parties not in default shall provide to the defaulting party thirty (30) days written notice before exercising any of their rights.

25. The preparation of this Agreement has been a joint effort of the parties, and the resulting document shall not solely as a matter of judicial constraint, be construed more severely against one of the parties than the other.

26. This Agreement represents the entire understanding among the parties, and supercedes all other negotiations, or agreements, written or oral, relating to this Agreement.

27. The **COUNTY** will file a copy of this Agreement with the Clerk of the Circuit Court in and for Palm Beach County, Florida.

28. This Agreement shall take effect upon execution and the effective date shall be the date of execution.

IN WITNESS WHEREOF, the parties have executed this Agreement and it is effective on the date first above written.

THE TOWN OF LAKE PARK

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Mayor

By: _____
Burt Aaronson, Chair

ATTEST:

ATTEST:

SHARON R. BOCK, CLERK

By: _____
TOWN Clerk

By: _____
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
TOWN Attorney

By: _____
Assistant County Attorney

Date: _____

Date: _____

APPROVED AS TO TERMS AND CONDITIONS

By: _____

Date: _____

**PALM BEACH COUNTY
ENGINEERING & PUBLIC WORKS DEPARTMENT
CONTRACT PAYMENT REQUEST**

Exhibit A

(PROJECT)

Grantee _____ Request Date _____

Billing # _____ Billing Period _____

PROJECT PAYMENT SUMMARY

Item	Project Costs this Billing	Cumulative Project Costs	Total Project Costs
Consulting Services	_____	_____	_____
Contractual Services	_____	_____	_____
Material, Supplies, Direct Purchases	_____	_____	_____
Grantee Stock	_____	_____	_____
Equipment, Furniture	_____	_____	_____
TOTAL PROJECT COSTS	=====	=====	=====

Certification: I hereby certify that the above was incurred for the work identified as being accomplished in the attached progress reports.

Certification: I hereby certify that the documentation has been maintained as required to support the project expenses reported above, and is available for audit upon request.

Administrator/Date

Financial Officer/Date

<u>PBC USE ONLY</u>	
County Funding Participation	\$ _____
Total Project Costs	\$ _____
Total Project Costs to Date	\$ _____
County Obligation to Date	\$ _____
County Retainage (___%)	(\$ _____)
County Funds Previously Disbursed	(\$ _____)
County Funds Due this Billing	\$ _____
Reviewed and Approved by:	_____
	PBC Project Administrator/Date

PALM BEACH COUNTY
ENGINEERING & PUBLIC WORKS DEPARTMENT
CONTRACTUAL SERVICES PURCHASE SCHEDULE

_____ (PROJECT)

Grantee _____ Billing Date _____

Billing # _____ Billing Period _____

Contractor Name	Contractor Invoice Number and Date	City Check or Voucher Number and Date	Project Amount Paid this Period	General Description
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
			TOTAL	_____

Certification: I hereby certify that the purchase noted above was used in accomplishing the project.

 Administrator/Date

Certification: I hereby certify that bid tabulations, executed contract, cancelled checks, and other purchasing documentation have been maintained as required to support the costs reported above, and are available for audit upon request.

 Financial Officer/Date

Board Membership

TAB 3

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

Meeting Date: **March 17, 200~~9~~¹⁰** Agenda Item No. **3**

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

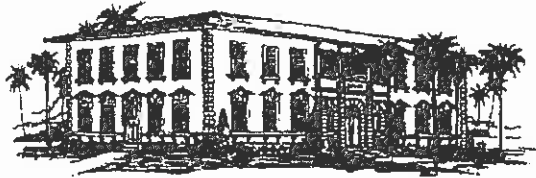
SUBJECT: Board Re-appointments

RECOMMENDED MOTION/ACTION: To re-appoint three regular members to the Library Board.

Approved by Town Manager *W. Davis* Date: *3/11/10*
Jessie Shaker *3/11/10*
 Name/Title Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ Funding Source: Acct. #	Attachments: Board Applications
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>VMC</i> <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: The Library Board currently has four regular members. Three of those members have a term expiration date of April 16, 2010 and one member's term will be expiring on May 7, 2010. So far three of those members, Lisa Colgan, Alice Fullerton, and Peter Braun have expressed their interest in being reappointed for another term on the Library Board. Their board applications are attached.



The Town of Lake Park

LAKE PARK TOWN HALL

NATIONAL HISTORIC SITE

"Jewel of the Palm Beaches"

Application to Serve on Town Boards and Committees

This application serves as an information file of the skills, talents and interests of citizens who are willing to serve on advisory boards and committees for the *Town of Lake Park*. When an opening occurs on one of the Boards on which you have indicated a desire to serve, your application will be submitted to the Town Commission. You will be notified by mail when appointment has been made.

Please print the following information:

Name: Brown Peter J
Last First Middle

Address: 438 W Kalmia Dr

Telephone: home 346 1271 work 355 2773 cell _____

E-Mail Address pts-brown@gov.fl.gov

- | | | |
|---|---|-------------------------------------|
| Are you a resident of Lake Park | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Are you a non-resident business owner in Lake Park | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Are you a registered voter (Response to this question is not mandatory) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Do you currently serve on a Town Board or Committee | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If so, which one(s): <u>Library</u> | | |
| Have you been convicted of a crime | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If so, when? _____ where? _____ | | |

Please indicate your preference by number "1" through "5" of no more than five boards on which you wish to serve, with #1 being the most desired and #5 being the least desired.

- | | |
|--|---|
| <input type="checkbox"/> _____ Code Compliance * | <input type="checkbox"/> _____ Tree Board |
| <input type="checkbox"/> _____ CRA Board (Community Redevelopment Agency) | <input type="checkbox"/> _____ Planning & Zoning/Historic |
| <input type="checkbox"/> _____ Harbor Marina Advisory Board | <input type="checkbox"/> _____ Preservation Board * |
| <input type="checkbox"/> _____ Construction Board of Adjustments & Appeals | <input checked="" type="checkbox"/> _____ Library Board |

Please note: Membership on these (*) Boards require members to complete an annual financial disclosure form pursuant to F.S. 112.3145 (1)(a), (2)(b), (7)

Your Name: Peter Braun

Please indicate the reason for your interest in your first and second choices:

I have been on the board for six
and wish to continue

Number of Meetings of the above boards you have attended in the past six months: 2

Your educational background: (High school, College, Graduate School or other training)

H.S diploma 65 B.A. 1972 sexual
abuse investigator training

What is/was your profession or occupation: guardian ad Litem

How long: 11 yrs

Please indicate employment experience that you feel relates to your desired service on an advisory board or committee:

Have worked in child
welfare for over 30 years

Please indicate other general experience or community involvement that you feel qualifies you to serve on the boards you have chosen:

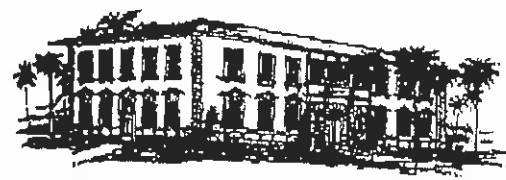
Have participated in
all known functions in Lake Park
for ten years Help at St John's Food kitchen

Feel free to attach additional sheets if required. Also, please attach your resume, if available.

Please return your completed form to the Office of the Town Clerk, 535 Park Avenue, Lake Park, Florida 33403

I HEREBY CERTIFY THAT THE STATEMENT AND ANSWERS PROVIDED ARE TRUE AND ACCURATE. I UNDERSTAND THAT ANY FALSE STATEMENTS MAY BE CAUSE FOR REMOVAL FROM A BOARD OR COMMITTEE, IF APPOINTED:

Signature: Peter Braun Date: 3-9-10



LAKE PARK TOWN HALL
NATIONAL HISTORIC SITE
"Jewel of the Palm Beaches"

The Town of Lake Park

Application to Serve on Town Boards and Committees

This application serves as an information file of the skills, talents and interests of citizens who are willing to serve on advisory boards and committees for the *Town of Lake Park*. When an opening occurs on one of the Boards on which you have indicated a desire to serve, your application will be submitted to the Town Commission. You will be notified by mail when appointment has been made.

Please print the following information:

Name: COLGAN, LISA
Last First Middle

Address: 533 Palmetto Rd

Telephone: home 848-8519 work 842-5427 cell _____

Are you a resident of Lake Park	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are you a non-resident business owner in Lake Park	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are you a registered voter (Response to this question is not mandatory)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you currently serve on a Town Board or Committee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If so, which one(s): <u>Library</u>		
Have you been convicted of a crime	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, when? _____ where? _____		

Please indicate your preference by number "1" through "5" of no more than five boards on which you wish to serve, with #1 being the most desired and #5 being the least desired.

<input type="checkbox"/>	<u>Code Compliance *</u>	<input type="checkbox"/>	<u>Pension Trust Fund (Police)</u>
<input type="checkbox"/>	<u>CRA Board (Community Redevelopment Agency)</u>	<input type="checkbox"/>	<u>Planning & Zoning/Historic Preservation Board *</u>
<input type="checkbox"/>	<u>Harbor Marina Advisory Board</u>	<input type="checkbox"/>	<u>Tree Board</u>
<input checked="" type="checkbox"/>	<u>Library Board</u>	<input type="checkbox"/>	<u>Other: _____</u>
<input type="checkbox"/>	<u>Merit Board</u>		
<input type="checkbox"/>	<u>Construction Board of Adjustments & Appeals</u>		

Please note: Membership on these C.I. Boards requires members to complete an annual financial disclosure form pursuant to P.S. 112.0145 (1)(a), (2)(b), (7)

535 Park Avenue, Lake Park, Florida 33403
Lake Park Board Application

(561) 881-3311 FAX (561) 881-3313

page 2

Your Name: Lisa Colgan

Please indicate the reason for your interest in your first and second choices:

I have been on library board over 10 years, secretary most of that time

Number of Meetings of the above boards you have attended in the past six months: _____

Your educational background: High school, College, Graduate School or other training

never missed library board meetings

What is/was your profession or occupation: Office manager

How long: 6 yrs

Please indicate employment experience that you feel relates to your desired service on an advisory board or committee: _____

Please indicate other general experience or community involvement that you feel qualifies you to serve on the boards you have chosen: Been on several different

boards & committees past 20 years
I love Lake Park

Feel free to attach additional sheets if required. Also, please attach your resume, if available.
Please return your completed form to the Office of the Town Clerk, 535 Park Avenue, Lake Park, Florida 33403

I HEREBY CERTIFY THAT THE STATEMENT AND ANSWERS PROVIDED ARE TRUE AND ACCURATE. I UNDERSTAND THAT ANY FALSE STATEMENTS MAY BE CAUSE FOR REMOVAL FROM A BOARD OR COMMITTEE, IF APPOINTED:

Signature: _____

Lisa Colgan

Date: _____

4-9-08

The Town of Lake Park



LAKE PARK TOWN HALL

NATIONAL HISTORIC SITE

"Jewel of the Palm Beaches"

Application to Serve on Town Boards and Committees

This application serves as an information file of the skills, talents and interests of citizens who are willing to serve on advisory boards and committees for the *Town of Lake Park*. When an opening occurs on one of the Boards on which you have indicated a desire to serve, your application will be submitted to the Town Commission. You will be notified by mail when appointment has been made.

Please print the following information:

Name: Fullerton Alice Louise
Last First Middle

Address: 320 Date Palm Dr.

Telephone: home (561) 844-0889 work _____ cell _____

Are you a resident of Lake Park	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Are you a non-resident business owner in Lake Park	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are you a registered voter (Response to this question is not mandatory)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you currently serve on a Town Board or Committee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If so, which one(s): <u>Library Board</u>		
Have you been convicted of a crime	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, when? _____ where? _____		

Please indicate your preference by number "1" through "5" of no more than five boards on which you wish to serve, with #1 being the most desired and #5 being the least desired.

<u>Choice #</u>	<u>Board</u>	<u>Choice #</u>	<u>Board</u>
<input type="checkbox"/>	Code Compliance *	<input type="checkbox"/>	Pension Trust Fund (Police)
<input type="checkbox"/>	CRA Board (Community Redevelopment Agency)	<input type="checkbox"/>	Planning & Zoning/Historic Preservation Board *
<input type="checkbox"/>	Harbor Marina Advisory Board	<input type="checkbox"/>	Tree Board
<input checked="" type="checkbox"/>	Library Board	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Merit Board		
<input type="checkbox"/>	Construction Board of Adjustments & Appeals		

Please note: Membership on these (*) Boards require members to complete an annual financial disclosure form pursuant to F.S. 112.3145 (1)(a), (2)(b), (7)

Your Name: Alice Louise Fullerton

Please indicate the reason for your interest in your first and second choices:

I love our library and a member of the Friends of the Library.
I am head of the Community Watch in L.P.

Number of Meetings of the above boards you have attended in the past six months: All

Your educational background: (High school, College, Graduate School or other training)

4 years of college - Taught 32 years - 24 at Lake Park Elem.

What is/was your profession or occupation: Teacher

How long: 32 years

Please indicate employment experience that you feel relates to your desired service on an advisory board or committee:

Teaching 32 yrs. with many leadership rolls. Many offices in VFW Aux, DAR, and Friends of L.P. Library

Please indicate other general experience or community involvement that you feel qualifies you to serve on the boards you have chosen:

Donating time to L.P. Elem. school, VFW Aux, Historical Society, DAR and Friends of the L.P. Library!

Feel free to attach additional sheets if required. Also, please attach your resume, if available.

Please return your completed form to the Office of the Town Clerk, 535 Park Avenue, Lake Park, Florida 33403

I HEREBY CERTIFY THAT THE STATEMENT AND ANSWERS PROVIDED ARE TRUE AND ACCURATE. I UNDERSTAND THAT ANY FALSE STATEMENTS MAY BE CAUSE FOR REMOVAL FROM A BOARD OR COMMITTEE, IF APPOINTED:

Signature: Alice E. Louise Fullerton Date: 4-9-08

TAB 4

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

Meeting Date: March 17, 2010

Agenda Item No. 4

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

SUBJECT: Use of Mirror Ballroom

RECOMMENDED MOTION/ACTION: Provide Direction

Approved by Town Manager

W. Davis

Date:

3/11/10

Name/Title

Date of Actual Submittal

Originating Department: Town Manager	Costs: Funding Source: Acct. #	Attachments: Resolution and Email
Department Review: <input type="checkbox"/> Town 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"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <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: The Town's Chief Information Technology Officer Hoa Hoang has requested the use of the mirror ballroom free of charge for one hour for his daughter's piano recital in May.

In September 2008 the Town Commission adopted a resolution which outlines the criteria for fee waivers and/or reductions for use of Town's rental facilities. Category IV of Exhibit "A" sets forth the fee waiver criteria for Town employees (copy attached). The Mirror Ballroom is

generally rented for 4-6 hrs. Mr. Hoang has requested the use of the room for one hour. Since his request does not fit the general criteria for a fee waiver, it is beyond the Manager's authority to waive the fee and is therefore being forwarded to the Commission.

Maria Davis

From: Hoa Hoang
Sent: Thursday, March 04, 2010 3:33 PM
To: Maria Davis
Subject: Mirror Ballroom

Maria,

My daughter's Piano teacher usually hold two recitals per year, one in May and one in November last about one hour. The studio she had been using in West Palm Beach will not be available because of renovation. I would like to ask your permission to use our Mirror Ballroom for one hour on Saturday morning in May for her class.

I'll take full responsibility for that time, open, close and clean if necessary and the program will not interfere with Greg's reservation if any.

Thanks,

Hoa Ngoc Hoang
Chief Information Technology Officer
Town of Lake Park
(561)881-3303

RESOLUTION NO. 57-08-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA ADOPTING NEW CRITERIA FOR FEE WAIVER REDUCTIONS FOR TOWN FACILITIES 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 has previously adopted fee waiver and reduction criteria for organizations wishing to rent Town facilities together with a corresponding fee schedule which provides for fee waivers and reductions when Town facilities are rented by organizations who meet the Town established criteria;

WHEREAS, the Town Commission recognizes that periodic adjustments must be made to the established fee waiver and reduction fee waiver schedule for qualified organizations in keeping with increased costs and the market in general; and

WHEREAS, the Town has determined that it is in the best interests of the Town to adopt both new criteria and a new fee waiver and reduction schedule as set forth in the Fee Waiver Criteria and Fee Reduction Schedule for Rental of Town Facilities (August 2007 edition)", a copy of which are 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 incorporated herein as true and correct as the findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission hereby approves the adoption of the revised criteria for qualification for organization discount in the rental of Town facilities, and the fee waiver and reduction schedule for qualified organizations as set forth in the Fee Waiver Criteria and Fee Reduction Schedule for Rental of Town Facilities (August 2007 edition)" attached hereto as **Exhibit "A"**, and Town staff is directed to implement the fees set forth therein commencing upon the effective date of this Resolution.


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

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

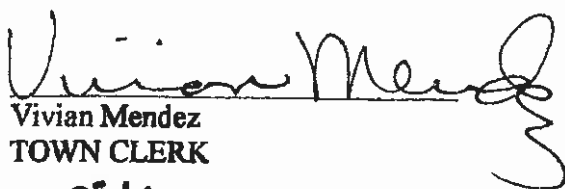
	AYE	NAY
MAYOR PAUL W. CASTRO	<u>X</u>	___
VICE-MAYOR ED DALY	<u>X</u>	___
COMMISSIONER CHUCK BALIUS	<u>X</u>	___
COMMISSIONER JEFF CAREY	<u>X</u>	___
COMMISSIONER PATRICIA OSTERMAN	<u>X</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 57-08-07 duly passed and adopted this 26 day of September, 2007.

TOWN OF LAKE PARK, FLORIDA

BY: 
PAUL W. CASTRO
MAYOR

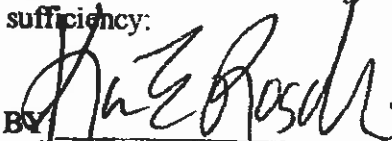
ATTEST:


Vivian Mendez
TOWN CLERK

TOWN OF LAKE PARK
TOWN SEAL
SEAL

FLORIDA

Approved as to form and legal sufficiency:

BY: 
for THOMAS J. BAIRD
TOWN ATTORNEY

At its May 16th Regular Commission Meeting, the Commission directed that staff develop criteria for fee waiver/reductions for rental of Town facilities, to include Non-Profit Groups. In order to facilitate the development of these criteria, staff has established the following categories for the rental of Town facilities by organizations and individuals:

Category I (Events Sponsored by Public Sector Organizations)

This category is for the rental of Town facilities for events specifically sponsored by public agencies such as the Town of Lake Park, public schools and other governmental agencies. This is a new category for which no rental fee structure previously existed. Staff is proposing the following rental fee waiver/reduction schedule for public sector organizations:

- No rental charge for the first event occurring during one calendar year;
- A reduction of 50% of the facility rental fee only for any additional events occurring during the same calendar year;
- All other fees (i.e. the deposit, personnel fee, alcohol fee, etc.) will be assessed at 100%

The rental of Town facilities by public sector organizations will be approved in advance by the Town Manager on a case-by-case basis.

Category II (Events Sponsored by Non-profit and other Charitable Organizations)

This category is for the rental of Town facilities for events specifically sponsored by legally established non-profit or other charitable organizations. This category includes organizations such as the Kiwanis of Lake Park, Red Cross, American Cancer Society, Hospice, Lake Park Youth League, and AYSO of Lake Park. In order to qualify for this rental fee structure, the organization must submit the following documentation along with a completed Town Rental Application form:

- A valid and current copy of the organization's IRS Determination Letter;
- A brief summary of the event's direct benefit to the citizens of Lake Park.

This is a pre-existing category for which no rental fee structure previously existed. Staff is proposing the following rental fee waiver/reduction schedule for non-profit and other charitable organizations:

- No rental charge for the first three (3) events occurring during one calendar year;
- A reduction of 50% of the facility rental fee only for any additional events occurring during the same calendar year;
- All other fees (ie the deposit, personnel fee, alcohol fee, etc) will be assessed at 100%

The rental of Town facilities by nonprofit and other charitable organizations shall be approved in advance by the Town Manager on a case-by-case basis.

Category III (Individual Residents and Nonresidents)

This category is for rental of Town facilities for events sponsored by individuals who may or may not be residents of the Town of Lake Park, and whose activities in the opinion of the Recreation Director directly benefit citizens of the Town of Lake Park. This is a pre-existing category which previously required full price for either residents or nonresident of Lake Park. Staff is proposing the following rental fee waiver/reduction schedule for residents.

For Residents:

- A reduction of 10 percent of the facility rental fee only.
- All other fees (e.g., the deposit, personnel fee, alcohol fee, etc.) will be assessed at 100 percent

For Nonresidents:

- No waiver or reduction of the facility rental fee
- All other fees will be assessed at 100 percent

The rental of Town facilities by individual residents and nonresidents shall be approved in advance by the Recreation Director on a case-by-case basis.

Category IV (Current Town Employees)

This category consists of individual who are currently employed by the Town of Lake Park. This is a pre-existing category for which previously required 50 percent reduction on rental fee and deposit, but no limit on usage. Staff is proposing the following rental fee waiver/reduction schedule for current Town employees:

- A reduction of 50 percent of the facility rental fee only for one event per calendar year
- All other fees (e.g., the deposit, personnel fee, alcohol fee, cleaning fee etc.) will be assessed at 100 percent

The rental of Town facilities by current Town employees shall be approved in advance by the Recreation Director on a case-by-case basis.

Staff conducted a survey of neighboring municipalities to determine their facility fee waiver/reduction schedule. The following are the findings from that survey:

Village of North Palm Beach:

- All nonprofit groups are charged full price, no fees are reduced.

Village of Palm Springs:

- 10% discount for Non-Profit Groups.
- All nonprofit groups must provide current copy of 501(c)(3) or 501(c)(6) documentation

Town of Jupiter:

- 10% - 50% discount for nonprofit groups
- All nonprofit groups must provide current copy of 501(c)(3) Tax Exempt Certificate.