



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, January 17, 2007, 7:30 P.M.
Lake Park Town Hall
535 Park Avenue

Paul Castro	—	Mayor
Edward Daly	—	Vice-Mayor
G. Chuck Balius	—	Commissioner
Jeff Carey	—	Commissioner
Patricia Osterman	—	Commissioner
Cynthia R. Sementelli	—	Interim Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez	—	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. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

H. CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public

comment card located in the rear of the Chambers and give it to the Town Clerk.
Cards must be submitted before the item is discussed.

For Approval:

1. Regular Commission Meeting Minutes of January 3, 2007. Tab 1

I. PUBLIC HEARING(S)

ORDINANCE ON FIRST READING:

2. ORDINANCE NO. 01-2007 Performance Bond.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE V, DIVISION 2, SECTION 2-250 ENTITLED "ALTERNATIVE SOURCE SELECTION" OF THE TOWN CODE OF ORDINANCES PERTAINING TO THE DETERMINATION OF THE MONETARY AMOUNT OF BID SECURITY AND PAYMENT AND PERFORMANCE BOND REQUIREMENTS FOR CONSTRUCTION PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. Tab 2

3. ORDINANCE NO. 02-2007 Pool Hall.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-70 ENTITLED "PARK AVENUE DOWNTOWN DISTRICT" AND TABLE 78-70-1 (PERMITTED AND CONDITIONAL USES IN THE PARK AVENUE DOWNTOWN DISTRICT), TO PROVIDE USE REGULATIONS FOR BILLIARD AND POOL ROOMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. Tab 3

J. RESOLUTION(S):

4. RESOLUTION NO. 05-01-07 Florida League of Cities.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE ISSUES ENUMERATED HEREIN DURING THE FLORIDA LEGISLATURES 2007 LEGISLATIVE SESSION. Tab 4

5. RESOLUTION NO. 07-01-07 Change the Insurance Coverage Effective Date.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO CHANGE THE EFFECTIVE DATE OF COVERAGE FOR EMPLOYEE LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE, SHORT TERM DISABILITY, LONG TERM DISABILITY, VOLUNTARY EMPLOYEE LIFE INSURANCE, VOLUNTARY SPOUSE LIFE INSURANCE, VOLUNTARY CHILD(REN) LIFE INSURANCE, DENTAL INSURANCE, AND HEALTH INSURANCE; AND PROVIDING AN EFFECTIVE DATE. Tab 5

6. RESOLUTION NO. 08-01-07 Changing the Library Hours of Operation.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING CHANGES IN THE HOURS OF OPERATION FOR THE LAKE PARK PUBLIC LIBRARY; AND PROVIDING AN EFFECTIVE

DATE.

Tab 6

K. DISCUSSION AND POSSIBLE ACTION:

7. Brick Paver Program.

Tab 7

8. Marina Maintenance Crew.

Tab 8

9. Additional position for Public Works.

Tab 9

10. Town picture to be displayed in Congressman Klein's Washington DC office. **Tab 10**

L. ADJOURNMENT:

Consent Agenda

TAB 1

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

Meeting Date: January 17, 2007

Agenda Item No. Tab 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 January 3, 2007

RECOMMENDED MOTION/ACTION: Approve the Minutes from the Regular Commission Meeting of January 3, 2006

Approved by Town Manager *C. Sementec* Date: 1/12/07

April Shaker
Name/Title Deputy Clerk

1/5/07
Date of Actual Submittal

Originating Department:	Costs: \$ <u>N/A</u> 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 <u>YK</u> <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>x</u> _____: Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
January 3, 2007 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, January 3, 2007 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Interim Town Manager Cynthia Sementelli, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Vivian Mendez led the Invocation.
 Mayor Castro led the Pledge of Allegiance.
 Town Clerk Vivian Mendez performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Discussion of Town Manager Contract moved to beginning of Agenda.

Motion: A motion was made by Commissioner Osterman to move discussion of Town Manager Contract to beginning of Agenda; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Discussions and Possible Action:
Town Manager Contract

Attorney Thomas Baird stated that there was one outstanding issue which was accumulated leave. He stated that the Town's policy was that accumulated leave was capped at 240 hours. He stated that Maria Davis was requesting that her accumulated leave not be capped. He reviewed the history of accumulated leave for former town managers.

Mayor Castro stated that he was not happy with the contract.

Motion: A motion was made by Vice-Mayor Daly to approve the new Town Manager

Contract; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro		X	

Motion passed 4-1.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Osterman excused herself from the Commission Meeting at 7:45 p.m.

Mayor Castro

Mayor Castro congratulated and welcomed Maria Davis as the new town manager.

Mayor Castro stated that he was disappointed in the way that negotiations went with the new town manager contract. He stated that he hoped things would change with their relationship.

Mayor Castro stated that he was disappointed with the way the trees were cut on the right of way.

Mayor Castro asked for the status of the alleyways on Park Ave.

Mayor Castro stated that he was concerned about security issues in the reception area of the Sheriff's Department building. He stated that the budget could be looked at to add an administrative person to the Sheriff's Department.

Mayor Castro asked about the status of the playground area at Lake Shore Park.

Mayor Castro stated that he was very disappointed with the maintenance and upkeep with Lake Shore Park and Kelsey Park.

Vice-Mayor Daly

Vice-Mayor Daly stated that he discussed plans for Lake Shore Park with Interim Town Manager Cynthia Sementelli.

Vice-Mayor Daly stated that he would like to see the Sheriff's Department building marked and asked if there could be staff to service the reception area of the building.

Vice-Mayor Daly stated that he would like to see an administrative person or receptionist to occupy the reception area during the day and then someone to come in after hours until 8 or 9pm.

Vice-Mayor Daly stated that he walked through Lake Shore Park and stated that the health trail was gone and there were sand patches and weeds throughout the park. He stated that the shrubbery and mulch has not been maintained at the Marina as well.

Commissioner Balias

Commissioner Balius congratulated and welcomed Maria Davis as the new town manager. Commissioner Balius stated that staff did an excellent job on the Employee Step Program and Leave Donation program.

Commissioner Carey

Commissioner Carey stated that he was happy that the Town was getting a new town manager.

Commissioner Osterman

Commissioner Osterman welcomed Maria Davis to the Town as the new town manager. Commissioner Osterman stated that her position on the ball field fencing was to wait until there was a clear plan on what to do with the ball field.

Interim Town Manager Cynthia Sementelli

Interim Town Manager Cynthia Sementelli stated that a new playground was scheduled to be placed in Lake Shore Park.

Interim Town Manager Cynthia Sementelli stated that the last two Town plaques were installed on Monday.

Interim Town Manager Cynthia Sementelli stated that the no-wake zone was ready to be put in. She stated that she was waiting on a FWC permit number. She stated that the no-wake zone will be 200 yards north and 200 yards south.

Interim Town Manager Cynthia Sementelli stated that there would be a conceptual drawing of what will be done at Lake Shore Park. She stated that the heart/health trail would be replaced. She stated that they are researching grants for the restoration of Lake Shore Park.

Interim Town Manager Cynthia Sementelli stated that there were no bids received on the alleyway project. She stated that they are taking the next step and would bring back an update.

Attorney Thomas Baird

Attorney Thomas Baird welcomed Maria Davis as the new town manager and expressed a Happy New Year to the Commission.

PUBLIC and OTHER COMMENT

None

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of December 20, 2006

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve the Consent Agenda; Vice-Mayor Daly made the second.

Vote on Motion:

Commission	Aye	Nay	Other
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Member			
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	Absent		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 4-0.

PUBLIC HEARING(S)

ORDINANCE ON 2ND READING

ORDINANCE NO. 18-2006 – Proportion Share

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 56, ARTICLE IV, SECTION 56-100 OF THE CODE OF ORDINANCES, PERTAINING TO TRANSPORTATION PERFORMANCE STANDARDS TO CREATE NEW CODE SECTION 56-100 TO BE ENTITLED “PROPORTIONATE FAIR-SHARE MITIGATION PROGRAM”; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Thomas Baird read Ordinance No. 18-2006 by caption only.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 18-2006 upon 2nd reading; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	Absent		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 4-0.

RESOLUTION NO. 02-01-07 – Establishing a General Election

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING THE TIME AND PLACE OF A GENERAL ELECTION TO BE HELD ON TUESDAY, MARCH 13, 2007 FOR THE PURPOSE OF ELECTING COMMISSIONERS FOR SEAT B AND D FOR THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA; ESTABLISHING THE QUALIFYING/FILING PERIOD FOR SUCH GENERAL ELECTION AS TUESDAY JANUARY 30, 2007 THROUGH TUESDAY FEBRUARY 13, 2007 AT NOON; AND PROVIDING AN EFFECTIVE DATE.

Motion: A motion was made by Commissioner Carey to approve Resolution No. 02-01-07; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	Absent		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 4-0.

Public Comment Open.

None

Public Comment Closed.

RESOLUTION 03-01-07 – Employee Leave Donation Program

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REVISING THE TOWN OF LAKE PARK EMPLOYEE POLICY/HANDBOOK TO PROVIDE FOR AN ANNUAL LEAVE DONATION POOL PROGRAM; AND PROVIDING AN EFFECTIVE DATE

Commissioner Balius stated that the Employee Leave Donation Program was a very good program.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Resolution No. 03-01-07; Commissioner Balius made the second.

Vote on Motion:

Commission	Aye	Nay	Other

Member			
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	Absent		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 4-0.

Quasi-Judicial Hearing

RESOLUTION NO. 04-01-07 – Nextel Site Plan

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR THE CONSTRUCTION OF A 150 FOOT REPLACEMENT TELECOMMUNICATIONS TOWER AND APPURTENANT BUILDING, SUBJECT TO CONDITIONS OF APPROVAL, TO BE LOCATED ON 570 SQUARE FEET OF GROUND SPACE ON PROPERTY OWNED BY THE TOWN OF LAKE PARK AND LOCATED AT 640 OLD DIXIE HIGHWAY ON THE TOWN'S PUBLIC WORKS HEADQUARTERS SITE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Vivian Mendez swore in all witnesses.

As for having any Ex-Parte communication prior to this Quasi Judicial Hearing the members stated as follows:

Mayor Castro – none

Vice-Mayor Daly – stated that he had a discussion with Paul Carlisle many months ago

Commissioner Balias – none

Commissioner Carey – none

Attorney Karen Roselli stated that she had written the lease agreement with Sprint Nextel. She stated that there were legal issues that had still not been resolved with the existing cell tower. She stated that Nextel was going to build a new replacement tower at the Town's Public Works Department location on Old Dixie Hwy. She stated that the existing cell tower located at the Public Works Department would be torn down. She stated that the Town's antennas would be relocated to the large American Tower which is located a half a mile away.

Mayor Castro asked if there was an ability to co-locate with other providers.

Attorney Karen Roselli stated that there was limited space and other structural issues.

Mayor Castro asked if there would be an ability of other providers to join onto the new tower.

Attorney Karen Roselli stated that the new tower would be a new flag pole design without a flag and would be able to accommodate three new co-locators. She stated that the financial issues were highlighted in the staff report. She stated that the relocation costs should not exceed \$7,500.00 which Nextel would reimburse the Town for. She stated that Nextel would pay rent to

the town annually in advance in the amount of \$21,900.00 which would be increased by 4% annually. She stated that Nextel would also pay the Town \$40,000.00 as a one time capital contribution toward the purchase of a new generator at the Public Works Department. She stated that Nextel would reimburse the Town's attorney fees and professional fees.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Daly to approve Resolution 04-01-07; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	Absent		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 4-0.

RESOLUTION NO. 01-01-07 – Nextel Tower

A RESOLUTION BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SITE LEASE AGREEMENT WITH NEXTEL SOUTH CORPORATION, A GEORGIA CORPORATION AND PROVIDING AN EFFECTIVE DATE.

Motion: A motion was made by Commissioner Balius to approve Resolution 01-01-07; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	Absent		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 4-0.

Public Comment Open.

None

Public Comment Closed.

Discussions and Possible Action

Fence at ball field

Vice-Mayor Daly asked where the trailer would be placed at the ball field.

Interim Town Manager Cynthia Sementelli stated that there was only one area that the trailer could be placed on the ball field. She stated that the trailer would be placed inside the fence. She stated that there were two price estimates on the fence discussed at the last Commission Meeting. She asked the Commission for direction on the fence for the ball field.

Commissioner Carey stated that fencing around the ball field would cut off free play to children at the ball field.

Commissioner Balius stated that there are outfits that do not have permits playing on the ball field on the weekends.

Mayor Castro stated that he didn't mind fencing the ball field as long as there was an area for children to play.

Commissioner Carey asked where a son and father would go if they wanted to play ball. He stated that there needed to be a safe place for parents and children to go.

Vice-Mayor Daly agreed and stated that they did not want to shut everyone out of the ball field.

Commissioner Balius stated that the code was not being enforced at the ball field. He stated that there were adults playing soccer on the ball field over the weekend.

Mayor Castro stated that something must be done to keep people who do not have a permit from playing on the ball field. He asked Interim Town Manager Cynthia Sementelli to bring back suggestions for keeping non-permitted players off of the ball field.

Planning & Zoning concerns

Vice-Mayor Daly explained why he wanted to discuss this item. He stated that the Commission can come together to recognize the Town's boards and allow them to make their feelings known.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Vice-Mayor Daly, and by unanimous vote, the meeting adjourned at 8:08 p.m.

Mayor Paul Castro

Deputy Clerk Jessica Shepherd

Town Clerk Vivian Mendez

Town Seal

Approved on this ___ of _____, 2007.

TAB 2

Town of Lake Park Town Commission Agenda Request Form

Meeting Date: January 17, 2006

Agenda Item No. *Tab 2*

- PUBLIC HEARING
 - Ordinance on Second Reading
 - Public Hearing
- ORDINANCE ON FIRST READING
- GENERAL APPROVAL OF ITEM
- Other:
- RESOLUTION
- DISCUSSION
- BID/RFP AWARD
- CONSENT AGENDA

SUBJECT: An ordinance to amend Chapter 2 to change the method of determining the amount of performance and bid bonds and to allow the Town Commission at its discretion to set a performance bond amount of less than the now required 100% of the cost of the project and to allow the Town Manager to set a bid bond amount of less than the now required 10%.

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager *[Signature]* Date: *1/12/07*

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Staff Report
Department Review: <input checked="" type="checkbox"/> City Attorney <i>[Signature]</i> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development <i>[Signature]</i>	<input type="checkbox"/> Finance _____ <input checked="" 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 _____ OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background: The Town has recently put 2 CRA construction projects out to bid. The first was the 10th Street landscape and irrigation project; the second was the Alleyways. At the mandatory pre-bid hearings there were 4 contractors interested in the 10th Street project and 4 interested in the Alleyways. In both cases the Town received no bids. The interested bidders were contacted following the bid closings and the predominant reason for not bidding was the size of the performance bond required.

To remain competitive staff recommends that the Town Commission amend the Code to provide for bonding flexibility and allow the Commission to exercise that flexibility at its distretion. In the case of the Bid Bond, staff recommends that the Commission provide the Town Manager with the ability to set the amount of the bond. As an example, a \$15,000 to \$25,000 bid bond would have been adequate in the case of the Alleyways as opposed to the \$150,000 plus that the Code required.

**Town of Lake Park
Community Development Department**



To: Town Commission
From: Patrick Sullivan, AICP, Director
Date: January 10, 2007
**Re: Amendment to Bonding Requirements of
Construction Contractors**

MEMO

Recently, the Town issued two Invitations to Bid for two CRA construction projects: (1) the 10th Street landscape and irrigation project, and (2) the alleyway improvement project ("Projects"). At the mandatory pre-bid meetings, there were four contractors interested in each of the two Projects; however the Town did not receive any bids for either Project. I contacted the interested contractors who had attended the pre-bid meetings following the bid closings, and the predominant reason for not bidding was the monetary amount of the bonds that were required.

Town Code Section 2-250 mandates that all Invitations to Bid require a bid bond as security for the bid, which must be at least ten percent (10%) of the estimated cost of the project. In addition, this Section also requires that upon entering into a contract with the Town, the successful bidder must provide a performance bond in the amount of one hundred percent (100%) of the total contract price. This requirement is consistent with Section 255.05, Fla. Stat. (2006), which requires that "any person entering into a formal contract with the state, or any county, city or political subdivision thereof, for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work, shall be required, before commencing the work or before recommencing the work after a default or abandonment, to execute, deliver to the public owner, and record in the public records of the county where the improvement is located, a payment and performance bond, with a surety insurer authorized to do business in this state as a surety." The statute also allows the board or official awarding a contract for \$200,000 or less, to exempt the contractor from executing the payment and performance bond.

The estimated cost of the Alleyway Project was between \$1.5 to \$2 million, which pursuant to Section 2-250, would require a bid bond of \$150,000 to \$200,000, and the successful bidder would be required to provide a payment and performance bond of 100% of the total contract cost. These are significant up front expenses and the contractors were obviously unwilling to provide the required bonds. Implicit in that reluctance, is the assumption that there must be enough work available so that the contractors can pick and choose their jobs. In the long run, the Town is less competitive as a result of these bonding

requirements. The Code as currently written does not allow for any flexibility in varying the monetary amount of the required bonds.

Staff recommends that the Town Commission amend Section 2-250 of the Code to provide for flexibility in setting the required bond amounts in order for the Town to remain competitive in its procurements. With respect to the bid bond or bid security, staff recommends that the Commission eliminate the mandatory 10% bid bond requirement, and provide the Town Manager with the ability to set the amount of the bid bond, but also establish a mandatory minimum bid bond amount such as two or three percent.

As for the payment and performance bond requirements of the construction contract, staff recommends that the Code be amended to allow the Town Commission to waive the bonding requirements for projects that have a total contract price under \$200,000 in accordance with Section 255.05, Fla. Stat., or to reduce (or increase) the amount of the payment and performance bonds required from the current mandatory 100% of the total cost of the project. For projects that have a total contract price in excess of \$200,000, payment and performance bonds must be required, but the proposed amendment would allow the Town Commission more flexibility in establishing the amount of the bonds required on a case by case basis depending on the nature of the project. The proposed amendment would allow the Commission to require the payment and performance bond to be 110%, or 100%, or 80%, or 50% of the total contract price, or any other monetary amount the Commission deems sufficient to protect the Town against risk of loss.

The minimum required percentages have been intentionally left blank for the first reading so that during the discussion of the Ordinance, a consensus can be reached on these threshold amounts which will then be inserted into the Ordinance before second reading. For comparison purposes, the Village of North Palm Beach has no set payment and performance bond requirement, but generally requires the bonds to be ten percent (10%) of the total contract price.

ORDINANCE NO. 01-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE V, DIVISION 2, SECTION 2-250 ENTITLED "ALTERNATIVE SOURCE SELECTION" OF THE TOWN CODE OF ORDINANCES PERTAINING TO THE DETERMINATION OF THE MONETARY AMOUNT OF BID SECURITY AND PAYMENT AND PERFORMANCE BOND REQUIREMENTS FOR CONSTRUCTION PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Town Commission has adopted provisions establishing competitive procurement processes for the purchase of goods and services by the Town which have been codified in Chapter 2 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, the Town Commission has determined that it is in the best interests of the public health, safety and general welfare of the Town to allow for the limited exercise of discretion in determining the required monetary amount of bid security and the payment and performance bonds which are frequently required as a condition of the procurement of construction services and the resulting construction contract; and

WHEREAS, Town staff has recommended to the Town Commission, that Section 2-250 be amended to provide the Town Manager with limited authority to reduce the amount of the bid security and to add other requirements pertaining to the payment and performance bond requirements for construction contracts; and

WHEREAS, the Town Commission, after due notice and public hearings, deems it to be in the interest of the public health, safety and general welfare to amend Section 2-250 of the Town's Code as provided herein.

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

Section 1: The whereas clauses are hereby incorporated herein by reference as true and correct findings of the Town Commission.

Section 2. Chapter 2, Article V, Division 2, Section 2-250 is hereby amended to read as follows:

Sec. 2-250. Alternative source selection.

(h) *Construction services.* The procurement of construction services by the Town and the Community Redevelopment Agency shall be acquired in accordance with the competitive sealed bid process outlined in section 2-248.

(1) Bid security shall be required for all competitive sealed bidding for construction contracts when the total cost of construction price is estimated by the finance director to exceed \$100,000.00. Bid security shall be an original bid bond executed by a surety company admitted and authorized to do business in the state of Florida. Cash, a certificate of deposit, treasurer's check, or a certified cashier's check satisfactory to the town may be tendered in lieu of the bid bond. Nothing contained herein shall prevent the Town from requiring requirement of bid security such bonds on construction contracts under \$100,000.00 as determined in the discretion of the Town Manager to be in the best interest of the Town. when the circumstances warrant. Bid security shall be in an amount deemed sufficient by the Town Manager to insure bid compliance but in no event shall the bid security be less than _____ percent (%) of the bid amount, equal to at least ten percent of the amount of the bid.

(2) Bids or proposals which are submitted without the required bid security which do not comply with the surety requirements shall be rejected.

(3) When a Any person, firm or entity who enters into a written construction contract with the Town which is for is awarded in excess of \$100,000.00 or more, shall before commencing the work, execute and deliver to the Town within the time specified by the contract or procurement documents, a payment and performance bond, each in the amount equal to or greater than one hundred percent (100%) of the total contract price, unless the amount of the bonds is reduced to a lesser amount as determined by the Town Commission, but in no event shall the amount of each bond be less than _____ percent (%) of the total contract price. The bonds shall be issued by a surety insurer authorized to do business in the state of Florida as a surety. The

required bonds shall also be recorded in the public records of Palm Beach County. At the discretion of the Town Commission, any person or entity entering into a construction contract which is for \$200,000.00 or less may be exempted from executing the payment and performance bond.

(4) In lieu of the bond required by this section, a contractor may file with the Town an alternative form of security in the form of cash, a money order, a certified check, a cashier's check, an irrevocable letter of credit, or a security of a type listed in Part II of Chapter 625, F.S. Any such alternative form of security shall be for the same purpose and be subject to the same conditions as those applicable to the bond required by this section. The determination of the value of an alternative form of security shall be made by the Town.

(5) The bond must state on its front page: the name, principal business address, and phone number of the contractor, the surety, the owner of the property being improved, and, if different from the owner, the contracting public entity; the contract number assigned by the contracting public entity; and a description of the project sufficient to identify it, such as a legal description or the street address of the property being improved, and a general description of the improvement. Such bond shall be conditioned upon the contractor's performance of the construction work in the time and manner prescribed in the contract and promptly making payments to all persons defined in Section 713.01, F.S., as amended, who furnish labor, services, or materials for the prosecution of the work provided for in the contract.

(6) If at any time after the execution of the contract and the surety bonds, the Town deems the surety or sureties upon such bonds to be unsatisfactory or, if for any reason such bonds cease to be adequate to cover the requirements of the contract, the Town may require the contractor, at its sole expense and within five (5) days after the receipt of notice from the Town, to furnish an additional bond in such form and amount and with such surety as shall be satisfactory to the Town. In such event, no further payment to the contractor shall be deemed to be due under the contract until such new or additional security shall be furnished in manner and form satisfactory to the Town as to protect the interests of the Town and ensure the payment of persons supplying labor and materials under the contract. Final payment of all construction projects shall be approved by the finance director after certification of completion from the community development director.

(7) Nothing herein shall prohibit the Town from deleting line items within the invitation to bid and purchasing said items directly from a supplier in an amount not exceeding the bid amount per line item of the successful bidder, without further bidding, in an effort to benefit from the county's tax exempt status.

~~the following bonds or security shall be delivered to the town, and shall become binding on the parties upon the execution of the contract:~~

~~a. A performance bond satisfactory to the town, executed by a surety company authorized to do business in the state, or otherwise secured in a manner satisfactory to the town, in an amount equal to 100 percent of the price specified in the contract; and~~

~~b. —~~

~~1. A payment bond satisfactory to the town, executed by a surety company authorized to do business in the state, or otherwise secured in a~~

manner satisfactory to the town, for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in an amount equal to 100 percent of the price specified in the contract.

2. Sureties for all bid bonds, performance bonds and payment bonds must be listed on the U.S. Department of Treasury Listing and the bond amount shall not exceed the maximum amounts specified therein unless stipulated in the invitation to bid.

3. Nothing herein shall prohibit the town from deleting line items within the invitation to bid and purchasing said items directly from a supplier in an amount not exceeding the bid amount per line item of the successful bidder, without further bidding, in an effort to benefit from the county's tax exempt status.

4. Final payment of all construction projects shall be approved by the finance director after certification of completion from the community development director.

Section 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 4. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall become effective immediately upon adoption.

TAB 3

Town of Lake Park Town Commission Agenda Request Form

Meeting Date: January 17, 2006

Agenda Item No. Tab 3

- PUBLIC HEARING
- Ordinance on Second Reading
- Public Hearing
- ORDINANCE ON FIRST READING
- GENERAL APPROVAL OF ITEM
- Other:
- RESOLUTION
- DISCUSSION
- BID/RFP AWARD
- CONSENT AGENDA

SUBJECT: An ordinance to amend chapter 78-70 of the code or ordinances to define Pool/Billiard Halls and to allow Pool/Billiard Halls to serve Alcoholic beverages in the Park Avenue Downtown District.

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager

[Signature]

Date:

1/12/07

Originating Department: Community Development	Costs: \$ N/A Funding Source: Accl. #	Attachments: Staff Report
Department Review <input checked="" type="checkbox"/> City Attorney <i>[Signature]</i> <input type="checkbox"/> Community Affairs <i>[Signature]</i> <input checked="" type="checkbox"/> Community Development <i>[Signature]</i>	<input type="checkbox"/> Finance _____ <input checked="" 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 _____ <i>[Signature]</i> or Not applicable in this case _____ Please initial one.

Summary Explanation/Background: Pool/billiard halls that sell alcoholic beverages are not defined in the Park Avenue Downtown District and therefore are considered bars. Bars are prohibited in the PADD. It is the intent of this amendment to allow pool/billiard halls to be a permitted use in the district and be allowed to serve alcoholic beverages. This is an amendment to the regulations for the PADD to define pool/billiard halls as businesses that provide billiards as their main activity and have a minimum of 8 billiard tables.

**Town of Lake Park
Community Development Department**



To: Town Commission
From: Patrick Sullivan, AICP, Director
Date: January 9, 2007
**Re: Proposed zoning text amendment to
Section 78-70 to provide for billiard
rooms/pool hall use within the Park
Avenue Downtown District ("PADD")**

MEMO

Subject:

This is a proposed Zoning Code text amendment to change to Section 78-70 to specifically permit billiard or pool hall uses subject to additional operating regulations and with the ancillary sale of alcoholic beverages in the Park Avenue Downtown District ("PADD").

History and Analysis:

A potential tenant for Mizerak's Billiard Hall ("Mizerak's") on Park Avenue recently inquired of the Town's Community Development Department as to whether if he continued the billiard/pool hall use; he could sell alcoholic beverages as part of the new billiard hall business..

The Town Code does not define billiard or pool halls, and specifically prohibits bars and lounges in the PADD. Under the Code, the closest use classification of the former Mizerak business would be indoor entertainment with a bar/lounge. Therefore, although Mizerak's operated as a pool hall with alcoholic beverage sales, and had a state liquor license for the premises, the use was non-conforming under the Code.

Staff believes that a billiard hall use with ancillary alcoholic beverage sales is an appropriate use within the PADD, but that such a use should not be used as a pretext, guise or means to in actuality operate a bar/lounge. Therefore, staff has recommended that the Code be amended to define billiard and pool halls in such a manner that the business must be operated primarily as pool hall and any sale of alcohol is merely incidental to the primary pool hall use. This intent is clearly delineated in the proposed Ordinance.

Consequently, by definition a pool hall or billiard room must have a minimum of eight (8) pool tables and the bar or accessory alcoholic beverage sales aspect of the business is limited to no more than thirty percent (30%) of the gross floor area of the billiard hall. The proposed amendment also contains additional regulations pertaining to minors, hours of operation, parking and signage.

The Planning and Zoning Board reviewed this amendment at their January 8, 2007 meeting and recommended the eight pool table minimum requirement and restrictions on signage and advertising visible from the exterior, including a prohibition on neon signs. The Board voted unanimously to recommend that the Commission adopt the proposed amendment. Town Staff also recommends adoption of the proposed Ordinance.

ORDINANCE NO.: 02-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-70 ENTITLED "PARK AVENUE DOWNTOWN DISTRICT" AND TABLE 78-70-1 (PERMITTED AND CONDITIONAL USES IN THE PARK AVENUE DOWNTOWN DISTRICT), TO PROVIDE USE REGULATIONS FOR BILLIARD AND POOL ROOMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Town Commission has adopted general provisions pertaining to zoning and zoning district land development and use regulations which have been codified in Chapter 78, Article III of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, the Town Commission has also adopted specific provisions pertaining to zoning and land development regulations pertaining to the Park Avenue Downtown District ("PADD") which have been codified in Section 78-70 and Table 78-70-1 of Chapter 78 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, Town staff has recommended to the Town Commission that Town Code Section 78-70 and Table 78-70-1 (Permitted and Conditional Uses) be amended to provide regulations pertaining to billiard and pool rooms within the PADD; and

WHEREAS, the Town Commission, after due notice and public hearings, deems it to be in the interest of the public health, safety and general welfare to amend the Town's Code to provide for such additional regulations; and

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

Section 1. The whereas clauses are hereby incorporated as true and correct findings of fact of the Town Commission.

Section 2. Chapter 78, Article III, Section 78-70 of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended to read as follows:

(b) *Definitions.* For the purposes of this section, the following definitions shall apply. In the event of a conflict between the definitions in this section, and the definitions contained in section 78-2, the definitions of this section shall apply.

Billiard and pool rooms means a principal use billiard facility, where more than eight pool or billiard tables, regardless of size, with or without coin slot attachment, are operated in a public place, or where a charge is made for playing on such tables.

Section 3. Chapter 78, Article III, Table 78-70-1 of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended to read as follows:

TABLE 78-70-1
PERMITTED AND CONDITIONAL USES
PARK AVENUE DOWNTOWN DISTRICT

NOTES

X = Not Permitted.

P = Permitted, may be subject to additional standards.

C = Conditional Use, Town commission Approval Required.

AA = Administrative Approval Required.

< = Less Than

> = More Than

TABLE INSET:

USE CATEGORY	<1,500 Square Feet	1,501--2,500 Square Feet	>2,500 Square Feet
--------------	--------------------	--------------------------	--------------------

V. RECREATION			
Adult Entertainment	X	X	X
Arcades, Video/Computer	X	X	X
Billiard and pool rooms	P	P	C 22
Entertainment, Indoor	P	AA	C

Temporary Uses, Public and Private	AA	AA	AA	20
Theater, Indoor	P	AA	C	

Additional standards (for Table 78-70-1):

(22) Billiard and pool rooms. All billiard and pool rooms or places where charges are made for playing billiards or pool shall be subject to the following additional operating requirements:

a. Hours of operation. All billiard and pool rooms shall be closed and no billiards or pool be played in such room or places between the hours of 2:00 a.m. and 8:00 a.m.

b. Minors prohibited, exceptions. It is unlawful for any person, his/her servant or employee to permit anyone under the age of 18 years of age to visit, frequent or play in any billiard room within the town; provided, however, this provision shall not apply to any person on active duty in the armed services of the United States, or who has a written permit or card signed and notarized by his/her parent or legal guardian and filed in the establishment to which the permit or card is given by the parent or guardian of the minor involved, or a married minor, or when accompanied by parent or guardian. The permit card may be revoked at any time by the parent or guardian, or by the operator of the billiard room by returning the card to the parent or guardian, or by any law enforcement officer upon conviction of the party or parties of a crime. No written permit shall be valid in any establishment which sells or permits consumption on its premises of intoxicating or alcoholic beverages.

c. Dance hall prohibited. A billiard or pool room and a dance hall shall not be operated together or in the same room.

d. Sale of alcoholic beverages. Billiard and pool rooms may sell intoxicating and alcoholic beverages for consumption on the premises only, provided that the establishment maintains current valid licenses issued by the state department of revenue for such sale and consumption; the establishment complies with all applicable town ordinances pertaining to the sale and consumption of alcohol; the sale and consumption of alcohol is an accessory use to the billiard and pool room use and shall not occupy more than 30 percent of the gross floor area of the billiard room. The operation of a bar or lounge under the pretext, guise or stated use of an establishment as a billiard or pool room is strictly prohibited.

e. Parking. A minimum of four (4) spaces plus one (1) space for each billiard table is required for a billiard or pool room, plus required parking for other uses on the site.

f. Signage. Notwithstanding any provisions of chapter 70, chapter 78-70(p) or any other section of this Code to the contrary, animated signs with surface movements, flashing lights or colors, and/or moving messages, neon signs, and changeable copy signs are strictly prohibited. Any permitted sign shall not contain any advertising except for the name, logo, and address of the business to which the sign is accessory and any other noncommercial message which has not been declared by a court of competent jurisdiction to be obscene, defamatory, or otherwise contrary to law. Any signage must be approved and permitted by the Town in accordance with the provisions of the Town Code.

Section 4. Severability. If any section, paragraph, sentence, clause, phrase or

word of this Ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 5. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 6. Codification. The provision of this Ordinance shall become and be made a part of the Code of Ordinances for the Town of Lake Park. The Sections of the ordinance maybe renumbered or relettered to accomplish such.

Section 7. Effective date. This Ordinance shall take effect immediately upon passage.

TAB 4

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

Meeting Date: January 17, 2007

Agenda Item No. Tab 4

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" 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: Resolution for the Florida League of Cities

RECOMMENDED MOTION/ACTION: Approve the Resolution for the Florida League of Cities

Approved by Town Manager Cynthia R. Semelata Date: 1/1/07

CRS
Name/Title _____ Date of Actual Submittal 1/1/07

Originating Department: <u>Finance</u>	Costs: \$ <u>N/A</u> Funding Source: Acct. #	Attachments:
Department Review: <input checked="" type="checkbox"/> City Attorney <u>JRB</u> <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 <u>CRS</u> : Please initial one.

Summary Explanation/Background: The Florida League of Cities is asking Florida's 413 cities to adopt a resolution that supports the League's key priority issues. The key issues that were adopted by the League's membership at the recent conference were Charter County Relations, Affordable Housing and Property Tax Reform.

RESOLUTION NO. 05-01-07

A RESOLUTION OF THE TOWN COMMISSIONA OF THE TOWN OF LAKE PARK, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE ISSUES ENUMERATED HEREIN DURING THE FLORIDA LEGISLATURES 2007 LEGISLATIVE SESSION.

WHEREAS, municipal self-determination and local self-government are constantly under attack from a variety of public and private interests; and

WHEREAS, numerous counties have recently proposed revisions to their charters that would adversely impact the Home-Rule powers of municipalities within those counties; and

WHEREAS, a majority of Florida's municipalities have experienced negative impacts to infrastructure, housing stock and employment base from a series of natural disasters; higher than expected increases in the cost of building products; double-digit increases in the cost of property insurance; and inequities in the existing property-tax system; and

WHEREAS, Municipalities have also had to increasingly meet state mandates, at great expense the their constituents; and

WHEREAS, various proposed revisions to the property-tax system would have substantial adverse impacts for all municipalities in Florida should they be adopted; and

WHEREAS, Florida's municipalities are dependent on other governmental entities for financial stability and under the current system the state, counties, and school districts, control all funding sources authorized for implementing capital improvements and complying with concurrency requirements; and

WHEREAS, Gov. Charlie Crist and Florida's House and Senate leaders have an opportunity to address the fiscal concerns of municipalities during the upcoming 2007 legislative session.

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

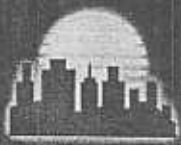
Section 1, The Town of Lake Park hereby urges Gov. Charlie Crist and members of the Florida Legislature to support legislation during the 2007 legislative session that:

- Strengthen and maintains municipal Home-Rule authority for municipalities located within charter counties;
- Supports a tax structure that is fair and equitable, and is competitively neutral and allows municipalities the flexibility to provide adequate services in their communities.
- Preserves the dedicated documentary stamp fees as a funding source for the State and Local Government Housing Trust Fund (Sadowski Trust Fund), eliminates the cap placed on fund distribution, and prohibits any of these trust fund dollars from being diverted to the General Revenue Fund.
- Provides a comprehensive and uniform workers' compensation system for all municipal employees, regardless of employee classification, at a reasonable cost to employers.
- Provides a dedicated and recurring source of revenue, including municipal local-option fuel taxes, rental-car surcharges, or other taxes or fees, for municipalities to fund transportation projects such as TRIP, urban arterial and other projects. Furthermore, the existing distribution formula for local-option transportation taxes imposed by a county should be revised to allow for a more equitable distribution to municipalities and provides for indexing of local-option fuel taxes.
- Requires legislative authorization prior to the Florida Department of Transportation removing or delaying any project that is contained in the FDOT Five-Year Work Plan.
- Preserves municipal authority to franchise cable and video services.

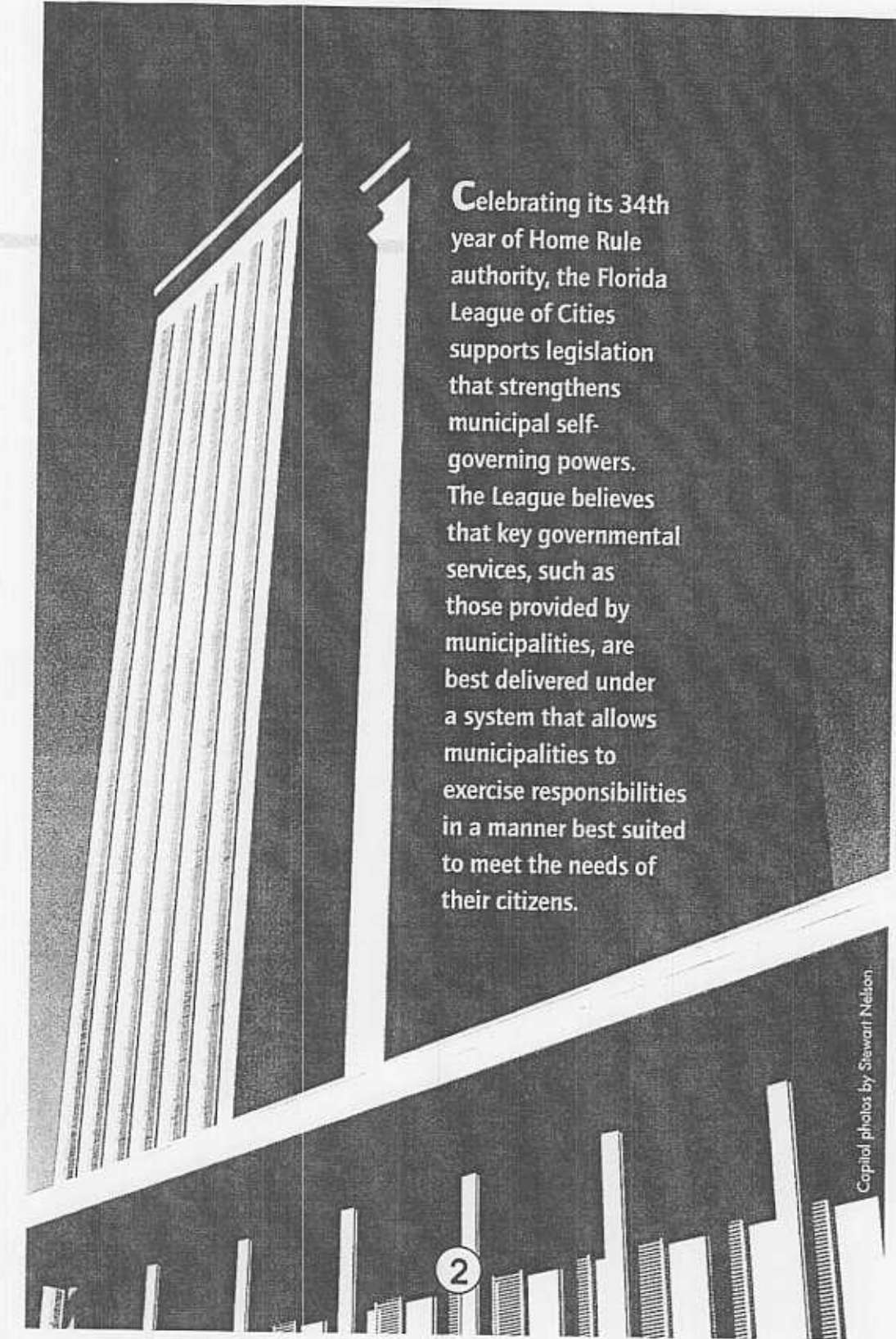
Section 2. A copy of this Resolution shall be provided to Gov. Charlie Crist, Senate President Ken Pruitt, House of Representatives Speaker Marco Rubio and members of the Florida Legislature.



2007
**Legislative
Action
Agenda**



Florida League of Cities, Inc.



Celebrating its 34th year of Home Rule authority, the Florida League of Cities supports legislation that strengthens municipal self-governing powers. The League believes that key governmental services, such as those provided by municipalities, are best delivered under a system that allows municipalities to exercise responsibilities in a manner best suited to meet the needs of their citizens.

Capitol photos by Stewart Nelson

Florida League of Cities' Priorities

Charter County Relations

The Florida League of Cities will support legislation that restores and maintains municipal Home Rule authority for municipalities located within charter counties.

Municipalities are voluntary forms of government formed specifically to serve the unique needs and characteristics of a community, following a vote of the people. Municipalities possess full Home Rule authority under the Florida Constitution to exercise governmental, regulatory and proprietary powers to serve the needs of their residents. Preemption of municipal Home Rule authority by other forms of local government undermines the will of voters who elected to incorporate. Such actions are essentially taking away municipal powers and transferring them to a larger, regional government.

Charter counties throughout Florida are attempting to take over municipal land-use and annexation powers, municipal permitting responsibilities and urban redevelopment initiatives. These charter county efforts are undermining the decisions of voters in cities, towns and villages throughout Florida to govern themselves. It is imperative that the Florida Legislature protect the fundamental right of citizens to have voluntary local self-government by preventing county government intrusion into municipal Home Rule.

Affordable Housing

The Florida League of Cities will support legislation that preserves the dedicated documentary stamp fees as a funding source for the State and Local Government Housing Trust Fund (Sadowski Trust Fund) and eliminates the cap placed on fund distribution, and will oppose any funds being diverted to the General Appropriations Fund.

Property Tax Reform

The Florida League of Cities supports a tax structure that is fair and equitable, is competitively neutral and allows municipalities the flexibility to provide adequate services in their communities. In addition, the League supports simplifying and stabilizing Florida's state and local revenue structure in a manner that provides tax fairness for both businesses and citizens of our state. As such, the Florida League of Cities will support legislation that:

process for property owners specifically as it relates to a taxing authority's proposed budget and the implications for the property owner's tax bill, including the elimination of information such as the "rollback" rate;

- Enhances a local budgeting process to encourage public participation;
- Establishes an equitable assessment system with standards and criteria that apply equally to all types of property and is based on the market value of the property's current use;
- Establishes a statutory ceiling determined by the average assessment change in the previous five years to protect all property owners from unanticipated spikes in property tax bills. However, the League generally opposes artificial caps on property assessments, municipal expenditures or revenues;
- Authorizes municipalities and counties to provide exemptions or changes to property tax assessment criteria (such as Save Our Homes, Save Our Seniors, portability of exemptions or special assessments for affordable housing) under specific circumstances within their jurisdiction;
- Provides state financial assistance, in a revenue-neutral manner, to impacted local governments to allow for property tax adjustments without reductions in municipal levels of service, if exemptions or changes to property tax assessment criteria are implemented statewide;
- Establishes specific assessment criteria and standards for the taxation of very-low-, low- and moderate-income housing;
- Establishes property tax equity by authorizing property appraisers to assess new construction, subject to appropriate exemptions, on a partial-year basis;
- Provides a constitutional amendment to clarify the intent of Section 1, Article VIII of the Florida Constitution that prevents the dual taxation of municipal property for the primary benefit of the property or residents in the unincorporated areas; and
- Authorizes municipalities to levy any tax authorized by the state for any public purpose.

The ad valorem tax or "property tax" is the primary source of general tax revenue for Florida's counties, municipalities and public education. For example, beginning in 2001, local property tax collections have exceeded state sales tax collections. In fact, during the current 2006-07 fiscal year, property tax collections are anticipated to exceed all of the state's general revenue sources.

During the past five years, market conditions have contributed to five consecutive years of double digit growth (11 percent, 12.2 percent, 18.2 percent, 19 percent and 25 percent) in property values. The combined impact from all levying jurisdictions is property tax revenues have doubled. Similarly, properties not benefiting from homestead exemptions or assessment caps have experienced significant increases in their taxable value. Despite efforts to control property tax increases for individual homeowners, increases in property tax revenue have been spurred from new development, low interest rates, increased construction costs and increased demand in housing from speculative investors.

On the expenditure side, during the same five-year period, Florida's local governments have responded to the cleanup and rebuilding from multiple natural disasters, enhanced public safety requirements from the aftermath of 9/11, amended financial plans to accommodate mandated growth management policies shortening the gap between new development and the provision of infrastructure and local services, and increased budgets due to a variety of cost factors impacting nonrecurring capital projects and recurring operational expenses. Likewise, at the state level, property tax revenue has grown in its overall percentage of education funding.

Other Key Issues

Growth Management

The Florida League of Cities will support legislation that:

- Ensures growth management decisions are driven foremost by land-use planning rather than concurrency;
- Supports multi-modal transportation initiatives and alternative means of mobility based on urban form and design;
- Provides municipalities with state and local option revenue sources to meet financial feasibility requirements and infrastructure demands;
- Clarifies the statutory authority of the state land planning agency and prohibits the agency's use of non-rule policy in implementing growth management laws; and
- Revises proportionate fair share mitigation requirements to address the unintended impact on sprawl, urban infill and redevelopment, and affordable housing.

Water & Sewer

The Florida League of Cities will support legislation that authorizes additional funding for alternative water supply development by local governments, and will oppose legislation that prohibits a local government from requiring mandatory connections to central sewer when it becomes available.

Municipal Benefits and Retirement

The Florida League of Cities will support legislation that:

- Authorizes municipalities to establish investment standards for any pension plan consistent with Chapter 112, Florida Statutes;
- Eliminates statutory provisions that require municipalities to provide or make available health and other related benefits to retired employees; and
- Eliminates existing statutory restrictions on the use of Chapters 175 and 185 revenues (insurance premium tax) and allows the increase in revenue caused by the insurance crisis to help offset growing actuarial liabilities and to benefit the municipal taxpayers.

Transportation

The Florida League of Cities will support legislation that provides a dedicated and recurring source of revenue, including municipal local option fuel taxes, rental car surcharges, or other taxes or fees, for municipalities to fund transportation projects such as the Transportation Regional Incentive Program (TRIP), urban arterial and other projects. Furthermore, the existing distribution formula for local option transportation taxes imposed by a county should be revised to allow for a more equitable distribution to municipalities and provide for indexing of local option fuel tax.

The Florida League of Cities will support legislation that requires the Florida Department of Transportation (FDOT) to obtain legislative approval to remove or delay projects contained in the FDOT 5-Year Work Plan, unless approved by the appropriate metropolitan planning organization (MPO), transportation planning organization (TPO) and the affected local governments and such removal or delay will not adversely impact the comprehensive plans of the local governments. Furthermore, no new projects shall be added to the FDOT 5-Year Work Plan until all delayed projects are reincorporated in the subsequent 5-Year Work Plan.

The Florida League of Cities will support legislation that enhances the protection of life and property by authorizing the use of electronic traffic

infraction detectors at traffic intersections, and the authority to assess fines to the owner of any vehicle determined by such devices to have violated traffic laws.

Cable Franchising

The Florida League of Cities will support legislation that preserves municipal authority to franchise cable and video services.

Workers' Compensation for the First Responders

The Florida League of Cities will support legislation that provides a comprehensive and uniform workers' compensation system for all municipal employees, regardless of employee classification, at a reasonable cost to employers.

Emergency Management

The Florida League of Cities will support legislation that mandates the Public Service Commission be accountable to the needs of Florida's residents and ensures that the recovery of losses due to natural disasters be apportioned fairly and equitably among all stakeholders of the utilities.

The Florida League of Cities will support legislation that appropriates monies for grants to fund hazard mitigation programs in local communities, loss prevention efforts, and the costs of un-reimbursed hazard-related damages.

The Florida League of Cities will support legislation that modifies current law to require the provision of alternate generated power sources by each corporation or other entity that owns five or more motor fuel retail outlets within a single county. Furthermore, the League supports legislation to remove the preemption of local government authority to require alternate generated power sources.

The Florida League of Cities will support legislation that develops and funds a statewide information system permitting direct access by municipal and county emergency operations centers (EOCs).

2007 Key Dates

January

- 10 Florida Institute for Community Housing,
Crowne Plaza Orlando Airport Hotel – Orlando
- 8-12 Senate Interim Committee Meetings – Tallahassee
- 8-12 House Interim Committee Meetings – Tallahassee
- 22-26 Senate Interim Committee Meetings – Tallahassee
- 22-26 House Interim Committee Meetings – Tallahassee

February

- 5-9 Senate Interim Committee Meetings – Tallahassee
- 5-9 House Interim Committee Meetings – Tallahassee
- 6-7 FAST Fly-in to Washington, D.C.
- 12-16 Senate Interim Committee Meetings – Tallahassee
- 12-16 House Interim Committee Meetings – Tallahassee
- 16 Florida Institute for Community Housing – Orlando
- 19-23 Senate Interim Committee Meetings – Tallahassee
- 19-23 House Interim Committee Meetings – Tallahassee

March

- 6 Opening Day of the 2007 Regular Legislative Session
- 10-14 NLC Congressional City Conference, Washington, D.C.
- 16 Florida Institute for Community Housing Program
Seminar – Orlando
- 28 FLC Legislative Action Day – Tallahassee/Leon County
Civic Center

May

- 4 Last Day of Regular Session (Sine Die)

June

- 15 Florida Institute for Community Housing,
Renaissance Orlando Hotel – Orlando

July

- 20 Florida Institute for Community Housing,
Renaissance Orlando Hotel – Orlando

August

- 15 Florida Institute for Community Housing, Orlando
- 16-18 FLC Annual Conference, Orlando World Center Marriott

November

- 8-9 Legislative Conference,
Hyatt Regency Orlando International Airport Hotel



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All State and Federal Issues



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Impact Fees
Insurance Premium Tax
Property Taxes
Revenue/Finance/Taxation
Tax Reform
Telecommunications Fiscal
Transportation Funding



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Economic Development
Education
Emergency Management
Historic Preservation
Homeland Security
Housing
LCIR
Library Funding
Municipal Grants
Public Records
Special Districts
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2007 PUBLIC LEADER OF CITIES TOBBING TEAM



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Annexation
Environmental

Growth Management Fiscal
Growth Management Policy
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Solid Waste
Stormwater
Water Quality/Wastewater
Water Supply/Policy

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2007 FLORIDA LEAGUE OF CITIES LOBBYING TEAM



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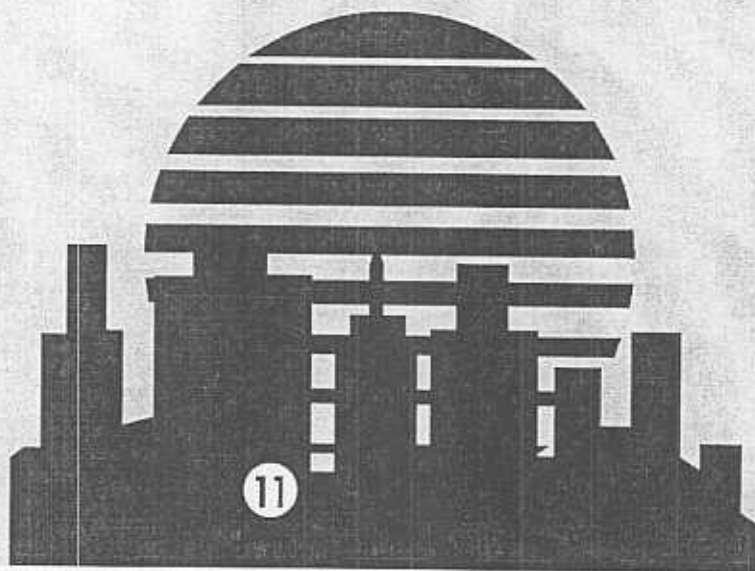
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This brochure reflects the priorities of 413 municipalities, as prepared by the four legislative policy councils and adopted by the full membership at the Florida League of Cities 46th Annual Legislative Conference on November 17, 2006, in Orlando.



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The Florida League of Cities, Inc., formed in 1922, represents the municipalities of Florida. Its mission is to concentrate the influence of all city, town and village officials upon other policymaking bodies for the purpose of shaping legislation and public policy, sharing the advantages of cooperative action, and exchanging ideas and experiences.

For more information on the League's legislative initiatives, please contact:

Florida League of Cities

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Tallahassee, FL 32302-1757

Phone: (850) 222-9684

Fax: (850) 222-3806

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TAB 5

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

Meeting Date: 1/17/07

Agenda Item No. Tab 5

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" 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 type="checkbox"/> Other: | |

SUBJECT: Resolution Authorizing the Town Manager to Change the Effective Date of Coverage for Employee Life and Accidental Death and Dismemberment Insurance, Short Term Disability, Long Term Disability, Voluntary Employee Life Insurance, Voluntary Spouse Life Insurance, Voluntary Child(Ren) Life Insurance, Dental Insurance, and Health Insurance

RECOMMENDED MOTION/ACTION: Adoption of Resolution

Approved by Town Manager [Signature] Date: 1/8/07

Originating Department: Administrative Services	Costs: -0- Funding Source: Acct. #	Attachments: Copy of Resolution and Jefferson Pilot Group Policy Amendment Request Form
Department Review: <input checked="" type="checkbox"/> Town Attorney <u>[Signature]</u> <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 checked="" type="checkbox"/> Personnel <u>BMT</u> <input type="checkbox"/> Public Works <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 <u>ANT</u> <small>Please initial one.</small>

Summary Explanation/Background:

At its September 20, 2006 meeting, the Commission approved by Resolution 55-09-06 the Fiscal Year 2007 employee benefits package including employee Life and Accidental Death and Dismemberment Insurance, Short Term Disability, Long Term Disability, Voluntary Employee Life Insurance, Voluntary Spouse Life Insurance, Voluntary Child(Ren) Life Insurance, Dental Insurance, and Health Insurance. According to its current contracts with Jefferson Pilot Financial Insurance Company and Blue Cross Blue Shield of Florida, the effective date of such coverage is thirty days from the first of the month. The purpose of this item is to change the effective date of such coverage to the first of the month following date of hire for all regular full time employees of the Town of Lake Park.

No additional financial burden will be placed on the budget of the Town of Lake Park as a result of this action.

RESOLUTION NO. 07-01-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO CHANGE THE EFFECTIVE DATE OF COVERAGE FOR EMPLOYEE LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE, SHORT TERM DISABILITY, LONG TERM DISABILITY, VOLUNTARY EMPLOYEE LIFE INSURANCE, VOLUNTARY SPOUSE LIFE INSURANCE, VOLUNTARY CHILD(REN) LIFE INSURANCE, DENTAL INSURANCE, AND HEALTH INSURANCE; 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 determined that it will provide the Town's employees with health insurance coverage and an employee assistance program for Fiscal Year 2007; and

WHEREAS, the Town Commission of the Town of Lake Park has determined that it is in the best interest of the Town of Lake Park and its employees to execute the Group Policy Amendment Request Form (a copy of which is attached hereto and incorporated herein as **Exhibit "A"**) to amend its current contract with Jefferson Pilot Financial Insurance Company to change the effective date of coverage for life and accidental death and dismemberment insurance, short term disability, long term disability, voluntary employee life insurance, voluntary spouse life insurance, voluntary child(ren) life insurance, and dental insurance for all regular full time employees to the first of the month following date of hire; and

WHEREAS, the Town Commission of the Town of Lake Park has determined that it is in the best interest of the Town of Lake Park and its employees to issue a letter to Blue Cross Blue Shield of Florida to change the effective date of coverage for employee health insurance for all regular full time employees to the first of the month following date of hire.

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

Section 1. The whereas clauses are incorporated herein as true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Commission hereby authorizes and directs the Town Manager to execute the Group Policy Amendment Request Form to amend its current contract with Jefferson Pilot Financial Insurance Company to change the effective date of coverage for life and accidental death and dismemberment insurance, short term disability, long term disability, voluntary employee life insurance, voluntary spouse life insurance, voluntary child(ren) life insurance, and dental insurance for all regular full time employees to first of the month following the date of hire.

Section 3. The Town Commission hereby authorizes and directs the Town Manager to issue a letter to Blue Cross Blue Shield of Florida to change the effective date of coverage for employee health insurance to the first of the month following date of hire

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



Jefferson Pilot Financial Insurance Company, PO Box 2616, Omaha, NE 68103-2616
Phone (800) 423-2765

GROUP POLICY AMENDMENT REQUEST FORM

To: **Amendments**
Jefferson Pilot Financial Insurance Company
8801 Indian Hills Drive
Omaha, NE 68114
Fax: (877) 573-6177
Phone: (800) 423-2765 - Client Services

Date Submitted:
Submitted by: Group Broker Regional Office
Group I.D.: 370083

Legal Name of Employer (as shown on contract):

Group Administrator Name: Bambi McKibbon-Turner
Group Administrator E-Mail Address: bturner@lakeparkflorida.gov

Broker Name: Gehring Group
Broker E-Mail Address: kurt@gehringgroup.com

Requested Effective Date of this Change: 1/17/07

Coverage(s) and Policy Number(s) Affected by this Change: 000010072458-00000; 000010072459-00000; 000010072460-00000; and 00001D013366-00000

List Billed or Self Billed

Types of Changes:

- Waiting Period
- Anniversary / Renewal Date
- Contribution Level
- Benefit
- Class / Description
- Definition of Earnings
- Group Name
- Minimum Hours
- Subsidiary / Participating Employer - New Billing Location Yes No
- Other Changes:

Reason for Change / Explanation & Details:

Adoption of resolution by Town Commission to change the waiting period for all regular full time Town employees to the first of the month following date of hire.

Enrollments / Census / E of I Attached? Yes No

Mailing Instructions for Completed Group Amendment Request Form:

Mail Policy(s) to: Policyholder Broker Mail Certificate(s) to: Policyholder Broker

Printed Name of Authorized Company Officer
Cynthia R. Sementelli
Title Interim Town Manager

Signature of Authorized Company Officer

Date Signed

The request will be reviewed for contractual risk and is subject to Jefferson Pilot Financial approval.

INSTRUCTIONS TO COMPLETE GROUP POLICY AMENDMENT REQUEST FORM

These instructions will assist in completing the Group Policy Amendment Request Form. When submitting a policy change or amendment, complete this form in its entirety. For assistance, contact Client Services at (800) 423-2765.

TYPE OF CHANGE	DEFINITION	REQUIRED INFORMATION
WAITING PERIOD	The date that Employees become eligible for coverage.	- New waiting period - Names of the Employees affected
BENEFIT	Schedule of Benefits, i.e., coverage amounts, reductions, or dental benefit waiting periods.	- Description of the new benefit - Class
GROUP NAME	Policyholder's Name as shown on the Contract.	- Current and future name
ANNIVERSARY DATE	The month of the year in which the Policyholder's renewal is effective.	- Requested renewal month
CLASS DESCRIPTION	The description of Eligible Employees in any given class.	- Current and revised description - Employees affected by this change - If a class is being added, provide Enrollment Cards or a Census
MINIMUM HOURS	The required minimum hours worked per week to be eligible for coverage.	- New hour requirement - Employees affected
CONTRIBUTION LEVEL	The percentage the Employer contributes to the cost of the coverage.	- New contribution percentage
DEFINITION OF EARNINGS	The definition of the salary or wage used for benefit purposes.	- New salary description - Updated salary listing
SUBSIDIARY/ PARTICIPATING EMPLOYER	A separate firm, subdivision or branch, owned or controlled by the Policyholder.	- Name of the Participating Employer affected - Enrollment Cards or Census of the division being added - Listing of the Employees affected by a termination - List in contract as Participating Employer

- In addition to submitting this form, please enclose any necessary attachments (i.e. - enrollment forms, evidence of insurability forms, billing address information, or a copy of the renewal notice). Incomplete forms may cause a delay in processing.
- Mail or fax the form page only (not the instructions page) to your Regional Group Office or Agent/Broker or forward directly to us at:

Attn: Amendments
Jefferson Pilot Financial Insurance Company
8801 Indian Hills Drive
Omaha, NE 68114

Attn: Amendments
Jefferson Pilot Financial Insurance Company
Fax: (402) 361-2941

The request will be reviewed for contractual risk and is subject to Jefferson Pilot Financial approval.

TAB 6

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

Meeting Date: **January 17, 2007**

Agenda Item No. Tab 6

- PUBLIC HEARING RESOLUTION
- Ordinance on Second Reading DISCUSSION
- Public Hearing BID/RFP AWARD
- ORDINANCE ON FIRST READING CONSENT AGENDA
- GENERAL APPROVAL OF ITEM
- Other:

SUBJECT: Resolution to change the public access hours at Lake Park Public Library

RECOMMENDED MOTION/ACTION: That the Town Commission adopt this resolution approving the new hours for Lake Park Public Library.

Approved by Town Manager [Signature]

Date: 1/12/07

Originating Department: LIBRARY	Costs: \$0.00 Funding Source: Acct. #	
Department Review: <input checked="" type="checkbox"/> City Attorney <u>[Signature]</u> <input type="checkbox"/> Community Affairs <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance <input type="checkbox"/> Fire Department <input checked="" type="checkbox"/> Library <u>[Signature]</u> <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Town Clerk <input checked="" type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	Finance Director Approval:	Attachments: Comparison of Library hours for other Palm Beach County libraries & Recommended new hours for Lake Park Public Library

Summary Explanation/Background: This resolution recommends new hours for the Lake Park Public Library. The changes recommended are longer hours on Saturdays (9:00 AM – 5:00 PM) and an earlier closing during the week (9:00 AM – 8:00 PM). As a result, the total number of hours for the public increase from 59.5 to 60 hours per week. This action does not require additional funding for the library.

RECEIVED

JAN - 9 2007

LAKE PARK PUBLIC LIBRARY
TOWN OF LAKE PARK
LAKE PARK, FL 33403
561-881-3330
Jane C. Terwillegar, Director

*Town Of Lake Park
Office Of Town Manager*

January 9, 2007

TO: Cindy Sementelli, Interim Town Manager and
Finance Director

FROM: Jane Terwillegar,  Library Director

SUBJECT: Change in Library Hours

The Library Board met yesterday and as part of their agenda, approved the proposed changes for new library hours for the public. (See attached for a comparison of library hours for various libraries in Palm Beach County.)

Current hours:

Monday – Thursday	9:00 AM – 8:30 PM
Friday	9:00 AM – 5:30 PM
Saturday	9:00 AM – 2:00 PM
Total hours weekly = 59 ½ hours	

Proposed Hours:

Monday – Thursday	9:00 AM – 8:00 PM
Friday & Saturday	9:00 AM – 5:00 PM
Total hours weekly = 60 hours	

If you approve, the next step is to decide when the new hours will take effect and then make sure the new hours are properly advertised.

BUDGET GOALS FOR FY 2006-2007
Lake Park Public Library

1. Maintain funding for operating costs of shared online catalog.
(Shared by communities of Boynton Beach, Palm Springs, Delray and Lake Park – inter-local agreement for COALA).
2. Continue with stabilized staff. (4 full-time, several part-time)
 - Add hours on Saturday to full day – (9:00 AM to 5:00 PM)
 - Change Friday hours to 9:00 AM – 5:00 PM
3. Add additional custodial hours for Library cleaning – especially needed on weekends with extended Saturday hours.
4. Continue SEFLIN membership (Southeast Florida Library Information Network) with Associate member status.
5. Continue outside services for security - to be arranged as needed.
6. Continue funding for contractual services to support computer networks , wireless system and security camera system
7. Continue promotional/marketing funds for library activities.
8. Review current non-book purchases (digital materials such as audio-books, DVD's) to determine if newer technologies offer better alternatives for providing public access to digital materials
9. Continue comprehensive children's programming with pre-school and school age storytelling sessions – add additional teenage and adult programming
10. Continue five year replacement plan for computer equipment. (Note: public access terminals in computer lab were replaced in FY'04.)
11. Continue art exhibits and expand activities of cultural interest for citizens of the community.
12. Add funds for improving front entrance to match Town Hall walkway

RESOLUTION NO. 08-01-07

**A RESOLUTION OF THE TOWN COMMISSION OF
THE TOWN OF LAKE PARK, FLORIDA
APPROVING CHANGES IN THE HOURS OF
OPERATION FOR THE LAKE PARK PUBLIC
LIBRARY; 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's Library Board met on January 8, 2007 and after reviewing a comparison of other library hours in Palm Beach County, approved the recommendation to the Town Commission of proposed changes to the operating hours of the Lake Park Public Library. A copy of the recommendation of the Library Board as contained in a Memorandum to the Town Manager is attached hereto as **Exhibit "A"**, and

WHEREAS, the current hours of operation of the Lake Park Public Library are:

Monday-Thursday: 9:00 AM to 8:30 AM
Friday: 9:00 AM to 5:00 PM
Saturday: 9:00 AM to 2:00 PM

Total weekly hours: 59.5 hours

WHEREAS, the Town's Library Board has recommended that the Town Commission approve the following proposed new hours of operation for the Lake Park Public Library:

Monday-Thursday: 9:00 AM to 8:30 AM
Friday & Saturday: 9:00 AM to 5:00 PM

Total weekly hours: 60 hours

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

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

Section 2. The Town Commission hereby approves the new Lake Park Public Library hours as proposed herein and in **Exhibit "A"** attached.

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

TAB 7

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

Meeting Date: January 17, 2007

Agenda Item No. Tab 7

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

<input checked="" type="checkbox"/> DISCUSSION

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

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

SUBJECT: Brick Pavers Program

RECOMMENDED MOTION/ACTION: Approve the order of 18 bricks


Approved by Town Manager *CRS* Date: 1/12/07
CRS 1/12/07
 Name/Title Date of Actual Submittal

Originating Department:	Costs: \$ <u>N/A</u> Funding Source: Acct. #	Attachments: <u>Yes</u>
Department Review: <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance <u>CRS</u> <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 <u>CRS</u> : Please initial one.

Summary Explanation/Background: The Marina Advisory Board recommends discontinuing the Brick Pavers Program and refunding the money. Staff recommends that we go ahead and submit the 18 orders we have. See attached for more details

Memorandum

To: Mayor Castro and Town Commissioners

From: Cindy Sementelli, Interim Town Manager 

Re: Brick Payer Program

Date: January 9, 2007

During the January 4, 2007 Marina Advisory Board meeting it was discussed to discontinue the brick pavers program. The Chairman presented the board with a letter that recommended that the program be discontinued and that monies already collected be refunded. It was approved 4-1.

Staff is not recommending this action. Staff called the Brick Paver Company to get a price on what it would cost to do the 18 bricks that have already been paid for. The cost would be \$35.00 per brick and the bricks could be delivered within two to four weeks.

Staff feels that in a good faith effort we should honor the 18 orders and get them installed ASAP. There would be no cost to the Town since we charged \$55.00 per brick.

Enclosures

Mr. Mayor and Town Commissioners,

In view of the fact that after countless hours of planning and discussions, and that the vendor involved will not offer any price breaks on quantities less than discussed, and further, that to date approximately seventeen have been sold...the Marina Advisory Board hereby recommends that the Town suspend the engraved brick paver program and refund all purchasers.

Sincerely,

The Marina Advisory Board

TAB 8

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

Meeting Date: January 17, 2007

Agenda Item No. Tab 8

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

<input checked="" type="checkbox"/> DISCUSSION

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

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

SUBJECT: To Revise the Fiscal Year 2007 Budget of the Town of Lake Park to Add One Additional Grounds Maintenance Crew Leader and Two Maintenance Worker II Positions to the Grounds Division of the Public Works Department

RECOMMENDED MOTION/ACTION: Approval of Revision

Approved by Town Manager Anthony R. Sementelli Date: 1/11/07
CRS 1/11/07
 Name/Title Date of Actual Submittal

Originating Department: Town Manager	Costs: \$ _____ Funding Source: _____ Acct. # _____	Attachments: _____ _____
Department Review: <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance <u>CRS</u> <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 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:

Currently the Marina dock attendants are responsible for handling the daily operations as well as all interior and exterior maintenance at the Marina. The work load has increased and making it difficult for dock attendants to effectively serve customers and handle all interior and exterior maintenance. The employee turn-over rate for dock attendants at the Marina has been high as a result and maintenance has suffered.

Staff recommends that three positions be added to the Fiscal Year 2007 budget for the Grounds Division of the Public Works Department, consisting of one Grounds Maintenance Crew Leader and two Maintenance Worker II positions. This crew will operate under the direction of the Public Works Director and will be solely responsible for the complete exterior grounds maintenance at the Marina which will include lawn maintenance, building maintenance and dock maintenance. This will allow the dock attendants to assist with customers and handle the docks more effectively. Currently the Marina has budgeted for four full-time attendants and four part time attendants and it's currently staffed with four full time and two part timers. The impact on the budget will be minimal due to the vacancies and reduction of staff. Even though an additional crew will be added to Public Works, all salaries and benefits will charged to the Marina.

TAB 9

Town of Lake Park Town Commission
Agenda Request Form

Meeting Date: January 17, 2007

Agenda Item No. Tab 9

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

<input checked="" type="checkbox"/> DISCUSSION

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

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

SUBJECT: To Revise the Fiscal Year 2007 Budget of the Town of Lake Park to Add One Additional Equipment Operator II Position

RECOMMENDED MOTION/ACTION: Approval of Revision

Approved by Town Manager *[Signature]* Date: 1/12/07

Originating Department: Administrative Services	Costs: \$ _____ Funding Source: _____ Acct. # _____	Attachments:
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"/> PBSO _____	<input checked="" type="checkbox"/> Personnel <u>BMT</u> <input type="checkbox"/> Public Works _____ <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:

At its September 20, 2006 meeting, the Commission approved the Fiscal Year 2007 budget for the Town of Lake Park, which allocated funding for seven Equipment Operator II positions for Sanitation Division of the Public Works Department.

Over the past year, the demand for commercial sanitation services in the Town of Lake Park has increased. In order to accommodate this increased demand, the Public Works Department will have to run its second truck five days a week. Currently, the Public Works Department Commercial Sanitation Division runs two trucks on the off days of residential and utilizes the residential drivers to accomplish this. This now needs to be expanded as orders for new accounts to place dumpsters are running between seven to ten new accounts per month. The current work schedule has the commercial driver working a ten hour day on the off day (when a residential driver cannot be utilized). While this is not a problem for an occasional run, due to the increased demand it is happening much too often. Drivers on these types of trucks should not work more than an eight hour shift of driving for safety and health reasons.

In order to address the above situation, staff is proposing that one new Equipment Operator II position be added to the Fiscal Year 2007 budget for the Public Works Commercial Sanitation Division. The rationale for this proposal at this time is two-fold. First, it is expected that in June 2007, one long term driver will be retiring. Secondly, it takes approximately two to three months to fully train to learn the route.

TAB 10

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

Meeting Date: January 17, 2006

Agenda Item No. Tab 10

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

<input checked="" type="checkbox"/> DISCUSSION

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

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

SUBJECT: To decide on a Town picture to be displayed in Congressman Klein's Washington DC office

RECOMMENDED MOTION/ACTION: Decide on a picture

Approved by Town Manager *R. Semertalu* Date: 1/12/06

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Pictures will be available at the meeting.
Department Review: <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input checked="" type="checkbox"/> Community Development <u><i>[Signature]</i></u>	<input checked="" type="checkbox"/> Finance <u><i>CBS</i></u> <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 _____ or Not applicable in this case _____ Please initial one.

Summary Explanation/Background: Congressman Klein's office contacted the Town to request a picture that represents the Town of Lake Park. The picture will be displayed, along with pictures from the other municipalities in his district, on a wall in his Washington DC office.