



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 3, 2007
Immediately following the
Special Call CRA Meeting
Lake Park Town Hall
535 Park Avenue

Paul Castro	—	Mayor
Edward Daly	—	Vice-Mayor
G. Chuck Balias	—	Commissioner
Jeff Carey	—	Commissioner
Patricia Osterman	—	Commissioner

Maria V. Davis	—	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. PRESENTATION:
My Safe Florida Home Program (MSFH)
- F. ADDITIONS/DELETIONS - APPROVAL OF AGENDA
- G. PUBLIC and OTHER COMMENT

This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember, comments are limited to a TOTAL of three minutes.

H. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

I. CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located 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. Fourth Addendum to Attorney Contract Tab 1
2. Resolution No. 79-09-07 Local Update of Census Data for 2010 Census Tab 2

J. PUBLIC HEARING(S)

ORDINANCES ON FIRST READING:

3. ORDINANCE NO. 27-2007 – Recovery of legal fees in the processing of development orders

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 51, OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK ENTITLED “LAND DEVELOPMENT REGULATIONS” TO PROVIDE FOR THE RECOVERY OF LEGAL COSTS AND FEES INCURRED BY THE TOWN FOR THE REVIEW AND PROCESSING OF DEVELOPMENT PLAN APPLICATIONS INCLUDING THE PREPARATION OF DEVELOPMENT ORDERS AND LEGAL INSTRUMENTS ASSOCIATED THEREWITH; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. Tab 3

4. ORDINANCE NO. 28-2007 – Lot Size Requirements for C-4 and CLIC Zoning Districts

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN OF LAKE PARK’S CODE OF ORDINANCES BY AMENDING CHAPTER 78, ARTICLE III, SECTION 78-74 ENTITLED “C-4 BUSINESS DISTRICT” AND SECTION 78-75 ENTITLED “CLIC-1 CAMPUS LIGHT INDUSTRIAL/COMMERCIAL DISTRICT”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. Tab 4

5. ORDINANCE NO. 29-2007 – Swale Maintenance

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 34 “VEGETATION”, ARTICLE I, TO CREATE NEW CODE SECTION 34-11 TO BE ENTITLED “MAINTENANCE OF TOWN SWALE AREAS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT;

**PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE
DATE.**

Tab 5

K. RESOLUTION(S):

**6. RESOLUTION NO. 80-09-07 FLC Florida City Government Week October 21-
27, 2007**

Tab 6

L. ADJOURNMENT:

Presentation

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

Meeting Date: October 3, 2007

Agenda Item No. *Presentation*

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

SUBJECT: My Safe Florida Home program

RECOMMENDED MOTION/ACTION: *None*

Approved by Town Manager *W. Davis*

Date: *9/25/07*

Virginia Martin
Name/Title

September 25, 2007
Date of Actual Submittal

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

Summary Explanation/Background: This presentation will inform Commission and Citizens of Lake Park about this statewide program that will help single family homeowners qualify for free wind inspections, possible insurance discounts, and possible financial assistance to "harden" their homes against future hurricane damage.

From: Sharon Davis [mailto:Sharon.Davis@fldfs.com]
Sent: Monday, September 24, 2007 4:37 PM
To: Town Manager
Subject: My Safe Florida Home Program



Greetings Mayor Castro:

As you are no doubt aware, the My Safe Florida Home (MSFH) program has expanded statewide after conducting a pilot program during 2006. Since April 2007, the MSFH program has performed over 92,000 free wind inspections and received over 113,000 applications. More than 9,512 homeowners have been approved for matching grants and are working with the MSFH program to harden their homes. Statewide, the program has so far issued a total of more than \$3.1 million in matching grants to homeowners.

MSFH also partners with the Volunteer Florida Foundation (VFF) to provide non-matching mitigation grants to lower-income Floridians homes. To date, VFF has completed work on 623 homes in Florida.

Any Floridian who lives in a single-family, site-built home is eligible for a free wind inspection through the program. Homeowners who receive free wind inspections through the MSFH program will receive a detailed inspection report, with eligibility information on the matching grants program up to \$5,000, if the home is eligible.

Even if they do not qualify for the free low income or matching grant, they may still qualify for insurance discounts. We are finding that many Floridians are eligible for premium reductions without making a single improvement! To assist homeowners, MSFH provides eligible program participants with free certified mitigation forms, which can be given to the homeowner's insurance company to check for premium discounts.

Please help us encourage Florida residents to sign up for their free home inspection from My Safe Florida Home. There are several ways to do this: Apply online at www.MySafeFloridaHome.com, call our toll free number at 1-866-513-MSFH (6734), or invite us to come speak at a community event and we can sign people up for the program right there.

We are available to attend any upcoming meetings to provide a quick presentation of the MSFH program; along with free Consumer Protection Guides from the State of Florida about Homeowner's Insurance to hand out in your community. **Please consider this letter as a request to be placed on your agenda for an upcoming City Council meeting in your community.**

If you should have any questions, please feel free to call either of us personally or email us at the telephone numbers and email addresses listed below. Have YOU signed up yet?

Thank you,

Patricia A. Commander, Regional Director, 561-640-6700, patricia.commander@fldfs.com
Victoria Peet Williams, Consumer Outreach Coordinator, 561-640-6712,
victoria.williams@fldfs.com

Consent Agenda

TAB 1

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

Meeting Date: October 3, 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"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Town Attorney Contract Amendment

RECOMMENDED MOTION/ACTION:

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

Name/Title

Date of Actual Submittal

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

Summary Explanation/Background: The fourth amendment to the Town Attorney's contract is attached.

SIGN P

**FOURTH AMENDMENT TO THE AGREEMENT FOR TOWN ATTORNEY
FOR THE TOWN OF LAKE PARK, FLORIDA**

WHEREAS, the Town of Lake Park has executed an Agreement for Town Attorney (the Agreement) with Thomas J. Baird, P.A. (Firm); and

WHEREAS, paragraph 7 of the Agreement requires that the amendment terms of the Agreement may only be made in writing and upon execution by the parties; and

WHEREAS, the Town and Firm have agreed to change the terms of paragraph 3, entitled "compensation" to allow for a contingency fee under certain circumstances; and

WHEREAS, the Town and Firm have agreed to change the terms of paragraph 3 regarding the hourly rate charged for land development applications; and

WHEREAS, the Town and Firm have agreed to change the terms of paragraph 5, entitled Continuing Education.

NOW THEREFORE, the Town and the Firm have agreed to amend paragraph 3 and 5 as follows:

3. **COMPENSATION.** For services rendered by the Firm, the Firm shall be compensated based upon hourly fees as established below.

(a) Paralegals shall be billed at \$90.00 per hour. Attorneys shall be billed at ~~no more than~~ \$195.00 per hour.

(b) The Firm may charge an hourly rate, which reflects the attorney's usual and customary hourly rate in the market for collections, lien foreclosures and other cases which permit the recovery of the Town=s attorney fees. However, if the Firm does not recover attorney fees in such cases, or if a case is settled and does not provide for the recovery of attorney fees the Town shall only be responsible for paying the Firm at its regular per-hour rate the Firm shall only be entitled to compensation on a contingent fee basis of 25% of the recovery.

(c) If this Agreement is terminated prior to the end of the term, the Firm shall be entitled to the fees earned as of the termination date.

(d) Firm agrees that it shall not be entitled to compensation for routine telephone conferences, e-mails or other communications with the Mayor or members of the Town Commission.

5. ~~**CONTINUING EDUCATION**~~ In accordance with the Town's Employee Policy Handbook, the Town shall reimburse the Firm for its expenses incurred attending either the annual meeting of the Florida Municipal Attorneys Association, or the City, County, Local Government Law Section of the Florida Bar.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the ____ day of September 2007.

ATTEST:

TOWN OF LAKE PARK

By: _____
Vivian Mendez, Town Clerk

By: _____
Paul W. Castro, Mayor

THOMAS J. BAIRD, P.A.

By: _____
Thomas J. Baird, Esq.

TAB 2

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

Meeting Date: October 3, 2007

Agenda Item No. *Tab 2*

- | | |
|---|---|
| <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 checked="" type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

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

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

SUBJECT: Resolution authorizing the Mayor to sign the registration form agreeing to participate in the Local Update of Census Data for the 2010 Census

RECOMMENDED MOTION/ACTION: Motion to approve

Approved by Town Manager

W. J. Davis

Date:

9/26/07

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Registration forms
Department Review: <input type="checkbox"/> Town Attorney KER092407 <input type="checkbox"/> Community Affairs _____ <input checked="" type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____ Please initial one.

Summary Explanation/Background: The Census Bureau is inviting all local governments to participate in the 2010 Decennial Census update by being part of the Local Update of Census Addresses (LUCA) program. As a participant we provide the Census Bureau a more accurate count of our population by including residential buildings that were not part of the last census (such as Venetian Isles) and those that are in the building process now or near future (e.g. One Park Place and Mariners Key). An accurate Census count helps the Town with grant awards and federal funding programs. The participation will be carried out in house and there will be no cost to the town. We have received a \$250 grant to mitigate the planning time needed to fill out the paperwork. The reason this is before you is because the mayor is required to sign the registration form and this resolution authorizes him to do so.

RESOLUTION NO. 79-09-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A REGISTRATION FORM FOR THE TOWN OF LAKE PARK'S PARTICIPATION IN THE 2010 DECENNIAL CENSUS UPDATE BY BEING INCLUDED IN THE LOCAL UPDATE OF CENSUS ADDRESSES ("LUCA") PROGRAM; 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 is empowered to enter into contractual arrangements with public agencies, private corporations or other persons, pursuant to Florida Statutes; and

WHEREAS, the Town has been invited to participate in the 2010 Decennial Census update by being part of the Local Update of Census Addresses (LUCA) program; and

WHEREAS, as a participant the Town would provide the Census Bureau with a more accurate count of the Town's population, by including residential buildings that were not part of the last census (i.e., Venetian Isles), as well as residential developments which are in the building process now or in the near future (e.g. One Park Place and Mariners' Key); and

WHEREAS, an accurate Census count assists the Town in obtaining grant awards and federal funding programs; and

WHEREAS, the Town's participation will be conducted out in-house and there will be no cost to the Town; and

WHEREAS, the Town has already received a \$250.00 grant to mitigate the planning time needed to fill out the paperwork; and

WHEREAS, Town staff is recommending that the Town Commission approve the Town's participation in the LUCA Program, and that the Mayor be authorized and directed to complete the registration form for the Town's participation in the Program..

WHEREAS, a copy of the LUCA Program registration form is attached hereto as **Exhibit it "A"**.

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.

Section 2. The Mayor is hereby authorized and directed to execute the LUCA Program registration form attached hereto as **Exhibit "A"**.

Section 3.

This Resolution shall take effect immediately upon its adoption.

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

	AYE	NAY
MAYOR PAUL CASTRO	_____	_____
VICE MAYOR ED DALY	_____	_____
COMMISSIONER CHUCK BALIUS	_____	_____
COMMISSIONER PATRICIA OSTERMAN	_____	_____
COMMISSIONER JEFF CAREY	_____	_____

PUBLISHED IN THE PALM BEACH POST THIS ____ DAY OF OCTOBER, 2007

The Mayor thereupon declared Resolution No. _____ duly passed and adopted this _____ day of October, 2007.

TOWN OF LAKE PARK, FLORIDA

D-1685(LG)
(8-2007)

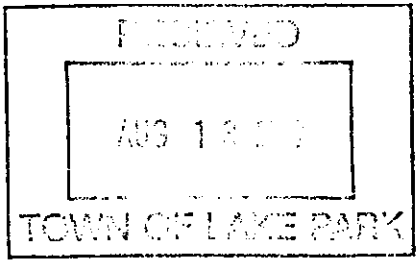


UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
Washington, DC 20233-0001
OFFICE OF THE DIRECTOR

Lake Park town
PL1238600
239566

August 2007

Paul W Castro
Mayor
535 Park Avenue
Lake Park FL 33403



Dear Paul W Castro,

The U.S. Census Bureau invites your government to participate in the 2010 Decennial Census Local Update of Census Addresses (LUCA) Program. Every ten years, the Census Bureau conducts a census of the population and housing of the United States. Census data drive redistricting decisions and directly affect the distribution of more than \$300 billion in federal funds each year. We are requesting your help to ensure that the Census Bureau's address list is as accurate as possible for your jurisdiction. Because the address list is the basis for enumeration, using your local knowledge to improve it is the most important step you can take toward every person in your community being counted.

The LUCA Program, authorized by the Census Address List Improvement Act of 1994 (Public Law 103-430), provides tribal, state, and local governments the opportunity to review and update the Census Bureau's address list. If you choose to participate in the LUCA Program, you will be able to:

- Review and update the Census Bureau's address list, or submit your local address list to the Census Bureau in the Census Bureau specified computer-readable format; and
- Review and update the legal boundaries and features on the Census Bureau maps.

The enclosed flyer, *Will Your Community Be Ready for the 2010 Census Local Update of Census Addresses (LUCA) Program?*, provides an overview of the LUCA Program. This flyer answers questions that may assist your government in deciding whether to participate in this important program.

Also enclosed are the Registration Form, the Participation Option/Product Preference Form, the Confidentiality and Security Guidelines, the Confidentiality Agreement Form, the Self-Assessment Checklist, and two computer-based training (CBT) CD-ROMs. One CBT CD-ROM provides background and instructions on participating in the LUCA Program. The second CBT CD-ROM contains instructional information on the Census Bureau's Master Address File/Topologically Integrated Geographic Encoding and Referencing Partnership Software (available free of charge to LUCA Program participants), a geographic information system software application that allows your government to update both the address list materials and map information.

If your government chooses to participate, please do the following:

- Choose a LUCA Program participation option and complete the Participation Option/Product Preference Form.
- Complete and sign the Registration Form.
- Designate a LUCA Program liaison and reviewers. (The liaison and all reviewers must sign the Confidentiality Agreement for Option 1 and Option 2.)
- Ensure that the LUCA Program liaison completes and signs the Self-Assessment Checklist (required for participation in Option 1 and Option 2).

FORM D-1668
(6-12-2007)

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

ENTITY ID

**REGISTRATION FORM
LOCAL UPDATE OF CENSUS ADDRESSES (LUCA) PROGRAM
2010 Decennial Census**

PL1238600

Please complete this form and return it to your U.S. Census Bureau Regional Office.

A. PARTICIPATION INFORMATION

1. YES! Our government would like to participate in the 2010 Decennial Census LUCA Program.
2. NO, we are not able to participate. Please mark (X) all that apply below.
- a. Insufficient staff
 - b. Lack of funds
 - c. No time/Too busy
 - d. No local address list available
 - e. Concerns about the security and confidentiality of the Census Bureau's address list
 - f. Restrictions on the use of the Census Bureau's address list for other purposes
 - g. Other reason - Specify (Please print) z

We rely on your comments to help us improve future LUCA programs.

**B. HIGHEST ELECTED/APPOINTED OFFICIAL MAKING THIS COMMITMENT -
Please print**

1. Name of participating government
TOWN OF LAKE PARK
2. Printed name of Highest Elected/Appointed Official - First, middle initial, last
PAUL W. CASTRO
3. Signature - First, middle initial, last
4. Position - Governor, Commissioner, Mayor, Supervisor, etc.
MAYOR
5. Telephone
Area code: [] [] [] - Number: [] [] [] [] [] [] [] [] [] []
6. E-mail address
7. Date
Month: [] [] Day: [] [] Year: [] [] [] []

C. LIAISON INFORMATION

Please designate your official 2010 Decennial Census LUCA Program liaison (work contact) by providing the following information. Please print.

1. Name - First, middle initial, last
NADIA DI TOMMASO
2. Position - Director, Assessor, Planner, etc.
PLANNER
3. Department, Organization, or Agency name
COMMUNITY DEVELOPMENT DEPARTMENT
4. Mailing address
Number and street name: 535 PARK AVENUE
City: LAKE PARK State: FL ZIP Code: 33403
5. Delivery address*
Number and street name: same as above
City: [] State: [] ZIP Code: []

***The Census Bureau will ship all materials via FedEx.
FedEx will not deliver to PO Box numbers or PO ZIP Codes.**

FORM D-1669
(6-12-2007)

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

ENTITY ID

**CONFIDENTIALITY AGREEMENT
LOCAL UPDATE OF CENSUS ADDRESSES (LUCA) PROGRAM
2010 Decennial Census**

PL1238600

PLEASE PRINT

1. Government name

TOWN OF LAKE PARK

2. Name of LUCA Liaison's Office or Department (Assessor's Office, Planning Department, etc.)

COMMUNITY DEVELOPMENT DEPARTMENT

3. Address (House number and street name, RR, HC, or PO box number)

535 PARK AVENUE

4. City, State, ZIP Code

LAKE PARK, FL, 33403

Responsibilities for Participating in the 2010 Decennial Census LUCA Program

All 2010 Decennial Census LUCA Program liaisons, reviewers, and anyone with access to Title 13 materials must agree to keep confidential the U.S. Census Bureau address information (including map structure points provided for feedback) they review or to which they have access. They may use this information solely for suggesting improvements to the Census Bureau's address list and maps. All individuals who will be reviewing Census Bureau addresses or have access to Title 13 materials must sign below to indicate they have read and understand the Census Bureau's results regarding restrictions related to confidential information. By signing this agreement, your government agrees to return or destroy all Title 13, Census Bureau confidential materials to the Census Bureau after the LUCA Program appeals process is complete. In addition, those who sign the agreement indicate that they understand the penalty for disclosing information about addresses or individuals obtained by the Census Bureau, including maps that contain structure points showing the location of housing units or group quarters is a fine of not more than \$250,000 or imprisonment for not more than 5 years, or both. Although access to the data is temporary, this commitment is permanent. You must be at least 18 years of age to sign this agreement.

Liaison's name and telephone number

Your address - Please print
(If different from above)

Printed name

NADIA DI TOMMASO

Area code Telephone number

561 - 881 - 3318

City

Same

Signature

Date
Month Day Year

State ZIP Code

State

ZIP Code

**Reviewer(s)/Person(s) with access to
Title 13 materials name(s) and telephone number(s)**

Your address - Please print
(If different from above)

Printed name

PATRICK SULLIVAN

Area code Telephone number

561 - 881 - 3319

City

Same

Signature

Date
Month Day Year

State ZIP Code

State

ZIP Code

Printed name

DIANNE SOPHINOS

Area code Telephone number

561 - 881 - 3318

City

Same

Signature

Date
Month Day Year

State ZIP Code

State

ZIP Code

Printed name

LINDA OTTO

Area code Telephone number

561 - 881 - 3318

City

Same

Signature

Date
Month Day Year

State ZIP Code

State

ZIP Code

Printed name

Area code Telephone number

State ZIP Code

City

Signature

Date
Month Day Year

State ZIP Code

State

ZIP Code

FORM D-1670
(6-12-2007)

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

ENTITY ID

**PARTICIPATION OPTION/PRODUCT PREFERENCE
LOCAL UPDATE OF CENSUS ADDRESSES (LUCA) PROGRAM
2010 Decennial Census**

PL1238600

1. Government name - *Please Print*

TOWN OF LAKE PARK

Telephone number

Area code Number

561-881-3318

2. Delivery address*

Number and street name

535 PARK AVENUE

City

LAKE PARK

State

FL

ZIP Code

33403

The MAF/TIGER Partnership Software (MTPS) application combines the Census Bureau's Address List (option 1 and option 2), Address Count List, and shapefile into a GIS software package.

If you have 6000 or more addresses, you can receive the Address List and Address Count List in computer-readable format only. Computer-readable versions of the lists are available on CD-ROM.

The paper printout of the Address List contains six (6) addresses per page; the Address Count List contains 50 census blocks per page.

Please mark (X) one participation option, then select a media choice for that participation option.

OPTION 1 Title 13 Full Address List Review

Signed Confidentiality Agreement Form required by law.

Media Choice - *Mark (X) one.*

- MTPS application** - Computer-readable Address List, Address Count List, and shapefiles
- All computer-readable** - Address List, Address Count List, and shapefiles on CD-ROM
- All paper** - Address List, Address Count List, and paper maps - *Mark (X) only one address list sort.*
 - Census Tract#/Block#/Street Name/House#/Unit# (default sort)
 - Street Name/House#/Unit# (alphanumeric sort)
- Combination A** - Computer-readable Address List and Address Count List on CD-ROM and paper maps
- Combination B** - Paper Address List and paper Address Count List; and shapefiles on CD-ROM
Mark (X) only one address list sort.
 - Census Tract#/Block#/Street Name/House#/Unit# (default sort)
 - Street Name/House#/Unit# (alphanumeric sort)

OPTION 2 Title 13 Local Address List Submission

Signed Confidentiality Agreement Form required by law.

Media Choice - *Mark (X) one.*

- MTPS application** - Computer-readable Address List, Address Count List, and shapefiles
- All computer-readable** - Address List, Address Count List, and shapefiles on CD-ROM
- Combination** - Computer-readable Address List and Address Count List on CD-ROM and paper maps

OPTION 3 Non-Title 13 Local Address List Submission

Confidentiality Agreement is not required.

Media Choice - *Mark (X) one.*

- MTPS application** - Computer-readable Address Count List and shapefiles
- All computer-readable** - Address Count List and shapefiles on CD-ROM
- Combination** - Computer-readable Address Count List on CD-ROM and paper maps

***The Census Bureau will ship all materials via FedEx.
FedEx will not deliver to PO ZIP Codes.**

FORM **D-1676**
(6-12-2007)U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

ENTITY ID

**SELF-ASSESSMENT CHECKLIST FOR THE CONFIDENTIALITY
AND SECURITY GUIDELINES****LOCAL UPDATE OF CENSUS ADDRESSES (LUCA) PROGRAM
2010 Decennial Census**

PL1238600

Instructions

Please review the *Confidentiality and Security Guidelines* then check the appropriate response on this form. If you select LUCA Participation Option 1 or Option 2, **sign and return** this form together with your completed 2010 Decennial Census LUCA Registration form, Participation Option/Product Preference form, and signed Confidentiality Agreement form in the enclosed, postage-paid envelope.

Each LUCA liaison is responsible for protecting and safeguarding the confidential Census Bureau materials covered by Title 13, United States Code (U.S.C.). This includes any list or file that shows individual Census Bureau addresses and any map that shows structure points (*Structure points will be displayed on the address list and maps, where applicable, for the Feedback phase of the program*) for dwellings. The liaison must restrict access to the Census Bureau's address information to only those individuals who have signed the Confidentiality Agreement. **All individuals directly involved in reviewing the materials for the 2010 Decennial Census LUCA Program and anyone with access to Title 13 materials must sign the Confidentiality Agreement making a permanent commitment to protect the confidentiality of Title 13 information. You must be at least 18 years of age to sign the Confidentiality Agreement.**

Protecting Census Bureau Address Information and Maps

Keep all Census Bureau address information and maps showing structure location points (*structure points provided for Feedback phase only*) in a locked-room during nonwork hours. During work hours, do not leave a room unattended where Census Bureau address information and maps are being reviewed. Additionally, do not leave Census Bureau address information and maps unattended at your desk.

Operating systems, programs, applications, and data related to the review of Census Bureau addresses must be accessible only to LUCA program liaisons, reviewers and anyone with access to Title 13 materials. The automated data processing (ADP) system must restrict the read, write, delete, and execute functions applicable to the Census Bureau's addresses. If Census Bureau address information is placed on a shared computer system, create electronic security profiles to allow access only to LUCA Program liaisons, reviewers, and anyone with access to Title 13 materials. Lock all rooms with computers that contain Census Bureau address information and all associated media during nonwork hours.

Mark (X) the appropriate
response.

- | | |
|--|--|
| 1. Will you store Title 13 materials including the paper address list, CD-ROM/DVD containing the address list, and/or paper or digital maps containing structure points (structure points provided for Feedback phase only) in a secure location? | 1 <input checked="" type="checkbox"/> Yes
2 <input type="checkbox"/> No |
| 2. If staff members, other than those who signed the Confidentiality Agreement, have access to the offices, cabinets, etc. where the Census Bureau's address list and/or maps with structure points (structure points provided for Feedback phase only) are stored, will you secure the Title 13 materials (both paper and electronic) to prevent unauthorized staff from accessing these materials? | 1 <input checked="" type="checkbox"/> Yes
2 <input type="checkbox"/> No |
| 3. If Census Bureau Title 13 address information is placed on a shared computer system, will you construct electronic security profiles to allow only those who signed the Confidentiality Agreement access to the Census Bureau's address information? | 1 <input checked="" type="checkbox"/> Yes
2 <input type="checkbox"/> No |
| 4. Will you ensure that your ADP system restricts the read, write, delete, and execute functions applicable to the Census Bureau's Title 13 address list file only to those who signed the Confidentiality Agreement? | 1 <input checked="" type="checkbox"/> Yes
2 <input type="checkbox"/> No |
| 5. Will you assign an encrypted, unique user-ID and password for each LUCA Program liaison, reviewer, and anyone with access to Title 13 materials? | 1 <input checked="" type="checkbox"/> Yes
2 <input type="checkbox"/> No |
| 6. Will you keep Title 13 data separate from your other data?
(Title 13 data cannot be backed-up, mixed with, or stored with other data.) | 1 <input checked="" type="checkbox"/> Yes
2 <input type="checkbox"/> No |

On-site visits

To ensure that participating governments or organizations are maintaining adequate security safeguards, the Census Bureau may make on-site visits to review your organization's security procedures. The Census Bureau will strive not to disrupt your office's operations.

Mark (X) the appropriate response.

Do you understand that the Census Bureau may conduct on-site visits to your office to inspect your security measures regarding the Census Bureau's Title 13 materials?

- 1 Yes
- 2 No

Environmental or Natural Disasters

Do you have a plan to keep Title 13 materials secure in the event of an actual environmental or natural disaster (fire, tornado)?

- 1 Yes
- 2 No

Return or Destruction of Confidential Census Materials

Once the LUCA Program is over (at the conclusion of the appeals process), the LUCA liaison must return or destroy all remaining Title 13 materials according to the Census Bureau's specific guidelines for returning or destroying confidential material. The Census Bureau requires that the liaison verify that the participating government has returned or destroyed all Title 13 Census Bureau address information by signing and returning the "Return or Destruction of Title 13, U.S.C. Materials" form to the Census Bureau.

Mark (X) the appropriate response.

1. Will you clear all magnetic media (tapes, disks, hard drives) containing Census Bureau Title 13 address information before reuse?

- 1 Yes
- 2 No

2. Will you destroy all paper and electronic Census Bureau Title 13 address lists and maps containing structure location points (Feedback phase only) through approved destruction methods as outlined in the Confidentiality and Security Guidelines or return these Title 13 materials to your Census Bureau Regional Office?

- 1 Yes
- 2 No

LUCA LIAISON INFORMATION

If your government can meet the above requirements, the LUCA liaison must print and sign his/her name, job title, telephone number, and enter the date below.

Name of LUCA Liaison - Please print

NADIA DI TOMMASO

Signature of LUCA Liaison

Date

Month: [][] Day: [][] Year: [][][][]

Title

PLANNER

Telephone

Area code: 501 - Number: 887-3318

Confidentiality and Security Guidelines

June 2007

The law requires the U.S. Census Bureau to maintain the confidentiality for all of the information that it collects. The Census Bureau takes its responsibility to protect the confidentiality of the information it collects very seriously. Respondents place their trust in the Census Bureau each time they complete a survey or an interview. This trust in confidentiality is critical to the success of the Census Bureau's mission to collect and report the most accurate data possible. To uphold the law, the Census Bureau requires that all individuals who work with the Census Bureau's confidential materials read, understand, and agree to abide by the confidentiality and security guidelines outlined below.

Why Address Information Is Protected

Title 13, United States Code (U.S.C.), provides for the confidential treatment of census-related information. Chapter 1, Section 9 of the code states:

"Neither the Secretary, nor any other officer or employee of the Department of Commerce or bureau or agency thereof, or local government census liaison, may, except as provided in section 8 or 16 or chapter 10 of this title...

- 1) *use the information furnished under the provisions of this title for any purpose other than the statistical purposes for which it is supplied; or*
- 2) *make any publication whereby the data furnished by any particular establishment or individual under this title can be identified; or*
- 3) *permit anyone other than the sworn officers and employees of the Department or bureau or agency thereof to examine the individual reports."*

Section 214 of the Code and the Uniform Sentencing Act of 1984 set the penalty for the wrongful disclosure or release of information protected by Title 13 at a fine of not more than \$250,000 or imprisonment for not more than 5 years, or both.

To implement this law, all Census Bureau employees (both temporary and permanent) take an oath to maintain the confidentiality of the census information they encounter in their work. Census information includes:

- Everything on a completed or partially completed questionnaire or obtained in a personal or telephone interview.
- Individual addresses maintained by the Census Bureau that Local Update of Census Addresses (LUCA) Program liaisons review.
- Maps that identify the location of individual housing units and/or group quarters ("structure points").

Title 13 of the U.S.C. does not protect generalized address information, such as the address range data available in the Census Bureau's digital shapefile products.

In 1994, the U.S. Congress amended Chapter 1 of Title 13 to allow local government designated census liaisons to review the Census Bureau's address list for their area. This amendment recognizes the important role that local knowledge and participation can play in building and updating an accurate, comprehensive census address list. In amending this chapter, the Congress reaffirmed the confidential nature of address information.

The Confidentiality Agreement

Each participating government must designate a primary liaison. The primary liaison, all reviewers, and anyone with access to Title 13, U.S.C. materials must understand and sign the Confidentiality Agreement. The Census Bureau considers all individuals who have access to the Census Bureau's address information and maps showing the location of housing units and group quarters, liaisons. Therefore, all Option 1 and Option 2 2010 Decennial Census LUCA Program liaisons, reviewers, and anyone with access to Title 13 materials must sign the Confidentiality Agreement.

Signatures on this form constitute an agreement by each individual to abide by the security guidelines outlined below. While access to Title 13 protected information is temporary, the commitment to keep the information confidential is permanent.

- **The Census Bureau will not deliver the address list materials to Option 1 and Option 2 participants until we have received a completed and signed Confidentiality Agreement and Self-Assessment Form.**
- **Although you may have prior confidentiality agreements on file at the Census Bureau, these will not fulfill the requirements of the 2010 Decennial Census LUCA Program**

Security Guidelines

The Census Bureau recognizes the fact that the implementation of these guidelines may vary slightly from one participant to another. Regardless, the result must be the same for each participant – nondisclosure of information protected by Title 13, U.S.C

The primary liaison accepts the responsibility for protecting and safeguarding the LUCA program materials covered by Title 13, U.S.C. This includes any list that shows individual Census Bureau addresses and any Census Bureau map or digital file that shows individual housing units and/or group quarters location ("structure points"). The primary liaison must restrict access to the Census Bureau's address information to those individuals who have signed the Confidentiality Agreement. The liaison, reviewers, and anyone with access to Title 13 materials must sign the Confidentiality Agreement.

As you read the Census Bureau's security requirements, keep in mind the important role security plays in the overall responsibilities of each LUCA program liaison, reviewers, and anyone with access to Title 13 materials. The Census Bureau must have your full cooperation and commitment to following these guidelines. Together, we will maintain the confidential information entrusted to the Census Bureau by the Congress and the American public.

Protecting Census Bureau Address Information

The Census Bureau will conduct training workshops covering all aspects of the LUCA program. In addition, the workshops will provide the participating governments with an opportunity to review the security guidelines and safeguards to protect against illegal use of Census Bureau address information. Census Bureau staff conducting the workshops will provide information to help you decide who in your organization needs to have access to the Census Bureau's Address List and will review the civil and criminal penalties for improper or illegal use of the data.

Onsite Visits

To ensure that participating entities or organizations are maintaining adequate security safeguards, the Census Bureau may make on-site visits to review your government or organization's security procedures. The Census Bureau will strive not to disrupt your office operations. A typical visit would include a review of:

- Storage and handling of Census Bureau address information.
- Employee access to Census Bureau address information.
- The physical safeguard of the computers, rooms, and buildings where the Census Bureau address information is stored.
- Instructions to employees about security.
- Data processing operations (including use of passwords).
- Employee awareness of their responsibilities to protect the confidentiality of Census Bureau addresses.

Protecting Paper Copies of Census Bureau Address Information and Maps

- Keep all Census Bureau address information in a locked room during non-work hours. If possible, store the Census address materials and maps showing structure points in locked desks or cabinets.
- During work hours, do not leave a room unattended where Census Bureau address information is stored. Lock the room whenever you leave.
- Do not leave Census Bureau address information unattended at your desk. Return any Title 13 data to secure storage when you are not using it.

- Only make copies of the information necessary to complete your task. Do not leave the copying machine unattended while making copies. All copied material containing Title 13 information must bear the statement:

"This document contains information, the release of which is prohibited by Title 13, U.S.C., and is for U.S. Census Bureau official use only. Wrongful disclosure or release of information can be punished by fine or imprisonment (Public Law 99-474)."

- To FAX a document containing Census Bureau address information to a Census Bureau location, make sure the document is properly labeled with the disclosure statement: **"DISCLOSURE PROHIBITED BY Title 13, U.S.C."**, verify the FAX number before sending, and arrange for a Census Bureau employee to be at the FAX machine to receive it and acknowledge receipt.
- Do not disclose precise or even anecdotal information about Census Bureau addresses or locations to anyone who has not signed the Confidentiality Agreement Form or is not a Census Bureau employee.

Protecting Computer-Readable Census Bureau Address Information and Maps

Operating systems, programs, applications, and data related to the review of Census Bureau addresses must be accessible only to LUCA program liaisons and reviewers. The automated data processing (ADP) system should restrict the read, write, delete, and execute functions applicable to the Census Bureau's addresses.

The ADP system must use log-on routines that require a user-ID and password that conform to the following guidelines:

- Assign a unique user-ID and password for liaisons, reviewers, and anyone with access to Title 13 materials.
- Passwords must consist of at least 8, nonblank characters consisting of at least one alphabet letter and either one number or one special character (\$, *, &). No more than six consecutive characters (AAAAAA) may appear in the password, and then only once.
- Reject passwords that are the same as the user-ID or that have been used within the last 6 months.
- Encrypt passwords.
- Disable passwords after three bad attempts.
- Do not display passwords on terminals or printers.
- Change passwords every 90 days (more frequent change is optional) or immediately, if compromised.
- On new accounts, the user must change the assigned password to a unique password the first time they log on.

The ADP system must display a warning log-on feature. Computer screens must display a warning that states:

****WARNING*WARNING*WARNING**
YOU HAVE ACCESSED A COMPUTER SYSTEM CONTAINING UNITED STATES GOVERNMENT INFORMATION. USE OF THIS COMPUTER WITHOUT AUTHORIZATION OR FOR PURPOSES FOR WHICH AUTHORIZATION HAS NOT BEEN EXTENDED IS A VIOLATION OF FEDERAL LAW AND CAN BE PUNISHED BY FINE OR IMPRISONMENT (Public Law 99-474). ALL USE MAY BE INTERCEPTED, MONITORED, RECORDED, COPIED, AUDITED, INSPECTED, AND DISCLOSED TO AUTHORIZED LAW ENFORCEMENT OFFICIALS. REPORT SUSPECTED VIOLATIONS TO YOUR AGENCY SECURITY OFFICER. USE OF THIS SYSTEM INDICATES YOU CONSENT TO THIS WARNING. LOG OFF IMMEDIATELY IF YOU DO NOT AGREE TO THE CONDITIONS OF THIS WARNING.
WARNING*WARNING*WARNING**

If Census Bureau address information is placed on a shared computer system, construct electronic security profiles to allow only LUCA program liaisons, reviewers, and anyone with access to the Census Bureau's address information. Test your security to ensure that only LUCA liaisons and reviewers are permitted access to the Census Bureau's address information.

ZIP and password protect Title 13 Census Bureau address information.

Lock all rooms containing computers with Title 13 Census Bureau address information and all associated media during non-work hours.

Do not leave computers with Census Bureau address information unattended during work hours. Log-off the computer/system or lock the room whenever you leave.

Label any computer diskettes, CD-ROMs, DVDs, tapes, cartridges or other computer storage media containing Census Bureau address information with the following:

“This document contains information, the release of which is prohibited by Title 13, U.S.C., and is for U.S. Census Bureau official use only. Wrongful disclosure or release of information can be punished by fine or imprisonment (Public Law 99-474).”

If backup is necessary, do not send the tapes, cartridges, or disks off-site. Store them in a secured area. **Do not mix, store, or back-up LUCA data with other data.**

Clear magnetic media (tapes, disks, hard drives) containing Census Bureau address information before reuse. To clear magnetic media, overwrite all Title 13 data three times at a minimum using a commercial disk utility program or degauss using a commercial degausser.

Program any software you develop for displaying the Census Bureau addresses to label each affected page of a printout containing Census Bureau address information with the following:

“This document contains information, the release of which is prohibited by Title 13, U.S.C., and is for U.S. Census Bureau official use only. Wrongful disclosure or release of information can be punished by fine or imprisonment (Public Law 99-474).”

Returning Census Bureau Title 13 Materials

Once you have completed your initial review and update of the LUCA materials, return only those materials with updates to the Census Bureau's Regional Office responsible for your jurisdiction. Make a copy of all updated pages to keep for your records. Retain all non-annotated Title 13 materials until you receive your feedback materials. Keep all retained address lists and copies in a secure location.

Use the following guidelines to ship the updated materials:

- Ship all Census Bureau confidential material in two opaque sealed envelopes that are durable enough to prevent someone from viewing or tampering with the enclosed materials.
- Label both sides of the inner envelope or wrapping with the disclosure notice:

“DISCLOSURE PROHIBITED BY Title 13, U.S.C.”

- **DO NOT** label the outer envelope with the **“DISCLOSURE PROHIBITED BY Title 13, U.S.C.”** notice.
- Address the outer envelope to:

ATTN: Geography
Regional Director
US Census Bureau
Regional Office name and address
- Use shipping contractors that provide tracking services, such as U.S. Postal Service certified or registered mail, FedEx, United Parcel Service, or similar service.

Return or Destruction of Census Bureau Confidential Materials

After the appeals process has concluded, all Title 13, U.S.C., Census Bureau address lists and maps containing structure points **must be returned or destroyed** according to the Census Bureau's specific guidelines for returning or destroying confidential material.

The liaison is required to verify the return or destruction of any remaining Title 13 materials, both paper and computer-readable including all paper copies, backup files, etc. The liaison must sign and return to the Census Bureau the "Return or Destruction of Title 13, U.S.C. Materials" form. In addition, all LUCA program reviewers and anyone with access to Title 13 materials who signed the Confidentiality Agreement are required to sign this form once their participation in the LUCA program has ended. Should any liaison, reviewer, or anyone leave before the end of the LUCA program, they are required to "sign-out" of the program by signing and dating this form.

Only those individuals who signed the Confidentiality Agreement are permitted to destroy Title 13, U.S.C. materials.

- Never deposit Census Bureau confidential materials in a trash or recycle container before destruction.
- Store the materials in a secure area in a container labeled "document destruction container" until they are destroyed.
- The destruction process must prevent recognition or reconstruction of the paper or computer-readable information. Use one of the following methods to destroy census confidential materials:
 - Shredding
 - Chemical decomposition
 - Pulverizing (such as, hammer mills, choppers, etc.)
 - Burning (only in a facility approved by the Environmental Protection Agency)
 - Clear magnetic media (tapes, disks, hard drives) containing Census Bureau address information before reuse. To clear, overwrite all Title 13 data a minimum of three times, using a commercial disk utility program or degauss using a commercial degausser.
 - Clear diskettes by running a magnetic strip of sufficient length to reach all areas of the disk over and under each surface a minimum of three times. If the information cannot be destroyed as suggested, damage the disk in an obvious manner to prevent use in any disk drive unit and discard.

Note: Hand tearing or burying information in a landfill are unacceptable methods of disposal before destruction.
 - Destroy CD-ROMs and DVDs using a commercial grade shredder, suitable for rendering them un-usable, or cut them up with scissors in an obvious manner to prevent use in a drive unit.

Will Your Community Be Ready for the 2010 Census Local Update of Census Addresses (LUCA) Program?

2010 Census LUCA Program

Reissued
June 2007

The Local Update of Census Addresses Program, also known as LUCA, is a decennial census geographic partnership program that will allow the U.S. Census Bureau to benefit from local knowledge in developing its Master Address File for the 2010 Decennial Census and as subsequent use for yearly ongoing household surveys. Tribal, state, and local governments can contribute to a complete enumeration of their communities by reviewing and updating the list of housing units and group quarters addresses that the Census Bureau will use to deliver 2010 Decennial Census questionnaires within their communities.

Why is the LUCA Program important to your community?

An accurate population count starts with an up-to-date and accurate address list. Having a housing unit or group quarters address listed on the Master Address File ensures that the people residing at the address will be enumerated. A February 2003 Government Accountability Office report indicated that in fiscal year 2000, about \$283 billion in federal grant money was distributed to state and local governments by formula; states received their share of this money based in part on factors such as annual population estimates derived from the 1990 decennial census. When the population estimates were updated to reflect the 2000 census results, an additional \$388 million in federal grant funding went predominately to the 23 states that had above-average estimate revisions. Clearly the stakes are high and a complete count is vital to cities and towns nationwide.

How is the LUCA Program administered?

The LUCA Program is made possible by the Census Address List Improvement Act of 1994 (Public Law 103-430) which provides an opportunity for designated representatives of tribal, state, and local governments to review the addresses contained on the census address list. The program operates as follows:

- Each invited government designates a LUCA liaison to review the portion of the census address list covering the area under its jurisdiction. The LUCA liaison will be subject to the same confidentiality requirements as census workers, which prohibits the disclosure of census information. The address list is confidential under Title 13 of the U. S. Code and participants must review a set of security guidelines and sign a confidentiality agreement promising to protect the confidentiality of the addresses.
- The Census Bureau will send the LUCA liaison an address list from the Master Address File, corresponding maps, and the address count list.
- In areas with city-style addresses, the LUCA liaison can update individual addresses on the list, as well as add addresses missing from the list. The Census Bureau will verify the updates during the Address Canvassing Operation and provide feedback to the participants about the results.

U S C E N S U S B U R E A U

Helping You Make Informed Decisions

U.S. Department of Commerce
Economics and Statistics Administration
U.S. CENSUS BUREAU

- In areas with non-city-style addresses (e.g., rural route and box number or post office box numbers), the LUCA liaisons can challenge the count of housing unit and group quarters addresses.
- The Census Bureau will visit each census block during the Address Canvassing Operation and update the census address list. The Census Bureau will provide the LUCA participants with an updated address list and maps during the feedback phase.
- Public Law 103-430 allows LUCA participants to appeal final Census Bureau decisions. All appeals must be adjudicated prior to Census Day to ensure that the housing unit is visited during the enumeration phase. An agency independent of the Census Bureau will review and decide on all appeals prior to Census Day, April 1, 2010.

How has the LUCA Program changed from Census 2000?

The Census Bureau is making a number of improvements to the 2010 LUCA Program:

- There will be a single review cycle for all address types.
- There will be a longer review period: 120 calendar days.
- There will be more advance notice so that participating governments can prepare.
- There will be more comprehensive program communications, as well as periodic contact to answer questions and gauge each participating government's progress.
- There will be three options for participation.
- Participating governments will be offered the option of using the Census Bureau supplied MAF/TIGER® Partnership Software application that combines the census address list, address count list, and maps in a software package.

What is the LUCA Program schedule?

Time Frame	Activity
January 2007 to February 2007	LUCA advance notice letters were mailed to the highest elected official and other contacts in eligible, active, functioning governments.
August 2007	LUCA invitation letters and registration materials mailed to the highest elected official and other contacts in eligible, active, functioning governments.
August 2007 to January 2008	Invited governments register for LUCA and the Census Bureau ships the LUCA review materials to each participating government.
September 2007 to March 2008	LUCA participants review and update the address list and return their comments to the Census Bureau's Regional Office within 120 days of receipt of materials.
October 2007 to October 2008	Census Bureau reviews the participants' LUCA submissions and updates the Master Address File/TIGER® system.
November 2008 to June 2009	Census Bureau prepares for and conducts the Address Canvassing Operation using GPS-equipped hand-held computers.
August 2009 to October 2009	Census Bureau sends feedback materials to the LUCA participants showing how we processed each government's LUCA submissions.
September 2009 to December 2009	LUCA participants review their LUCA feedback and have the opportunity to appeal the results to the LUCA Appeals Office.
September 2009 to January 2010	LUCA Appeals Office reviews and adjudicates appeals.

What are the LUCA participation options?

There are three LUCA participation options for a government to choose from depending on factors such as the type of addressing within their government, access to an address list, willingness to sign a Title 13 confidentiality agreement, as well as their level of resources for conducting the review.

Option 1—Full Address List Review (Title 13 option)

This option requires a Title 13 confidentiality agreement and allows the participating government to update city-style addresses on the census address list and provide any city-style addresses that are missing from the list.

City-style addresses are those used for mailing or E-911 in a house number and street name format. In census blocks within a jurisdiction that contain non-city-style addresses (P.O. Box, RR and Box) the LUCA participant may challenge the count of addresses in each census block. After the Address Canvassing Operation validates the address changes, the participant will receive feedback on their submission and may appeal the results to an independent LUCA appeals office that will adjudicate the differences.

Option 2—Local Address List Submission (Title 13 option)

This option may be selected by governments that have city-style addressing (mailing or E-911) but do not wish to update the Census Bureau's address list. The participating government submits its list of city-style addresses assigned to the census blocks within its jurisdiction in a Census Bureau predefined format. The Census Bureau will provide Option 2 participants with the census address list and maps as a reference, which is why a Title 13 confidentiality agreement is required. After the Address Canvassing Operation validates the participant's address list submission, the participant will receive feedback on each address submitted to the Census Bureau. If the participant does not agree with the Census Bureau's decision, the government may appeal the results to an independent LUCA appeals office that will adjudicate the differences.

Option 3—Local Address List Submission (Non-Title 13 option)

This option may be selected by governments that have city-style addressing (mailing or E-911) but do not wish to update the Census Bureau's address list and do not wish to sign a confidentiality agreement, or cannot meet the Census Bureau's security guidelines for protecting Title 13 information. This option allows the participating government to help improve the census address list by submitting its city-style addresses coded to the census blocks within its jurisdiction. The Census Bureau will provide Option 3 participants with maps and counts of addresses for each census block within its jurisdiction. After the Address Canvassing Operation validates the participant's submission, the participant will receive updated maps and counts of addresses by census block. The results under Option 3 cannot be appealed since the participant will not be able to tell the independent appeals office which addresses are missing from the census address list.

What type of LUCA review materials will I receive?

Census Address List and Address Count List

The census address list and address count list will be offered in paper and computer-readable formats. The paper media option will be available for governments with 6,000 or fewer addresses (approximately 1,000 printed pages). The computer-readable lists are in ASCII pipe-delimited (|) text file format which are easily opened using most common spreadsheet and database software applications.

Census Maps from the MAF/TIGER® Database

The LUCA program maps will be offered in printed map sheet format or the participant may select the spatial data from TIGER® (the Census Bureau's Topologically Integrated Geographic Encoding and Referencing system) in shapefile format that requires a Geographic Information System (GIS) software application to view and update the file. LUCA participants using their own GIS software must use the Census Bureau provided shapefiles and return their map feature updates in the specified shapefile format.

Census Bureau's MAF/TIGER® Partnership Software

Participating governments may also use a Census Bureau supplied software application to update both the census address list and maps. The MAF/TIGER® Partnership Software (MTPS) is a tailored GIS application that combines both the census address list and digital maps into one application that participants use to do their address and map updates. The MTPS gives LUCA participants the ability to open their local address list in a non-editable view table. All address and map updates done with the MTPS will meet the Census Bureau's formatting requirements. This software is appropriate for any level of government that does not already have its own GIS software and only requires a Windows 98® or newer operating system (excluding Microsoft Windows Vista™).

How does LUCA integrate with other Census Bureau programs?

One benefit of participation in the 2010 Decennial Census LUCA program is that participating governments will be able to use their LUCA maps to provide updates to their legal boundaries. This means that if your government registers for the LUCA Program by October 31, 2007, the Census Bureau will not send you a separate 2008 Boundary and Annexation Survey (BAS) package in January 2008. The Census Bureau conducts the BAS annually to collect information about selected legally defined geographic areas. The BAS is used to update information about the legal boundaries and names of all governmental units in the United States. The Census Bureau uses the boundary information collected in the BAS to tabulate data from various programs and surveys, such as the Population Estimates Program and the American Community Survey. The boundaries are also provided to other federal agencies in accordance with Office of Management and Budget Circular A-16 and Executive Order 12906.

Yearly Boundary and Annexation Survey Schedule:

- September—the BAS contact is sent a prenotification letter (by fax/e-mail/mail) for the upcoming survey, asking if he or she will have changes to report as of January 1.
- January—BAS package mailed out.
- March–April—State Data Center staff conducts telephone follow-up.
- BAS packages received by April 1 will be included in the Population Estimates Program for estimates released the following calendar year.
- June 30—packages received will be included in the next BAS year materials.

Population Estimates Program

The Population Estimates Program publishes total resident population estimates and demographic components of change (births, deaths, and migration) each year. It also publishes the estimates by demographic characteristics (age, sex, race, and Hispanic origin) for the nation, states, and counties. In addition to the resident population universe, it also produces population estimates for these universes: resident plus armed forces overseas; civilian, and civilian noninstitutional at the national level; and civilian at the state level. The reference date for estimates is July 1 of each year.

American Community Survey

The American Community Survey (ACS) is a new nationwide survey designed to provide communities a fresh look at how they are changing. The ACS is conducted instead of administering the long form in future censuses and is a critical element in the Census Bureau's reengineered 2010 Decennial Census plan. The ACS will enhance your ability to serve your constituents by providing you with more timely information about your community. Data from this survey is released every year. Armed with more accurate and timely data, you will be able to make better informed decisions by having up-to-date information regarding your community, its people, and its resources. The Census Bureau selects a random sample from its file of housing unit addresses. An address has about 1 chance in 480 of being selected in any month. No address will be selected more often than once every five years.

Both the Population Estimates Program and the American Community Survey use the legal boundaries in existence for each jurisdiction on January 1 of each year. These boundaries are collected through the BAS, and all addresses geographically coded to the streets and roads within your jurisdiction become part of the sampling frame for the American Community Survey as well as part of the base used to calculate your population estimates. Therefore, participation in the LUCA Program and the BAS helps to ensure your community has good coverage—which contributes to good population estimates.

How do I find out more about LUCA and the other programs discussed?

Visit us at www.census.gov to reach the Census Bureau's home page.

To find out more about the LUCA Program, click on [Geography](#) then [Geographic Programs](#) or type in the URL www.census.gov/geo/www/programs.html. You may also send your questions regarding the LUCA Program to the following e-mail address: luca@geo.census.gov.

To find out more about the BAS, click on [Geography](#) then [Geographic Programs](#) or type in the URL www.census.gov/geo/www/programs.html or contact us at GEO.BAS@census.gov.

To find out more about the Population Estimates Program and the American Community Survey, visit us at www.census.gov and click on links to the [Estimates](#) page and the [American Community Survey](#) page adjacent to People & Households near the top of the home page.

To find the local Census Bureau Regional Office that serves your community, visit us at www.census.gov and click on [Regional Offices](#) along the left side of the screen. Then click your state on the map to get to the regional office that serves your state.

For questions on **General Census Geography**, contact geography@geo.census.gov.

TAB 3

Town of Lake Park Town Commission Agenda Request Form

Meeting Date: October 3, 2007

Agenda Item No. *Tab 3*

- PUBLIC HEARING
 - Ordinance on Second Reading
 - Public Hearing

- RESOLUTION
- DISCUSSION

ORDINANCE ON FIRST READING

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other:

SUBJECT: amending Chapter 51 Section 6 of the code of ordinances to authorize the Town to recover legal fees and fees incurred in the processing of development orders

RECOMMENDED MOTION/ACTION: Motion to approve

Approved by Town Manager

W. Davis

Date:

9/27/07

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Ordinance
Department Review <input checked="" type="checkbox"/> Town Attorney <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development	<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: In reviewing our cost recovery procedures staff has discovered that the Town is not being reimbursed for legal fees and extraordinary staff time associated with development permits, variances, special exceptions, and zoning requests. Due to increased activity in these areas the costs are now significant and staff believes that the Town should be reimbursed where appropriate. The attached ordinance developed by the Town Attorney clarifies our cost recovery process by amending Section 51-6 of the Town Code.

ORDINANCE NO. 27-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 51, OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK ENTITLED "LAND DEVELOPMENT REGULATIONS" TO PROVIDE FOR THE RECOVERY OF LEGAL COSTS AND FEES INCURRED BY THE TOWN FOR THE REVIEW AND PROCESSING OF DEVELOPMENT PLAN APPLICATIONS INCLUDING THE PREPARATION OF DEVELOPMENT ORDERS AND LEGAL INSTRUMENTS ASSOCIATED THEREWITH; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapters 163 and 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to land development, which have been codified in Chapter 51 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, Town staff has recommended to the Town Commission that Code Section 51-6(b)(1) of the Town Code be amended authorizing the Town to recover legal costs and fees, incurred by the Town in the review and processing of applications for development orders including the preparation of staff reports, Development Orders and legal instruments associated therewith.

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

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

Section 2. Chapter 51, Section 51-6, of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended to read as follows:

Sec. 51-6. Fees for application development review.

(a) *Plan review ~~and escrow account fees.~~* The town commission may from time to time establish and amend the fee schedule for development order application fees by resolution. The plan review fees shall be collected by the town's department of community development to mitigate cover the administrative costs of its review of the applications.

(b) *Recovery of ~~additional legal and consultant costs and fees.~~* In addition to plan review fees, the town may recover the fees and costs related to referenced below, applications for development, including, but not limited to the those applications specified in the table contained in Section 51-6 of Chapter 51 following:

(1) Consultant fees and costs incurred by the town may be billed to applicants by the Town to recover the to review of such professional documentation reports such as a property appraisal, traffic impact analysis, vegetation and environmental assessments, archeological or historic assessments, market studies, engineering studies, review fees or reports: attorney's fees, and legal documents.

(2) An applicant for any application for development review listed in the table in Section 51-6 shall, as part of its application execute an Agreement with the Town confirming its agreement to reimburse the Town for legal fees and costs the Town incurs in processing applications for development review. The fees and costs billed to an applicant by the Town shall be the same fees and costs actually billed to the Town, in accordance with paragraph 3(a) of the Agreement between the Town and the Town Attorney. An applicant shall reimburse the Town for such costs and fees within 10 days of receipt of an invoice from the Town. Failure by an applicant to reimburse the Town within 10 days shall result in the cessation of the review of the application until the Town is fully reimbursed.

(3) Additional costs associated with the department of Community Development's review of an application for development.

~~(2)~~(c) Costs associated with providing notice for public hearings or other public meetings.

~~(3)~~(d) *Escrow Accounts.* The Community Development Director may require the deposit of escrow account fees. In cases where additional fees and costs described hereinabove are anticipated or

incurred, the Community Development Director may require an applicant shall to deposit an amount estimated by the ~~town~~ Director to be sufficient to recover ~~it's~~ the Town's fees and costs into an escrow account created by the town. Upon completion of the review of the development applications, the applicant shall ~~will~~ be refunded any unused amount deposited into the escrow account

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

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

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

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

Commission member _____, offered the foregoing Ordinance, and moved its adoption. The Motion was seconded by Commission member _____, and upon being put to a vote, the vote was as follows:

	Aye	Nay	Absent
PAUL W. CASTRO, MAYOR	_____	_____	_____
G. CHUCK BALIUS, VICE MAYOR	_____	_____	_____

JEFF CAREY, COMMISSIONER _____
EDWARD DALY, COMMISSIONER _____
PATRICIA OSTERMAN, COMMISSIONER _____

The Mayor thereupon declared the Ordinance duly passed and adopted this ___ day of _____, 2007.

TOWN OF LAKE PARK, FLORIDA

BY: _____
PAUL W. CASTRO, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
VIVIAN MENDEZ, TOWN CLERK

REVIEWED FOR LEGAL FORM
AND SUFFICIENCY

BY: _____
THOMAS J. BAIRD, TOWN ATTORNEY

TAB 4

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

Meeting Date: **October 3, 2007**

Agenda Item No. *Tab 4*

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

SUBJECT: Amendment to zoning section 78-74 and 78-75 to eliminate the minimum lot size requirement in the C-4 and CLIC zoning districts

RECOMMENDED MOTION/ACTION: Motion to approve

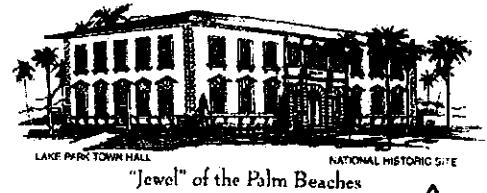
Approved by Town Manager *[Signature]*

Date: *9/27/07*

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

Summary Explanation/Background: the C-4 district requires a 3 acre minimum lot size and the CLIC requires a 1 acre minimum lot size. 166 lots out of a total of 197 lots in the C-4 and the CLIC do not meet the minimum lot size requirements and are therefore non-complying lots. The existing ordinance requires the lots to meet the minimum lot size in order to get any type of permit. Since so many lots do not meet the minimum size requirements this effectively halts any and all development or redevelopment on these properties. Other districts do not have minimum lot sizes and they are regulated by setbacks, required parking area, and landscape and buffer requirements. These two districts would still be regulated by setbacks, landscaping and parking.

Town of Lake Park Community Development Department



Patrick Sullivan, AICP, Director

Meeting Date: October 3, 2007
Memo Date: September 26, 2007

To: Town Commission

Re: Changes to lot size in C-4 & CLIC

I have come across what I believe to be an issue with minimum lot area requirements in the CLIC and C-4 districts. The CLIC requires a minimum of one acre to get a development permit and the C-4 district requires a minimum of three acres. That means that most of the lots in both districts are non-complying. There are approximately 197 lots and 166 of those lots or 85% are non-complying. This presents a problem when any of these lots wants to redevelop, develop, expand or alter.

The following code sections address the minimum lot size in the different districts:

Sec. 78-74. C-4 business district.

(5) *Area regulations.* The following requirements shall apply to all uses permitted in this district:

a. *Lot area.* Issuance of any type of development permit shall be based upon review and approval of an overall site design of an area no less than three acres. Said parcel may be planned for phased development, provided the minimum parcel size of any development phase is not less than one acre.

Sec. 78-75. CLIC-1 campus light industrial/commercial district.

(4) *Area regulations.* The following requirements shall apply to all uses permitted in this district:

a. *Lot area.* Issuance of any type of development permit shall be based upon review and approval of an overall site design or plat of an area no less than one acre. An exception to the one-acre minimum shall apply to parcels which front on the ultimate right-of-way of Park Avenue extended, which shall have a minimum lot size of 5,000 square feet.

Both sections of the code refer to the issuance of "any type of development permit" being dependent on the minimum lot size. The code goes on to define the term "development permit":

Sec. 51-4. Definitions.

Development permit means that official town document which authorizes the commencement of construction or land alteration without need for further application and approval for that construction or land alteration. Development permits include all types of construction permits (plumbing, electrical, foundation, mechanical, and so forth, in addition to the building permit itself), grading and clearing permits, septic tank permits, tree removal permits, sign permits, etc., and as defined in F.S. § 163.3164(7).

If we were to take the definition of development permit literally (which we should to maintain consistency) any request for a permit could trigger the minimum lot requirement if they are altering or enlarging the facility. The wording of the code requires that properties must meet the minimum lot size prior to the issuance of any permit in the CLIC and C-4. There are approximately 90 lots in the C-4 district and of those 90 lots only the two Divosta parcels and the Rinker parcel exceed three acres. The remaining 87 lots are non-conforming lots. In the CLIC approximately 28 lots out of 107 meet the minimum lot requirements. This leaves 79 non-conforming lots. The present ordinance effectively eliminates any development or redevelopment in these districts.

The suggested change is to simply eliminate the minimum lot requirement language (see attached ordinance). The lots would still be regulated because they will have to meet setbacks, landscaping, parking, drainage, buffers etc. None of the other zoning districts have minimum lot size. The Planning and Zoning Board reviewed the request and voted to recommend that the Commission eliminate the minimum lot size in these districts. I have received numerous inquiries regarding redevelopment and some new development in these zoning districts. Most will be unable to move forward unless the minimum lot size is changed.

Patrick Sullivan, AICP Director
Community Development Department
881-3319 fax 881-3323
psullivan@lakeparkflorida.gov

ORDINANCE NO. 28-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN OF LAKE PARK'S CODE OF ORDINANCES BY AMENDING CHAPTER 78, ARTICLE III, SECTION 78-74 ENTITLED "C-4 BUSINESS DISTRICT" AND SECTION 78-75 ENTITLED "CLIC-1 CAMPUS LIGHT INDUSTRIAL/COMMERCIAL DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, Town staff has recommended to the Town Commission that the minimum lot area requirements as provided in Chapter 78, Sections 78-74 and 78-75 pertaining to the C-4 and the CLIC zoning districts, be amended to provide more reasonable lot size requirements for land development in these zoning districts; and

WHEREAS, the Town's Planning and Zoning Board has reviewed the proposed amendments to the Town Code and has provided its recommendations to the Town Commission; 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 Chapter 78, Section 78-74(5) and Section 78-75(4) of the Town's Code as recommended by Town staff.

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

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

Section 2. Chapter 78, Article III, Section 78-74(5) and Section 78-75(4) are hereby amended to read as follows:

Sec. 78-74. C-4 business district.

- (5) *Area regulations.* The following requirements shall apply to all uses permitted in this district:
- ~~a. *Lot area.* Issuance of any type of development permit shall be based upon review and approval of an overall site design of an area no less than three acres. Said parcel may be planned for phased development, provided the minimum parcel size of any development phase is not less than one acre.~~
 - ~~a. *b. Front yard.* All buildings shall set back from all ultimate street right-of-way lines not less than 25 feet.~~
 - ~~b. *c. Side yard.* No building or structure shall be located closer than 12 feet from one side yard line.~~
 - ~~c. *d. Rear yard.* No building or structure shall be located closer than ten feet or a distance equal to one-half the building height from a rear yard line, whichever is greater. No rear yard is required where the lot abuts on an existing or proposed railroad right-of-way or spur that is utilized by the facility.~~
 - ~~d. *e. Maximum lot coverage.* Main and accessory buildings, loading facilities and uses shall not cover more than 50 percent of the lot area.~~
 - ~~e. *f. Impervious surface ratio of lot area.* With respect to drainage and stormwater runoff, the relationship of surfaces covered by buildings, paved parking areas and all other impervious surfaces such as vegetated open space and stabilized, unpaved parking areas shall be that deemed suitable for the proposed type of land use and buildings and in accordance with the South Florida Water Management District's *Permit Information Manual, Volume IV, Management and Storage of Surface Waters.*~~
 - ~~f. *g. Impervious ratio calculation.* The impervious surface ratio is calculated for the gross site, i.e., the minimum three-acre parcel, and is calculated by dividing the total impervious surface by the gross site area. Water bodies are to be considered impervious and shall be included as such in the impervious surface ratio calculation.~~
 - ~~g. *h. Treatment of cluster development.* Cluster development or other site design alternatives may result in individual lots within a development project exceeding the impervious surface ratio, while other lots may be devoted entirely to open space. The town commission shall require, as a condition of approval, deed restrictions or covenants that guarantee the maintenance of such open space in perpetuity.~~

Sec. 78-75. CLIC-1 campus light industrial/commercial district.

- (4) *Area regulations.* The following requirements shall apply to all uses permitted in this district:
- ~~a. *Lot area.* Issuance of any type of development permit shall be based upon review and approval of an overall site design or plat of an area no less than one acre. An exception to the one-acre minimum shall apply to parcels which front on the ultimate right-of-way of Park Avenue extended, which shall have a minimum lot size of 5,000 square feet.~~
 - ~~a. b. *Front yard.* All buildings shall set back from all ultimate street right-of-way lines not less than 25 feet, with the exception of buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall be set back a minimum of five feet and a maximum of 20 feet.~~
 - ~~b. e. *Side yard.* No building or structure shall be located closer than ten feet or a distance equal to one-half the building height, whichever is the greater, to a side yard line, with one of said side setback being paved for its entire length; provided, however, that for buildings 24 feet high or less of type one or type two construction, no building or structure shall be located closer than two feet from one of the side yard lines and no closer than 12 feet from the other side yard line. An exception shall apply to buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall have no minimum side yard.~~
 - ~~c. d. *Rear yard.* No building or structure shall be located closer than 20 feet from a rear yard line. No rear yard is required where the lot abuts on an existing or proposed railroad right-of-way or spur that is utilized by the facility, provided suitable fire apparatus access is provided.~~
 - ~~d. e. *Maximum lot coverage.* Main and accessory buildings and loading facilities shall not cover more than 50 percent of the lot area. An exception shall apply to buildings on parcels which front on the ultimate right-of-way of Park Avenue extended which shall have no maximum lot coverage.~~

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

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

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

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

Commission member _____, offered the foregoing Ordinance, and moved its adoption. The Motion was seconded by Commission member _____, and upon being put to a vote, the vote was as follows:

	Aye	Nay	Absent
PAUL W. CASTRO, MAYOR	_____	_____	_____
G. CHUCK BALIUS, VICE MAYOR	_____	_____	_____
JEFF CAREY, COMMISSIONER	_____	_____	_____
EDWARD DALY, COMMISSIONER	_____	_____	_____
PATRICIA OSTERMAN, COMMISSIONER	_____	_____	_____

The Mayor thereupon declared the Ordinance duly passed and adopted this ___ day of _____, 2007.

TOWN OF LAKE PARK, FLORIDA

BY: _____
PAUL W. CASTRO, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
VIVIAN MENDEZ, TOWN CLERK

REVIEWED FOR LEGAL FORM
AND SUFFICIENCY

BY: _____
THOMAS J. BAIRD, TOWN ATTORNEY

TAB 5

Town of Lake Park Town Commission Agenda Request Form

Meeting Date: October 3, 2007

Agenda Item No. *Tab 5*

- PUBLIC HEARING
- Ordinance on Second Reading
- Public Hearing

- RESOLUTION
- DISCUSSION

ORDINANCE ON FIRST READING

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other:

SUBJECT: Amending Chapter 34 of the Code and providing a new section 34-11 that requires property owners to maintain the swales that abut their property.

RECOMMENDED MOTION/ACTION: Motion to approve

Approved by Town Manager *W. Lewis* Date: _____

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Ordinance
Department Review: <input checked="" type="checkbox"/> Town Attorney <i>JJB</i> <input type="checkbox"/> Community Affairs <input checked="" 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 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: There is presently nothing in the Code that requires property owners to maintain the swales that abut, adjoin or are contiguous to their real property. Their responsibility now stops at their property line. This new section to the ordinance would require property owners to maintain the swales in a good and proper, neat and clean, condition to include but not be limited to sodding, grass cutting, landscape maintenance, removal of debris, garbage and the elimination of any dangerous conditions or safety hazards.

ORDINANCE NO. 29-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 34 "VEGETATION", ARTICLE I, TO CREATE NEW CODE SECTION 34-11 TO BE ENTITLED "MAINTENANCE OF TOWN SWALE AREAS"; 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 vegetation and plantings and other improvements in swale areas within the Town which have been codified in Chapter 34 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, Town staff has recommended to the Town Commission that new Code Section 34-11 be created, to require property owners within the Town, to maintain the swale areas which abut, are adjacent or contiguous to, their real property in a good and proper, and neat and clean, condition; 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 procedures; and

WHEREAS, the creation of new Code Section 34-11, would preserve and protect the Town's swales and sidewalks and other Town property, and preserve and enhance property values within the Town, generally; and

WHEREAS, the purpose and intent of the creation of this new Code Section is to regulate the maintenance of swales within the Town.

**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 34, Article I, Section 34-11, of the Code of Ordinances of Town of Lake Park, Florida is hereby created to read as follows:

Sec. 34-11 Maintenance of town swale areas.

It shall be the duty and obligation of all owners and occupants of real property within the Town, to maintain all swale areas abutting, adjacent, or contiguous to their property, in a good and proper, neat and clean condition. This maintenance duty and obligation for owners and occupants of real property shall include, but not be limited to, sodding, grass cutting, proper landscape maintenance, removal of debris, plant waste, garbage, or trash, and the elimination of any dangerous conditions or safety hazards in all swale areas.

Section 3. 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 4. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. 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 re-lettered to accomplish such.

Section 6. Effective date. This Ordinance shall take effect immediately upon passage.

TAB 6

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

Meeting Date: October 3, 2007

Agenda Item No.

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

SUBJECT: Florida City Government Week

RECOMMENDED MOTION/ACTION: Approve Resolution

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

Virginia Martin/Grants Writer
Name/Title

September 28, 2007
Date of Actual Submittal

SIGN

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

Summary Explanation/Background:

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

RESOLUTION NO. 80-09-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA RECOGNIZING CITY GOVERNMENT WEEK, OCTOBER 21-27, 2007, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CENEBRATION AND CORRESPONDING ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, municipal government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, municipal government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, municipal government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, *Florida City Government Week* is a very important time to recognize the important role played by municipal government in our lives; and

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Florida that they can shape and influence this branch of government which is closest to the people; and

WHEREAS, the Florida League of Cities and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, *Florida City Government Week* offers an important opportunity to convey to all the citizens of Florida that they can shape and influence government through their civic involvement.

NOW, THEREFORE, BE IT REESOLVED BY THE TOWNCOMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS:

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

Section 2. That the Town of Lake Park does encourage all citizens, municipal government officials, and employees to do everything possible to ensure that this week is recognized and celebrated accordingly.

Section 3. That the Town of Lake Pak does encourage educational partnerships between municipal government and schools.

Section 4. That the Town of Lake Park does support and encourage all municipal governments to actively promote and sponsor *Florida City Government Week*.

Section 5. This Resolution shall take effect upon adoption.