

AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
**TOWN COMMISSION BUDGET
WORKSHOP**

Wednesday June 29, 2005 at 7:30 p.m.
Lake Park Town Hall
535 Park Avenue

Paul Castro	—	Mayor
Paul Garretson	—	Vice Mayor
G. Chuck Balius	—	Commissioner
Edward Daly	—	Commissioner
Jeff Carey	—	Commissioner
<hr/>		
Paul Carlisle	—	Interim Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Stephanie Thomas	—	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. PLEDGE OF ALLEGIANCE
- C. ROLL CALL
- D. DISCUSSION AND POSSIBLE ACTION
 - 1. Legal
 - 2. Marina
- E. ADJOURNMENT

Town of Lake Park

FISCAL YEAR

2005 - 2006



2005-2006

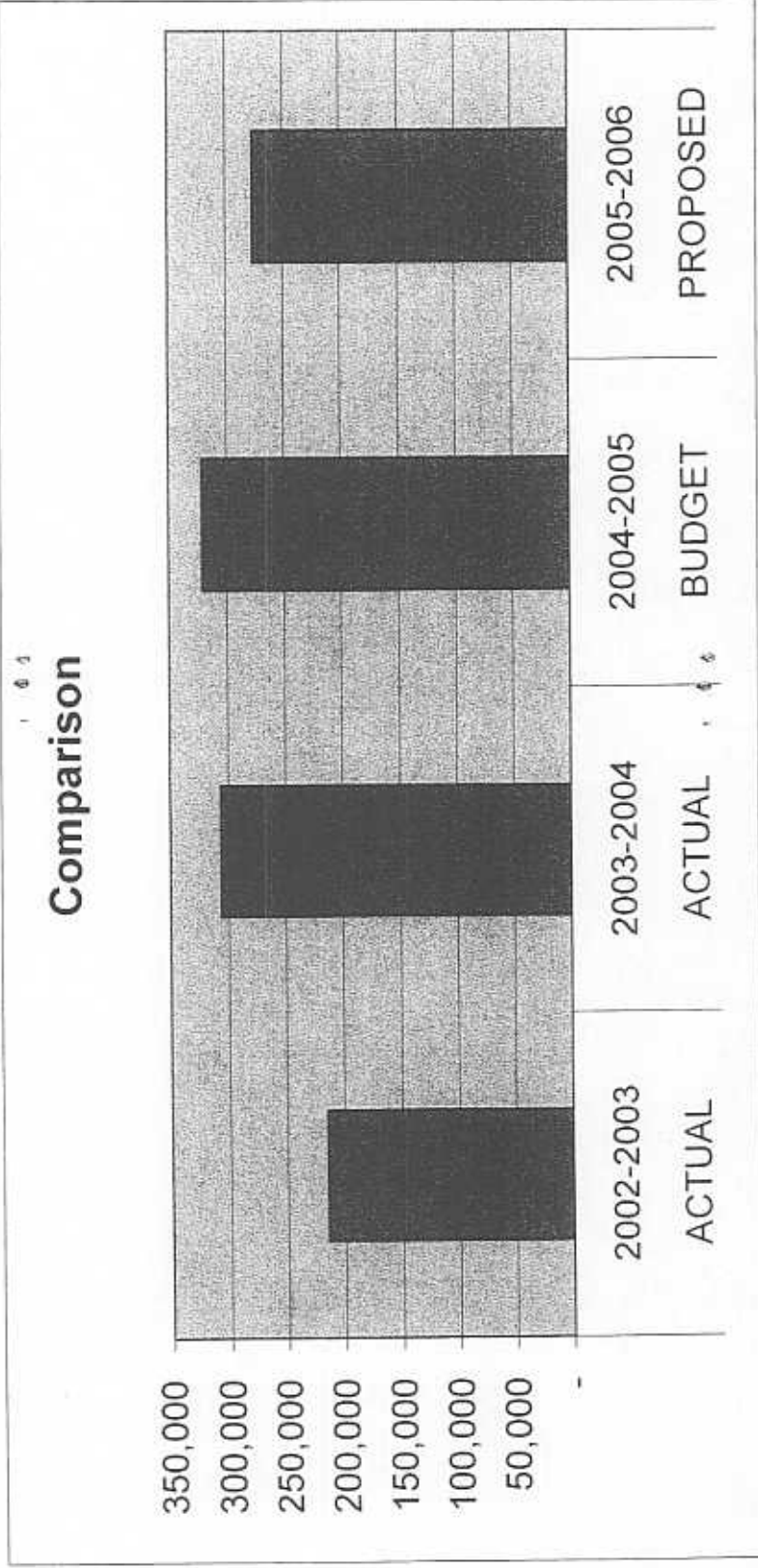
LEGAL AND MARINA

BUDGET

WORKSHOP

6/29/2005


Cost Center 108 Legal



DEPT: Legal		COST CENTER 108					
001-51-514-108-							
OBJECT NUMBER	DESCRIPTION	ACTUAL 2002-2003	ACTUAL 2003-2004	BUDGET 2004-2005	5/30/2005 Actual	PROPOSED 2005-2006	
31000	Professional Services	-	-	-	-	-	
31100	Professional Svc - Town Attorney	157,884	196,091	200,000	86,487	200,000	
31101	Professional Svc - Other Legal	55,371	84,292	60,000	7,307	50,000	
33000	Accounting & Auditing	-	-	-	-	-	
34000	Contractual Services	-	-	-	-	-	
34100	Contracted Personal Services	-	-	-	-	-	
34110	E-911 Telephone	-	-	-	-	-	
34310	Disposal Costs	-	-	-	-	-	
34500	Insurance Settlements	-	25,000	-	-	25,000	
40000	Travel & Per Diem	1,255	-	-	-	-	
41100	Telephone	-	-	-	-	-	
49200	Conferences & Seminars	-	857	1,000	-	1,000	
49300	Computer Software	-	-	-	-	-	
49400	Uniforms & Clothing	-	-	-	-	-	
51000	Office Supplies	-	-	-	-	-	
52000	Operating Supplies	-	-	-	-	-	
52100	Gasoline & Diesel Fuel	-	-	-	-	-	
53000	Drainage/Streets/Sidewalks	-	-	-	-	-	
54100	Books & Subscriptions	-	-	-	-	-	
54200	Memberships, Dues, & Subscriptions	-	-	-	-	-	
	TOTAL OPERATING EXPENSES	214,509	306,240	261,000	93,793	276,000	
99110	Transfer to General Fund	-	-	-	-	-	
99900	Emergency Reserve	-	-	60,000	-	-	
	TOTAL OTHER EXPENSES	-	-	60,000	-	-	
	COST CENTER TOTAL	214,509	306,240	321,000	93,793	276,000	

TOWN OF LAKE PARK
INTER-OFFICE MEMORANDUM

CONFIDENTIAL
ATTORNEY/CLIENT PRIVILEGED

To: Honorable Mayor and Members of the Town Commission
From: Thomas J. Baird, Town Attorney 
Date: June 1, 2005
Re: Status Report of Litigation

CASES DEFENDED BY LAW FIRMS ASSIGNED BY INSURANCE CARRIER

Town of Lake Park v. Appelbaum

The Town filed a lawsuit in County Court seeking to recover monies provided to Mr. Appelbaum. Mr. Appelbaum has filed an Answer, Affirmative Defenses and a Three Count Counterclaim seeking money damages from the Town. The Counterclaim has been dismissed. We are proceeding with discovery to collect the debt Mr. Appelbaum owes the Town.

Keller v. Town of Lake Park

Mr. Keller has re-filed a claim against Town's employees individually, Alfred Newbold, David Thatcher and Theresa Leary for Tortious Interference with Contract, Tortious Interference with Advantageous Business Relationships, Violation of §9 Article 1 and §2 Article 1 of the Florida Constitution. Keller alleges that the Defendants systemically and in conspiracy with each other interfered with Keller's property interest by failing to issue an occupational license for tenants that Keller procured through existing leases, thereby forcing tenants to vacate their leases. Keller claims to have suffered damages by having to terminate the lease with various tenants and his attorneys' fees and costs. The claim under the Florida Constitution has been dismissed by the Court. No activity is occurring because Mr. Keller is a defendant in a murder trial.

Mos'Art Center, Inc., a Florida corporation, d/b/a The Kelsey Club and Sue Ellen Mosler v. Town of Lake Park, et al.

The Plaintiffs have filed a Verified Complaint and Motion of Plaintiffs for Preliminary Temporary Injunction Against Defendants. The West Palm Beach law firm of Roberts, Reynolds, Bedard & Tuzzio, P.A. has been assigned the defense of the Town by the Town's insurance carrier. On January 7, 2005, the Town filed its Answer to the Complaint.

Lewis, Stephen v. Rodger William, Jr. and Town of Lake Park

Stephen Lewis filed a Complaint against the Town and Town employee, Rodger William, Jr., alleging that when he was standing beside a set of plastic garbage cans, which were on the curb in front of 651 Foresteria Drive, he was struck by a plastic garbage can that was being lowered by the mechanical arm of a sanitation truck that was leased/owned by the Town and operated by Mr. William. Mr. Lewis is seeking damages in excess of \$15,000. A proposal for settlement was forwarded to the insurance company on June 18, 2003. The Plaintiff is demanding \$100,000 to settle this claim. Discovery is continuing.

McCullon v. Town of Lake Park

Ms. McCullon alleges a violation of her constitutional rights and that she was falsely arrested for shoplifting at a K-Mart store. The defense of this case has been assigned to Rick McDuff, Esq. of Johnson, Anselmo, Murdoch, Burck & George, P.A. The police searched her purse without her consent and found no stolen items. McCullon is claiming damages due to mental and emotional suffering, and lost wages. No activity has occurred in the last 60 days.

CASES FOR WHICH THOMAS J. BAIRD, P.A. IS RESPONSIBLE

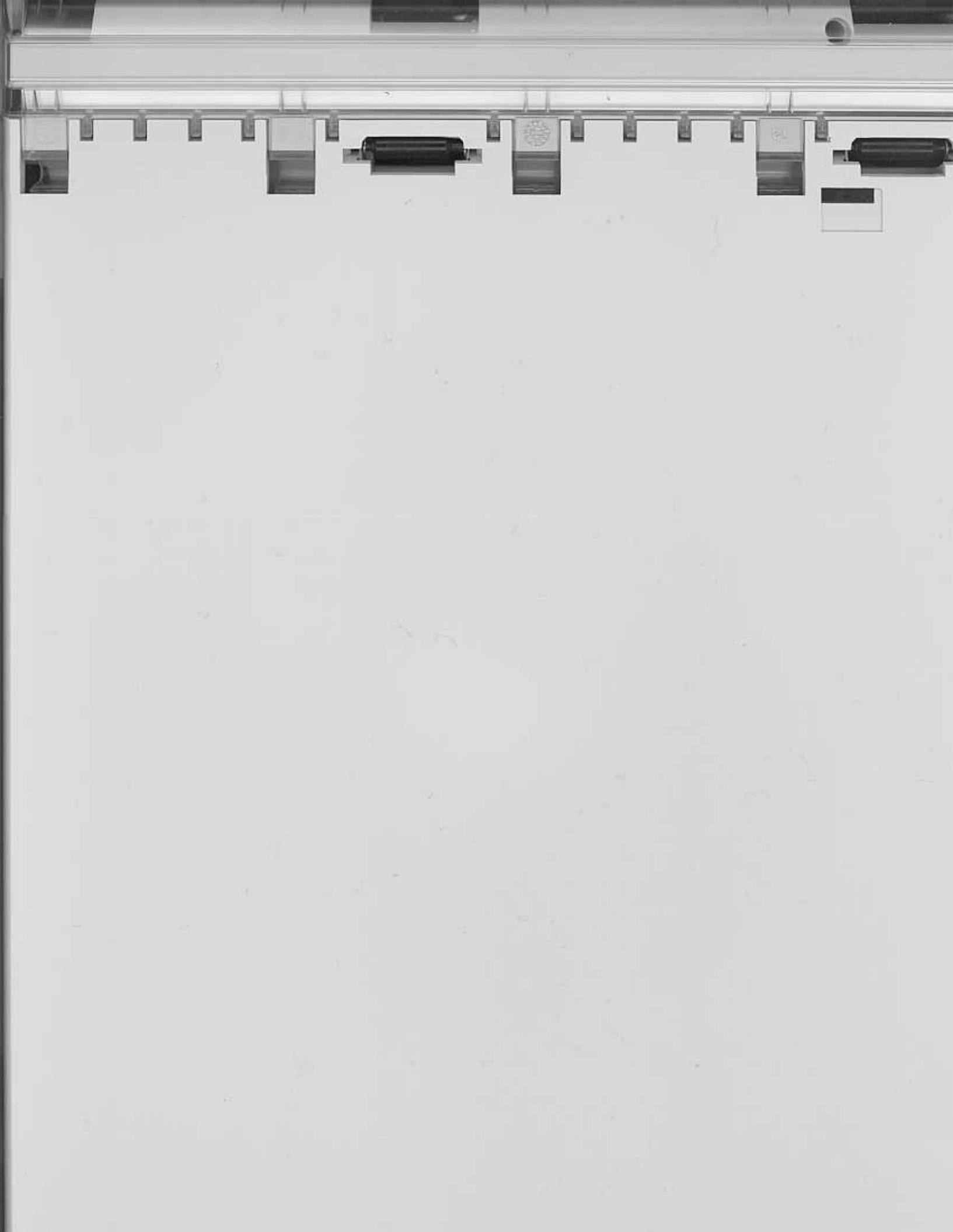
Town of Lake Park v. Board of Trustees of the Town of Lake Park Firefighters' Pension Plan

On January 28, 2003, the Town filed an action asking the Court to determine whether it must make up the shortfall of assets in the Firefighters' Pension Plan. The Defendant alleges that the Town is responsible for the shortfall. The burden is on the Firefighters to seek a Final Judgment which can be appealed and to pursue their other claims. Thus far, counsel for the Pension Plan has done virtually nothing to advance the case.

Marina Fund 401

Revenues

DESCRIPTION	BUDGET	5/30/2005	PROPOSED
	2004-2005	ACTUAL	2005-2006
Wet Slips	\$ 822,126.00	\$ 33,119.03	\$ 1,010,917.00
Gas	132,000.00		225,000.00
Merchandise	14,400.00		27,000.00
Diesel	228,000.00		375,000.00
Ramp Fees	55,000.00	2,903.91	72,800.00
Electrical	12,360.00	894.82	41,040.00
Balance Brought Forward	-	117,200.00	-
Bond Proceeds	-	1,236,629	-
	1,263,886	\$ 1	1,751,757
TOTAL	\$ 1,263,886	\$ 1,390,746	\$ 1,751,757



Marina Fund Expenditures		FUND 401		6-4	
OBJECT NUMBER	DESCRIPTION	BUDGET 2004-2005	ACTUAL 5/31/2005	BUDGET 2005-2006	
		\$	\$	\$	
11000	Executive Salaries	52,695	35,283	62,420	
12000	Regular Salaries	139,091	10,871	135,216	
13000	Other Salaries	75,000	137	75,000	
14000	Overtime Pay	5,000	37	5,000	
15000	Special Pay	-	-	-	
	TOTAL SALARIES	271,787	46,327	277,636	
21000	FICA Tax	20,409	3,295	20,857	
22000	Retirement/Pension	3,857	882	3,838	
23100	Health Insurance	55,231	6,377	55,231	
23200	Insurance - Dental	2,794	500	2,794	
23300	Insurance - Life	892	176	892	
23400	Insurance - Vision	433	39	433	
24000	Workers' Compensation Insurance	26,472	-	27,000	
25100	Unemployment Compensation	-	-	-	
	TOTAL BENEFITS	110,088	11,268	111,044	
	TOTAL SALARIES & BENEFITS	381,875	57,595	388,680	
31000	Professional Services	-	41	-	
31100	Professional Svc - Town Attorney	2,500	853	2,500	
31101	Professional Svc - Other Legal	-	-	-	
33115	Accounting & Auditing	-	-	-	
34000	Contractual Services	49,800	-	89,050	
34100	Contracted Personal Services	-	-	-	
	Credit Card Discounts	6,130	-	-	
34310	Disposal Costs	-	-	-	
34788	Miscellaneous	78,000	-	78,000	
34901	Administrative Fee	8,640	-	20,000	
	Merchandise	600	-	600	
40000	Travel & Per Diem	4,800	631	4,800	
41100	Telephone	1,200	-	1,200	
41200	Postage & Shipping	16,200	6,247	69,600	
43000	Utilities	7,200	254	9,000	
43250	Garbage & Trash	-	-	1,200	
44200	Equipment Leases	72,000	8,246	75,000	
45000	Insurance	-	-	7,500	
46000	Repairs & Maintenance	-	-	1,000	
46300	Vehicle Parts/Supplies	-	-	-	

Marina Fund Expenditures		FUND 401		BUDGET 2004-2005		ACTUAL 5/31/2005		BUDGET 2005-2006	
OBJECT NUMBER	DESCRIPTION								
46600	Signs & Signals	2,400		10		500			
47000	Printing	1,000				13,000			
48000	Promotional Activity	6,000		1,228		6,000			
48100	Advertising	3,000				3,000			
49100	Education & Training					5,000			
49101	Bad Debts			300		1,000			
49200	Conferences & Seminars	2,450				3,100			
49300	Computer Software	6,000				6,000			
49400	Uniforms & Clothing					118			
49600	Bank Charges / Admin Fees					175			
51000	Office Supplies	2,500				3,000			
52000	Operating Supplies	1,200		971		500,000			
52100	Gasoline & Diesel Fuel	254,640		41					
54200	Memberships, Dues, & Subscriptions	600		320					
54900	Depreciation Expense								
	TOTAL OPERATING EXPENSES	526,860		19,434		923,675			
64100	Machinery & Equipment								
66000	Library Materials								
66100	Land								
66300	Improvements other than building								
	TOTAL CAPITAL OUTLAY								
71000	Principal	85,000		85,000		85,000			
72000	Interest	231,625		231,625		231,625			
72000	Interest			6,197		6,200			
	TOTAL DEBT SERVICE	316,625		322,822		322,825			
99110	Transfer to General Fund								
99900	Restricted Reserves	38,526				116,577			
	TOTAL OTHER EXPENSES	38,526				116,577			
	DEPARTMENT TOTAL	\$ 1,263,886		\$ 399,851		\$ 1,751,757			

PERSONAL SERVICE SUMMARY

Fund 401 - Marina

POSITION TITLE & EMPLOYEE NAME	ANNUAL SALARY	%	DATE OF HIRE/REVIEW	SALARY	BUDGET TOTAL	23100 HEALTH INSURANCE	23110 HRA INSURANCE	23200 DENTAL INSURANCE	23300 LIFE INSURANCE	23400 VISION INSURANCE
EXECUTIVE SALARIES										
Harbor Marine Manager, Pallance Cohn 10-01-04 - 01-30-05 02-01-05 to 09-30-05	61,200.00 63,036.00	0.333 0.667	1/30/2005	20,400.00 42,019.80		721.25	41.66	37.58	19.64	5.15
					<u>62,419.80</u>					
REGULAR SALARIES										
Dockmaster, Steve Fleming 10-01-04 - 08-30-05 09-01-05 - 09-30-05	31,324.00 33,415.20	0.833 0.167	8/30/2004	26,509.39 5,580.34	32,089.73	721.25	41.66	37.58	9.11	5.15
Dock attendant, Elvin Whitaker 10-01-04 - 08-30-05 09-01-05 - 09-30-05	19,380.00 19,961.40	0.833 0.167	8/30/2004	15,150.00 3,333.55	19,483.55	497.00	41.66	37.58	9.11	5.15
Dock attendant, Christopher Baynon 10-01-05 - 05-30-06 05-31-06 - 09-30-06	19,380.00 19,961.40	0.667 0.333	8/30/2004	12,925.46 6,653.13	19,579.59	497.00	41.66	37.58	9.11	5.15
Dock attendant 10-01-04 - 08-30-05 09-01-05 - 09-30-05	19,380.00 19,961.40	0.667 0.333	8/30/2004	12,926.46 6,653.13	19,579.59	721.25	41.66	33.26	9.11	5.15
Dock attendant 10-01-04 - 08-30-05 09-01-05 - 09-30-05	19,380.00 19,961.40	0.833 0.167	8/30/2004	16,150.00 3,333.55	19,483.55	721.25	41.66	33.26	9.11	5.15
Store Clerk 10-01-05 - 09-30-06	25,000.00	1	8/30/2004	25,000.00	25,000.00	721.25	41.66	33.26	9.11	5.15
					<u>135,216.03</u>					
Dock Attendants Part time Based on 8 part timer	75,000.00	1		75,000.00						
TOTAL REGULAR SALARIES										
			Monthly Total		<u>210,216.03</u>	<u>4,600.25</u>	<u>291.62</u>	<u>250.10</u>	<u>74.30</u>	<u>36.05</u>
			Annual Total		<u>55,203.00</u>	<u>3,499.44</u>	<u>3,001.20</u>	<u>891.54</u>	<u>432.60</u>	

2005 – 2006 Budget Assumptions

Manpower Requirements

RAMP OPERATION	6AM – 10PM	
One attendant	16hrs daily	5,840 annually
2 nd attendant only	8hrs daily	<u>864 annually</u>
Weekends & holidays		6,720 annually
FUEL DOCK/SHIP STORE	7AM -5PM / 8AM-6PM (Seasonal)	
Fuel dock attendant	10hrs daily	3,650 annually
Store clerk	10hrs daily	3,650 annually
Dock attendant/maintenance	40hrs weekly	2080 annually
Dockmaster	40hrs weekly	2080 annually
Manager	40hrs weekly	<u>2080 annually</u>
		13,540 annually
Total man-hours to operate annually		20260 = equivalent of 10.87 full-time employees

34000 Contractual Services - Security services 43,600, environmental spill response service 450, fertilization 15,000 and landscape maintenance, 30,000

Merchandise – includes ice & soda- 35% margin +/- depending on item

41100 Telephone- includes 5 land-lines 3 Nextel and several two-way phones

43000 Utilities- includes reimbursed electrical from marina patrons, un-reimbursed costs water, office & ramp buildings and parking lot and street lighting

46000 Repairs + Maintenance – constant care necessary to maintain marina in good condition

46300 Vehicle Maintenance – truck, golf carts, boat and trailer

46600 Signs – anticipate need to add additional signage and replace lost signs

47000 Printing – lease agreements, rules and regulations, rate card, parking tickets

48000 Promotional Activity – Grand opening, 8,000, National Marina Day 2,000, fishing tournament, 3,000.

49100 Education & training- safety, hazmat, spill containment

49200 Seminars- IBEX, Miami AMI- Marinas & Boatyards , Orlando

2005 – 2006 Budget Assumptions cont.

499300 Software Dockmaster system support 2,450 website hosting 600

49400 Uniforms shorts, shirts, rain gear & boat shoes for 12 employees

49600 Bank Chgs assume 50% of sales are credit card purchases

52000 Operating Supplies cleaning supplies, restroom products

52100 Fuel calculated at 20% margin this figure will vary based on quantity of purchase

54200 Member Dues – local, regional & national association dues

30 ft slips	750'	\$15.00	\$11,250	FIXED
35 ft slips	140'	\$15.50	\$ 2,170	FIXED
40 ft slips	920'	\$16.00	\$14,720	FIXED
45 ft slips	630'	\$16.50	\$10,395	FIXED
50 ft slips	500'	\$20.00	\$ 10,000	FLOATING
60 ft slips	540'	\$18.00	\$ 9,720	FIXED
60 ft slips	900'	\$21.00	\$18,900	FLOATING

100% OCCUPANCY = \$925,860.00

BUDGET ASSUMPTION 80% = \$771,550.00

Transient - \$1.75 per ft day in season \$1.00 per ft per day off season

10% transient use of 4,380' = \$239,367.00

Wet slip revenue \$1,010,917.00

The budget assumes the marina will be leased annually, however in the event there are available slips, the Harbor Marina Manager with propose seasonal and monthly rates for approval of the Town Manager with the purpose of generating revenue and utilizing the facility to it's best use.

	30'	40'	45'	50'	60'
Annual Rate					
Loggerhead (Soverel)	12.00	14.20	15.42	15.38	17.12
New Port Cove	14.37	14.45	14.60		14.80
Riviera Beach Marina		17.70	17.70	17.70	17.70
Sailfish Marina	21.90	18.75	19.40	23.22	26.13
Old Port Cove * rate increase due in Aug		18.38		16.90	19.33
Palm Harbor Marina	21.00	21.00	21.00	21.00	21.00
AVERAGE RATE	17.32	17.41	17.62	18.84	19.34
LAKE PARK RATE	14.00	14.00	14.00	14.00	14.00

	30'	40'	45'	50'	60'
Seasonal Rate					
Loggerhead (Soverel)		21.12	21.84	21.16	23.32
New Port Cove	17.67	17.83	18.11		18.25
Riviera Beach Marina		17.70	17.70	17.70	17.70
Sailfish Marina	50.00	76.50	76.50	76.50	76.50
Old Port Cove *rate increase due in Aug		28.88		28.10	31.50
Palm Harbor Marina	33.00	33.00	33.00	33.00	33.00
AVERAGE RATE	33.56	32.51	33.43	35.29	33.38
LAKE PARK RATE	14.00	14.00	14.00	14.00	14.00

	30'	40'	45'	50'	60'
Monthly Rate – in season					
Loggerhead (Soverel)		21.12	21.84	21.16	23.32
New Port Cove	21.00	21.15	21.49		21.70
Riviera Beach Marina		17.70	17.70	17.70	17.70
Sailfish Marina	50.00	76.50	76.50	76.50	76.50
Old Port Cove * rate increase due in Aug		31.75		30.90	34.67
Palm Harbor Marina	40.50	40.50	40.50	40.50	40.50
AVERAGE RATE	37.16	34.79	35.61	37.35	35.73
LAKE PARK RATE	14.00	14.00	14.00	14.00	14.00

	30'	40'	45'	50'	60'
Monthly Rate – off season					
Loggerhead (Soverel)	12.00	14.20	15.42	15.38	17.12
New Port Cove	16.00	16.12	16.36		16.57
Riviera Beach Marina		17.70	17.70	17.70	17.70
Sailfish Marina(Aug & Sept)	22.50	22.50	24.00	24.00	24.00
Old Port Cove					
Palm Harbor Marina	21.00	21.00	21.00	21.00	21.00
AVERAGE RATE	17.88	18.30	18.90	19.52	19.27
LAKE PARK RATE	14.00	14.00	14.00	14.00	14.00

4380 feet of slip = \$735,840 @ 14.00 Add \$52,560 for every \$1.00 increase