

**ORDINANCE NO. 02-2020**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature originally required local governments to annually amend their comprehensive plans to update the Capital Improvements Element, including the Five Year Schedule of Capital Improvements contained therein; and

**WHEREAS**, pursuant to House Bill 7207 the Florida Legislature repealed the requirement that local governments annually amend their comprehensive plans thereby removing the obligation of the state land planning agency's review of the plan amendments of local governments; and

**WHEREAS**, local governments are now only required to review their Capital Improvements Element and adopt any update thereto pursuant to an Ordinance which is not subject to review by the State land planning agency; and

**WHEREAS**, the Town staff has prepared an Ordinance which amends the Schedule in the Capital Improvements Element of its comprehensive plan; and

**WHEREAS**, the Town Commission of the Town of Lake Park has held the duly required public hearings to adopt this update to its Comprehensive Plan.

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

Section 1: The whereas clauses are incorporated herein as the Commission's legislative findings.

Section 2: **Exhibit "A"** which is attached hereto and incorporated herein contains the text of the 2019/20 Update to the Town of Lake Park Comprehensive Plan Capital Improvements Element's Five Year Capital Improvements Schedule.

Section 3: A copy of the current Comprehensive Plan, as amended from time to time, shall be kept on file in the Office of the Town Clerk.

Section 4: A copy of the current Comprehensive Plan, as amended from time to time shall also be maintained in the Department of Community Development.

Section 5: All Ordinances or parts of Ordinances in conflict are hereby repealed.

Section 6: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7: The Ordinance shall become effective upon adoption.

Upon First Reading this 29 day of January, 2020, the foregoing Ordinance was offered by Commissioner Flaherty, who moved its approval. The motion was seconded by Commissioner Michaud and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

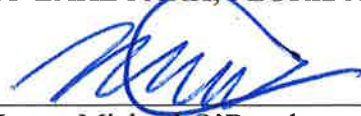
**PUBLISHED IN THE PALM BEACH POST THIS 26 DAY OF January, 2020**

Upon Second Reading this 5 day of February, 2020, the foregoing Ordinance, was offered by Commissioner Linden, who moved its adoption. The motion was seconded by Commissioner Michaud and being put to a vote, the result was as follows:

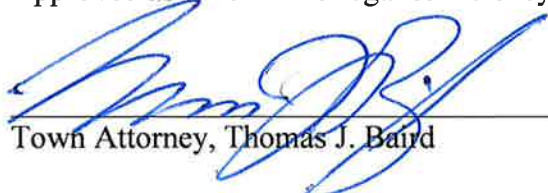
	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>Absent</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____


The Mayor thereupon declared **Ordinance No.** 02-2020 duly passed and adopted this 5 day of February, 2020.

TOWN OF LAKE PARK, FLORIDA

BY:   
Mayor, Michael O'Rourke

Approved as to form and legal sufficiency:

  
Town Attorney, Thomas J. Baird

ATTEST:  
  
Town Clerk, Vivian Mendez  
SEAL  
(Town Seal)  
FLORIDA

**EXHIBIT "A"**

**TOWN OF LAKE PARK FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE<sup>1</sup>,  
FY 2018/19 — 2022/23 2019/20 – 2023/24**

Project Category	Project Name	18/19	19/20	20/21	21/22	22/23	<u>23/24</u>	Funding Source
4	Mirror Ballroom Doors	\$120,000						\$60K (General Fund)/ \$60K (State Historic Preservation Grant)
2, 4	Lake Shore Drive Drainage Improvements		\$8,200,000					Grants (\$5.6M LMS and HMGP) / \$600K State Appropriations Fund / \$2M One Cent Sales
<u>2</u>	<u>Replacement of all emergency generators (Town Hall; Public Works and PBSO building)</u>		<u>\$750,000</u>					<u>Public Works - Facilities</u>

<sup>1</sup> Note: The Town's ability to implement certain projects in accordance with this schedule is contingent upon the receipt of grant funds as identified in the "Funding Source" column.

<b>Project Category</b>	<b>Project Name</b>	<b>18/19</b>	<b>19/20</b>	<b>20/21</b>	<b>21/22</b>	<b>22/23</b>	<b>23/24</b>	<b>Funding Source</b>
2, 4	10 <sup>th</sup> Street south of Park Avenue – drainage, lighting, paving, trees – Green Infrastructure Project			<u>\$4,000,000</u>				Grant (LMS), Stormwater Utility Assessment (50/50 split each FY)
2,4	FEC Railroad Intersection/pedestrian connections for quiet zone improvements			\$100,000				CRA Funding
2, 4	Park Avenue from Federal Highway to 7 <sup>th</sup> Street (improved sidewalks; landscape medians; striping and signalization – complete street design)			\$4,200,000				Grant (\$3.36M)/ <del>One-Cent Sales Tax (\$840K)</del>
<u>2, 4</u>	<u>Records Retention Building</u>			<u>\$500,000</u>				<u>General Fund</u>

Project Category	Project Name	18/19	19/20	20/21	21/22	22/23	23/24	Funding Source
4	Town Hall Renovations (Town Hall Roof, Exterior Painting, Ceiling Clerk's Office, Exterior Doors, Community Development Flooring/Painting/Reco nfiguration/Digital Marquee Sign in front of Town Hall/ADA accessible entry and ramp to the back of the Commission Chambers (French doors, east side)			\$500,000 (including required assessments)				<u>General Fund</u> Grant – (\$28K for Clerk's ceiling and exterior doors assessment already appropriated) / One-Cent Sales Tax – \$432K / General Fund (Community Development Improvements –\$40K)

Project Category	Project Name	18/19	19/20	20/21	21/22	22/23	23/24	Funding Source
2	Sanitary Sewers in Tri-City Industrial Park; Lake Park Public Works; and Water Tower Road/Old Dixie Highway (north of Water Tower, east of Old Dixie) commercial property; Gateway Road Reconstruction and Sanitary Sewer along the south side (approx. 1,250 linear feet)			\$1,325,000				Special Assessment
2	Outfall to C-17 Canal – <u>Berm Improvement Project</u>	\$200,000		<u>\$537,000</u>				<u>Grant</u> Stormwater Fund
2	<u>Southern Outfall Retrofit Project</u>					<u>\$3,500,000</u>		<u>Grant</u>

Project Category	Project Name	18/19	19/20	20/21	21/22	22/23	23/24	Funding Source
2	Coastal Link/Tri-Rail/Palm Tran Extension Improvements for parking and feeder system improvements on the Town-owned property behind Fire Station 68 – including green infrastructure				\$1,100,000 <del>\$700,000</del>			Grant
2	Bert Bostrom Park Improvements (Master Plan for future improvements)		\$30,000					Grant
2	Complete Streets Initiative/Safe Streets Program (Federal Highway – approx. 4,100 linear feet)		\$6,000,000					Grant (TPA, FDOT, other)
1	Community Development Security (bullet proof glass, door, slots, hearing device)		\$50,000					General Fund
2, 4	Town-wide green infrastructure improvements			\$26,600,000				Grant



Project Category	Project Name	18/19	19/20	20/21	21/22	22/23	23/24	Funding Source
2,4	Library Improvements (includes technology; security; carpets & lighting; shelving; 2 <sup>nd</sup> floor; exterior renovations and marquee)		\$85,000 <del>(\$70,000</del> Grants/ \$15,000 General Fund)	\$45,000 <del>(\$25,000</del> General Fund; \$20,000 Grants)	\$30,000 <del>(\$20,000</del> General Fund; \$10,000 Grants)	\$1,110,000 <del>(\$110,000</del> General Fund, \$1,000,000 Grants)		General Fund; Grant
2,4	Library Improvements  Upgrade of Public Computers to Laptop Kiosk – Two 12 slot kiosk with a single card reader		\$40,000					General Fund; LSTA Grant (split 50/50)
	Replacement of shelving; Eight 21 lf fixed stacks; \$1,000. Per stack. \$8,000. Thirty five 72 lf modular mobile units. At 1,000 per unit. \$35,000 Carpet with vinyl flooring 9200sf. \$37,000. @\$4.00 pf including install >Replace worn, damaged seating. Approximate cost for bench, chair seating approximately \$16,000. 30 seats, benches		\$96,000					General Fund

<p>combination seating throughout.  <u>Large bench grouping: \$5,000 per nine grouping.</u>  <u>Two computer power lounge chairs with tablet table; \$2 per \$1000.</u>  <u>Four bench grouping: \$2,000. Per grouping</u></p> <p><u>Addition of ADA compliant second level loft above east wing (addition of elevator) and patio enclosure</u>  <u>Interior renovation:</u>  <u>&gt;Second level loft above east wing with glass wall (addition of elevator) and patio enclosure</u>  <u>approximately \$1,920,000</u>  <u>&gt;Elevator install – 2 story commercial - new: approximately \$70,000.</u>  <u>&gt;Annual Maintenance cost for elevator: \$5000.or less</u></p> <p><u>Exterior renovations: entrances</u></p>			<p><u>\$50,000</u></p>	<p><u>\$2,440,000</u></p>			<p><u>General Fund: Grant (30/70 split)</u></p> <p><u>General Fund: Grant (50/50 split)</u></p>
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Project Category	Project Name	18/19	19/20	20/21	21/22	22/23	23/24	Funding Source
2	Community Garden Area CRA Parking Garage (Permanent) "Temporary" Improvements (millings, enclosure, striping and signage)	\$10,000		\$7,500,000				\$5M Appropriations /\$2.5M Grant  CRA
2	Lamda Rail Improvements (Fiber Optic) —  <b>PHASE 1 (approx. \$80K)</b> Town Hall to 10 <sup>th</sup> \$61,082; Town Hall to Library \$6,347; 10 <sup>th</sup> Street Fire Station to Public Works \$10,755  <b>PHASE 2 (approx. \$136K)</b> Town Hall to Kelsey Park \$85,442; AND Kelsey Park to Marina \$50,882 — (sub-total of three items in blue = approx. \$80,000)	\$80,000	\$136,000  <u>\$180,000</u>					One Cent Sales Tax

Project Category	Project Name	18/19	19/20	20/21	21/22	22/23	23/24	Funding Source
1	Johnson Controls – (LED Lighting Retrofit; Domestic Water Conservation; Building Automation Upgrades; HVAC Upgrades/Replacements)	<i>(\$1.5M total cost over 16 years)– Cash outlay commitment of approximately \$121K per year, principal and interest, for a 16-year financing plan with a 3.2% interest rate assumption</i>	\$121,000	\$121,000	\$121,000	\$121,000		General Fund
	Total	\$531,000	<u>\$15,346,000</u> \$14,572,000 0	<u>\$45,312,000</u> \$10,291,000	<u>\$3,540,000</u> \$851,000	<u>\$3,500,000</u> \$1,231,000	<u>\$0</u>	

**Project Category Codes**

- 1 – Project necessary to achieve Level of Service
- 2 – Project will enhance ability to continue to meet Level of Service
- 3 – Project will enhance ability to meet Level of Service for Optional Element
- 4 – Project will further the achievement of Comprehensive Plan goals, objectives and policies.

**TOWN OF LAKE PARK ESTIMATED FUNDING SOURCES FOR CAPITAL IMPROVEMENTS FY 2018/19 – 2022/23**

<b>Funding Source</b>	<b>18/19</b>	<b>19/20</b>	<b>20/21</b>	<b><u>21/22</u></b>	<b><u>22/23</u></b>
General Fund	\$181,000	<u>\$916,000</u> <u>\$136,000</u>	<u>\$1,025,000</u> <u>\$186,000</u>	<u>\$1,220,000</u> <u>\$141,000</u>	\$231,000
Stormwater Utility Assessment			\$2,000,000		
Grants	\$60,000	<u>\$11,650,000</u> <u>\$11,700,000</u>	<u>\$33,387,000</u> <u>\$5,408,000</u>	<u>\$2,320,000</u> <u>\$710,000</u>	<u>\$3,500,000</u> <u>\$1,000,000</u>
Special Assessment			\$1,325,000		
CRA Funding	\$10,000		\$100,000		
Streets and Roads					
Stormwater Fund	\$200,000				
State Funds		\$600,000	<u>\$5,000,000</u>		
One Cent Sales Tax	\$80,000	<u>\$2,180,000</u> <u>\$2,136,000</u>	\$1,272,000		
Total	\$531,000	<u>\$15,346,000</u> <u>\$14,572,000</u>	<u>\$45,312,000</u> <u>\$10,291,000</u>	<u>\$3,540,000</u> <u>\$851,000</u>	<u>\$3,500,000</u> <u>\$1,231,000</u>

**PRELIMINARY COST OF IMPLEMENTING GREEN INFRASTRUCTURE LOW IMPACT DEVELOPMENT  
BEST MANAGEMENT PRACTICES**

**10<sup>TH</sup> Street South of Park Avenue Green Infrastructure Project**

Note: The 10<sup>TH</sup> Street Project development is not at the point where a detailed cost of GI/LID BMP implementation can be estimated. The following cost is a conservative estimate based on some key assumptions:

***Drainage***

- The application of approximately 51, 000 SF of bio-retention
- The application of approximately 2,200 LF of bio-detention, bio-swales and planters
- The application of approximately 300 feet of underground stormchambers
- The application of approximately 11,000 SF of pervious pavement
- The application of 10 Rain Trees

***Utility Relocation***

- Approximately 40% of existing utilities will be relocated to accommodate GI/LID fixtures

***Lighting***

- Approximately 40% of existing lighting facilities will be relocated to accommodate GI/LID fixtures

***Paving***

- Milling and resurfacing of existing road

***Cost***

Per these assumptions the **Total Construction Cost is approximately \$2.9 million**. Adding design at 20%, permitting at 7.5%, MOT at 5%, and contingency at 7%, a **Total Cost of \$4.1 million (With Design Engineering and Permitting)** is obtained.

As stated earlier, this conservative cost has a variability of approximately 30% because of the lack of specific project information. The range would be: \$2.7 million to \$4.1 million.

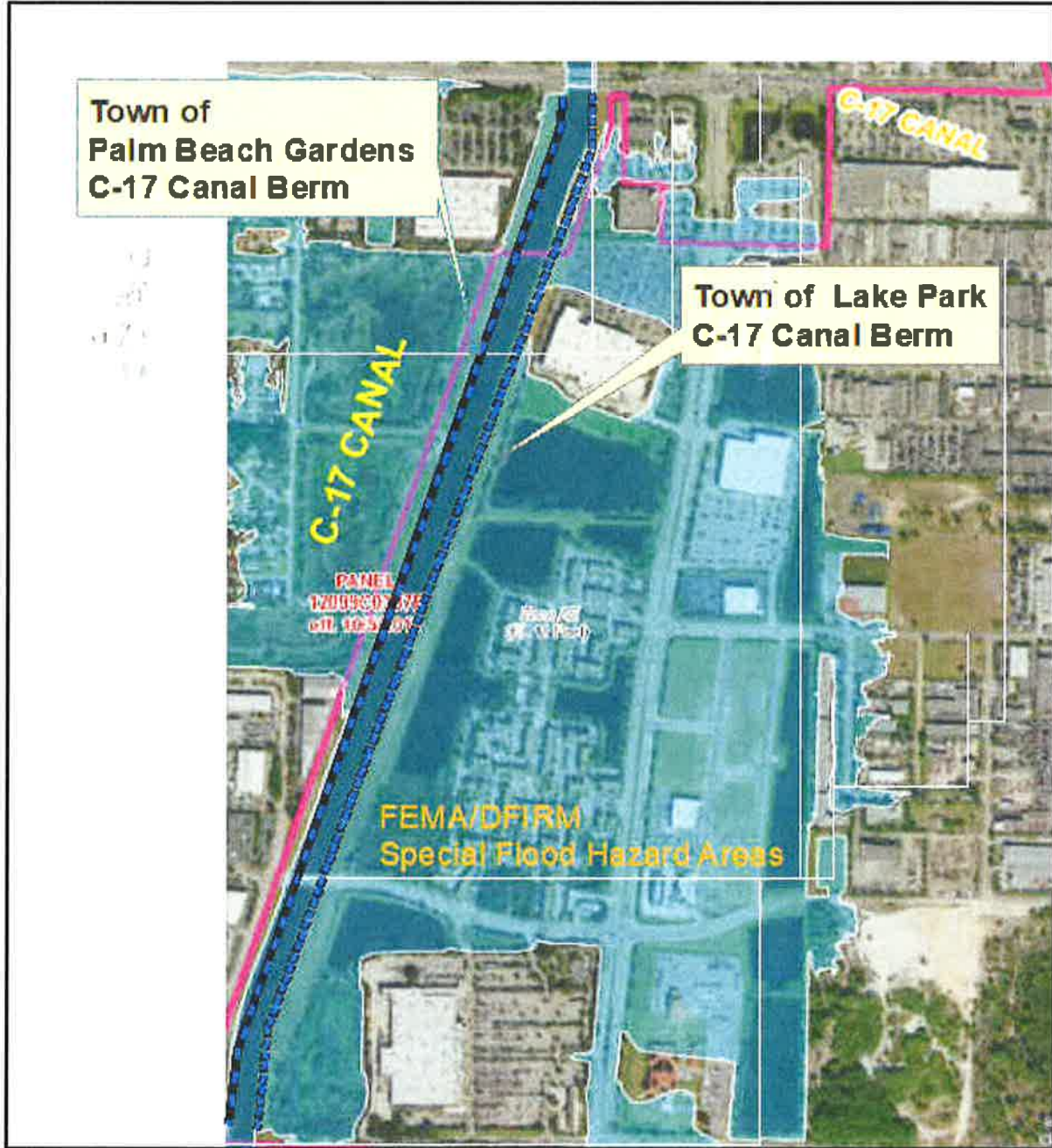
The timetable for implementation will be:

- Project: January 2020
- Grant Application: March 2020
- Project Design: Third quarter 2020 (assuming grant funds are available for design estimated at \$350,000 to \$450,000).

**C-17 Canal Berm Improvements Project**

**Project Background and Description**

Figure 1 shows the location of the FEMA/DFIRM Special Flood Hazard (SFHA) within the Town of Lake Park. Per FEMA studies, the SFHA's are created by the C-17 overflowing the eastern bank along the Town boundaries.

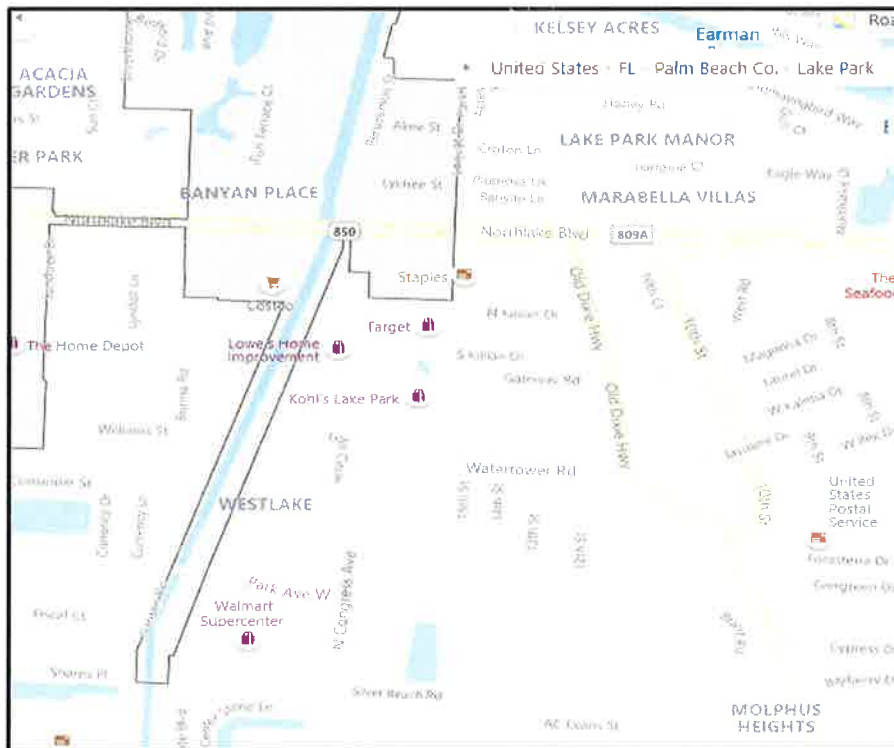


**Figure 1: FEMA DFIRM Special Flood Hazard Areas and the C-17 Canal Berms**

A preliminary investigation of the FEMA AND SFWMD C-17 Technical Report indicates that the C-17 berm elevations at the Town are lower than the predicted 100-year Base Flood Elevation of 11 feet NAVD.

The purpose of the canal berm improvements project would be to raise the C-17 Top of Berm elevation above 11.0 feet NAVD to avoid the canal overflow condition and remove the SFHA's from the Town's FEMA Digital Flood Insurance Rate Maps. This would have a double effect. It would lower the flood insurance premiums of Town businesses and Town residents located in the existing flood hazard areas (from mandatory to voluntary, hence lower cost), and improve the Town's CRS rating (lower premiums overall for all Town of Lake Park residents).

The implementation of this project would have to be coordinated with the adjacent jurisdiction, as raising only one side of the Canal 17 berm would have the effect on increasing the flood on the opposite side of the canal. **Figure 2** shows that the C-17 canal is within the boundaries of the Town of Palm Beach Gardens.



**Figure 2: Town of Palm Beach Gardens Boundaries and the C-17 Canal**

Assuming that the project can be coordinated with the SFWMD/NPBCID and the Town of Palm Beach Gardens, the cost of raising the berm by four (feet) for a length of 5,500 feet and an approximate berm width of 100 feet would be as follows.





**Total Construction Cost: \$366,675 (Construction)**

Adding design engineering cost at 20%, permitting at 7.5%, MOT at 5%, and contingency at 7% a **Total Cost of \$537,000 (With Design Engineering and Permitting)** is estimated.

If both East (Town side) and West (non-Town side) berms are elevated simultaneously, a Total Cost of \$1.1 million would apply.

The funding source for his project would be FEMA, via a Hazard Mitigation Grant Program (HMGP) grant through the Palm Beach County LMS. Most likely, both the Town of Lake Park and the Town of Palm Beach Gardens would have to apply together

The application would be for the 2020-2021 grant cycle and implementation, if the HMGP grant is successful, implementation would occur in 2022.

**Future Tri-Rail Site with Green Infrastructure/Low Impact Development BMP Application**

Note: As with the 10<sup>TH</sup> Street Project, concept development of this site is not at the point where a detailed cost of GI/LID BMP implementation can be estimated. The following cost is a conservative estimate based on some key assumptions.

Figure 1 shows that approximate location of a proposed Tri Rail Station. The figures also show the preliminarily selected location of a bio-detention facility. This facility would be connected via additional bio-swales through the site. Trees would be planted, and pervious pavement and or pavers would be installed.



**Figure 3: Proposed Tri Rail Site and GI/LID facilities**

Based on this preliminary concept the following GI/LID features would apply:

- 4,200 SF of bio-detention
- Approximately 45,000 SF of pervious pavement
- Approximately 350 feet of bio-swales
- A minimum of 4 Rain Trees



The construction cost of these GI/LID facilities has been estimated at:

**Total Construction Cost: \$788,400 (Construction)**

Adding design engineering at 20%, permitting at 7.5%, MOT at 5%, and contingency at 7% a

**Total Cost of \$1.1 million (With Design Engineering and Permitting)** is estimated.

Note: 50% of the cost is attributed to pervious pavement. The cost would be reduced significantly if more traditional pavement methods are used due to the higher cost of pervious pavement.

The funding source could be a grant from FDEP, FDOT /FHA or the SFWMD.

It is not estimated that these facilities would be constructed before the 10<sup>th</sup> Street project in the 2020-2021 FY, but the application could be made concurrently with the 10<sup>th</sup> Street project depending on the Tri-Rail project being shortlisted for implementation by the SFRTA/FDOT.

Implementation of Green Infrastructure/Low Impact Development Infrastructure Town-Wide

Note: The Stormwater Masterplan has not advanced to the point that the location of these proposed GI/LID fixtures is known. The proposed cost estimate is based on a very preliminary concept of Town-wide application. The following assumptions apply:

- The system of GI/LID facilities would be implemented during a SWMP planning horizon of 25 years.
- There are approximately 64 miles or 337,920 feet of roads within the Town. Bioswales and bio-planters are estimated to be implemented conservatively for 15% of this total.
- There are approximately 21 acres of open space available (at various locations) for implementation of bio-detention or bio-retention of runoff (This needs to be verified).
- A minimum of 100 Rain Trees will be installed throughout the Town.

Applying the industry standard unit costs for these type of GI/LID facilities a very preliminary construction cost of **\$19.1 million (Construction)** is obtained.

Adding design engineering at 20%, permitting at 7.5%, MOT at 5%, and contingency at 7% a cost of approximately **\$26.6 million (With Design Engineering and Permitting)** is obtained.

As stated earlier this is a conservative estimate based on implementing roadside swales for 9.6 miles of roads (15% of total roads). If a smaller roadside swale percentage is used this estimate changes as follows:

at 15% of roads (9.6 miles of bio-swales) \$ 26.6 million or \$1.1 per year (Over 25 years)

at 10 % of roads (6.4 miles of bio-swales) \$ 23.6 million or \$0.95 per year (Over 25 years)

at 5 % of roads (3.2 miles of bio-swales) \$ 20.5 million or \$0.82 per year (Over 25 years)

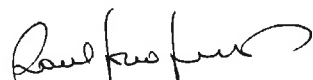
Likewise, the proposed 21 acres of bio-retention accounts for almost 50% of the total cost. The total could also change significantly if the number of bio-retention acres is decreased. This will not be known until later during the SWMP Alternative design task which will identify the acreage available Town-wide.

Based on these early approximated costs, it is estimated that the SWMP GI/LID implementation will require \$0.5 to \$ 1.1 million per year for implementation over a 25-year planning horizon.

GI/LID funding by regulatory agencies (FDEP/SFWMD/ EPA/LWL, etc.) is available for multi-year program funding (i.e. one grant would satisfy 2-3 years at the time).

The first year of funding required will be for the 2020-2021 planning period.

Regards,



Raul M. Mercado, PE, CFM

**LEGAL NOTICE OF  
PROPOSED ORDINANCE  
TOWN OF LAKE PARK**

Please take notice that on Wednesday, February 5, 2020 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

**ORDINANCE NO. 01-2020**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLE V OF CHAPTER 78 OF THE TOWN CODE TO CREATE NEW SUPPLEMENTARY REGULATIONS AT SECTION 78-154 PERTAINING TO THE IMPLEMENTATION OF SECURITY MEASURES FOR CERTAIN TYPES OF BUSINESSES; PROVIDING FOR PENALTIES FOR THOSE BUSINESSES WHICH FAIL TO COMPLY WITH THE PROVISIONS CONTAINED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE NO. 02-2020**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they 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. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, MMC, Town Clerk  
Town of Lake Park, Florida  
1-26/2020

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