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Minutes

Town of Lake Park, Florida Regular Commission Meeting Minutes Wednesday, January 20, 2021 6:30 PM Town Hall Commission Chamber, 535 Park Avenue Lake Park, Florida 33403

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, January 20, 2021 at 6:35 p.m. Present were Mayor Michael O'Rourke, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, John Linden, Roger Michaud, Town Manager John D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Vice-Mayor Glas-Castro led the pledge of allegiance.

Mayor O'Rourke announced that Florida House Representative Omari Hardy was expected at this meeting. When he arrived, they would reorder the agenda to allow him to speak.

SPECIAL PRESENTATION/REPORT:

1. Digital Inclusion Initiative Presentation

Mr. James Gavrilos, President and CEO of Education Foundation of Palm Beach County and Mr. Adam Miller, Director of Educational Technology for the School District of Palm Beach County made a presentation (see Exhibit "A"). Mr. Philip Preddy, Principal at Lake Park Elementary addressed the Commission. He explained that 98 percent of the students qualify for reduce or free lunch. He stated that 68 percent of the students are back in the school, with 32 percent of the students still on remote learning. He thanked everyone for their assistance with remote learning.

The Commission asked questions of the presenters regarding the presentation regarding student access, teacher access, poles attachments, number of poles needed for this program, cost, cost to families, non-Palm Beach County students, and pole placement. The Mayor explained that staff would discuss what the Town could do to help with this process moving forward.

Motion: Commissioner Michaud moved to reorder the agenda to allow Florida House Representative Omari Hardy an opportunity to speak; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |

| Mayor O'Rourke | X | |
|----------------|---|--|
| | | |

Motion passed 5-0.

Florida House of Representative Omari Hardy, District 88 introduced himself and gave a brief history of his life. He described District 88 and how the COVID-19 Pandemic has affected the area. He explained his concern with House Bill 1 described as an Anti-Riot or Doxing Bill. He gave an example of how the Bill would affect the community. He spoke of the privilege to serve. Mayor O'Rourke explained the Town's struggle with sea level rise and asked for his assistance in Tallahassee. Florida House Representative Hardy explained that during this upcoming session the discussion of Home Rule and Sea Level Rise would be raised because of how much it affects local communities. Vice-Mayor Glas-Castro thanked Representative Hardy for coming to the meeting and representing the Town. She explained the background of the Town as a working class, minority majority community with aging infrastructure. She asked for his assistance in working with the Town. The Commission thanked House Representative Hardy for coming to the Town.

Motion: Vice-Mayor Glas-Castro moved to reorder the agenda to move agenda item I-8 before Public Comment; Commissioner Michaud seconded the motion.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

New Business:

8. Implement Tourism Master Plan for the Town of Lake Park.

Mr. Don Kolodz, Representing Tourism Strategic Solutions presented to the Commission (see Exhibit "B"). The Commission asked questions and raised concerns moving forward with this plan.

Motion: Commissioner Michaud moved to approve the Implementation of a Tourism Master Plan for the Town of Lake Park; Commissioner Linden seconded the motion.

Vice-Mayor Glas-Castro raised questions regarding the presentation and the need for these services. Mayor O'Rourke was in favor of the long-term plan, but not the timing.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|-----|-----|-------|
| Commissioner Flaherty | | X | |
| Commissioner Linden | | X | |
| Commissioner Michaud | | X | |

| Vice-Mayor Glas-Castro | X | |
|------------------------|---|--|
| Mayor O'Rourke | X | |

Motion failed 0-5.

The Commission asked that this item come back in six-months.

PUBLIC COMMENT:

Shelby Lowe, 929 Orange Drive asked questions regarding Consent Agenda item Resolution 03-01-21. He asked for clarification if staff was extending the contract by two years, and how many extension would be granted for this contract or was staff changing the contract. Town Manager D'Agostino explained that the hourly wage was being changed in the second year to \$15.00 per hour and the contract was being extended for two-years. Mayor O'Rourke invited Mr. Lowe to contact the Town Manager for additional clarification on the Resolution.

CONSENT AGENDA:

- 2. January 6, 2021 Regular Commission Meeting Minutes.
- 3. Resolution 03-01-21 Second Amendment to the Contract for Security Services at the Lake Park Harbor Marina between the Town of Lake Park and United Special Patrol, Inc. d/b/a K9 Special Patrol.

Motion: Commissioner Flaherty moved to approve the consent agenda; Commissioner Linden seconded the motion.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

OUASI-JUDICIAL PUBLIC HEARING(S)-RESOLUTION:

4. Resolution 04-01-21 Approving a Site Plan Authorizing the Development of a Public Parking Lot on Three Parcels Owned by the Lake Park Community Redevelopment Agency (CRA).

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AUTHORIZING THE DEVELOPMENT OF A PUBLIC PARKING LOT ON THREE PARCELS OWNED BY THE LAKE PARK COMMUNITY REDEVELOPMENT AGENCY (CRA); AND PROVIDING FOR AN EFFECTIVE DATE.

Disclosure of Exparte Communication:

Mayor O'Rourke had no Exparte Communication to disclose.

Vice-Mayor Glas-Castro had no Exparte Communication to disclose.

Commissioner Flaherty had no Exparte Communication to disclose.

Commissioner Linden had no Exparte Communication to disclose.

Commissioner Michaud had no Exparte Communication to disclose.

Town Attorney Baird swore-in all witnesses.

Town Manager D'Agostino and Community Development Director Nadia DiTommaso explained the item (see Exhibit "C"). The Commission asked several questions related to the site plan. Mr. Matthew West of West Construction Inc. explained the specific types of trees that would be placed around the parking lot. He explained the drainage and bioswales. The Commission asked questions regarding security measures taken. Town Manager D'Agostino explained that security cameras would be installed and the Palm Beach County Sheriff's Office would have access to the cameras. The Commission asked if this parking lot would handle a three or four story structure built on top. Mr. West explained that the parking lot would need to be removed and rebuilt. The Commission expressed that additional garbage collection would be necessary after an event and before the next business day.

Motion: Commissioner Michaud moved to approve Resolution 04-01-21 with staff recommendation of approval; Commissioner Linden seconded the motion.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

ORDINANCE ON FIRST READING:

5. Ordinance 01-2021 Establishing a Comprehensive Civil Rights Policy.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING A COMPREHENSIVE CIVIL RIGHTS POLICY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Baird explained that this item would op back into the Palm Beach County Housing and Public Accommodations regulations with the exception that it accepts the Palm Beach County definition of "Family" and uses the Town's definition of "Family". He explained the Ordinance was used adversely to the Town as it pertained to Sober

Homes that were proliferating in the Town without regulation. He gave a brief history of the Ordinance.

Motion: Commissioner Flaherty moved to approve Ordinance 01-2021; Commissioner Michaud seconded the motion.

Commissioner Linden made suggestions regarding gender identification language. Town Attorney Baird explained what the Town would need to do to remove the suggested language.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | -37 | |
| Commissioner Linden | | X | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 4-1.

Attorney Baird read the Ordinance by title only.

NEW BUSINESS:

6. Resolution 05-01-21 Budget Adjustment for Fiscal Year 2020/2021 for the Purchase of 64-Gallon Recycle Containers.

Public comment:

Shelby Lowe, 929 Orange Drive asked if there would be an additional cost on his sanitation bill. Town Manager D'Agostino explained that it was budgeted as part of the sanitation bills. Mayor O'Rourke clarified the need for purchasing the new containers.

Motion: Commissioner Linden moved to approve Resolution 05-01-21; Commissioner Michaud seconded the motion

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

7. Purchase Approval of 64-Gallon Recycle Containers.

Motion: Commissioner Flaherty moved to approve the purchase of the 64-Gallon Recycle Containers; Commissioner Michaud seconded the motion.

Vice-Mayor Glas-Castro thanked staff for breaking down the cost of the recycling containers.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

9. Propose Dates for Lake Shore Park Improvements Community Workshop and Accessory Dwelling Units Community Workshop.

Town Clerk Mendez presented the item and discussed available dates and times with the Commission for the two workshops. The Commission choose February 27, 2021 for the Lake Shore Park Improvements Community Workshop, which would take place at the Indoor Pavilion beginning at 9:30 a.m. and running four sessions throughout the day. The Accessory Dwelling Units Workshop was discussed and the Commission choose Saturday, March 20, 2021 beginning at 9:30 a.m. running four sessions throughout the day in the Commission Chamber of Town Hall.

10. Town-wide Street Lighting Discussion

Town Manager D'Agostino explained the history of the item (see Exhibit "D"). The Commission asked for a survey that would include high priority areas. Staff would work with the Palm Beach County Sheriff's Office to identify the areas where additional street lighting would be needed.

PUBLIC COMMENT: None

FUTURE AGENDA SUGGESTIONS:

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager D'Agostino see attached (Exhibit "E").

Commissioner Linden announced that the 2020 Palm Beach North Women of the Year event was great. He was glad that Lake Park was well represented with Bambi Turner's nomination.

He announced that the Lake Park Diversity Council was applying for National Recognition and the application fee was \$100.00. He asked if the Town would pay the fee.

Motion: Commissioner Michaud moved to approve payment of \$100 for the Lake Park Diversity Council application fee; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

Commissioner Michaud had no comments.

Commissioner Flaherty had no comments.

Vice-Mayor Glas-Castro thanked staff for coordinating the Palm Beach County League of Cities luncheon. She asked for a status on the new speed limit street signs. Town Manager D'Agostino explained that by February 21, 2021 the 60-signs would be placed throughout Town. The outreach for this effort was discussed and the Commission asked that direct mail be sent to everyone in Town. Commissioner Linden explained that some streets have the speed limit painted on the ground, so those would need to be redone.

Mayor O'Rourke stated that the incredible thing about the 2020 Women of the Year ceremony was that there were 20 women nominated that are high-level leaders and was proud that Lake Park was a part of it. He announced that Kelly Smallridge won for her contributions to Palm Beach County. He congratulated Bambi Turner for her nominated.

Vice-Mayor Glas-Castro stated that last March the Town had to cancel an event due to the COVID-19 Pandemic. She stated that March is Florida Bicycle Month and a community bike ride had been schedule. She asked if that event could be reorganized for this March and a new route identified.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Michaud and seconded by Commissioner Linden, and by unanimous vote, the meeting adjourned at 10:13 p.m.

Mayor Michael O'Rourke

Town Clerk, Vivian Mendez, MMC

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Town of Lake Park Town Commission

Agenda Request Form



Meeting Date: January 20, 2021 Agenda Item No.

Agenda Title: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AUTHORIZING THE DEVELOPMENT OF A PUBLIC PARKING LOT ON THREE PARCELS OWNED BY THE LAKE PARK COMMUNITY REDEVELOPMENT AGENCY (CRA); AND PROVIDING FOR AN EFFECTIVE DATE.

| [] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA [] BOARD APPOINTMENT [] OLD BUSINESS [] ORDINANCE [] NEW BUSINESS – DISCUSSION ITEM [X] OTHER: QUASI-JUDICIAL PUBLIC HEARING RESOLUTION Approved by Town Manager Name/Title Name/Title | | | | |
|---|--|---|--|--|
| Originating Department: | Costs: \$ Consultant Review | Attachments: | | |
| Community Development | Funding Source: West Construction Contract Acct. # Purchase Order through Public Works [] Finance 30[-63800 | → Staff Report → Resolution01-21 → West Construction Narrative; Updated Project Timeline; and Resolution 74-10-20 awarding contract to West Construction **ALL PLANS AND ASSOCIATED DOCUMENTS are located in the Dropbox** | | |
| Advertised: Date: 12/18/20 Paper: Palm Beach Post [] Not Required **certified mail notices also mailed to all owners within 300 | 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 | | |

Summary Explanation/Background:

Please refer to the Staff Report.

feet on 12/18/20**

<u>Recommended Motion:</u> I move to "<u>APPROVE</u>" Resolution __-01-21 with the conditions of approval proposed by Staff.



TOWN LAKE OF PARK TOWN COMMISSION January 20, 2021

APPLICATION: Community Redevelopment Area (CRA) Surface Parking Lot -

STAFF REPORT

SUMMARY OF APPLICATION: A site plan proposed by West Construction, Inc. ("Agent"), engaged by the Town Commission for the Community Redevelopment Area-CRA ("Owner" and "Applicant"). The proposal is for a surface parking lot to be located on the northeast corner of Foresteria Drive and 8th Street in the Town of Lake Park, for the design and construction of a surface parking lot comprising of 91 new public parking spaces, inclusive of 4 ADA spaces, along with the necessary paving, grading, drainage, lighting and landscaping improvements, along with pedestrian connections. Two access points are being proposed, one adjacent to Foresteria Drive and a second adjacent to 8th Street. The proposed development is located within the P-Public Zoning District and is comprised of the following three parcels that total 1.27 acres:

Parcel 1 – PCN: 36-43-42-20-01-010-0250
 Parcel 2 – PCN: 36-43-42-20-01-010-0290
 Parcel 3 – PCN: 36-43-42-20-01-010-0440

West Construction, Inc. Narrative is also enclosed

P&Z Board Meeting (01/04/2021): The Planning and Zoning Board (P&Z Board) held a meeting on January 4, 2021 to discuss the project. They unanimously approved the project (vote: 4-0). The Board held some discussion on the pedestrian connections on the north side and West clarified their locations. The Board also discussed the access points to better understand the traffic circulation pattern. In addition, the Board questioned the hours of operation for the parking lot and Staff explained this had not been ironed out yet, but that it would be discussed internally and brought to the Commission for discussion as well. Staff informed the Board that the Town does have a towing Ordinance and that signs can be posted for vehicles that remain on the property for more than 24 hours, which would be a violation. The Board mentioned that there are several alcohol-serving businesses in the downtown area and that this needs to be considered since some folks may choose to leave their vehicles overnight and Uber home. The Board noted that all operating hours for downtown businesses should be considered when deciding the operating hours since this parking lot is being developed to service the downtown area.

TOWN COMMISSION DISCUSSION: Operating hours – Pursuant to the above discussion that took place at the P&Z Board Meeting, the Town Commission may want to determine if our existing Code is appropriate, or if changes to the parking Ordinance are needed. While the operating hours of downtown businesses vary, we have an Ordinance (in Chapter 31 of the Town Code) that allows vehicles to remain for 24 hours, with the authority to tow after a 24 hour period. It seems this existing Ordinance would be satisfactory as a starting point if Staff ensures the following: (1) Adequate signage is posted throughout the property that indicates "Downtown Area Customer and Employee Parking ONLY – Parking Lot Under Video Surveillance – All vehicles left unattended or disabled for more than 24 hours will be towed" (or something similar) to ensure the intent of the parking lot is known; (2) Security cameras are installed (this is already conditioned); (3) Towing signs are installed so that visitors are aware that if they choose to leave their vehicle overnight (which would be permitted), that they must pick it up the next day since we will have the ability to tow if a vehicle is left unattended or disabled for more than 24 hours; and (4) the parking lot would of course be patrolled and enforced by PBSO and Code like all other public parking areas in Town. If the Commission agrees with the above, changes to our parking Ordinance are not required.

BACKGROUND:

Owner & Applicant(s): Town of Lake Park CRA Agent and Consultant: West Construction, Inc.

Location: Northeast corner of Foresteria Drive and 8th Street

Net Acreage (total): 1.27 acres

Legal Description: See survey enclosed in packet.

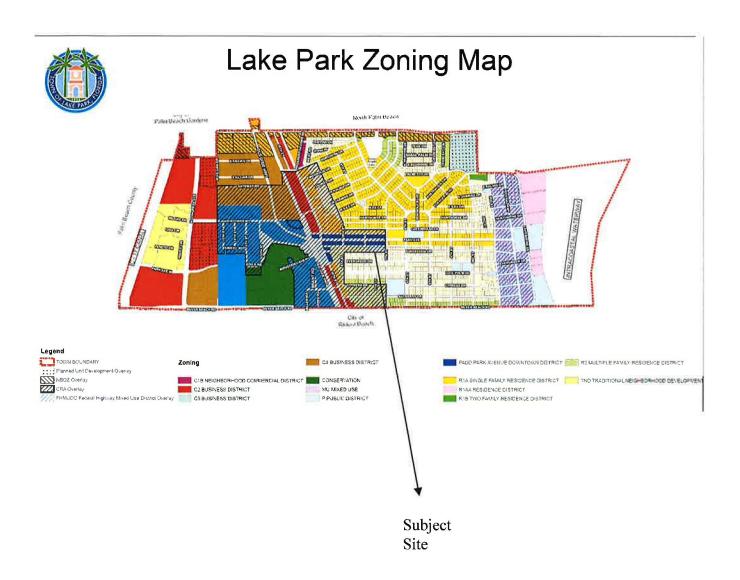
Existing Zoning: Public (P-District)

Future Land Use: Public Buildings & Grounds

Figure 1: Aerial View of Site (image not to scale; for visual purposes only)



LAKE PARK ZONING MAP



Adjacent Zoning:

North: Park Avenue Downtown District (PADD)

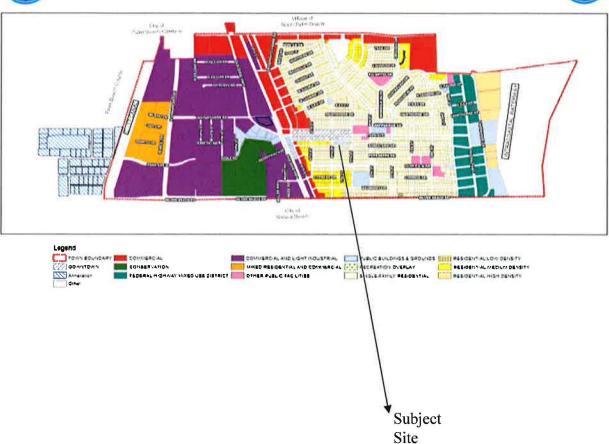
South: Single Family Residential (R-1)
East: Single Family Residential (R-1)
West: Multiple Family Residential (R-2)

LAKE PARK FUTURE LAND USE MAP



Lake Park Future Land Use Map





Adjacent Existing Land Use

North:

Downtown

South:

Single Family Residential

East:

Single Family Residential

West:

Medium Density Residential

PROJECT SUMMARY & REVIEWS

The application has been reviewed by the Town's consulting Engineers, Landscape Architect, along with Seacoast Utility Authority, Palm Beach County Sheriff's Office (PBSO) for Crime Prevention Through Environmental Design (CPTED), Lake Park Public Works Staff, and Lake Park Community Development Department Staff. Palm Beach County Fire review will be performed at the building permit stage and traffic review is not required given the proposed use (which has also been in existence on a temporary basis for quite some time). Based upon this exhaustive review, it has been found that the Site Plan meets the Town's Comprehensive Plan and the Land Development Regulations of the Town Code however, Photometric (lighting) is still pending and will be finalized prior to the Town Commission meeting.

Comprehensive Plan Future Land Use Classification System:

<u>Public Buildings and Grounds</u> – Lands and structures that are <u>owned</u>, leased, or operated <u>by a government entity</u> such as libraries, police stations, fire stations, post offices, government administration buildings, and <u>areas used for associated storage of vehicles and equipment</u>, with a maximum F.A.R. of 3.0. Also, lands and structures owned or operated by a private entity and used for a public purpose such as a privately held by publicly regulated utility. Public schools are a permitted use within this land use designation.

project has been noticed by certified mail to property owners within 300 feet and with an advertisement in the Palm Beach Post – all completed on December 18, 2020

The Park Avenue Downtown District includes a downtown public parking master plan within which this surface parking area has already been identified and envisioned. The Town's Community Redevelopment Area (CRA) has also always intended for this area to be redeveloped with permanent public parking. The proposed site plan is in line with what is envisioned. The Public Works Department is working with West Construction, Inc. to develop the site pursuant to a request for proposal (RFP) that was awarded to West Construction and pursuant to a contract executed by the Town Commission on October 21, 2020 for the design and construction of a new surface public parking lot (a copy of the Resolution and associated documentation approving the project is enclosed). Consequently, West Construction prepared the enclosed plans pursuant to Town Code requirements and while this is public property, they are being brought through the public meeting process like any other private property development project. This will both keep the Board and Commission updated on the progress and the design and allow both bodies to comment as desired.

Staff recommends APPROVAL, contingent upon the following conditions of approval:

1. The Applicant shall develop the Site consistent with the following Plans:

| Name | Sheet | Sign and Seal | Received on |
|--|----------|------------------|------------------------|
| Architecture Plan | | | |
| Survey | LB #8180 | 07/02/2020 | 01/08/2021 |
| Site Plan | L1 | 01/04/2021 | 01/08/2021 |
| Landscape/Planting Plan | L2 | 01/04/2021 | 01/08/2021 |
| Landscape/Planting Plan Details | L3 | 01/04/2021 | 01/08/2021 |
| Irrigation Plan | L4 | 12/16/2020 | 01/08/2021 |
| Drainage Plans | Sheet 1 | 12/15/2020 | 01/08/2021 |
| Drainage Plans | Sheet 2 | 12/04/2020 | 01/08/2021 |
| Photometric (Lighting) Plan & Light Pole Installations | | 01/07/2021 | Forthcoming 01/22/2021 |

- 2. High-definition surveillance Security Cameras that have clear facial recognition shall be installed and shall be considered separately by the Town's Public Works Department, in coordination with PBSO, and permitted and installed prior to project completion.
- 3. In partnership with PBSO, the installation of signage to prevent trespassing or illegal activity shall be coordinated and installed prior to project completion. In addition, landscaping must be maintained at a height that provides clear visibility for crime prevention, in coordination with PBSO.
- 4. Traffic calming elements within the site shall be considered and incorporated as needed and made part of the permit submittal plans. These may include raised elements or the use of a different paver material where pedestrian crossovers are depicted in the Site Plan.
- 5. The hours of operation and towing enforcement provisions for the public parking lot shall be clearly marked by adequate signage throughout the Site.
- **6.** A signed and sealed photometric plan and calculations, dated 01/22/2021, shall be submitted to the Community Development Department no later than 01/25/2021.
- 7. Wind load calculations for the light pole installations, signed and sealed by a Florida licensed Professional Engineer, shall be submitted to the Community Development Department prior to the issuance of the first development permit.