



## Lake Park Town Commission, Florida

### Regular Commission Meeting

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

Wednesday February 21, 2024

Immediately Following the Public, Private Partnership (P3) Workshop

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<b>Roger Michaud</b>	—	<b>Mayor</b>
<b>Kimberly Glas Castro</b>	—	<b>Vice Mayor</b>
<b>Vacant</b>	—	<b>Commissioner</b>
<b>Mary Beth Taylor</b>	—	<b>Commissioner</b>
<b>Judith Thomas</b>	—	<b>Commissioner</b>
<b>John D'Agostino</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird.</b>	—	<b>Town Attorney</b>
<b>Vivian Mendez, MMC</b>	—	<b>Town Clerk</b>

*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 contract the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

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#### CALL TO ORDER/ROLL CALL

##### PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

#### PLEDGE OF ALLEGIANCE

The pledge was bypassed

### **SPECIAL PRESENTATION/REPORT:**

1. A presentation updating the Town Commission on the status of Quiet Zones for railroad crossings.

This item was presented by Town Planner Anders Viane. (Exhibit A). He stated that staff recommends taking no action at this time, but it can be revisited at a later date. Commissioner Taylor stated she does not want to consider it. She wanted to keep the horn in place and has not received any complaints about the noise. Commissioner Thomas stated the same. Vice-Mayor Glas-Castro asked if North Palm had an interest. Town Planner Viane stated he would have to review his materials to see if North Palm had expressed an interest. Vice-Mayor Glas-Castro stated she is not in favor of the alternate measure of closing business driveways. She has not received any complaints and does not support implementation of a quiet zone. The Commission agreed with staff's recommendation to take no action at this time.

### **PUBLIC COMMENT:**

*This time is provided for addressing 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.*

Frank Katz- 301 Lake Shore Drive Spoke about the lack of a noise ordinance and provided comments via Exhibit B.

Rick Goodsell- Spoke about an alternate means of construction and recommended Renco USA in Jupiter Florida.

Patricia Leduc- 409 2<sup>nd</sup> Street spoke about enjoying being able to watch the Commission meetings at home. She commented on the discussion at the last meeting regarding boats and boat trailers and believes the existing ordinance is good. She stated for the record that "A lot of us residents like it the way it is."

## **TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

Town Attorney Baird spoke about the Public Private Partnership (P3), and that it is his role to ensure compliance with the legal process. He stated that the comprehensive agreement is a legal document and that he is responsible for the implementation of that document. He stated he was unaware there were discussions taking place with the Department of Environmental Protection (DEP). He feels that he has been left out of the process and cannot do his job if he is not in the loop.

Town Manager D'Agostino provided comments via Exhibit C. In regards to the Community Greening Tree giveaway, the Commission was asked if they want to limit the giveaway to Lake Park residents only. The Commission agreed to make the trees available to residents only. Vice-Mayor Glas-Castro had concerns about the placement of the trees in swales. Town Manager D'Agostino stated the Town is proposing an educational pamphlet explaining what can be planted in a swale area. Commissioner Thomas provided comments and suggested there be a card to be distributed with the trees that would have information about the species and where to plant. Town Manager D'Agostino stated the cards would be included.

Town Manager D'Agostino was seeking consensus about a conflict between the St. Patrick's Day Parade in Palm Beach Shores and a planning workshop for the Library for Saturday March 16, 2024. Mayor Michaud stated he will attend the Library workshop. Commissioner Taylor will also attend the Library workshop. Vice-Mayor Glas-Castro and Commissioner Thomas will both be out of town.

Consensus was reached on approving the following Proclamations:

National Library Week April 7-13 2024

Water Conservation Month for April 2024

Water Reuse Week for May 19-25, 2024

Town Manager D'Agostino requested that the Commission vote to suspend Don Delaney's work on the P3 Project (Backup documentation within Exhibit C). Vice-Mayor Glas-Castro expressed concern about the exchange in emails and wants to make sure the Town's interests are protected. She stated she doesn't understand Mr. Delaney's continued role and expressed concern about us all being on the same page as far as the release of the reverter clauses. She stated that she supports the suspension.

Mayor Michaud asked about the recording of legal actions.

Town Attorney Baird stated that if there is not clarity in the public records that some modification is made, there is a risk down the road because there is nothing in the recorded documents to support the modification. He went on to say that the General Counsel for the DEP and for the Governor's Office and Trustees are entrusted for looking out for these public lands and does not believe that the trustees would delegate decisions of this magnitude to administrative staff.

Mayor Michaud agrees and is concerned that the Town is not being represented at discussions.

Mayor Michaud supports the suspension. Commissioner Thomas asked about consequence of limiting Mr. Delaney's activities. Town Attorney Baird advised there is a 90 days advance notice clause. He stated that the request for suspension has come about in part due to a concern that the work that is being done is not consistent with the compensation that Mr. Delaney is requesting. He stated that as the Town's consultant, Mr. Delaney reports to the Town Manager and that the Town Manager is perfectly capable to request a pause of Mr. Delaney's work and that Mr. Delaney would not be entitled to collect fees during the suspension period. Town Attorney Baird went on to say that he feels that the Town Manager and himself should participate with DEP to find out what the processes needs to be. Town Attorney Baird stated that Forest Development approached the Town to state that they do not know what they are getting for the invoices that Mr. Delaney is submitting to them and that some of those bills are upwards of \$30,000 per month. Commissioner Thomas asked how the suspension would affect their timeline and does not want to delay the process. Town Attorney Baird suggests the suspension only be until the next Commission meeting allowing time to gather more information and does not feel that anything would be delayed. Mayor Michaud stated that this raises the question, since there would be no delay, then what exactly is the scope of Mr. Delaney's work. Town Attorney Baird stated that the suspension period would be used to answer those questions.

Commissioner Taylor agrees to the suspension. Consensus was reached to suspend Mr. Delaney's work until the next regular Commission meeting.

Town Manager D'Agostino stated that roles, responsibilities and just compensation of each individual will need to be clarified for future components of the project.

Mayor Michaud stated that Thursday & Friday next week is the Safe Street Summit. He is unable to attend.

Commissioner Taylor had no comments.

Commissioner Thomas had no comments.

Vice-Mayor Glas-Castro talked about the amendment on the Mobility Bill. Town Manager D'Agostino provided a response regarding only being one fee for Town projects with mobility. He stated that the County has no money to assist with the oval-about or any other roads and that will be worked out in an agreement between and County and the Town that is a part of the amendment in the legislation.

Vice-Mayor Glas-Castro stated that Renco was a good developer to work with in the Town of Palm Springs.

#### **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 on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.*

Motion made by Vice-Mayor Glas-Castro, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

2. February 7, 2024 Regular Commission Meeting Minutes
3. Resolution 10-02-24 Authorizing and Directing the Mayor to Execute an Amendment to the Grant Agreement Between the State of Florida, Department of State, Division of Historical Resources, and the Town of Lake Park for Town Hall Preservation Work Activities.

**BOARD MEMBER NOMINATION: NONE**

**QUASI-JUDICIAL PUBLIC HEARING (RESOLUTION): NONE**

**PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:**

4. 02-2024 Chapter 28 Business Tax Receipt Rental Inspection Provisions

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 28, ARTICLE II, SECTION 28-32(m) PERTAINING TO APPLICATIONS FOR BUSINESS TAX RECEIPTS AND INSPECTIONS, PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Nadia DiTommaso explained the item.

Commissioner Thomas asked "on the record", "what is meant by reasonable time?" Community Development Director DiTommaso stated that although the language is vague regarding the inspection time-frame, there is a requirement for the entire process to be completed in 30 days.

Motion made by Vice-Mayor Glas-Castro, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

Town Attorney Baird read the ordinance by title.

5. 03-2024 Parking Code Amendment Ordinance

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE V, SECTION 78-142, TABLE 78-142-1 TO REDUCE THE PARKING DIMENSIONS FOR 90-DEGREE PARKING SPACES; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Viane explained the item.

Motion made by Vice-Mayor Glas-Castro, Seconded by Commissioner Thomas.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

Town Attorney Baird read the ordinance by title.

**PUBLIC HEARING(S) - ORDINANCE ON SECOND READING: NONE**

**OLD BUSINESS:**

6. Resolution 11-02-24 Approving a Two-Year Amnesty Period for Gravel Driveways  
Town Manager D'Agostino stated that the Town understands the burden this will place on some residents to convert their driveways and that a grant will be made available to those residents that will pay for 50% of the costs on a first come, first serve basis. Community Development Director DiTommaso explained the requirements of the grant. She stated the properties must be owner occupied, they must obtain quotes from three contractors, they must match funds and for grants over \$10,000, it would require Commission approval.

*PUBLIC COMMENT:* Tom Holland 211 Park Avenue spoke about gravel driveways. He spoke about the difficulty obtaining three quotes as per the requirements of the grant. Community Development Director stated residents should submit documentation showing that they reached out to contractors that the attempt was made.

Motion made to approve Resolution along with Exhibit A (List of addresses) by Vice-Mayor Glas-Castro, Seconded by Commissioner Thomas.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

**NEW BUSINESS:**

7. Designation of a Voting Delegate and Alternate to the Palm Beach County League of Cities.

Vice-Mayor Glas-Castro was nominated as the voting delegate. Mayor Michaud was nominated as the alternate.

Motion made to approve delegate and alternate made by Commissioner Taylor, Seconded by Commissioner Thomas.

Voting Aye, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

Voting Nay: Mayor Michaud.

**REQUEST FOR FUTURE AGENDA ITEMS:**

Mayor Michaud requests that staff meet with Solid Waste Authority followed by a presentation on a program they have for painting houses.

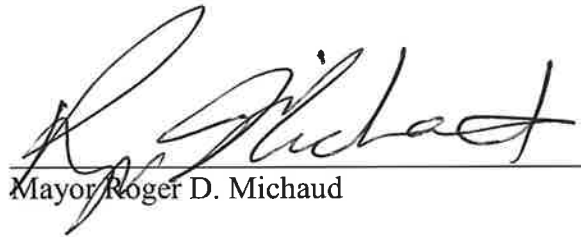
Commissioner Taylor would like place the old garbage cans at the bus stops on 2<sup>nd</sup> and Park Avenue.


**ADJOURNMENT:**

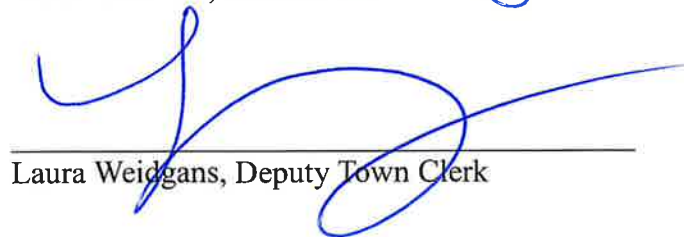
8:37pm

Motion made by Commissioner Thomas, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

  
\_\_\_\_\_  
Mayor Roger D. Michaud

  
\_\_\_\_\_  
Vivian Mendez, Town Clerk

  
\_\_\_\_\_  
Laura Weidgans, Deputy Town Clerk



Approved on this 6 of March, 2024



# QUIET ZONES – AN OVERVIEW

Presented by the Community Development Department

2/21/24

Anders Viane - Planner

# AGENDA

- What are Quiet Zones?
- How are Quiet Zones implemented?
- Town Steps thus far
- Potential Next Steps
- Discussion and Direction of Staff

# WHAT ARE QUIET ZONES?

- The Federal Rail Administration allows for local governments to implement quiet zones at railroad crossings.
- All quiet zones are at least one-half mile in length and may contain all sequential crossings within that municipal jurisdiction.
- Normally, a train will sound 2 long, 1 short, 1 long horn a half-mile in advance of any railroad crossing.
- Through the installation of mitigating infrastructure, a municipality may suspend this procedure as a matter of routine, though engineers may still sound the horn at their discretion in emergencies.

# HOW ARE QUIET ZONES IMPLEMENTED?

- The process for establishing quiet zones is generally as follows:
  - A local government must initiate the QZ process and maintain the installed mitigating infrastructure.
  - Local government must inventory existing crossing infrastructure to identify the current level of protection (All QZ improvements are locally funded, though in our case mitigating infrastructure has already been installed by Brightline for high-speed rail operation which can double as QZ infrastructure).
  - Calculating the Quiet Zone Risk Index (QZRI) based on existing infrastructure.
  - Send a notice of intent to the FEC Railroad, FDOT, neighboring jurisdictions, and any other authority impacted or having jurisdiction in affected ROWs.
  - Assuming no challenges arise during the 60-day comment period for the NOI, the local government would then provide a Notice of Establishment.



We are here  
😊

# TOWN STEPS THUS FAR

- Crossing inventory



# NORTHLAKE BOULEVARD STATUS

## Existing Infrastructure:

- 2 quad gates and lights
- Constant warning timer
- 4 pedestrian gates (1 doubling as a road gate)
- Power out indicator
- Pedestrian warning bells.

## Required Infrastructure for QZ:

- Signage indicating a quiet zone is in effect at that crossing.
- 2 exit gates (to prevent traffic driving the wrong way from entering the crossing)

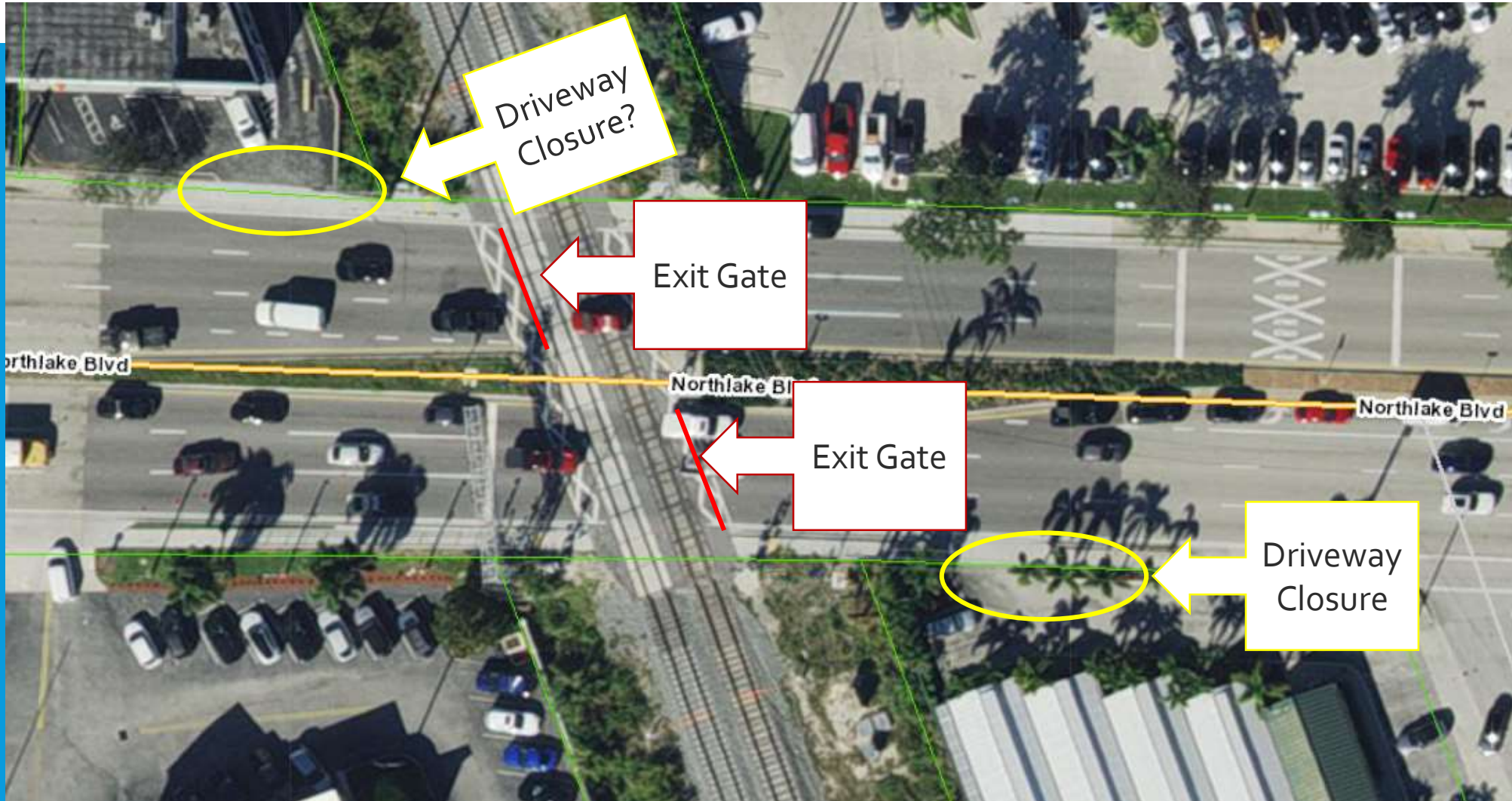
OR

- Pursue Alternative Safety Measure (ASM) credits for existing medians, which would entail closing a driveway at a nearby nursery business.

- **Neither Palm Beach Gardens or Palm Beach County are pursuing QZs at this location at this time.**



# NORTHLAKE BOULEVARD STATUS



Stakeholder meetings will be required with the property owners and traffic engineers if a QZ is to be pursued.

# PARK AVENUE STATUS

## **Existing Infrastructure:**

- Four quad gates and lights
- Constant warning timer
- Power out indicator
- Pedestrian warning bells

## **Required Infrastructure for QZ:**

- Signage indicating a quiet zone is in effect at that crossing.



# SILVER BEACH ROAD STATUS

## Existing Infrastructure:

- Four quad gates and lights
- Constant warning timer
- Power Out Indicator
- Pedestrian warning Bells

**Riviera Beach is pursuing a QZ at this location.**

# TOWN STEPS THUS FAR

12/18/23, 10:16 AM

FRA - Quiet Zone Calculator

Print This Page

Home | Help | Contact | [logoff aviane@lakeparkflorida.gov](#)

Cancel

Change Scenario: LP QZ NLB \_69550

Continue

Create New Zone

Manage Existing Zones

Crossing	Street	Traffic	Warning Device	Pre-SSM	SSM	Risk	
272386A	NORTHLAKE BLVD	42191	Gates	0	0	133,565.00	<div>MODIFY</div>
272387G	PARK AVE	5902	Gates	0	6	20,170.13	<div>MODIFY</div>

Log Off

\* Only Public At Grade Crossings are listed.

Click

 for [Supplementary Safety Measures \[SSM\]](#)

Click

 for ASM spreadsheet: 

ASM

 \* Note: The use of ASMs requires an application to and approval from the FRA.

Step by Step Instructions:

Step 1:

 To specify New Warning Device (For Pre-Rule Quiet Zone Only) and/or SSM, click the [MODIFY](#) Button

Step 2:

 Select proposed warning device or SSM. Then click the [UPDATE](#) button. To generate a spreadsheet of the values on this page, click on [ASM](#) button—This spreadsheet can then be used for ASM calculations.

Step 3:

 Repeat Step (2) until the SELECT button is shown at the bottom right side of this page. Note that the SELECT button is shown ONLY when the Quiet Zone Risk Index falls below the NSRT or the Risk Index with Horn.

Step 4:

 To save the scenario and continue, click the SELECT button

Summary

Proposed Quiet Zone:	LP QZ NLB AND PARK
Type:	New 24-hour QZ
Scenario:	LP QZ NLB _69550
Estimated Total Cost:	\$128,000.00
Nationwide Significant Risk Threshold:	15488 .00
Risk Index with Horns:	57952.13
Quiet Zone Risk Index:	76867.56

In order to be eligible for a quiet zone, the Quiet Zone Disk Index must be below the Risk Index With Horns.

In our case, there is a 18,915.43 point deficiency that must be mitigated through either the 2 additional quadrant gates at NLB or through a median ASM with driveway closure(s).

# POTENTIAL QZ EXTENT





# NEXT STEPS

- The Town is now at a juncture where we are looking for direction from the Town Commission on how to proceed.
- Given the outcome of our QZ risk index calculation, if the Town wishes to pursue QZ, we will either need to install exit gates at Northlake Boulevard or apply to the FRA for an alternative safety measure.
- First, we will need to submit an NOI
- Then we will need to provide detailed plans of the ASM to the FRA. Assuming the FRA finds the ASM adequate, they would approve it (there is no timeline for how long this may take)
- Once approved, we would send out the notice of establishment (which would include a copy of the FRA ASM approval)

# BENEFITS AND LIABILITIES

- Benefits – Quiet Zones Established. No routine horns at train crossings.
- Liabilities – Exit gates would need to be installed at Northlake Boulevard if our ASM is not approved and these would likely become our O and M responsibility going forward. Exit gate design, materials, and install may range from \$200K to \$400k.
- Liabilities – The Town would have to recertify the QZs every 3 years with ASMs and every 5 years with SSMs
- Liabilities – The Town would be required to install and maintain quiet zone notice signage at crossings.
- Liabilities – Given the infrastructure already in place, the elimination of the routine horn soundoff at crossings is a net reduction in safety redundancy, regardless of the mitigation process.

# DISCUSSION PERIOD

Staff is inclined to recommend taking no action at this time. As of this time, we have received no complaints on train horns. The Park Avenue crossing is our only crossing that will be in close proximity to residences once ongoing development projects are completed. The development of midrise apartments at the intersection of Park and 10<sup>th</sup> should result in further noise buffering for the single family residential core to the east and the developments will generate more pedestrian and vehicle activity at the Park Avenue crossing. Safety redundancy may be beneficial to new residents becoming acclimated to the area. Additionally, the standard required hurricane-rated impact windows should significantly reduce noise for the new apartment residents. If train horns do become a nuisance over time, it can always be revisited at a later date.

Please let us know if you have any questions!

*My name is Frank Katz & I have lived in Lake Park for 5 years.  
& I am a follower of Don Quixote... The Saint Of Lost Causes...*

*Again I'm here to bring up the Noise Ordinance [of which there is  
none...,]*

*I am concerned again today with there being no noise ordinance  
in Lake Park, this allows contractors to make as much noise as  
they wish during the hours 8am - 5pm 6 days a week...*

*For instance unit 704 of 301 Lake Shore Drive [right next door to  
us] were removing their tiled floor, with a drill, that registered  
105DB from our front door, which is directly in the middle of the  
red zone. If in operation for 1-2 hours continuously, a person  
would suffer irreparable deafness [these are Govt. facts], yet  
contractors are allowed to operate their equipment at any noise  
level between the hours of 8am -5pm 6 days a week...*

*This is a serious health issue that hits close to home...*

*My wife is mostly housebound now, and has to use a wheelchair  
to get about.*

*On 2 consecutive days she was subjected to this unbearable  
noise. It was so loud that she could not watch TV, as she couldn't  
hear anything, could not take a nap after taking her pain  
medication, could not concentrate on the book she was reading,  
was a prisoner in her own home.*

*And came close to tears...*

*I will not allow that to happen ever again...EVER...*

*When I called Lake Park Town Hall on the 2nd day we could not  
hear each other because of that noise...*

*Think about that, what would happen if emergency service was required how would they be able to hear anything to be able to respond correctly, or respond at all...THIS IS A SERIOUS HEALTH ISSUE... THAT MUST BE DEALT WITH...*

*All city charters claim "To protect, preserve, and promote the health, safety, welfare, peace and quiet of the inhabitants and visitors of its city*

*I would like this council to SHOW ME that the above charter is TRUE...SO FAR THAT HASN'T BEEN THE NORM...*

*BECAUSE HERE I AM AGAIN*

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## TOWN MANAGER COMMENTS

### **TOWN COMMISSION MEETING** **Wednesday, February 21, 2024**

#### **HUMAN RESOURCES**

We are pleased to announce that we have hired a new Public Works Director, Jamie Morales formerly the Assistant Public Works Director for St. Lucie County and former Public Works Director for Pasco County. His start date is March 4, 2024 and he will be formally introduced at the March 6, 2024 Regular Commission meeting.

The following open positions are being advertised:

- Groundskeeper – Hourly rate: \$16.51 to \$26.42
- Library Assistant/Children's -- Hourly rate: \$15.43 to \$24.69
- Maintenance Worker -- Hourly rate: \$18.91 to \$30.25
- Community Development Technician – Hourly rate: \$18.91 to \$30.25
- Sanitation Truck Operator I -- Hourly rate: \$18.91 to \$30.25
- Sanitation Truck Operator II -- Hourly rate: \$21.65 to \$34.63
- Sanitation Truck Operator Trainee – Hourly rate: \$17.67 to \$28.27
- Dock Attendant – Hourly rate: \$18.91 to \$30.25
- Operations Manager – Salary range: \$59,014.54 to \$94,423.27 per year
- Senior Accountant – Salary range: \$59,014.54 to \$94,423.27 per year
- Stormwater Technician II -- Hourly \$21.65 to \$34.63
- Finance Director – Salary range: \$115,002.64 to \$184,004.23 per year

All of the above positions are open until filled.

To view the complete job posting for the above position or to download an employment application, please visit the Town's official website at [www.lakeparkflorida.gov](http://www.lakeparkflorida.gov). For additional information please contact the Town's Human Resources Department at 561-881-3300 and choose Option 8.

For the CRA, we are pleased to announce that Allison Justice has verbally accepted the job offer for the position of Community Redevelopment Administrator. Approval of her employment agreement will be an item on the agenda for the March 6, 2024 CRA Board meeting at which she will be formally introduced. Her anticipated start date is March 7, 2024.

The following volunteers are needed for the Lake Park Public Library:

- Tutors for one-on-one English language learning
- Tutors for one-on-one basic computer and digital literacy
- Data entry
- Shelving
- Facilitator for English Exchange Group

To view the complete volunteer postings for these volunteer opportunities, please visit the Volunteer Opportunities page of the Town's official website at [www.lakeparkflorida.gov](http://www.lakeparkflorida.gov). For additional information, please get in touch with the Town's Human Resources Department at 561-881-3300 and choose Option 8.

## **LIBRARY**

This **Saturday, February 24**, 10 a.m.-2 p.m., and every Saturday through **Saturday, April 13** (except March 30), the AARP Foundation Tax-Aide Program volunteers will be at the Library to provide free tax assistance. This program is open to anyone interested in receiving help to file their income taxes. The program starts at 10 a.m. on a first-come, first-served basis, it is best to get there early.

## **SPECIAL EVENTS**

### **Sunset Celebration**

The town of Lake Park will host its monthly Sunset Celebration on **Friday, February 23**, 6:00 p.m.-9:00 p.m. at the Lake Park Harbor Marina. This month's event will feature live entertainment from On The Roxx! There will be a full bar, happy hour prices, and various food and craft vendors. For more information, contact the Special Events Department at 561-840-0160.

### **Community Greening Tree Giveaway**

The Town of Lake Park has hired Community Greening to host a tree giveaway event at Kelsey Park from 9:00 a.m.-11:00 a.m. on **Saturday, March 9**. Community Greening will be handing out various species of native and fruit trees on a first come, first served basis. For more information please contact the Special Events Department at 561-840-0160. **The question to be answered by the Town Commission is, do we want to limit the Tree giveaway program to just Lake Park residents?**

### **St. Patrick's Day Parade**

The Town Commission has been invited to participate in the Palm Beach Shores St. Patrick's Day Parade on **Saturday, March 16**. The parade will kick off at the Community Center at 11:00 am. Please let us know who would like to participate as soon as possible. The Special Events Departments will make the arrangements.

## **TOWN COMMISSION CONSENSUS**

**Long-Range Strategic Planning Workshop for the Library** – The proposed date for the Workshop with Stakeholders is the same date as the PB Shores St. Patrick's Day Parade, **Saturday, March 16**, 1-3 p.m. to be held in Town Hall's Commission Chambers. Seeking

Commission consensus regarding their participation and the possibility of changing the Workshop date.

**National Library Week** – A Proclamation request has been submitted by Mayor Michaud for Town Commission consensus to proclaim **April 7-13, 2024** as National Library Week.

**Water Conservation Month** - The State of Florida, Water Management Districts has designated April as Water Conservation Month to educate citizens about how they can help save Florida's precious water resources. Seeking Commission consensus to proclaim **April 2024** as Water Conservation Month.

**Water Reuse Week** – At the request of WaterReuse Florida, the state section of the WaterReuse Association, they are seeking Town Commission consensus to proclaim **May 19-25, 2024** as Florida Water Reuse Week.

### **RESIDENTIAL SANITATION DELAYS**

The Town is experiencing residential sanitation delays due to equipment issues. As a result, garbage cart collection on the south side of Lake Park from Park Avenue to Silver Beach Road was completed today, February 21, instead of on February 20 as originally scheduled. Residential recycling will be collected on Friday, February 23.

We apologize for the inconvenience and appreciate your patience. Please feel free to contact the Public Works Department with any questions at 561-881-3345 or [publicworks@lakeparkflorida.gov](mailto:publicworks@lakeparkflorida.gov).

### **TOWN HALL ROOF REPAIRS**

Roof repairs for Town Hall began today and are expected to last for approximately 45 days. There will be no access to the back parking lot or any of the back doors of the building for the duration of the construction project.

### **RELEASE OF DEED RESTRICTIONS FOR THE LAKE PARK HARBOR MARINA**

On December 21, 2023, at the request of the P3 partners, they fashioned a letter, which is attached. Before I sent the letter out, I sent a copy to the Town Attorney because I had questions about the parcel citations in the letter. Once the town attorney confirmed the parcel information was accurate. At that point, Sirena Davila, district director of the Florida Department of Environmental Protection, Southeast District, received the attached letter. As you can see from the letter, the Town Commission received a carbon copy of the letter on the date of the letter.

After receipt of the letter, I received a call from Brad Richardson, Chief Bureau of Public Land Administration, requesting additional information. I suggested a copy of the Comprehensive Agreement (a public document) would provide him with foundational information regarding the activities proposed for the Marina P3 development.

Once Brad Richardson and his team reviewed the Comprehensive Agreement, the Bureau Chief submitted additional questions regarding development components. Once I received the request for further information (see attached January 26, 2024 letter), I presented Brad Richardson's comments directly to Larry Zabik and Peter Baytarian, requesting detailed information for each of the three questions posed by Brad Richardson. The attached letter represents the question asked and the answer provided by the P3 team, resulting in the enclosed January 26, 2024 (attached) response on behalf of the Town through my office.

Today, I received another courtesy email from Mr. Delaney regarding a discussion on strategy to respond to follow-up questions. My office did not receive such questions, and I believe Brad Richardson sent the follow-up questions directly to the P3 team. Many essential discussions leading up to the Comprehensive Agreement, including the information provided in this report, occurred without representation by the Town at any sessions between Don Delaney and the P3 Team. I refer to them as a team because partners act differently and include all partners, not a select few, in meaningful discussions about property owned by the Town of Lake Park. I believe set straight, the town needs to regain control of the process and request that the Town Commission suspend Mr. Delaney's work on the P3 project until further notice. Suspension of all activity by Mr. Delaney on the P3 project must occur through a vote of the Town Commission.



# SUNSET CELEBRATION

## FREE MUSIC CONCERT

### FEATURING

On the Roxx



FOOD VENDORS \* CASH BAR \* ART & CRAFT VENDORS \* HAPPY HOUR  
FREE ADMISSION & PARKING \* NO OUTSIDE FOOD OR DRINKS

**FRIDAY, FEBRUARY 23**  
**6:00 PM - 9:00 PM**  
**LAKE PARK HARBOR MARINA**  
**105 LAKE SHORE DRIVE**  
**LAKE PARK, FL 33403**

FOR MORE INFORMATION CALL 561-840-0160 OR  
EMAIL [SPEIALEVENTS@LAKEPARKFLORIDA.GOV](mailto:SPEIALEVENTS@LAKEPARKFLORIDA.GOV)



# National Library Week 2024 Proclamation

**WHEREAS**, libraries offer the opportunity for everyone to connect with others, learn new skills, and pursue their passions, no matter where they are on life's journey;

**WHEREAS**, libraries have long served as trusted institutions, striving to ensure equitable access to information and services for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status;

**WHEREAS**, libraries adapt to the ever-changing needs of their communities, developing and expanding collections, programs, and services that are as diverse as the populations they serve;

**WHEREAS**, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals;

**WHEREAS**, libraries play a pivotal role in economic development by providing resources and support for job seekers, entrepreneurs, and small businesses, thus contributing to local prosperity and growth;

**WHEREAS**, libraries make choices that are good for the environment and make sense economically, creating thriving communities for a better tomorrow;

**WHEREAS**, libraries are treasured institutions that preserve our collective heritage and knowledge, safeguarding both physical and digital resources for present and future generations;

**WHEREAS**, libraries are an essential public good and fundamental institutions in democratic societies, working to improve society, protect the right to education and literacy, and promote the free exchange of information and ideas for all;

**WHEREAS**, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week;

**NOW, THEREFORE**, be it resolved that I, Roger Michaud, Mayor, proclaim National Library Week, April 7-13, 2024. During this week, I encourage all residents to visit their library and celebrate the adventures and opportunities they unlock for us every day. Ready, Set, Library!

## **Proclamation**

**(Name of County/ City entity)**  
**(Location)**

**WHEREAS**, water is a basic and essential need of every living creature; and

**WHEREAS**, The State of Florida, Water Management Districts and (your name) are working together to increase awareness about the importance of water conservation; and

**WHEREAS**, (your city or county name) and the State of Florida has designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

**WHEREAS**, (your name) has always encouraged and supported water conservation, through various educational programs and special events; and

**WHEREAS**, every business, industry, school and citizen can make a difference when it comes to conserving water; and

**WHEREAS**, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

**NOW, THEREFORE**, be it resolved that by virtue of the authority vested in me as (Chairman, Mayor, etc) of (your city or county name) (commissioners or councilmen, etc) do hereby proclaim the month of April as

### **Water Conservation Month**

(your city or county name), Florida is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

# **Proclamation**

**(Name of County/City/Utility)  
(Location, Florida)**

**WHEREAS**, safe, clean and sustainable water resources are essential to Florida's environment, economy, citizens, and visitors; and

**WHEREAS**, although Florida's water supplies are finite, the state's population and need for water resources continues to increase; and

**WHEREAS**, water reuse provides a means for conserving and augmenting Florida's precious water resources and is key to the state's sustainable water future; and

**WHEREAS**, Florida has established the encouragement and promotion of water reuse as state objectives in Chapters 373 and 403, Florida Statutes, and

**WHEREAS**, Florida's permitted reuse capacity is more than 1.8 billion gallons per day (approximately 70 percent of Florida's total permitted capacity for all domestic wastewater treatment facilities); and

**WHEREAS**, Florida has risen to be the national leader in water reuse -- reusing nearly 820 million gallons of reclaimed water per day to conserve freshwater supplies and recharge our freshwater resources; and

**WHEREAS**, May, typically a dry month when water demands are high, is a good time to educate residents about how they can help save Florida's precious water resources through water reuse; and

**WHEREAS**, WaterReuse Florida, the state section of the WaterReuse Association, has proclaimed the week of May 19-25, 2024 as Florida Water Reuse Week; and

**WHEREAS**, (your city/county/utility) has joined with WaterReuse Florida, the Florida Department of Environmental Protection, and the (the water management district you're located in) Water Management District in encouraging and promoting water reuse and conservation; and

**WHEREAS**, (your city/county/utility) has implemented a water reuse program and encourages efficient and effective use of reclaimed water; and

**NOW, THEREFORE**, be it resolved that by virtue of the authority vested in me as (Chairman, Mayor, etc) of (your city/county/utility name) hereby supports WaterReuse Florida and proclaims May 19-25, 2024, as

## **WATER REUSE WEEK**

in the State of Florida. (your city/county/utility name), Florida is calling upon each citizen and business to help protect our precious water resources by practicing water conservation and efficient and effective use reclaimed water.





Office of the  
Town Manager

535 Park Avenue  
Lake Park, FL 33403  
Phone: (561) 881-3304  
Fax: (561) 881-3314

[www.lakeparkflorida.gov](http://www.lakeparkflorida.gov)

December 21, 2023

DEC 27 2023

WEST PALM BEACH

Sirena Davila, District Director  
Florida Department of Environmental Protection  
Southeast District – West Palm Beach  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406

**RE: Release of Deed Restrictions for Lake Park Harbor Marina Project**

Dear Ms. Davila,

The Town of Lake Park is undergoing a major redevelopment of its waterfront on 12 acres of Town-owned land that fronts the Lake Worth Lagoon. As the centerpiece of this project, the Town has entered into a Public Private Partnership (P3) to redevelop and expand the Lake Park Harbor Marina, one of the premier public marinas in the South Florida region. The marina will serve as the anchor of a new mixed-use waterfront district that also includes residential, dry storage and wet slip marina, boat ramp, hotel, restaurant, and retail spaces along other public amenities (the "Project"). The Project will be a key economic generator for Lake Park and ensure the long- term stability of the Town's only public marina.

For the Town to realize the significant benefits of the Project, the Board of Trustees of the Internal Improvement Trust Fund ("TIIF") must release certain deed restrictions and or/reverter clauses recorded on title that prohibit land uses within some of the parcels TIIF conveyed to the Town in the 1960s. Under our P3 agreement, the Town as underlying landowner has agreed to work diligently with the developer to resolve these proprietary issues with TIIF. In particular, the following three (3) parcels within the Project are subject to title encumbrances by TIIF:

- **Parcel 1A.** Subject to "public drainage and park purposes only" under TIIF Dedication No. 24709 (2054-50), as recorded at ORB 1633 PG 606 of the county's public records;
- **Parcel 3.** Subject to "public park and boat ramp purposes only" under TIIF Deed No. 22899 (960-50), as recorded at ORB 694 PG 327 of the county's public records; and
- **Parcel 5.** Subject to "public purposes" only, under TIIF Deed No. 24018 (1339-5), as recorded at ORB 1239 PG 59 of the county's public records.

Enclosed herein are a site plan showing the locations of each component of the Project and a diagram that overlays the restrictions listed above as they affect the Project.

The Town maintains that the overall public/private partnership to develop the Project complies with the intent of "public purpose" deed restrictions imposed by T11F and all components of the Project on these specific parcels will remain available for lease or use by the public. The hotel component shown on the west side of the site plan is fully outside of the Parcels encumbered by T11F restrictions. The vast majority of the space within the parcels at issue is the public marina component (wet slips, dry storage, marina office, boat ramp, parking, etc.) which will be owned and leased by the Town for the operation of a marina, boat ramp and restaurant available to the public, and is clearly consistent with the T11F land use restrictions. Note also that there will be a marina expansion developed on sovereignty submerged lands at this site, which we understand will require a T11F lease, applied for in connection with the environmental resource permitting

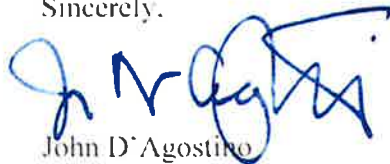
However, the recorded encumbrances on parcels referenced above remain a cloud on title for the (i) marina restaurant and (ii) boat storage components of the Project, as shown on the attached site plan. The marina restaurant includes retail and event spaces available for rental by the public. The boat storage facility is a mixed-use building that will also incorporate retail and restaurant spaces on the ground floor, recreational spaces, and 24 lodging units on the upper floors intended to be available for those staying at the marina. It is our belief that T11F will need to release the deed restrictions and reverter clauses to avoid a proprietary noncompliance issue for these uses.

Please be advised that the Town recently submitted an application to relocate boat ramps in the marina component of the Project (under FDEP App. # 220311-003), but the Town and its developer partner have not commenced the environmental resource permitting process for the remainder of the Project.

Redevelopment of the Lake Park Harbor Marina is expected to generate hundreds of local jobs and millions of dollars in revenue for the Town. The Project will help establish the Lake Park waterfront district as a destination attraction and ensure the long-term viability of its public marina.

For all of the above reasons, we respectfully request that T11F release the encumbrances described herein to allow this essential economic development project to proceed.

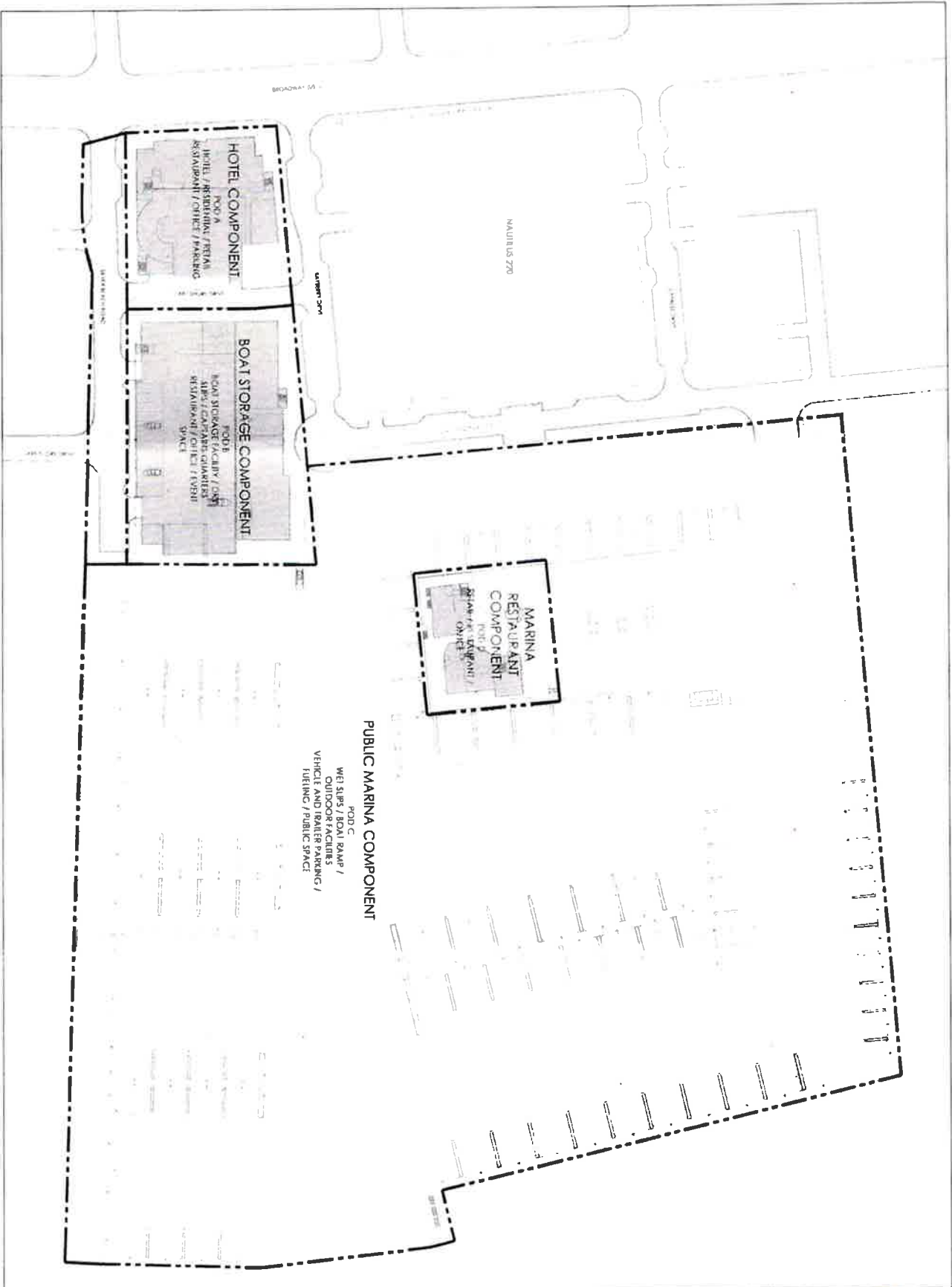
Sincerely,



John D'Agostino  
Town Manager  
Town of Lake Park

Enclosures

cc: Town Commission

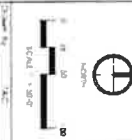


**P3 LAKE PARK HARBOR MARINA**  
Lake Park, Florida

SHEET # PDP.1

PRELIMINARY  
DEVELOPMENT PLAN

DATE: 06/03/20  
SCALE: 1" = 50'-0"



**insite studio**

3401 PGA Blvd Suite 200 Palm Beach, Florida 33410  
Phone: 561.244.0100 Email: info@insitestudio.com  
www.insitestudio.com







Office of the  
Town Manager

535 Park Avenue  
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[www.townoflakeparkflorida.gov](http://www.townoflakeparkflorida.gov)

January 26, 2024

**Certified Mail Return Receipt  
Requested**

Brad Richardson, Chief  
Bureau of Public Land Administration  
Division of State Lands  
3800 Commonwealth Blvd., MS 125  
Tallahassee, FL 32399

Dear Mr. Richardson,

The information below addresses the questions you posed in your email of January 22, 2024.

1. For the Marina/Restaurant component, what exactly will be built in this area depicted below?



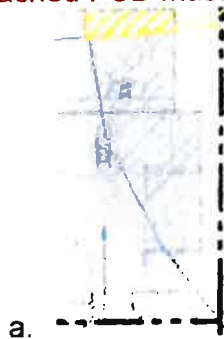
- a. A two story restaurant with a third story meeting and party deck, a retail/boating sundry store, fuel sales and office.
- b. We understand the P3 Agreement doesn't require conceptual drawings or engineered drawings/plans until later on, but we need to know every single component of what's to be incorporated here. **Noted, the planned uses are listed above. I am attaching the PUD master plan in review.**

2. Similar to the above, the area below would be subject to Public Park and Boat Ramp purposes. What is this part of the building to be used for? **We are planning to relocate the boat ramp to it's original location, shown on the attached master site plan, to the east side of the marina. This portion of the boat storage building is planned for commercial space to support the marina.**



- a.
3. The below area would be subject to Public Purposes. What will be constructed here in this area? Parking spaces? Event Space? Office Space? Dry storage? **The boat storage building will**

include automated interior boat storage along with commercial space, office, event space, and Captain's quarters for visiting boaters. Please see attached PUD master plan.



Projecting ahead, we are unsure if a release is necessary. If it is, we would prefer that a partial release of restriction/reverter be requested, to only release the areas needed that conflict with the restriction. This would require legal descriptions of the 3 small areas. That way we ensure the remaining area of each deed contains the original restriction for Public Purpose, Public Park, and Boat Ramp purposes. We aren't requiring such now, simply gathering more information. If a decent narrative and/or conceptual drawings can be provided to clarify the questions herein, I don't think a meeting will be necessary. We should be able to reach a decision on the best path forward.

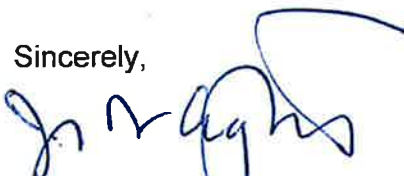
We appreciate your kind consideration.

Our view is that this P3 agreement with Forest Development is an extension and expansion of the public purpose of the Lake Park Marina. Our marina is a valuable and treasured Town resource. The selection of Forest Development to lease and operate the Marina was made based on many factors of which was the Town's fundamental belief that this treasure needed to be expanded, nurtured and cared for. The 99 year Comprehensive Agreement with 99 year leases with Forest Development provides long term improvements, investments and to develop a fabulous marina destination for the public.

If these improvements fall within the current restriction/reverter language, we would appreciate a favorable recommendation to allow for the development to proceed and remain in compliance with all requirements.

If you have any questions or desire additional information, please contact my office.

Sincerely,



John D'Agostino  
Town Manager  
Town of Lake Park

[illegible][illegible]

**P3 LAKE PARK HARBOR MARINA**  
Lake Park, Florida







TOWN OF LAKE PARK  
PUBLIC COMMENT CARD

MEETING DATE: \_\_\_\_\_

**Cards must be submitted before the item is discussed!!**

**\*\*\*Three (3) minute limitation on all comments**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

If you are interested in receiving Town information through Email, please provide your E-mail address: \_\_\_\_\_

I would like to make comments on the following Agenda Item:

\_\_\_\_\_

I would like to make comments on the following Non-Agenda Item(s):

\_\_\_\_\_ NOISE ORDINANCE \_\_\_\_\_

**Instructions:** Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

Request for commission to change decibals to 65!



TOWN OF LAKE PARK  
PUBLIC COMMENT CARD

MEETING DATE: \_\_\_\_\_

02/21/2024

**Cards must be submitted before the item is discussed!!**

**\*\*\*Three (3) minute limitation on all comments**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

If you are interested in receiving Town information through Email, please provide your E-mail address: \_\_\_\_\_

I would like to make comments on the following Agenda Item:

\_\_\_\_\_ Agenda Item 6 - 92MGT DRIVEWAYS \_\_\_\_\_

I would like to make comments on the following Non-Agenda Item(s):

\_\_\_\_\_

**Instructions:** Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.





TOWN OF LAKE PARK  
PUBLIC COMMENT CARD

MEETING DATE: 2/21/2024

**Cards must be submitted before the item is discussed!!**

**\*\*\*Three (3) minute limitation on all comments**

Name: RICK GOODSELL

Address: \_\_\_\_\_

**If you are interested in receiving Town information through Email, please provide your E-mail address: \_\_\_\_\_**

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):

RENCO-USA COMPOSITE

STRUCTURAL ADHESIVE SYSTEM

**Instructions:** Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

Discussed Alternate means of Construction!



TOWN OF LAKE PARK  
PUBLIC COMMENT CARD

MEETING DATE: 2/21/24

**Cards must be submitted before the item is discussed!!**

**\*\*\*Three (3) minute limitation on all comments**

Name: Patricia Leduc

Address: 409 2nd Street

**If you are interested in receiving Town information through Email, please provide your E-mail address: \_\_\_\_\_**

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):

Minutes From 2/7 comments section  
re: Boat/RV parking front yards

**Instructions:** Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

Indicated she spoke to residents and  
Howing this measure would create a negative