



Lake Park Town Commission, Florida

Regular Commission Meeting

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

Wednesday March 20, 2024 at 6:30 pm

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

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contract the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATION/REPORT: NONE

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.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

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.

1. February 27, 2024 Special Call Commission Meeting Minutes
2. March 6, 2024 Regular Commission Meeting Minutes
3. Request for authorization for the Town Manager to encumber and expend budgeted streets and roads funding and accept a proposal from The Paving Lady to complete the 2024 sidewalk repairs.
4. Resolution 15-03-24 Authorizing the Mayor to execute an agreement between the Town of Lake Park and Foster Marine Contractors, Inc. for the stormwater construction work associated with the Southern Outfall Pipe Replacement Project.

BOARD MEMBER NOMINATION:

5. Nomination of Jon Buechele to the Planning & Zoning Board

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

6. Ordinance 04-2024 Amending Article II, Division 2, by Creating a New Section Entitled Civility and Decorum.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLE II, TOWN COMMISSION", DIVISION 2 "MEETINGS" TO PROVIDE FOR CREATION OF A NEW CODE SECTION 2-54 ENTITLED "CIVILITY AND DECORUM"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

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

REQUEST FOR FUTURE AGENDA ITEMS:

ADJOURNMENT:

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on April 3, 2024.



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **March 20, 2024**

Agenda Item No.

Agenda Title: February 27, 2024 Special Call Commission Meeting Minutes.

- | | |
|---|--|
| <input type="checkbox"/> SPECIAL PRESENTATION/REPORTS
<input type="checkbox"/> BOARD APPOINTMENT
<input type="checkbox"/> PUBLIC HEARING ORDINANCE ON _____ READING
<input type="checkbox"/> NEW BUSINESS
<input type="checkbox"/> OTHER: _____ | <input checked="" type="checkbox"/> CONSENT AGENDA
<input type="checkbox"/> OLD BUSINESS |
|---|--|

John
Approved by Town Manager D'Agostino

Digitally signed by John D'Agostino
 DN: cn=John D'Agostino, o=Town of
 Lake Park, ou=Town Manager,
 email=jdagostino@lakeparkflorida.gov,
 c=US
 Date: 2024.03.08 15:25:00 -05'00'

Date: _____

Laura Weidgans, Deputy Town Clerk

Name/Title

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: <p style="text-align: center;">Minutes Exhibit A</p>
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ <p style="text-align: center;">or</p> Not applicable in this case LW. Please initial one.

Recommended Motion: I move to approve the February 27, 2024 Special Call Commission Meeting Minutes.



Lake Park Town Commission, Florida

Special Call Commission Meeting Minutes

Appeal - 918 Park Avenue

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403
February 27, 2024 at 6:30 PM

Roger Michaud	—	Mayor
Kimberly Glas Castro	—	Vice Mayor
Vacant	—	Commissioner
Mary Beth Taylor	—	Commissioner
Judith Thomas	—	Commissioner
John D'Agostino	—	Town Manager
Keith Davis	—	Town Commission Attorney
Thomas J. Baird.	—	Town Staff Attorney
Laura Weidgans	—	Deputy Town Clerk

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CALL TO ORDER/ROLL CALL

6:32 pm

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

PLEDGE OF ALLEGIANCE

Led by Mr. John Linden

NEW BUSINESS:

1. TOWN COMMISSION CONSIDERATION OF AN APPEAL, UNDER TOWN CODE CHAPTER 66, SECTION 66-14, OF THE DECISION BY THE HISTORIC PRESERVATION BOARD TO DENY A PETITION TO RESCIND THE LOCAL HISTORIC DESIGNATION OF THE ARNOLD BUILDING LOCATED AT 918 PARK AVENUE, FILED BY THE PROPERTY OWNER “THE ADLER AT LAKE PARK”.

Mr. Nathan Nason, Attorney for the appellant, provided arguments in favor of a rescission of the historic designation of the property located at 918 Park Avenue (Exhibit A). He argued that the Historic Preservation Board failed to apply the correct standard mandated by Town Code. He went through the 6 criteria as illustrated in exhibit A and explained how the property failed to meet the criteria. He also discussed how the photos within the exhibit illustrate how the property had changed over time. He believes there was a procedural deficiency with how the property was originally designated in 1998. He stated that Town Code 66 allowed for the developer to put forward information to illustrate how the property would be developed and fit into the Town’s Comprehensive Plan. He also stated that the Town Code allows for consideration of the structural integrity of the building. He is requesting that the Commission require the Historic Preservation Board to consider these components that were not considered prior to their decision.

Staff Attorney Thomas Baird provided arguments in support of the Commission upholding the Historic Preservation Board’s decision and asked the Commission to affirm the Board’s decision based on the substantial, competent evidence that was presented to the Board. He stated that the standards from Town Code 66.10 are not the correct set of standards to apply in this case. He stated that all parties in relation to the application for de-designation by Historic Preservation Board had used the standards in Town Code 66.9 and now in this appeal the Appellant is asking the Commission to apply the standards from Town Code 66.10. He also stated that even if the criteria from Town Code 66.10 were applied here, the property would still not meet the criteria for de-designation. Attorney Baird went on to say that the application does not meet the correct standard which is Town Code 66.9.(d)(7).

He stated that the Historic Preservation Board's order correctly found that the owner had not met the criteria based on evidence from the expert architect retained by the Town and from the staff report.

Attorney Nason provided a rebuttal. He spoke about the document that designation was based on in 1998 and that it was factually and demonstratively incorrect because it stated that the building retained most of its historical integrity, but this is not true. Attorney Nason stated that they did not apply the wrong standard as Attorney Baird claimed. He said the applicant came to the Board with the concept of demolishing the building. He quoted a section of the Town Code regarding a special Certificate of Appropriateness to demolish the building which is what they used for the basis of their application. He also stated that the criteria that Attorney Baird refers to were not met. He urged the Commission to see that the building has lost whatever historical significance it may once have had and to enter an order for de-designation.

COMMISSIONER QUESTIONS:

Commissioner Thomas thanked the attorneys for their presentations. She spoke about the designation and stated that in Town Code Section 66.9 there are 5 criteria. She stated that she believes the property meets several of those criteria.

Vice-Mayor Glas-Castro stated she does not believe it is up to them to question the decision in 1998 because it is a past action and was based on the information at the time. Commissioner Thomas and Mayor Michaud agreed that the property had not changed since 1998 and that the criteria has not changed.

Attorney Davis clarified Town Code 66.9 as it pertains to the criteria. He advised the Commission to decide if the criteria should fall under 66.9 or 66.10 and then to also determine if there was evidence to support the Historic Preservation Board's decision.

Mayor Michaud suggested an alternative of moving the historical structure to another site. Town Manager D'Agostino provided some details of how that could be done and believes that it is achievable. Commissioner Taylor spoke favorably of moving the historical structure.

Commissioner Thomas clarified the Commission options for action being to affirm, to modify or to reverse the decision of the Historic Preservation Board. She feels that a modification would be a wholly new decision of the Commission. Attorney Davis confirmed this to be correct and that a decision of what to do with the building would be a separate process. Vice-Mayor Glas-Castro stated that she believes the correct Town Code that should be applied is 66.9 which would lead her to uphold the decision of the Historic Preservation Board. She also believes that there should be some latitude to work with the property owner to see what some options could be. She stated that she would like to see staff work with the developer but does not believe they have enough information to modify the order. Town Manager D'Agostino suggested doing some research into the rehabilitation of the structure and the possible use of Tax Increment Financing (TIF). Vice-Mayor Glas-Castro asked if the applicant was free to apply for a Certificate of Appropriateness. Attorney Davis stated he did not see anything in the Town Code that would prohibit that action. Commissioner Taylor asked if the developer would consider contributing to the moving fund. Attorney Nason advised that his client would be open to that. Attorney Baird stated that this discussion was inappropriate as their action was only to affirm, modify or deny and any discussions about moving the building are wholly separate from this matter and should be discussed separately.

Motion to affirm the Historic Preservation Board's decision made by Commissioner Thomas, Seconded by Commissioner Taylor.

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

ADJOURNMENT:

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

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

Meeting adjourned 7:54 pm

Mayor Roger D. Michaud

Town Seal

Vivian Mendez, Town Clerk

Laura Weidgans, Deputy Town Clerk

Approved on this _____ of _____, 2024

From Town of Lake Park Staff Report To Historic Preservation Board:

RJ Heisenbottle (RJHA) Report

The RJHA report concludes that in 1998 the Town's Historic Preservation Board (HPB) based its finding of historical significance on a version of the building much like we see today, NI. on the 1925 building. The building facade was likely modified in the 30's or 40's, as the newer version was in place by 1950. Thus for at least the last 75 years the building has generally retained the same elements. **Heisenbottle contends that the building has actually changed little since it's designation in 1998**, and therefore does not find that the justification for de-designation is valid. The report also stresses the building's ties to the history of Lake Park- its early residents and downtown, as the last remaining historically designated commercial building of the Kelsey City/Boom time era in Lake Park.

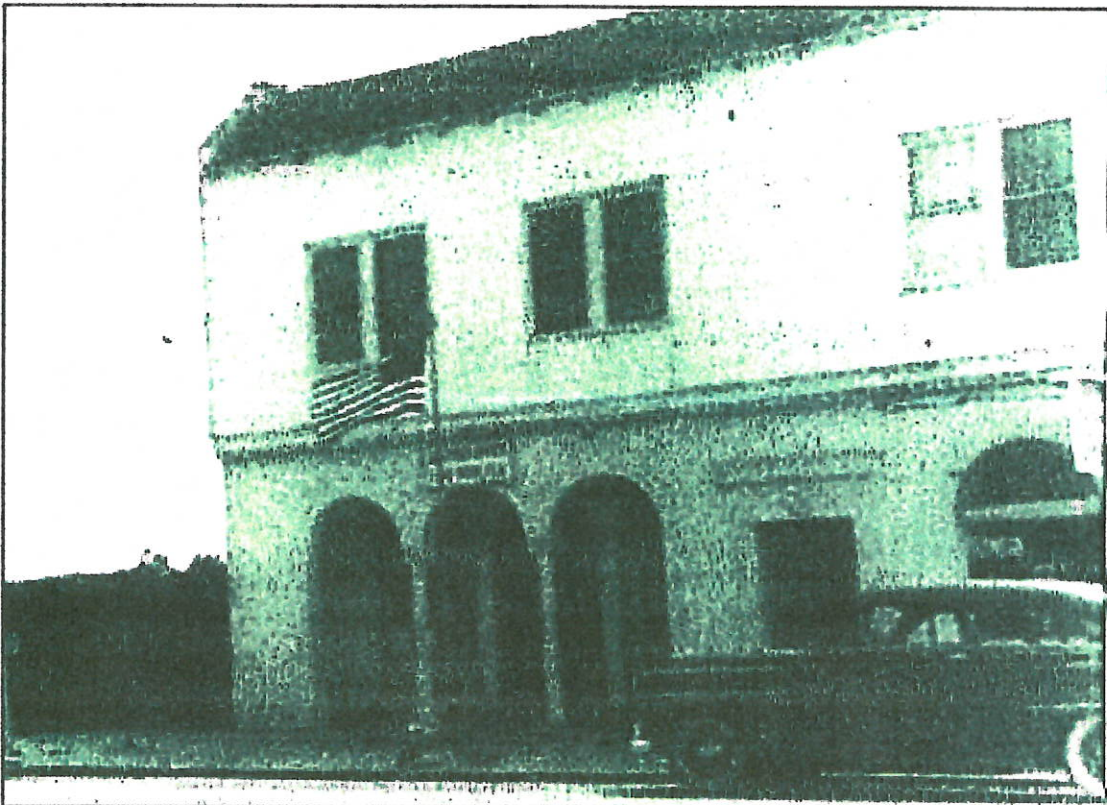
From Town of Lake Park Code, Section 66, Historic Preservation:

(4) In addition to all other provisions of this *chapter*, the historic preservation board shall consider the following criteria in evaluating applications for a special certificate of appropriateness for demolition of designated properties:

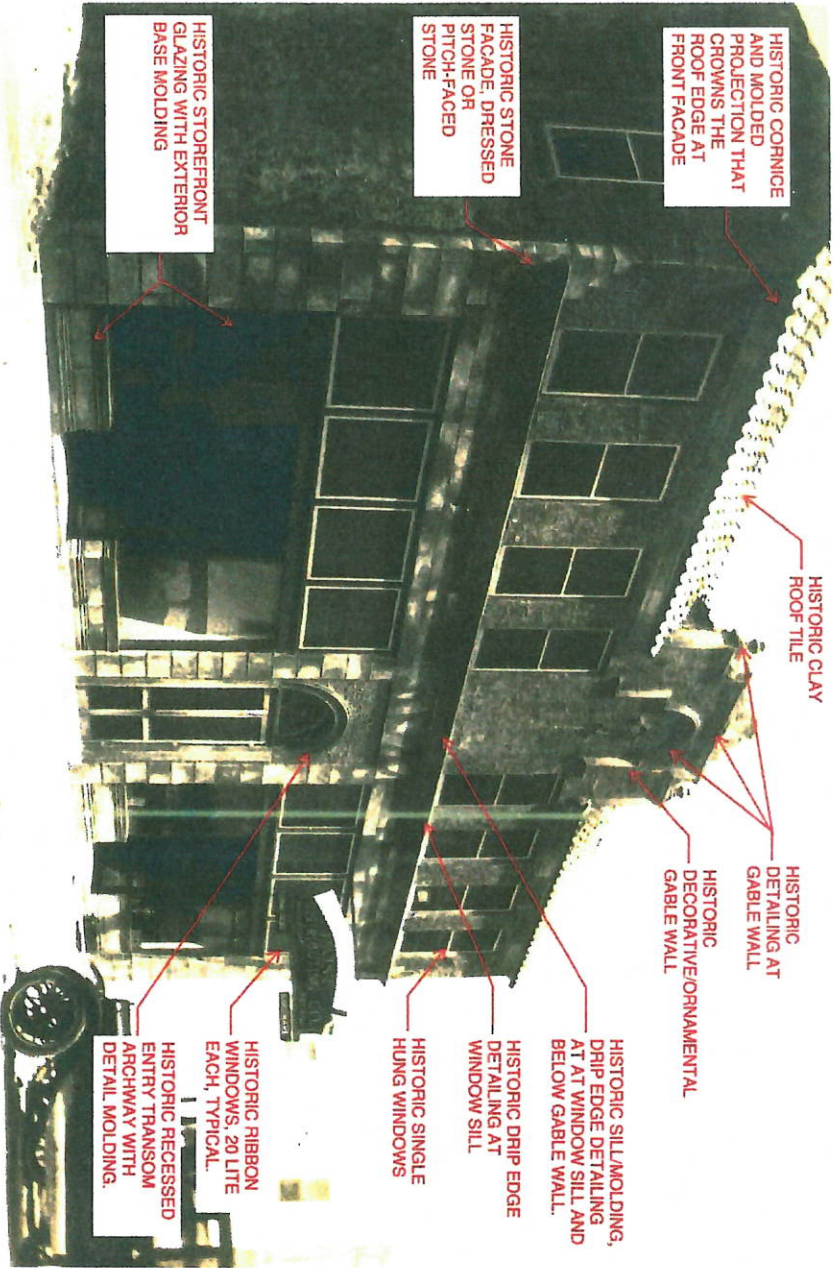
- a. Is the structure of such interest or quality that it would reasonably meet national, state or local criteria for designation as an historic or architectural landmark?
- b. Is the structure of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense?
- c. Is the structure one of the last remaining examples of its kind in the town, neighborhood, the county or the region?
- d. Does the structure contribute significantly to the historic character of a designated district?
- e. Would retention of the structure promote the general welfare of the town, county or region by providing an opportunity for study of local history, architecture and design or by developing an understanding of the importance and value of a particular culture and heritage?
- f. Are there definite plans for reuse of the property if the proposed demolition is carried out, and what will be the effect of those plans on the character of the surrounding area?



circa 1925

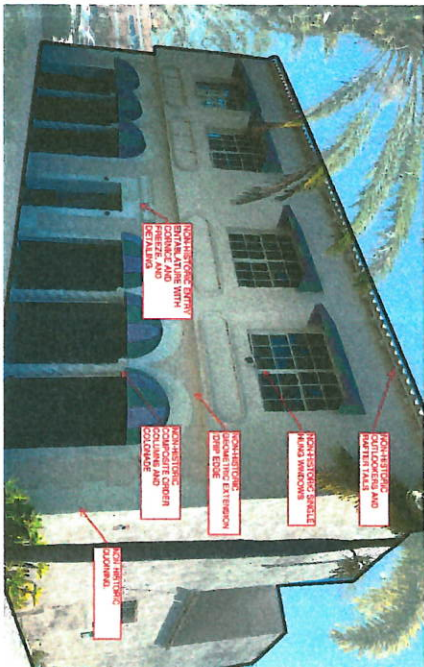


Circa 1950



REGARCHITECTS.COM

PROJECT LOCATION: 918 PARK AVENUE, LAKE PARK, FL 33403



From Town of Lake Park Comprehensive Plan:

Objective 12

Redevelopment of the Historical Downtown Area: A Downtown Future Land Use Classification is established to facilitate the redevelopment of the historical Park Avenue downtown and the immediate surrounding area. This land use category encourages a dense, vibrant, walkable mixed-use downtown that combines residences, businesses, and civic spaces, and that is well-integrated into the surrounding neighborhoods. This land use classification is also intended to facilitate development that complements a future tri-rail station.

Policy 12.1 The Downtown Land Use classification is implemented by the Park Avenue Downtown District (PADD) zoning district. The Downtown Land Use shall provide for the development or redevelopment of compact residential and non-residential or mixed use buildings to complement the existing buildings.



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **March 20, 2024**

Agenda Item No.

Agenda Title: March 6, 2024 Regular Commission Meeting Minutes.

☐ SPECIAL PRESENTATION/REPORTS ☒ **CONSENT AGENDA**
☐ BOARD APPOINTMENT ☐ OLD BUSINESS
☐ PUBLIC HEARING ORDINANCE ON _____ READING
☐ NEW BUSINESS
☐ OTHER: _____

John
Approved by Town Manager D'Agostino

Digitally signed by John D'Agostino
 DN: cn=John D'Agostino, o=Town of
 Lake Park, ou=Town Manager,
 email=jdagostino@lakeparkflorida.go
 v, c=US
 Date: 2024.03.15 15:07:08 -04'00'

Date: _____

Laura Weidgans, Deputy Town Clerk

Name/Title

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Minutes Exhibits A-C Exhibit D page 1-8 only Comment Card
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ <p style="text-align: center;">OR</p> Not applicable in this case LW. Please initial one.

Exhibit D full CRA report can be obtained in the Clerk's Office if needed as it is too large to attach.

Recommended Motion: I move to approve the March 6, 2024 Regular Commission Meeting Minutes.



Lake Park Town Commission, Florida

Regular Commission Meeting

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

March 06, 2024

Immediately Following the Community Redevelopment Agency Meeting

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

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CALL TO ORDER/ROLL CALL

7:49 P.M.

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

PLEDGE OF ALLEGIANCE

The pledge was recited during the CRA Board Meeting earlier this evening.

SPECIAL PRESENTATION/REPORT:

1. Proclamation Declaring March 2024 as Florida Bicycle Month
Valentina Facuse from Palm Beach Transportation Planning Agency accepted the proclamation. She thanked the Commission.
2. Proclaiming March as Let's Move Palm Beach County
Mr. Wil Romelus representing Digital Vibes accepted the proclamation. Mr. Romelus thanked the Commission and encouraged everyone to move.
3. Proclamation Declaring the Week of April 7-13, 2024 as National Library Week
4. Proclamation Declaring the Month of April 2024 as Water Conservation Month
5. Proclamation Declaring the Week of May 19-25, 2024 as Water Reuse Week

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.

Mr. Frank Katz expressed concern that Lake Shore Drive south end would be re-opened. He implored the Commission to keep the street closed.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager D'Agostino provided his comments via Exhibit "A".

Commissioner Thomas stated that the Safe Street Summit was held in Miami and was great. She thanked the Commission for allowing the donation of the tree in Blakely Park. She was glad to see all the growth in the Town.

Commissioner Taylor hoped that those that get a tree during the Community Greening event will take good care of them.

Vice-Mayor Glas-Castro had no comments.

Mayor Michaud had no comments.

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 to approve the Consent Agenda by Commissioner Thomas, Seconded by Vice-Mayor Glas-Castro.

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

6. February 21, 2024 Public Private Partnership (P3) Workshop Minutes
7. February 21, 2024 Regular Commission Meeting Minutes
8. Resolution 12-03-24 Authorizing the Town Manager to sign a service agreement with Palm Beach County to allow the County to occupy space within the Library for the purpose of establishing a temporary Community Services Department Satellite Office.
9. Resolution 13-03-24 Second amendment to Interlocal Agreement R-2006-0512 between Palm Beach County and the City of Palm Beach Gardens, the Town of Jupiter, the Town of Mangonia Park, the Town of Lake Park, and the City of Riviera Beach creating the Bioscience Land Protection Advisory Board, Terminating said agreement retroactive to January 22, 2024.

BOARD MEMBER NOMINATION:

10. Nomination of Henry Rios to the Library Board

Nomination made to appoint Henry Rios to the Library Board by Mayor Michaud,
Seconded by Commissioner Thomas.

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

11. Nomination of Robert Shelton to the Library Board

Nomination made to appoint Robert Shelton to the Library Board by Commissioner
Taylor, Seconded by Vice-Mayor Glas-Castro.

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

QUASI-JUDICIAL PUBLIC HEARING (RESOLUTION):

NONE

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

NONE

PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

12. 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 LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE.

Motion made to approve Ordinance 02-2024 on second reading 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 only.

13. 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.

Motion made to approve Ordinance 03-2024 on second reading 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 only.

OLD BUSINESS:

NONE

NEW BUSINESS:

14. At its 2/21/2024 meeting, the Commission consented to the Town Manager's recommendation to pause all work activity associated with the SDI contract with the Town until the next Commission meeting. The purpose of this agenda item is to render a decision regarding any future work that SDI will perform on behalf of the Town. Town Manager D'Agostino explained the item (see Exhibit "B").

Mr. Don Delaney of SDI defended the statements made against him. He stated he does not concur with the Town Managers statements. He stated that there are accusations that are a part of the public record that he is not to be trusted, the he was receiving payment directly from Forest and that he had been working with another Town employee to secretly retain a CRA contract, all of which he says are not true and he feels he needs to be able to face his accuser and also feels that he and his staff have done a good job.

Mr. Sam Bauer, Senior Vice-President of Development for Forest Development stated that they fully support the Town Manager and Commission in their decision, whatever it may be.

Motion to terminate SDI's contract with the Town of Lake Park according to section 4 of the original contract made by Commissioner Thomas, Seconded by Commissioner Taylor.

Commissioner Thomas stated for the record that this doesn't mean she is against SDI but wants clarity to move forward with development on this project.

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

15. Community Greening Tree Giveaway Waiver Requests

Town Manager D'Agostino explained the item (see Exhibit "C").

Motion made to waive all fees by Vice-Mayor Glas-Castro, Seconded by Commissioner Taylor.

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

16. Town Commission's Acceptance of the Community Redevelopment Agency Annual Report for Fiscal Year 2022-2023. (Exhibit D)

Motion to approve the Community Redevelopment Agency Annual Report for Fiscal Year 2022-2023 made by Vice-Mayor Glas-Castro, Seconded by Commissioner Taylor.

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

REQUEST FOR FUTURE AGENDA ITEMS: NONE

ADJOURNMENT:

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

Voting Aye: All.

Meeting adjourned at 8:50 pm

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on
March 20, 2024.

Mayor Roger D. Michaud

Town Seal

Vivian Mendez, Town Clerk

Laura Weidgans, Deputy Town Clerk

Approved on this _____ of _____, 2024



TOWN MANAGER COMMENTS

Item 2.

TOWN COMMISSION MEETING Wednesday, March 6, 2024

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

The Town has applied for funding through the annual CDBG program, as it does every year. This year the Town was eligible to apply for a total of \$394,882 (a combination of the annual allocation, which is \$47,704 and the Special Area of Hope allocation, which is estimated at \$347,178). Funds will be allocated for the architectural design and engineering services required to **design** and deliver 100% construction-ready project plans, including the complete design of the aquatic center and the complete **design** of the community center building and all associated site work and parking required by both recreational projects. Funding will also help support the **construction** of the aquatic center facility, including the swimming pool and pool equipment building, as well as the **construction** of all site work and parking required by both recreational projects.

COMMUNITY DEVELOPMENT

Reminders

- The 3D concrete printing facility site visits in Wellington are scheduled for tomorrow, **March 7, 2024** from 2 p.m.-5 p.m. The Town Commission and Staff members have received a calendar invitation for the visits.
- The Accessory Dwelling Unit (ADU) workshop is being held on **March 27** at 6 p.m. here at Town Hall. Notifications to all single-family zoning district property owners will be mailed next week.

754 Park Avenue

We received an update today in that a complete permit submittal to complete the building exterior and site work will be submitted this week. Once it is, staff will move it forward as quickly as possible.

700/748 Park Avenue

This property is owned by the same owner of 754 Park Avenue. The owner's contractor also informed us today that they intend in improving the aesthetics of this building as well and this permit application will be submitted this week also. Part of the renovations will include a proposal to remove all of the expired murals.

HUMAN RESOURCES

Item 2.

We are pleased to introduce our new Public Works Director, Jaime Morales. Mr. Morales has a Bachelor's Degree from the Interamerican University of Puerto Rico in Business Administration and Finance as well as a Master's Degree in Business Administration and Marketing from the same university. He is the former Assistant Public Works Director for St. Lucie County and former Assistant Public Works Director for Pasco County. He has significant experience in overall administration planning and coordination of public works functions, as well as directing multiple divisions infrastructure maintenance, cycle-based maintenance strategies, flood control and water quality management. We are very pleased to welcome Mr. Morales to our team.

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
- 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
- Finance Director – Salary range: \$115,002.64 to \$184,004.23 per year

All of the above positions are open until filled.

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 job posting for the above positions or volunteer opportunities or to download an employment or volunteer application, please visit the Town's official website at www.lakeparkflorida.gov. For additional information please contact the Town's Human Resources Department at 561-881-3300 and choose Option 8.

LIBRARY

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

Item 2.

Community Greening Tree Giveaway

The Town of Lake Park is partnering with Community Greening to pass out 150 FREE TREES to Lake Park residents. The event will be held on **Saturday, March 9** starting at 9:00 am, at Kelsey Park. Trees will be passed out on a first-come, first-served basis, with a limit of two trees per household. For more information, contact the Special Events Department at 561-840-0160.

Tour De Lake Park

Enjoy a fun ride with family and friends to learn about historic Lake Park on **Saturday, March 23** in honor of Florida Bicycle Month. Participants must be 12 years of age or older and are asked to meet at Town Hall at 1:30 pm with their bicycles, helmets and water bottles. The tour will begin at 2:00 pm with stops throughout the Town. For more information please contact Mayor Roger Michaud at 561-921-5253.

Sunset Celebration

Sunset Celebration will be held on **Friday, March 29** from 6:00 pm – 9:00 pm at the Lake Park Harbor Marina. This month's event will feature live entertainment from PRATO Band! There will be a full bar, happy hour prices, and a variety of food and craft vendors. For more information, contact the Special Events Department at 561-840-0160.

Easter Eggstravaganza

The Town of Lake Park will host its annual Easter Eggstravaganza on **Saturday, March 30** from 10:00 am – 12:00 pm at Kelsey Park. There will be egg hunts for children 3-10 years old, free photos with the Easter Bunny, children's activities, music, raffle prizes, face painting and much more. For more information please contact the Special Events Department at 561-840-0160.

ALLISON DUDLEY, LOBBYIST FOR PALM BEACH SHORES – The Town of Palm Beach Shores has secured funding in the amount of 1 million dollars as part of the water resource budget to dredge between 60,000-80,000 cubic yards of sand material. We will enter into an Interlocal Agreement to manage the project and receive the material for increases to the elevation of the Marina and Kelsey Park. Also, our vulnerability assessment requires the Town to raise the existing seawalls (8 miles) by three feet. Further, since developer Peter Baytarian paid for the services of Lobbyist Allison Dudley in the amount of \$70,000, the Interlocal Agreement will reflect a reimbursement to the private developer to use the material for public use.

MOBILITY LEGISLATION – Both the House and Senate passed mobility legislation limiting one fee to be paid by Developers. The payment of the fee would be collected by the entity issuing the building permit. Legislation also requires an Interlocal Agreement between the Town and County covering the maintenance repair or upgrade to County roads in the jurisdiction that the County roads pass through.



LAKE PARK ARE
**GIVING AWAY
FREE TREES**
TO LAKE PARK RESIDENTS
AT KELSEY PARK
ON SATURDAY,
MARCH 9TH!

Item 2.

**PICK UP A
NATIVE OR FRUIT
TREE TO PLANT AT
YOUR HOME!**

FIRST COME, FIRST SERVED.
TWO TREES PER HOUSEHOLD
1 FRUIT TREE MAX.

MUST BE A LAKE PARK
RESIDENT

*Native &
Fruit Species
Options Available:*

Barbados cherry,
Gumbo limbo,
Simpson's stopper,
Soursop and
Starfruit



FREE TREE GIVEAWAY

SAT, MARCH 9TH | 9AM

Kelsey Park
601 FEDERAL HWY, LAKE PARK



Tour de Lake Park

SATURDAY, MARCH 23, 2024

Join us on a fun ride with family and friends to learn about historic Lake Park in honor of Florida Bicycle Month

Meet at Town Hall (535 Park Avenue) at **1:30 PM**

Pedals up at **2:00 PM**

Participants must be **12 years of age or older**

Bring your bike, helmet, and water bottle

*For more information, please contact
Mayor Roger Michaud at 561-921-5253*



SUNSET CELEBRATION

Item 2.

FREE MUSIC CONCERT FEATURING



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

FRIDAY, MARCH 29
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 SPECIALEVENTS@LAKEPARKFLORIDA.GOV





EASTER EGGSTRAVAGANZA

SATURDAY, MARCH 30

10:00 AM - 1:00 PM

KELSEY PARK

601 US HIGHWAY 1

LAKE PARK, FL 33403

ADMISSION AND PARKING ARE FREE

BRING YOUR EASTER BASKETS

EGG HUNTS FOR CHILDREN 3-10 YEARS OLD

FREE PHOTOS WITH THE EASTER BUNNY

MUSIC, GAMES, FACE PAINTING, RAFFLE PRIZES

**FOR SPONSORSHIP, VENDOR & VOLUNTEER
INFORMATION PLEASE CONTACT THE SPECIAL
EVENTS DEPARTMENT AT 561-840-0160 OR EMAIL
SPECIALEVENTS@LAKEPARKFLORIDA.GOV**



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 6, 2024

Agenda Item No.

Agenda Title: Discussion Regarding the Termination of the Contract for Professional Consulting Services between Strategic Development Initiatives, Inc. and the Town of Lake Park

- ☐ SPECIAL PRESENTATION/REPORTS ☐ CONSENT AGENDA
☐ BOARD APPOINTMENT ☐ OLD BUSINESS
☐ PUBLIC HEARING ORDINANCE ON FIRST READING
☒ **NEW BUSINESS**
☐ OTHER: _____

Approved by Town Manager John D'Agostino Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake Park,
ou=Town Manager,
email=jdagostino@lakeparkflorida.gov, c=US
Date: 2024.02.28 16:53:05 -05'00' **Date:** _____

Name/Title:

Originating Department: Town Manager	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	<u>Attachments:</u> <ul style="list-style-type: none"> • SDI Contract and Amendments • Attachment of Second Amendment (Focus of the Agenda Request Form)
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case ____ Please initial one.

Summary Explanation/Background:

On October 7, 2020, the Town Commission approved by Resolution 52-10-20 the execution of the Contract for Professional Consulting Services between Strategic Development Initiatives, Incorporated (SDI) and the Town of Lake Park for the provision of professional consulting services to assist the Town in the development of the Lake Park Harbor Marina project as defined in Section

255.065(l) (i) Florida Statutes with respect the implementation of a public-private partnership. The contract was amended on February 17, 2021, and again on June 2, 2021. Copies of the original contract document and the two amendments are attached for ease of reference.

At the February 21, 2024, meeting, the Town Commission consented to the Town Manager's recommendation to pause all work activity associated with the SDI contract with the Town until the next Commission meeting. The purpose of this agenda item is to render a decision regarding any future work that SDI will perform on behalf of the Town.

The Town Manager, the Town Attorney, Peter Baytarian, and Larry Zabik met to discuss the Second Amendment of the SDI Contract. Section 7 of the Second Amendment outlines Mr. Delaney's duties and responsibilities. The scope of work mirrors the duties and responsibilities of the staff relating to any development project undertaken by the Town, especially the Lake Park Harbor Marina expansion. As the Town Manager who manages the day-to-day operations of employees, there is nothing in the scope of services that cannot be performed by Town staff. Further, CAP will inspect the building, wiring, and plumbing during construction. Architects, Engineers, and Landscape traditionally perform plan review experts retained for such tasks through the CCNA process. The process is competitively bid, and at least two or three firms for each discipline are selected. The Community Development Department has sufficient resources to complete task 7 of Phase 3 (III). Therefore, the town manager, Peter Baytarian, and Larry Zabik have no objection to the recommendation of Terminating SDI's contract with the town.

Furthermore, Termination without cause under Section 4 Termination and 4.1 allows the Town to terminate the contract with SDI. SDI is under a pause of duties and responsibilities and would recommend continuing the pause.

Those portions of the original contract and the second have been highlighted.

Recommended Motion: Move to terminate SDI's contract with the Town of Lake Park according to Section 4 of the original contract.



Town of Lake Park Town Commission

Item 2.

Agenda Request Form

Meeting Date: March 6, 2024

Originating Department: Special Events

Agenda Title: Community Greening Tree Giveaway Waiver Requests

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

Cost of Item: \$0.00 **Funding Source:** _____

Account Number: _____ **Finance Signature:** _____

Advertised:

Date: _____ **Newspaper:** _____

Attachments: Community Greening Tree Giveaway Special Event Permit Application

Community Greening Special Event Permit Application Quote

Community Greening Tree Giveaway Facility Rental Quote

Please initial one:

 X Yes I have notified everyone

 Not applicable in this case

Summary Explanation/Background:

On February 13, 2024 the Special Events Department received notice that the Town has hired Community Greening to execute a free tree giveaway event for Town of Lake Park residents. The event is to take place at Kelsey Park on March 9, 2024 from 9:00 am – 11:00 am. There will be 150 trees available, comprised of 75 native (Simpson’s Stopper and Gumbo Limbo) and 75 fruit (Barbados Cherry, Soursop and Starfruit.) Residents will be able to take home up to two trees per household (one of which may be a fruit tree.) Community Greening would like the Town to sponsor the event as well as approve the following special waiver requests which cannot be granted administratively.

<u>REQUESTED CATEGORY</u>	<u>VALUE</u> <u>(monetary or other)</u>	<u>TOTAL</u>
Special Event Permit Application Fee	\$50.00	\$500.00 (Indirect Cost)
Kelsey Park Refundable Security Deposit	\$1,500.00	\$150.00 (Indirect Cost)

Recommended Motion: I move to waive the fees for Community Greening.

ANNUAL REPORT FISCAL YEAR 2022-2023



TOWN OF
LAKE PARK

COMMUNITY
REDEVELOPMENT
AGENCY



THE COMMUNITY REDEVELOPMENT AGENCY OF THE TOWN OF LAKE PARK, FLORIDA

ANNUAL REPORT FOR THE FISCAL YEAR 2022-2023

The Town of Lake Park (the Town), formerly known as Kelsey City, has a rich and diverse cultural history dating back nearly a century. The Olmsted Brothers (renowned landscape architects and creators of such noteworthy projects as the National Mall and the White House grounds) laid out the incorporated Kelsey City in 1923. The Town is one of the earliest master-planned communities in South Florida and continues to retain its original characteristics. In 1919, founder Harry Seymour Kelsey purchased 100,000 acres between Jupiter and Riviera Beach. Kelsey chose the scrub ridge for the site of Kelsey City (later renamed Lake Park). The Town maintains much of its original charm while simultaneously embracing the present and planning for the future. The Town will celebrate its Centennial Anniversary in 2023.

CREATION AND EXPANSION OF THE TOWN OF LAKE PARK COMMUNITY REDEVELOPMENT AGENCY

In 1996, the Town of Lake Park Community Redevelopment Agency (C.R.A.) was created by a vote of both the Town Commission and the Palm Beach County Board of County Commissioners. Its purpose was, and remains, to restore and maintain a sense of place and community through the revitalization of the physical and economic environment throughout the Lake Park Community Redevelopment Agency's designated areas. The 1996.C.R.A. board presented a plan that served as the framework for programming redevelopment activities and implementing specific projects designed to leverage public interest and private investment required for revitalization. Redevelopment is one of the best ways to instill new life into areas adversely impacted by social, physical, environmental, or economic decline. The targeted area receives focused attention and financial investment to reverse the negative trends caused by slums and blighted areas. The C.R.A. creates jobs, restores a business climate, rehabilitates and increases business and housing opportunities for low- and -moderate-income residents and families.

The latest C.R.A. Master Plan calls for expanding the C.R.A. target area. The new target area will include Bert Bostrom Park. The expanded area includes homes along Silver Beach Road from 10th Street to U.S. Highway 1. The

expansion area extends 10th Street north from Northern Drive to Northlake Boulevard, encompassing 10th Court and Prosperity Farms Road to Northlake Boulevard. The expansion area is under consideration by the County.

The map illustrates the existing Lake Park C.R.A. and the proposed expansion areas.

Map of Existing Lake Park CRA and Proposed Expansion Areas



C.R.A. Master Plan Update and Future Focus

In the last annual report, C.R.A.'s Board of Directors requested an update to the C.R.A. Master Plan. In preparation for The Town of Lake Park C.R.A. Master Plan update, and under the Town of Lake Park's Purchasing Ordinance, the C.R.A. solicited proposals from planning firms to update the C.R.A. Master Plan in an ongoing effort to foster redevelopment options and smart sustainable growth in the Town through an updated C.R.A. Master Plan. The implemented C.R.A. Master Plan was workshopped and approved in the last reporting period. The C.R.A. Master Plan is attached as an Appendix

and identifies the C.R.A. areas, along with goals and objectives for areas that essentially serve as our future focus areas. This report will also highlight initiatives and plans for future growth and development. A look at possible future initiatives will ensure attainable development initiatives for the C.R.A.

RECENT GROWTH AND DEVELOPMENT

754 Park Avenue

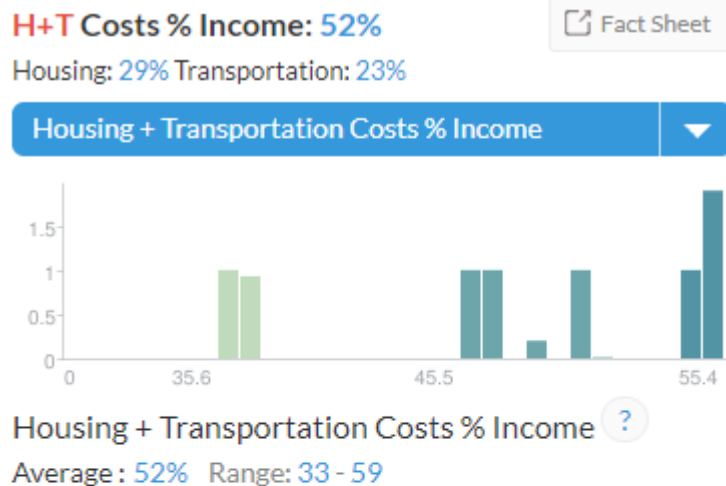
The Park Avenue project changed ownership when 754 Park Avenue Lake Park L.L.C. (represented by Michael Aram) purchased the 754 Park Avenue building (which was previously under renovation). To date, the property owner has not moved forward with the completion of the building. The property is under code violations from the Town, with a lien recorded against the property since the building permits for the renovations have expired and the property remains unfinished. This property remains underdeveloped with partial completion of a plan that may or may not move forward. The objective of the C.R.A. is to either get the new owner to complete construction with updated plans or sell the property to a developer to complete the development.

Downtown Redevelopment Vision

The C.R.A. includes Park Avenue, Lake Park's main downtown corridor. The viability of space in the downtown area, which we also refer to as the Park Avenue Downtown District (PADD), requires significant development of residential, mixed-use buildings with increased density to create live, work, and recreate options for a successful rebirth of the PADD (a vital component of a viable PADD district). Density development along 10th Street, both North and South of Park Avenue, is critical to the success of business development and business sustainability. The PADD benefited from a comprehensive plan amendment, allowing for increased densities within select downtown areas. The State of Florida accepted the Comprehensive Plan Amendment, and the Town Commission passed Land Development Regulations to increase intensities. Now that density is in place for development along 10th Street and the extension of the PADD areas along 10th Street north and south of Park Avenue, additional mixed-use development projects that will propose increased densities and intensities are able to move forward in the application and approval process.

Businesses in the CRA PADD are struggling to attract customers from within the Lake Park boundaries. A significant reason for the lack of business from the local community evolves around housing costs. While Lake Park has historically had some of the lowest housing costs in the northern Palm Beach County area, the availability of disposable income remains out of reach for a majority of residents. Housing and Transportation costs for Lake Park residents, on average, constitute 52% of a family's housing and

transportation income. The graph below illustrates the need to attract customers outside of Lake Park. The need for marketing plans and the ability of the C.R.A. to assist local businesses in implementing such plans is significant, as illustrated in the graph below.



Population	Household	Neighborhood
	Population	% of Population
< 24%	0	0%
24 - 36%	0	0%
36 - 45%	1,123	12.9%
45 - 54%	3,033	35%
54 - 66%	4,516	52.1%
66 - 78%	0	0%
78 - 87%	0	0%
87% +	0	0%
Total	8,672	100%

Over 4,500 residents in Lake Park commit between 54 to 66% of family income to housing and transportation expenses. With a population of just over 9,500 residents, almost half of the population in Lake Park cannot afford to have sufficient disposable income to support restaurants, cafés, and other businesses. In order to balance the affordable housing needs and provide for a new influx of residents in proximity to our CRA businesses so that they can further support them, additional density development in the downtown area is needed, along with affordable housing strategies such as accessory dwelling units. Such discussions will be on the horizon for the C.R.A Board of Directors and the Town Commission in 2023-2024.

The need for density development in the PADD cannot be overstated. The C.R.A. continues to explore the possibility of events intended to increase interest in the businesses within the CRA downtown district (PADD). With additional living units expected to come online in the next three to five years, the occupancies necessary to

support both the existing and additional businesses will ensure the success of restaurants, cafés, shops, and residential life in the newly expanded downtown areas of the C.R.A. While several variables impact redevelopment, such as the lack of control of land in the C.R.A., we must undertake creative ways to encourage development, redevelopment, and new investments in projects for the C.R.A. As of the writing of the C.R.A. report, staff estimates approximately 1,200 residential apartments are planned within the next one to five years. Additional dwelling units will allow more people to live in the downtown area and support local businesses. With increased density, structured parking will be necessary to accommodate the increase in density in the PADD area. Implementing some Lake Park Mobility Plan projects will also be essential to provide alternative transportation options, including developing a possible train station near the Park Avenue and 10th Street intersection.

Ultimately, through the efforts of the Community Development Department and the Town Commission, density-related development regulations in the PADD will ensure the success of the businesses that call the Lake Park C.R.A. home. Finally, the updated C.R.A. Master Plan promotes mixed-use development and other redevelopment opportunities that have proven successful in the rebirth of downtown districts in communities the C.R.A. Executive Director has managed.

Microbreweries

Two microbreweries – Kelsey City Brewery (along Park Avenue) and Coastal Karma Brewing (along 10th Street, just north of Park Avenue) – are open in the C.R.A. Both are located within the newly established PADD. The expanded PADD along the 10th will create additional synergy among breweries and restaurants. With the development of new residential dwelling units (approximately 1,200), the recipe for further business development is within the borders of the C.R.A.

C.R.A. Attractions for Millennials, Other Age Groups, and Out-of-state Residents

The eclectic feel of downtown businesses, the presence of diverse art, the possibility of a performance art group and retail shops in the PADD, and the diverse restaurant mix will continue to attract people of all age groups and genres to the downtown. The C.R.A. envisions additional mixed-use developments that will bring people, other specialty food establishments, and other unique uses and retail businesses to the C.R.A. Oceana Coffee (and two additional partners) received a million-dollar financial incentive package tied to development at the corner of Northern Drive and 10th Street. Oceana will open a commercial roasting/canning/shipping/receiving facility with retail options and commercial food kitchens. For the canning component, Oceana Coffee has partnered with a canning company. They have partnered with a commercial kitchen partner to operate this project component and create opportunities for home-based businesses to grow their respective companies out of a commercial kitchen footprint.

Hopefully, such business development opportunities will arise in the future. C.R.A. will increase. The newly established businesses will want to be located in the C.R.A. and create unique food options not found anywhere else in northern Palm Beach County.

Open-air cafés and unique restaurants will join the existing restaurants in the future. A new train station on 10th Street behind the existing Palm Beach County Fire Rescue building will provide additional mobility options in the planning and visioning stages of building a train station with residential units above. This extra mobility option aligns with the Town's discussions on the recently passed mobility plan and fee structure. This mobility plan proposes improvements intended to provide direct alternative transportation options to several areas within the C.R.A. Further, the mobility plan will serve as an added transportation connection (last mile) option to attract individuals of all ages to the C.R.A. and connect the CRA PADD to the parks, marina, and waterfront district.

A Marketing Plan

The C.R.A.'s updated Master Plan currently serves as the Town's marketing plan for the C.R.A., including marketing-related goals and objectives. In addition, in the next reporting period, C.R.A. staff plans to develop a more in-depth marketing and branding campaign for the C.R.A. A marketing specialist position is intended for the F.Y. 23-24 budget to work with businesses in the C.R.A. to create specific marketing strategies for companies in the C.R.A. 2023-2024.

Performing Arts Center

The Kelsey Theater's long-range plan may include a performance Arts Center in the 700 block of Park Avenue. The C.R.A. development focus for the 700 block of Park Avenue will be to find a developer to redevelop the property under the new C.R.A. Master Plan. Several for-profit and not-for-profit groups in South Florida can manage a future performing arts center. Future C.R.A. staff will be responsible for searching for and securing a Black Box Theater location tenant.

796 10th Street Façade Improvements

Brooklyn Cupcakes is an all-female, minority-owned company occupying a portion of the 796 10th Street property. The owners maintain their signature location consisting of a 500-square-foot business in Brooklyn, New York, and a mail-order business in partnership with Goldbelly. The C.R.A. financed a build-out and grease trap for the company and will contribute to a commercial kitchen exhaust hood if they expand their product offerings to include cooked food products on-site. The C.R.A. awarded \$94,050 for the hood system amortized over five years, within which the business must remain in operation. The hood system project has yet to be initiated. We continue to encourage the business owner to expand their product offering beyond cupcakes, which will require the

commercial exhaust system to be financed by the C.R.A. and installed by the business owners, assuming they meet the obligations of the awarded grant funds. Brooklyn Cupcake will also help the neighboring Coastal Karma brewery and other businesses in the area by providing much-needed food once the hood system project is realized.

In addition, the C.R.A. recently awarded \$360,000 for façade/exterior property improvements to the property located at 796 10th Street. The expected façade/exterior property improvements will cost an estimated \$1.2 million. A proposed 596-unit (market rate residential mixed-use project) will be considered directly across the Street from this location. C.R.A. With the upgrade to the façade/exterior of the property, we expect to see an expansion of the customer base for the property's businesses over the next two years. The location desperately needs additional food establishments to support each other while the mixed-use development projects in the area are underway.



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

Item 2.

MEETING DATE: 3/6/2024

Cards must be submitted before the item is discussed!!

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

Name:

FRANK KATZ

Address:

301 LAKESHORE DR. #705

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

THE.KATZS@GMAIL.COM

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

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

THE OPENING OF THE SOUTH END OF
LAKESHORE DRIVE TO NAUTILUS 220 +
THE MARIALA

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 Town Commission

Agenda Request Form

Meeting Date: March 20, 2024

Originating Department: Public Works

Agenda Title: **REQUEST FOR AUTHORIZATION FOR THE TOWN MANAGER TO ENCUMBER AND EXPEND BUDGETED STREETS AND ROADS FUNDING AND ACCEPT A PROPOSAL FROM THE PAVING LADY TO COMPLETE THE 2024 SIDEWALK REPAIRS.**

Approved by Town Manager: John D'Agostino Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake
Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov, c=US
Date: 2024.03.15 15:10:42 -04'00' **Date:** _____

Cost of Item: \$190,760.85 **Funding Source:** Special Projects

Account Number: 301-63100 **Finance Signature:** Barbara A. Gould Digitally signed by Barbara A. Gould
DN: cn=Barbara A. Gould, o=Town of Lake Park,
ou=Finance Dept, email=bgould@lakeparkflorida.gov,
c=US
Date: 2024.03.14 15:35:16 -04'00'

Advertised: N/A

Date: N/A **Newspaper:** N/A

Attachments: 1. Agenda Request Form (ARF)
2. Paving Lady Proposal No.
3. Sidewalk Repair Location List
4. Agreement between Town of Lake Park and The Paving Lady

Please initial one:

DB Yes, I have notified everyone

Not applicable in this case

Summary Explanation/Background:

On July 5, 2023 the Town Commission adopted Resolution 45-07-23, which executed an agreement with Janice M. Riley, Inc., d/b/a The Paving Lady (Contractor) for the provision of maintenance and repair of streets, roads, and related services per the terms and conditions of City of Aventura, Florida /The Paving Lady Agreement No. ITB2208113 (Cooperative Purchase).

This agenda item is seeking approval to encumber/expend **\$190,760.85** of budgeted sidewalk repair funding to remove and replace over **1,535 square yards** of sidewalks at **two hundred and eighty (280)** locations throughout the Town.

Furthermore, the Contractor has informed staff that once authorized to proceed, they will mobilize to begin repairs within 15 days.

The Town Manager recommends approval.

Recommended Motion: I move to authorize the Town Manager to proceed with accepting the proposal from The Paving Lady for sidewalk repairs at multiple location throughout the Town.



1000 W. Industrial Ave. Boynton Beach, FL 33426 561-572-2600

To:	Town Lake Park	Contact:	
Address:	Lake Park, FL	Phone:	
		Fax:	
Project Name:	Town Of Lake Park 2024 Sidewalk Repairs	Bid Number:	23-0853
Project Location:	Flagger Blvd, Greenbriar Dr, Park Ave, W Ilex Rd, Town Of Lake Park, FL	Bid Date:	2/6/2024

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Mobilizations	1.00	UNIT	\$24,881.85	\$24,881.85
8	M.O.T Type 1 Barricade	120.00	EACH	\$35.00	\$4,200.00
52	4" Concrete Sidewalk Remove	1,202.00	SY	\$11.00	\$13,222.00
53	6" Concrete Sidewalk Remove	333.00	SY	\$44.00	\$14,652.00
60	4" Concrete Sidewalk Replace	1,202.00	SY	\$85.00	\$102,170.00
61	6" Concrete Sidewalk Replace	333.00	SY	\$95.00	\$31,635.00

Total Bid Price: **\$190,760.85**

Notes:

- This proposal includes a total of 3 Concrete mobilization/s.
- Any additional paving mobilization will be priced \$5,500.00 each.
- Any additional Type S or SP overages will be priced \$165.00 per Ton.
- Demo, Prep, Brick Pavers Protection and MOT excluded.
- All asphalt mixtures included in this proposal include recycled asphalt(R.A.P), unless explicitly described.
- Field measurements will prevail.
- Due to the volatility of asphalt material costs in the current market, we cannot guarantee the future cost of materials for when this work is performed. This proposal reflects Cemex Construction West Palm Beach FOB pricing as of 2/06/2024.
- Any change in material costs from this date will be charged as a change order and all required backup will be provided.

Payment Terms:

Net 30

<p>ACCEPTED:</p> <p>The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED:</p> <p>Your Company Name</p> <p>_____</p> <p>Authorized Signature: _____</p> <p>Estimator: Drew Laurella 954-734-3380 drew@pavinglady.com</p>
--	---

LAKE PARK SIDEWALK REPAIR 280 LOCATIONS

North Side

South Side

		4"	6"
324	Flagler Blvd	100	0
332	Flagler Blvd	50	0
340	Flagler Blvd	25	
356	Flagler Blvd	0	23.3
400	Flagler Blvd	25	0
410	Flagler Blvd	75	0
427	Flagler Blvd	50	0
433	Flagler Blvd	0	22.5
454	Flagler Blvd	35	0
507	Flagler Blvd	0	28.8
515	Flagler Blvd	0	76.3
535	Flagler Blvd	50	0
544	Flagler Blvd	25	0
622	Flagler Blvd	48.75	0
629	Flagler Blvd	25	0
646	Flagler Blvd	25	0
1400	Flagler Blvd	25	0
1401	Flagler Blvd	50	0
1406	Flagler Blvd	25	0
1440	Flagler Blvd	0	100
1450	Flagler Blvd	50	0
1451	Flagler Blvd	25	0
1457	Flagler Blvd	25	0
1600	Flagler Blvd	25	0
1616	Flagler Blvd	50	0
314	Greenbriar Dr	100	0
315	Greenbriar Dr	0	50
322	Greenbriar Dr	100	0
337	Greenbriar Dr	50	0
351	Greenbriar Dr	0	27.1
354	Greenbriar Dr	50	0
359	Greenbriar Dr	100	0
400	Greenbriar Dr	25	0
405	Greenbriar Dr	182.9	0
415	Greenbriar Dr	24.75	0

		4"	6"
847	W. Ilex Dr	100	0
855	W. Ilex Dr	50	0
861	W. Ilex Dr	25	0
905	W. Ilex Dr	25	0
910	W. Ilex Dr	100	0
501	W. Jasmine Dr	75	0
519	W. Jasmine Dr	0	48
537	W. Jasmine Dr	75	0
539	W. Jasmine Dr	50	0
607	W. Jasmine Dr	25	0
613	W. Jasmine Dr	25	0
616	W. Jasmine Dr	25	0
622	W. Jasmine Dr	20	0
634	W. Jasmine Dr	40	0
637	W. Jasmine Dr	20	0
638	W. Jasmine Dr	50	0
640	W. Jasmine Dr	25	0
646	W. Jasmine Dr	20	0
704	W. Jasmine Dr	0	75
705	W. Jasmine Dr	20.85	0
715	W. Jasmine Dr	50	0
727	W. Jasmine Dr	50	0
733	W. Jasmine Dr	25	0
742	W. Jasmine Dr	150	0
745	W. Jasmine Dr	25	0
751	W. Jasmine Dr	25	0
754	W. Jasmine Dr	50	0
800	W. Jasmine Dr	50	0
805	W. Jasmine Dr	100	0
815	W. Jasmine Dr	100	0
831	W. Jasmine Dr	0	50
834	W. Jasmine Dr	25	0
840	W. Jasmine Dr	50	0
845	W. Jasmine Dr	125	0
846	W. Jasmine Dr	25	0

421	Greenbriar Dr	51.65	0
422	Greenbriar Dr	75.4	0
435	Greenbriar Dr	0	137.1
436	Greenbriar Dr	25	0
444	Greenbriar Dr	56.65	0
454	Greenbriar Dr	55	0
622	Greenbriar Dr	0	50
645	Greenbriar Dr	48	0
755	Greenbriar Dr	75	0
807	Greenbriar Dr	37.5	0
816	Greenbriar Dr	0	70
SW	Greenbriar Dr and 6th St	100	0
100	Hawthorne Dr	0	37.5
120	Hawthorne Dr	0	60
200	Hawthorne Dr	0	189.2
208	Hawthorne Dr	0	25.9
225	Hawthorne Dr	25	0
300	Hawthorne Dr	75.85	0
306	Hawthorne Dr	0	27.5
318	Hawthorne Dr	0	100
422	Hawthorne Dr	51.25	0
450	Hawthorne Dr	0	20.9
455	Hawthorne Dr	30	0
607	Hawthorne Dr	20	0
608	Hawthorne Dr	175	0
638	Hawthorne Dr	133.35	0
708	Hawthorne Dr	0	21.7
709	Hawthorne Dr	25.4	0
717	Hawthorne Dr	0	50
746	Hawthorne Dr	27.5	0
755	Hawthorne Dr	80	0
756	Hawthorne Dr	80	0
808	Hawthorne Dr	0	50
815	Hawthorne Dr	0	26.7
830	Hawthorne Dr	25	0
854	Hawthorne Dr	50.8	0
855	Hawthorne Dr	25	0
858	Hawthorne Dr	125	0

854	W. Jasmine Dr	0	50
855	W. Jasmine Dr	0	25
861	W. Jasmine Dr	100	0
904	W. Jasmine Dr	25	0
905	W. Jasmine Dr	50	0
912	W. Jasmine Dr	75	0
932	W. Jasmine Dr	0	100
500	W. Kalmia Dr	25	0
608	W. Kalmia Dr	0	125
638	W. Kalmia Dr	175	0
700	W. Kalmia Dr	75	0
716	W. Kalmia Dr	25	0
717	W. Kalmia Dr	25	0
722	W. Kalmia Dr	25	0
723	W. Kalmia Dr	50	0
728	W. Kalmia Dr	75	15
740	W. Kalmia Dr	0	50
814	W. Kalmia Dr	50	0
823	W. Kalmia Dr	70	0
832	W. Kalmia Dr	0	25
839	W. Kalmia Dr	25	0
846	W. Kalmia Dr	100	0
854	W. Kalmia Dr	25	0
860	W. Kalmia Dr	75	0
905	W. Kalmia Dr	15	0
912	W. Kalmia Dr	0	25
927	W. Kalmia Dr	0	25
932	W. Kalmia Dr	0	25
933	W. Kalmia Dr	0	50

140	Bayberry Dr	16	0
207	Bayberry Dr	75	0
237	Bayberry Dr	50	0
274	Bayberry Dr	100	0
350	Bayberry Dr	25	0
520	Bayberry Dr	30	0
526	Bayberry Dr	50	0
545	Bayberry Dr	25	0

902	Hawthorne Dr	50	0
700	Magnolia Dr	0	50
710	Magnolia Dr	28.35	0
711	Magnolia Dr	50	0
718	Magnolia Dr	110.4	30
729	Magnolia Dr	25	0
735	Magnolia Dr	25	0
740	Magnolia Dr	0	29.2
815	Magnolia Dr	0	52.5
839	Magnolia Dr	0	25
840	Magnolia Dr	25	0
846	Magnolia Dr	75.85	152.9
854	Magnolia Dr	85	40
860	Magnolia Dr	75	83.4
861	Magnolia Dr	0	50
904	Magnolia Dr	0	100
905	Magnolia Dr	50.85	0
911	Magnolia Dr	75	0
912	Magnolia Dr	50	0
920	Magnolia Dr	148.35	0
927	Magnolia Dr	50	0
938	Magnolia Dr	125	0
939	Magnolia Dr	50	0
969	Magnolia Dr	0	75
145	Park Ave	16	0
200	Park Ave	0	101.7
205	Park Ave	0	100.9
209	Park Ave	0	73.4
211	Park Ave	0	33.4
237	Park Ave	25	0
321	Park Ave	0	100
327	Park Ave	25	0
332	Park Ave	233.35	0
340	Park Ave	50	0
345	Park Ave	90	0
346	Park Ave	175	0
408	Park Ave	50	0
415	Park Ave	35	0

605	Bayberry Dr	50	0
731	Bayberry Dr	25	0
743	Bayberry Dr	25	0
750	Bayberry Dr	25	0
811	Bayberry Dr	50	0
829	Bayberry Dr	50	0
409	Cypress Dr	40	0
412	Cypress Dr	0	25
418	Cypress Dr	25	0
439	Cypress Dr	0	50
442	Cypress Dr	0	50
505	Cypress Dr	150	0
508	Cypress Dr	0	100
523	Cypress Dr	80	52.5
531	Cypress Dr	0	20
547	Cypress Dr	0	25
558	Cypress Dr	175	0
729	Cypress Dr	0	125
733	Cypress Dr	25	0
205	Date Palm Dr	0	50
227	Date Palm Dr	0	61.7
229	Date Palm Dr	50	0
237	Date Palm Dr	105.85	0
249	Date Palm Dr	25	0
344	Date Palm Dr	0	130
415	Date Palm Dr	0	75
447	Date Palm Dr	40	0
455	Date Palm Dr	225	0
505	Date Palm Dr	50	0
515	Date Palm Dr	0	50
537	Date Palm Dr	50	0
545	Date Palm Dr	25	0
805	Date Palm Dr	25	0
116	Evergreen Dr	50	0
136	Evergreen Dr	50	0
142	Evergreen Dr	32.5	30.9
207	Evergreen Dr	0	25
215	Evergreen Dr	25	0

435	Park Ave	50	0
550	Park Ave	25	0
625	Park Ave	50	0
640	Park Ave	100	0
646	Park Ave	25	0
700	Park Ave	75	0
625	Park Ave	50	0
201	Park Ave and 2nd St	75	0
574	Redwood Dr		
615	W. Ilex Dr	25	0
616	W. Ilex Dr	25	0
621	W. Ilex Dr	50	0
622	W. Ilex Dr	100	0
627	W. Ilex Dr	0	125
628	W. Ilex Dr	50	0
633	W. Ilex Dr	48.35	0
634	W. Ilex Dr	0	26.7
639	W. Ilex Dr	61.25	0
640	W. Ilex Dr	125	0
645	W. Ilex Dr	125	0
646	W. Ilex Dr	0	25
714	W. Ilex Dr	65	0
719	W. Ilex Dr	10	0
725	W. Ilex Dr	25	0
731	W. Ilex Dr	125	150
749	W. Ilex Dr	25	0
755	W. Ilex Dr	150	0
805	W. Ilex Dr	50	0
828	W. Ilex Dr	75	0
831	W. Ilex Dr	75	0

221	Evergreen Dr	100	0
229	Evergreen Dr	25	0
247	Evergreen Dr	225	0
253	Evergreen Dr	0	52.1
254	Evergreen Dr	100	0
288	Evergreen Dr	100	0
321	Evergreen Dr	100	0
333	Evergreen Dr	75	0
339	Evergreen Dr	100	0
405	Evergreen Dr	27.1	0
430	Evergreen Dr	50	60
436	Evergreen Dr	25	0
505	Evergreen Dr	101.25	76.3
519	Evergreen Dr	0	90
545	Evergreen Dr	75.85	0
639	Evergreen Dr	50	0
902	Evergreen Dr	25	0
908	Evergreen Dr	75	0
921	Evergreen Dr	0	25
125	Foresteria Dr	150	0
203	Foresteria Dr	0	25
206	Foresteria Dr	75	0
227	Foresteria Dr	20	0
237	Foresteria Dr	25	0
250	Foresteria Dr	0	317.9
301	Foresteria Dr	0	25
641	Foresteria Dr	30.85	0
906	Foresteria Dr	25	0
935	Foresteria Dr	75	0

RESOLUTION 45-07-23

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH JANICE M. RILEY, INC., D/B/A THE PAVING LADY, FOR MAINTENANCE AND REPAIR SERVICES FOR TOWN STREETS AND FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (“Town”) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town is empowered to enter into contracts with contractors related to public facilities; and

WHEREAS, the Town’s Public Works Department (the Department) is responsible for planning, constructing, operating, and maintaining its streets and facilities; and

WHEREAS, the Department requires a contractor to perform these services; and

WHEREAS, the City of Aventura, Florida, solicited bids as part of a competitive solicitation and selected and has executed a contract with Janice M. Riley, Inc., d/b/a The Paving Lady (Contractor) to provide the City with maintenance and repair services for its streets and facilities in accordance with Agreement Number ITB2208113; and

WHEREAS, pursuant to the Town’s purchasing procedures, the Town may enter into cooperative purchasing contracts for services with contractors when another public agency has competitively solicited services from contractors and the contractor has agreed to offer its services to other public entities based upon the same terms, conditions, and pricing; and

WHEREAS, the Contractor has agreed to provide the same services to the Town as it has agreed to provide to the City of Aventura for the same terms, contracting, and pricing as set forth Agreement Number ITB2208113; and

WHEREAS, the Town Manager recommends to the Town Commission that the Town should enter into an agreement with the Contractor.

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

Section 1. The foregoing recitals are incorporated herein.

Section 2. The mayor is hereby authorized and directed to execute an agreement with the Contractor, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, for maintenance and repair services for Town streets and facilities.


Section 3. This Resolution shall take effect immediately upon its execution.

The foregoing Resolution was offered by Commissioner Thomas, who moved its adoption. The motion was seconded by Vice-Mayor Glas-Castro and upon being put to a roll call vote, the vote was as follows:



	AYE	NAY
MAYOR ROGER D. MICHAUD	<u>✓</u>	<u> </u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>✓</u>	<u> </u>
COMMISSIONER JOHN LINDEN	<u>✓</u>	<u> </u>
COMMISSIONER MARY BETH TAYLOR	<u>✓</u>	<u> </u>
COMMISSIONER JUDITH E. THOMAS	<u>✓</u>	<u> </u>

The Town Commission thereupon declared the foregoing Resolution 45-07-23 duly passed and adopted this 5 day of July, 2023.


TOWN OF LAKE PARK, FLORIDA

BY: 
ROGER D. MICHAUD
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK

TOWN OF LAKE PARK
(TOWN SEAL)
SEAL
FLORIDA

Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY

AGREEMENT FOR MAINTENANCE AND REPAIR OF STREETS AND FACILITIES.

THIS AGREEMENT FOR THE MAINTENANCE AND REPAIR OF TOWN STREETS AND FACILITIES (AGREEMENT) is made and entered into this 5 day of July, 2023, by and between the Town of Lake Park, a municipal corporation of the State of Florida, 535 Park Avenue, Lake Park, Florida, 33403 ("Town") and Janice M. Riley, Inc., d/b/a The Paving Lady, 1000 West Industrial Avenue, Boynton Beach, Florida 33426 ("Contractor").

WITNESSETH THAT

WHEREAS, the Town of Lake Park, Florida ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town is empowered to enter into contracts with contractors related to public facilities; and

WHEREAS, the Town's Public Works Department (the Department) is responsible for planning, constructing, operating, and maintaining its streets and Town facilities; and

WHEREAS, the Town requires a contractor to perform these services; and

WHEREAS, the City of Aventura, Florida, solicited bids as part of a competitive solicitation and selected and has executed a contract with Janice M. Riley, Inc., d/b/a The Paving Lady (Contractor) to provide the City with maintenance and repair services for its streets and facilities in accordance with Agreement No. ITB2208113; and

WHEREAS, pursuant to the Town's purchasing procedures, the Town may enter cooperative purchasing contracts for services with contractors when another public agency has competitively solicited services from contractors and the contractor has agreed to offer its services to other public entities based upon the same terms, conditions, and pricing; and

WHEREAS, the Contractor has agreed to provide the same services to the Town as it has agreed to provide to the City of Aventura for the same terms, conditions, and pricing as set forth in Agreement No. No. ITB2208113.

NOW THEREFORE, the Town and the Contractor in consideration of the benefits flowing from each to the other do hereby agree as follows:

1. The above-stated recitals are true and correct.

2. The Contractor shall comply with Florida's Public Records Law. Specifically, the Contractor shall:
 - a. Keep and maintain public records required by the Town to perform the services which are the subject of this Agreement.
 - b. Upon the request of the Town, provide any such public records.
 - c. Ensure that any public records that are exempt or confidential from public records disclosure are not disclosed except as authorized by law for the duration of the term of this Agreement, and following completion of this Agreement if the Contractor does not transfer the records which are part of this Agreement to the Town.
 - d. Upon the completion of the term of the Agreement, transfer, at no cost, to the Town all public records in possession of the Contractor; or keep and maintain the public records associated with the services provided for in the Agreement. If the Contractor transfers all public records to the Town upon completion of the term of the Agreement, the Contractor shall destroy any duplicate public records that are exempt or confidential from public records disclosure. If the Contractor keeps and maintains public records upon completion of the term of the Agreement, the Contractor shall meet all applicable requirements pertaining to the retention of public records. All records stored electronically shall be provided to the Town, upon request, in a format that is compatible with the information technology systems of the Town.
 - e. If the Contractor has questions regarding the application of Chapter 119, Florida Statutes, including its duty to provide public records relating to this Agreement, the Contractor shall contact the custodian of public records at: Town Clerk, 535 Park Avenue, Lake Park, Florida 33403, 561-881-3311, townclerk@lakeparkflorida.gov.
3. The Contractor hereby agrees to provide to the Town with the same services based upon these same terms, conditions and pricing for maintenance and repair services for the Town's streets and facilities as are set forth in Agreement No. ITB2208113 executed between the Contractor and the City of Aventura, Florida, a copy of which is attached hereto and incorporated herein.
4. The Town hereby agrees to pay for the services of the Contractor based upon the same terms, conditions and pricing as set forth in the Agreement No. ITB2208113 executed between the Contractor and the City of Aventura, Florida.
5. The terms, conditions, and pricing contained in Agreement ITB220811 are hereby supplemented and incorporated into this Agreement, as follows:

The Contractor's mobilization costs shall be mutually agreed to by the parties hereto and proportional to the individual scope of work for which the mobilization that is purposed. The mobilization costs shall be reflected in a written supplement to this Agreement which shall be attached hereto prior to its execution.

6. This Agreement shall be governed by the laws of the state of Florida. Venue for any cause of action arising out of this Agreement shall lie in the 15th Judicial District in and for Palm Beach County, Florida, or the United States District Court for the Southern District of Florida.
7. Notices to the Contractor and Town are to be directed to the addresses reflected hereinabove.
8. If either party is required to initiate a legal action, including appeals to enforce this Agreement, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year last executed below.

ATTEST:

TOWN OF LAKE PARK

By: Vivian Mendez

Vivian Mendez, Town Clerk

By: Roger Michaud

Roger Michaud, Mayor



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

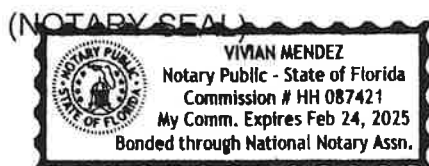
By: Thomas J. Baird

Thomas J. Baird, Town Attorney

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument has been acknowledged before me this 5 day of July 2023 by Roger Michaud, Mayor of the Town of Lake Park, and who is personally known to me.




Notary Public, State of Florida

Janice M. Riley, Inc., d/b/a
The Paving Lady:

By: 

Its: President
MAURO COMUZZI

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Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 20, 2024

Agenda Item No.

Agenda Title: **Agreement to Provide Construction for the Southern Outfall Pipe Replacement Project.**

[] SPECIAL PRESENTATION/REPORTS [X] CONSENT AGENDA
 [] BOARD APPOINTMENT [] OLD BUSINESS
 [] PUBLIC HEARING ORDINANCE ON _____ READING
 [] NEW BUSINESS
 [] OTHER: _____

Approved by Town Manager John D'Agostino Digitally signed by John D'Agostino
 DN: cn=John D'Agostino, o=Town of Lake
 Park, ou=Town Manager,
 email=jdagostino@lakeparkflorida.gov,
 c=US
 Date: 2024.03.15 15:52:49 -04'00' **Date:** _____

Name/Title

Originating Department: Department of Public Works	Costs: \$ 3,450,696.30 Funding Source: Acct. # [] Finance _____	Attachments: 1) Resolution For execution of an agreement with Foster Marine Contractors, Inc. 2) Agreement Document Agreement Attachments are available for review at the Office of the Town Clerk
Advertised: Date: _____ Paper: _____ [X] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case ____ Please initial one.

Summary Explanation/Background:

The Town of Lake Park was awarded a storm-water mitigation grant through Florida Commerce (previously referred to as Florida Department of Economic Opportunity (DEO)) in the amount of \$11,434,755.00.

As a pre-requisite to the issuance of the grant funding, the Town, as Recipient and Responsible Entity of the grant, must to complete the environmental requirements as directed under 24 Code of Federal Regulations, Part 58.

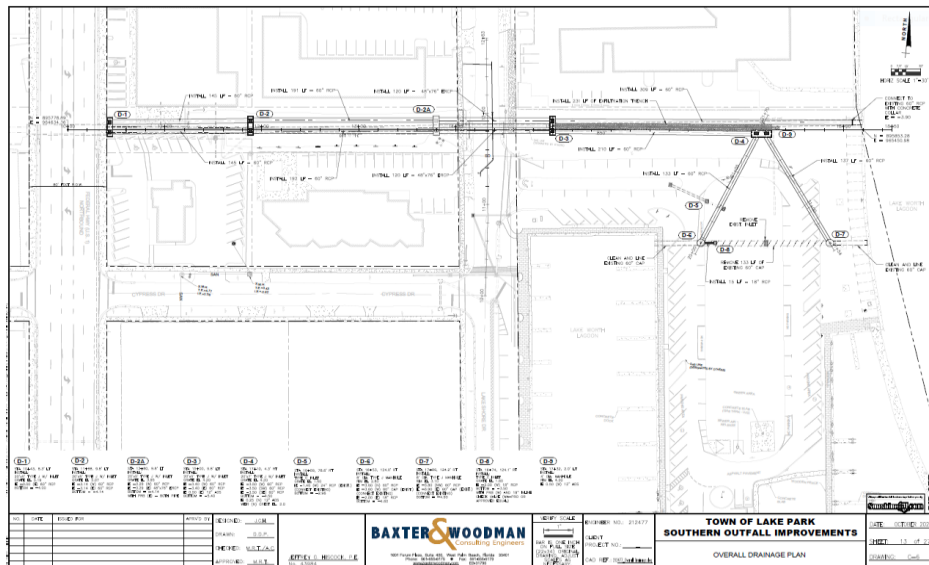
The required environmental assessment has been completed and the Town was issued a notice of clearance and given authority to use the allocated grant funding.

On December 10, 2023, Town's Public Works staff advertised and solicited bids from pre-qualified contractors for the Southern Outfall Pipe Replacement Project via an Invitation to Bid No. 125-2023 (ITB); and

The Town received 3 bid responses and after evaluation and analysis a determination was made that Foster Marine Contractors, Inc. was determined to be a qualified, able, and willing to satisfactorily provide the work and services for the Project as solicited in the ITB; and

The bid price provided by Foster Marine Contractors, Inc. for the Project, including alternate bid pricing is \$3,450,696.30.

Upon approval and execution of this contractual agreement the Town will be ready to move forward with construction work on the Southern Outfall Pipe Replacement project which is the second project affiliated with the Florida Commerce Mitigation grant.



Recommended Motion: I move to authorize the Town Manager to accept the proposal provided by Foster Marine Contractors, Inc., for the construction work associated with the Southern Outfall Pipe Replacement Project.

RESOLUTION NO. 15-03-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH FOSTER MARINE CONTRACTORS, INC. FOR THE STORM-WATER IMPROVEMENT CONSTRUCTION WORK ASSOCIATED WITH THE SOUTHERN OUTFALL PIPE REPLACEMENT PROJECT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town is a municipality with such powers and authority as is enumerated by Chapter 166 Florida Statutes and the Florida Constitution; and

WHEREAS, the Town desires to implement sustainable strategies that will improve the quality of life and safety of residents and visitors in the town; and

WHEREAS, the Town previously determined that its stormwater infrastructure lacks capacity and there is a need to implement drainage system improvements associated with the Southern Outfall Pipe Replacement (the Project); and

WHEREAS, on February 8, 2022, the Town was awarded a Rebuild Florida Mitigation General Infrastructure Program Grant by the State of Florida, Department of Economic Opportunity, in an amount of \$11,067,635.00 to retrofit storm sewer systems using low-impact green infrastructure; and

WHEREAS, on December 10, 2023, Town's Public Works staff advertised and solicited bids from pre-qualified contractors for the Southern Outfall Pipe Replacement Project via an Invitation to Bid No. 125-2023 (ITB); and

WHEREAS, the Town received 3 bid responses and after evaluation and analysis a determination was made that Foster Marine Contractors, Inc. was determined to be qualified, able, and willing to satisfactorily provide the work and services for the Project as solicited in the ITB; and

WHEREAS, the bid price provided by Foster Marine Contractors, Inc. for the Project, including alternate bid pricing is \$3,450,696.30.

WHEREAS, the Contractor's response to the ITB was determined by the Town Manager to be responsive and responsible to all requirements included in the ITB; and

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

Section 1. The foregoing recitals are incorporated herein.

Section 2. The Town Commission hereby authorizes and directs the mayor to execute an agreement with Foster Marine Contractors, Inc. to provide Construction Contracting Services, a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 3. This resolution shall be effective upon its execution.

**AGREEMENT TO PROVIDE SERVICES FOR CONSTRUCTION ASSOCIATED WITH
STORMWATER IMPROVEMENTS FOR THE SOUTHERN OUTFALL PIPE
REPLACEMENT PROEJCT**

This agreement for the provision of stormwater improvements for the Southern Outfall Pipe Replacement Project ("Agreement") is made and entered into this _____20th day of March 2024, by and between the Town of Lake Park, a municipal corporation of the state of Florida, having an address of 535 Park Avenue, Lake Park, Florida, 33403 ("Town") and Foster Marine Contractors, Inc., 3180 Fairlane Farms Road, Suite 1, Wellington, Florida 33414 ("Contractor").

WITNESSETH THAT:

WHEREAS, the Town is a municipality with such powers and authority as is enumerated by Chapter 166 Florida Statutes and the Florida Constitution; and

WHEREAS, the Town desires to implement sustainable strategies that will improve the quality of life and safety of residents and visitors in the town; and

WHEREAS, the Town previously determined that its storm-water infrastructure lacks capacity and, among other things, there is a need to implement drainage system improvements at Southern Outfall Pipe Replacement (the "Project"); and

WHEREAS, on February 8, 2022, the Town was awarded a Rebuild Florida Mitigation General Infrastructure Program Grant by the State of Florida, Department of Economic Opportunity, in an amount of \$11,067,635.00 to retrofit storm sewer systems using low-impact green infrastructure; and

WHEREAS, on December 11, 2023, the Town's Public Works Department staff advertised and solicited bids from pre-qualified contractors for the Southern Outfall Pipe Replacement Project via an Invitation to Bid No. 125-2023 (the "ITB"); and

WHEREAS, the Town received three responses to its ITB, and after evaluation and analysis, the Town staff determined that the Contractor, Foster Marine Contractors, Inc. (the "Contractor") represented itself to be a qualified, able, and willing to satisfactorily provide the work requirements and services solicited in the ITB; and

WHEREAS, the Contractor's response to the ITB was determined by the Town Manager to be responsive and responsible to all requirements included in the ITB; and

WHEREAS, the Town Manager has recommended to the Town Commission that the Town enter into this Agreement with the Contractor, for the Project; and

NOW, THEREFORE, the Town and the Contractor in consideration of the benefits flowing from each to the other do hereby agree as follows:

1. INCORPORATION

The above stated recitals are true and correct, and are incorporated herein.

2. CONTRACT PRICE

This term of the Agreement shall begin as of the date of the Town's issuance of a Notice to Proceed to the Contractor.

The contract price for the Project shall not exceed:

Base Bid Amount:	\$3,450,696.30
Plus, Alternate #1:	\$ Not Accepted
Plus, Alternate #2:	<u>\$ Not Accepted</u>
Total Bid Amount:	\$3,450,696.30

- Total Bid Amount pricing based on corrections made to bid submittal pricing.

3. COMPLIANCE WITH LAWS AND REGULATIONS

The Contractor shall comply with all laws, ordinances, building code requirements and regulations applicable to provide the goods or services specified in this solicitation. The Contractor shall comply with all federal, state, and local laws in the performance of this Agreement including but not limited to all provisions of Appendix II to Part 200 of the code of Federal Regulations.

4. LICENSES, PERMITS AND FEES

The Contractor shall hold and maintain all licenses and/or certifications necessary to perform the construction work and services for the Project. Any damages, penalties, and/or fines which may be incurred by or imposed on the Town or Contractor for the Contractor's failure to obtain and maintain any required licenses, certifications, permits, and/or inspections shall be solely the responsibility of the Contractor.

5. SUBCONTRACTORS

The Contractor shall provide to the Town a list of subcontractors the Contractor may be using to complete any work on the Project. If subcontracts are to be used, then Contractor shall take the affirmative steps to ensure M/WBE's are used when possible.

6. ASSIGNMENT

The Contractor shall not assign or transfer the Agreement, including any rights, title, or interest therein, or its power to perform the construction and/or services of this Agreement to any person, company, or corporation without the prior written consent of the Town. The Town may terminate the Agreement in the event the Contractor has not obtained the Town's prior written consent.

7. RESPONSIBILITIES OF THE CONTRACTOR AS THE EMPLOYER

The employees of the Contractor shall be considered to be at all times its employees, and not an employees or agents of the Town. The Contractor shall provide physically competent employees capable of performing the work and licensed or certified as may be necessary to perform the construction and services associated with the Project. The Town may require the Contractor to remove any employee the Town deems to be unacceptable. All employees of the Contractor shall wear proper identification at all times while on Town properties.

The Contractor shall ensure that all its employees and any approved subcontractors comply with the employment regulations required by the United States Department of Homeland Security. The Town shall have no responsibility to check or verify the legal immigration status of any employee of the Contractor.

8. INDEMNIFICATION AND INSURANCE

The Contractor shall indemnify and hold harmless the Town, and its elected and appointed officers, employees, and agents from any and all liability, losses, or damages, including attorney's fees and costs of defense, which the Town or its elected or appointed officers, employees, or agents may incur as a result of any claims, fees, demands suits, causes of actions, or proceedings of any kind or nature arising out of, relating to, or resulting from the performance of the Agreement by the Contractor or its employees, agents, servants, partners, principals, subcontractors, or anyone authorized to act on Contractor's behalf. The Contractor shall be solely responsible for paying any and all claims and losses, or fees in connection therewith, and for the investigation and defense of all claims, suits, or actions of any kind or nature against the Town, for its negligence, act or omission, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may be incurred thereon. The Contractor expressly understands and agrees that any insurance protection required by this Agreement or otherwise provided by the Contractor shall in no way limit its responsibility to indemnify, keep and save harmless, and to defend the Town, its elected and appointed officers, employees, and agents.

The Contractor shall have and maintain during the term of the Agreement, insurance coverage to be issued by an insurance company authorized, licensed, and registered to do business in the state of Florida, with a minimum rating of B+ or better, in accordance with the latest edition of A.M. Best's Insurance Guide. This insurance shall be documented in certificates of insurance which provides that the Town shall be notified at least 30 days in advance of cancellation, non-renewal, or adverse change. The receipt of certificates of insurance, including if requested by the Town policies or copies of policies by the Town or by any of its representatives, which indicate less coverage than is required, does not constitute a waiver of the selected Contractor's obligation to fulfill the insurance requirements herein. Deductibles must be acceptable to the Town.

The Contractor shall submit a current Certificate of Insurance, naming the Town as an additional insured and listing the Town as such on the insurance certificate. New

certificates of insurance shall be provided to the Town upon the lapse, termination or expiration of any of the required insurance coverages listed below:

Contractor shall provide insurance coverage as follows:

- a. WORKERS' COMPENSATION INSURANCE in accordance with statutory requirements and Employer's Liability Insurance with limits of not less than \$100,000 for each accident, not less than \$100,000 for each disease, and not less than \$500,000 aggregate.
- b. GENERAL LIABILITY INSURANCE with each occurrence limits of not less than \$1,000,000.
- c. PROFESSIONAL LIABILITY INSURANCE with limits of not less than \$1,000,000 annual aggregate.
- d. HIRED AND NON-HIRED VEHICLES with limits of not less than \$500,000 per claim.

9. TERM/TIME FOR PERFORMANCE

The number of days within which, or the date by which, the work is to be completed (the time for performance) shall be 360 calendar days from the date of the Town's issuance of a notice to proceed until the Town has determined that there has been substantial completion of the Project; and then an additional 45 days to be measured beginning upon the date the Town determines there has been substantial completion to final completion, for a total contract time of 405 calendar days.

10. LIQUIDATED DAMAGES

In the event the Contractor does not achieve substantial completion, or final completion of the Project within provisions of the times for performance set forth hereinabove, the parties agree that the Town may assess liquidated damages of \$150 per day until the Contractor achieves substantial completion or final completion, or if applicable, both.

11. CONSTRUCTION BOND

Contractor shall file with the Town, a Public Construction Bond, both payment and performance bonds, for the full amount (100%) of the Contract Price in accordance with the requirements of Florida Statutes 255.05, as amended, as security for the faithful performance of the Agreement and the payment of all persons supplying labor and materials for the services and construction associated with the Project, and to cover all guarantees against defective workmanship or materials, or both, during the warranty period following the date of final acceptance of the Project by the Town.

The Surety furnishing this bond shall have a sound financial standing and a record of service satisfactory to the TOWN and shall be authorized to do business in the State of Florida. The Surety shall be an entity included in the most recent United States Department of Treasury list of acceptable sureties. The Surety shall use the bond form contained in the bid package.

12. MODIFICATION OF AGREEMENT

The Agreement may only be modified by the mutual consent, as evidenced by a written amendment to the Agreement.

13. TERMINATION FOR CONVENIENCE

The Town, at its sole discretion, reserves the right to terminate this Agreement for convenience and without cause upon providing 60 days' advance written notice to the Contractor. Upon receipt of such notice, the Contractor shall not continue with construction or provide the services unless the Town shall have provided a written re-authorization.

14. TERMINATION BY CONTRACTOR

The Contractor may terminate the Agreement before the expiration of the Term provided it gives a 90-day written notice of its intention to do so. In the event of termination by Contractor, the Town may procure the required goods and/or services from any source and use any method deemed in its best interest to provide construction and services to complete the Project. In the event of early termination, the Contractor agrees that it shall be responsible for the Town's re-procurement costs.

15. ACCESS AND AUDIT OF RECORDS

The Town reserves the right to require the Contractor to submit to an audit by an auditor of the Town's choosing at the Contractor's expense of its records, which relate directly or indirectly to this Agreement, at its place of business during regular business hours, or at such other places as mutually agreed to by the Town and Contractor.

The Contractor shall retain all records pertaining to this Agreement, and upon request, make them available to the Town for six (6) years following expiration of the Agreement. The Contractor agrees to provide such assistance as may be necessary to facilitate the review or audit by the Town to ensure compliance with applicable accounting and financial standards.

16. OFFICE OF THE INSPECTOR GENERAL

Palm Beach County has established the Office of the Inspector General ("OIG"), which is authorized and empowered to review past, present, and proposed Town programs, contracts, transactions, accounts, and records. The OIG has the power to subpoena witnesses, administer oaths, require the production of records, and monitor existing projects and programs. The OIG may, on a random basis, perform audits on all Town contracts.

17. BINDING EFFECT

All of the terms and provisions of this Agreement, whether so expressed or not, shall be binding upon, inure to the benefit of, and be enforceable by the parties and their respective legal representatives, successors, and authorized assigns.

18. SEVERABILITY

If any part of this Agreement is contrary to, prohibited by, or deemed invalid under applicable law or regulation, such provision shall be inapplicable and deemed omitted to the extent so contrary, prohibited, or invalid, but the remainder hereof shall not be invalidated thereby and shall be given full force and effect so far as possible.

19. GOVERNING LAW AND VENUE

The Agreement shall be governed by the laws of the State of Florida. Venue of all proceedings in connection with the Agreement shall lie exclusively in Palm Beach County, Florida.

20. ATTORNEY'S FEES

If either party is required to initiate a legal action, including appeals, to enforce this Agreement, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs.

21. EQUAL OPPORTUNITY AND ANTI-DISCRIMINATION

The Town complies with all laws of prohibiting discrimination on the basis of age, race, gender, religion, creed, political affiliation, sexual orientation, physical or mental disability, color or national origin, and therefore is committed to assuring equal opportunity in the award of contracts and encourages small, local, minority and female-owned businesses to participate.

During the performance of this Agreement, Contractor shall not discriminate or permit discrimination in its hiring practices or in its performance of the Agreement. The Contractor shall strictly adhere to the equal employment opportunity requirements and any applicable requirements established by the Town, the state of Florida, Palm Beach County and the federal government.

Contractor shall make effort to implement Section 3 employment as per requirements of 24CFR Part 75.27.

The Contractor further acknowledges and agrees to provide the Town with any and all information and documentation that may be requested by the Town from time to time regarding the solicitation, selection, treatment, and payment of approved subcontractors, suppliers, and vendors in connection with this Agreement.

22. NO DISCRIMINATION CLAUSE

The Contractor shall not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin age pregnancy, handicap or marital status. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following:

employment, up-grading, demotion, or transfer, recruitment or recruitment advertising; layout or termination; rates of pay or other forms of compensation, and selection of training, including apprenticeship. The Contractor shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

23. MINIMUM WAGE REQUIREMENTS

The Contractor shall comply with all minimum wage requirements, such as Living Wage requirements, minimum wages based on federal law, minimum wages based on the Davis-Bacon Act, and the provisions of any other employment laws, as may be applicable to this Agreement.

Contractor, and its approved subcontractors shall provide weekly certified payrolls with a signed statement of compliance in the proper format and on the proper forms.

The wage decision applicable to this Project as of the date of the Agreement's execution by the parties is:

General Decision Number: **FL20220130 09/30/2022**
 Superseded General Decision Number FL20210130
 State: **Florida**
 Construction Type: **Heavy**
 County: **Palm Beach County in Florida**

24. JOBSITE POSTING REQUIREMENTS

As required covered by the standards of the Davis Bacon Act and any related laws, the Contractor shall post wage compliant notification posters at the site of the Project in a prominent and accessible place where it may be easily seen by employees.

The notification poster shall include, but is not limited to: WH-1312 Poster; / a copy of the applicable Wage Decision; / Workers Rights Poster / Contractors Contact information.

25. CODE OF FEDERAL REGULATIONS

Contractor shall comply with 29 CFR 5.5 (see Attachment 3 of this Agreement)

Title 29 – Labor Subtitle A – Office of the Secretary of Labor

Part 5 – Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction.

5.5 – Contract Provisions and related matters.

26. PUBLIC RECORDS

The Contractor shall comply with Florida's Public Records Law. Specifically, the Contractor shall:

- a. Keep and maintain public records required by the Town to perform the service for a period of six (6) years.

- b. Upon the request of the Town's custodian of public records, provided the Town with such public records within a reasonable time at a cost that does not exceed the costs provided for in Chapter 119, Florida Statutes.
- c. Ensure that any public records that are exempt or confidential from public records disclosure are not disclosed except as authorized by law for the duration of the term of this Agreement, and following completion of this Agreement if the Contactor does not transfer the records which are part of this Agreement to the Town.
- d. Upon the completion of the term of the Agreement, transfer, at no cost, to the Town all public records in possession of the Contactor; or keep and maintain the public records associated with the services provided for in the Agreement. If the Contactor transfers all public records to the Town upon completion of the term of the Agreement, the Contactor shall destroy any duplicate public records that are exempt of confidential from public records disclosure. If the Contractor keeps and maintains public records upon completion of the term of the Agreement, the Contractor shall meet all applicable requirements pertaining to the retention of public records. All records stored electronically shall be provided to the Town, upon request from the Towns custodian of public records, in a format that is compatible with the information technology systems of the Town.
- e. IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, ITS DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, THE CONTACTOR SHOULD CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT: TOWN CLERK, 535 Park Avenue, Lake Park, Florida 33403, 561-881-3311, Townclerk@lakeparkflorida.gov.

27. SCOPE OF WORK

The Project Objective is described as follows: Storm-water modeling has indicated that the Town's southern storm-water collection system is under significant loading during moderate to high intensity storm events and can potentially produce surcharge flooding up-stream from the southern outfall discharge. The Southern Outfall which is located along a historical ditch draining west to east along the Town's southern boundary, is the primary drainage relief trunk for 48% of the Town's storm-water collection area. The ditch was later replaced with a storm-water piping system that has now reached the end of its useful life. The aging infrastructure coupled with

the pressures of development and sea-level rise has led to the need for a replacement and improvement of this section of the storm-water system.

The Contractor shall furnish all labor, materials, tools and equipment required to construct and install the storm-water improvements as per the engineered design drawings as prepared by Baxter & Woodman Consulting Engineers, including supporting documents.

The Project Scope described as follows: The Southern Outfall Pipe Replacement project consists of the removal of the existing 72" corrugated underground storm-water piping and the installation of two (2), 60" precast concrete storm-water piping. The project also includes a "first flush" water quality element to capture and treat the initial flow of storm-water run-off.

The scope of work requires the Contractor to submit to the owner material submittals, and a project schedule for approval before construction commencement.

Additionally, the Contractor shall provide on-site management of day-to-day operations and coordination with project related agencies. Finally, the Contractor shall submit final close-out project documents as required by the Town and by Florida Commerce, the projects grant agency; these close-out documents shall include, but not limited to project as, permit closeout documents, project testing reports, as-built survey construction documents, and project warranty information.

The below listed attachments are relevant documents to be included as part of this Agreement:

- | | |
|---------------|--|
| Attachment 1: | Invitation to Bid (ITB) No. 125-2023
<i>Southern Outfall Bid Documents</i>
<i>Including Project Plans, Technical Specifications, Geotechnical Reports, General Conditions, Seacoast Utility Authority Specifications, Bid Form Documents, Schedule of Values, Copy of Florida Commerce Grant Agreement with the Town of Lake Park, Applicable Davis Bacon Wage Decision, Exhibits A thru I and Addendum #1 thru #4 associated with this ITB.</i> |
| Attachment 2: | Foster Marine Contractors, Inc. Bid Response Proposal to ITB No. 125-2023 as submitted on Friday, February 16, 2023 at 2:00 pm. |
| Attachment 3: | Code of Federal Regulations (CFR) - 29 CFR 5.5 |
| Attachment 4: | Davis Bacon Wage Decision Number: FL20220130 09/30/2022 |

IN WITNESS WHEREOF, the parties hereto have made and execute this Agreement as of the day and year last execute below.

ATTEST:

TOWN OF LAKE PARK

By: _____
Vivian Mendez, TOWN Clerk

By: _____
Roger D. Michaud, Mayor

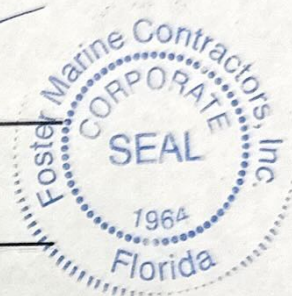
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Thomas J. Baird, Town Attorney

Foster Marine Contractors, Inc.
3180 Fairlane Farms Road, Suite 1
Wellington, Florida 33414

By: _____
Signature

Its: President
Title



Michael Czajkowski
Printed Name



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **March 20, 2024**

Agenda Item No.

Agenda Title: Nomination of Jon Buechele to the Planning & Zoning Board

☐ SPECIAL PRESENTATION/REPORTS ☐ **CONSENT AGENDA**
☒ BOARD APPOINTMENT ☐ OLD BUSINESS
☐ PUBLIC HEARING ORDINANCE ON _____ READING
☐ NEW BUSINESS
☐ OTHER: _____

John
 Approved by Town Manager **D'Agostino**

Digitally signed by John D'Agostino
 DN: cn=John D'Agostino, o=Town of Lake Park,
 ou=Town Manager,
 email=jdagostino@lakeparkflorida.gov, c=US
 Date: 2024.03.15 15:14:20 -04'00'

Date: _____

Laura Weidgans, Deputy Town Clerk

Name/Title

Originating Department: Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Board Application Board Nominaton
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>LW</i> Please initial one.

Summary Explanation/Background: The Town Clerk's Office received a Board application for appointment to the Planning & Zoning Board. The Planning & Zoning Board has five (5) regular positions and two (2) alternate positions available.

Commissioner Mary Beth Taylor nominated Jon Buechele for appointment to the Planning & Zoning Board as a regular member.

Recommended Motion: In order for the nomination to go forward, there must be a second to the nomination and a majority vote of the Commission for the nominee to be appointed to the Board.



The Town of Lake Park

Application to Serve on Town Boards and Committees

This application serves as an information file of the skills, talents, and interests of citizens who are willing to serve on advisory boards and committees for the *Town of Lake Park*. When an opening occurs on one of the boards on which you have indicated a desire to serve, your application will be submitted to the Town Commission. You will be notified when your nomination to be on a board has been made.

Please print the following information:

Name: Buechle Jon A.
 Last First Middle

Address: 308 Foresteria Drive Lake Park, FL 33403

Birthday: Month: 01 Day: 18

Telephone: home _____ work 561-345-2815 cell 561-516-2677

E-Mail Address jonmonavie@hotmail.com

	Yes	No
Are you a resident of Lake Park	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are you a non-resident business owner in Lake Park	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are you a registered voter (Response to this question is not mandatory)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you currently serve on a Town Board or Committee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If so, which one(s): <u>Planning & Zoning Board</u>		
Have you been convicted of a crime	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, when? <u>N/A</u> where? <u>N/A</u>		

Please indicate your preference by number "1" through "3" of which board you wish to serve, with #1 being the most desired and #3 being the least desired.

Active Boards:

Choice #	Board	Choice #	Board
<input type="checkbox"/>	CRA Board (Community Redevelopment Agency)	<input type="checkbox"/>	<u>2</u> Planning & Zoning/ Historic Preservation Board *
<input type="checkbox"/>	Library Board		
<input type="checkbox"/>	Stormwater Policy Steering Committee		
<input type="checkbox"/>	Floodplain Management Committee	<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Centennial Celebration Committee		

Inactive Boards:

Code Compliance Construction Board of Adjustments & Appeals
 Harbor Marina Advisory Board

Please note: Membership on these (*) Boards require members to complete an annual financial disclosure form pursuant to F.S. 112.3145 (1)(a), (2)(b), (7)

Your Name:

Jon Buechle

Please indicate the reason for your interest in your first and second choices:

To continue to serve on the P&Z Board.

Number of Meetings of the above boards you have attended in the past six months:

3/4

Your educational background: (High school, College, Graduate School or other training)

Clarion University of Pennsylvania

What is/was your profession or occupation:

Private Investigator

How long:

16 yrs.

owner-Clarion Investigative Services.

Please indicate employment experience that you feel relates to your desired service on an advisory board or committee:

The ability to research and study information.

Please indicate other general experience or community involvement that you feel qualifies you to serve on the boards you have chosen:

Over all knowledge of the area, and the community.

Feel free to attach additional sheets if necessary. Also, please attach your resume, if available. Please return your completed form to the Office of the Town Clerk, 535 Park Avenue, Lake Park, Florida 33403.

I HEREBY CERTIFY THAT THE STATEMENT AND ANSWERS PROVIDED ARE TRUE AND ACCURATE. I UNDERSTAND THAT ANY FALSE STATEMENTS MAY BE CAUSE FOR REMOVAL FROM A BOARD OR COMMITTEE, IF APPOINTED:

Signature:

Jon Buechle

Date:

3-11-24

From: [Mary Beth Taylor](#)
To: [Laura Weidgans](#)
Subject: Re: Board Member Application-Planning & Zoning
Date: Thursday, March 14, 2024 9:19:45 PM
Attachments: [image003.png](#)

I nominate Jon Buechele for position of board member of the Planning and Zoning committee.
Sent from my iPad

On Mar 14, 2024, at 10:53 AM, Laura Weidgans
<lweidgans@lakeparkflorida.gov> wrote:

Good morning Mayor, Vice-Mayor and Members of the Commission,

The Clerk's Office has received a board member application from Mr. Jon Buechele for the Planning & Zoning Board as his membership is up for renewal. Please let me know if anyone will be nominating him so I can add it to the next meeting agenda.

If you have any questions regarding this application or the process please contact me.

Sincerely,

Laura J. Weidgans

Deputy Town Clerk
 Town of Lake Park
 535 Park Avenue
 Lake Park, Florida 33403
 561-881-3311

<image003.png>

Please Note: Florida has a very broad public records law. Written communications regarding Town business are public records available to the public upon request. Your email communications are therefore subject to public disclosure. If you do not want your email released in response to a public records request, do not send electronic mail to this entity, instead contact this office by telephone. Section 688.6076 F.S.

<Board Member Application 2024.pdf>
 <Buechele Membership Expiration 2024.pdf>



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 20, 2024

Agenda Item No.

Agenda Title: Ordinance Establishing Civility and Decorum.

- | | |
|---|--|
| <input type="checkbox"/> SPECIAL PRESENTATION/REPORTS
<input type="checkbox"/> BOARD APPOINTMENT
<input checked="" type="checkbox"/> PUBLIC HEARING ORDINANCE ON FIRST READING
<input type="checkbox"/> NEW BUSINESS
<input type="checkbox"/> OTHER: _____ | <input type="checkbox"/> CONSENT AGENDA
<input type="checkbox"/> OLD BUSINESS |
|---|--|

Approved by Town Manager John D'Agostino

Digitally signed by John D'Agostino
 DN: cn=John D'Agostino, o=Town of Lake
 Park, ou=Town Manager,
 email=jdagostino@lakeparkflorida.gov,
 c=US
 Date: 2024.03.11 15:54:20 -0400

Date: _____

Vivian Mendez, Town Clerk, MMC

Title

Originating Department: <div style="text-align: center; padding-top: 10px;">Town Clerk</div>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Ordinance
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ <div style="text-align: center;">OR</div> Not applicable in this case <u>VM</u> Please initial one.

Summary Explanation/Background:

Over the past few year's board members, staff and the Commission have been subjected to inappropriate and untrue remarks regarding their character in public meetings. As a result of this behavior, staff believe it is appropriate to adopt the following Ordinance providing rules governing the decorum to be observed by all person attending public meetings.

Recommended Motion: I move to adopt Ordinance _____ on first reading.

ORDINANCE 04-2024

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLE II, TOWN COMMISSION", DIVISION 2 "MEETINGS" TO PROVIDE FOR CREATION OF A NEW CODE SECTION 2-54 ENTITLED "CIVILITY AND DECORUM"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Town Commission has previously adopted general provisions regarding Town Commission meetings in Article II, Division 2, entitled "Meetings"; and

WHEREAS, during the past year board members, staff and the commission have been subjected to inappropriate and untrue remarks regarding their character in public meetings; and

WHEREAS, the Town Commission believes that it will be in the best interest of the public and its employees to adopt rules of decorum governing public conduct during any public meeting or workshop.

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

Section 1. The whereas clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2. Article II, Division 2, Section 2-54 is hereby amended to read as follows:

Sec. 2-54. Civility and decorum.

The Town of Lake Park is committed to civility and decorum to be applied and observed by its elected officials, advisory board members employees, and members of the public who attend town meetings. The following rules are hereby established to govern the decorum to be observed by all persons attending public meetings of the commission and its advisory boards:

- (1) Those persons addressing the commission or its advisory boards who wish to speak shall first be recognized by the presiding officer. No person shall interrupt a speaker once he or she has been recognized by the presiding officer. Those person addressing the commission or its advisory boards shall be respectful and shall obey all directions from the presiding officer.

- (2) Public comment shall be addressed to the commission or its advisory board and not to the audience or to any individual member on the dais.
- (3) Displays of anger, rudeness, ridicule, impatience, lack of respect or personal derogatory or slanderous attacks of anyone in the assembly is are prohibited. Any individual who does so may be removed from the meeting.
- (4) Unauthorized remarks from the audience, stomping of feet, clapping, whistles, yells or any other type of demonstrations are prohibited.
- (5) A member of the public who engages in debate with an individual member of the commission or an advisory board is prohibited. Those individuals who do so may be removed from the meeting.
- (6) All cell phones and/or other electronic devices shall be turned off or silenced prior to the start of the public meeting. An individual who fails to do so may be removed from the meeting.

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

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

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

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