



Lake Park Town Commission, Florida

Regular Commission Meeting

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

February 07, 2024 at 6:30 PM

Roger Michaud	Mayor
Kimberly Glas-Castro	Vice-Mayor
Mary Beth Taylor	Commissioner
Judith Thomas	Commissioner
Vacant	Commissioner
John D'Agostino	Town Manager
Thomas J. Baird, Esq.	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:

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. January 17, 2024 Regular Commission Meeting Minutes

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

2. Ordinance 01-2024 Amending Town Code Section 68-2 and 68-3 of Chapter 68 to Provide for Regulations Associated with Temporary Storage Containers.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE
PARK, FLORIDA, AMENDING CHAPTER 68, SECTIONS 68-2 AND 68-3.

PERTAINING TO TEMPORARY STORAGE CONTAINERS; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE
REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE
DATE.

NEW BUSINESS:

- [3.](#) 1100 2nd Court - Property Updates
- [4.](#) Coastal Middle and High School Waiver Requests

REQUEST FOR FUTURE AGENDA ITEMS:

ADJOURNMENT:

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on February 21, 2024



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **February 7, 2024**

Agenda Item No.

Agenda Title: January 17, 2024 Regular Commission Meeting Minutes.

☐ SPECIAL PRESENTATION/REPORTS ☒ **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: 2024.01.26 16:50:20 -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: Minutes Exhibits A-E Comment Cards
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 LW Please initial one.

Recommended Motion: I move to approve the January 17, 2024 Regular Commission Meeting Minutes.



Lake Park Town Commission, Florida

Regular Commission Meeting

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

January 17, 2024 6:30 P.M.

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

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CALL TO ORDER/ROLL CALL

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

PLEDGE OF ALLEGIANCE

Led by Anders Viane

SPECIAL PRESENTATION/REPORT:

1. An Update Presentation on Accessory Dwelling Units (ADUs) and a Discussion Next Steps.

Town Manager John D'Agostino provided a summary of the item. Town Planner Anders Viane provided a presentation (Exhibit A).

Vice-Mayor Glas-Castro expressed concerns about identifying existing ADU's because the Palm Beach County Property Appraiser does not recognize all of the ADU's in Town. She asked if these would be legitimized thru the Town. She expressed concern with parking.

Commissioner Thomas commends Town Planner Anders Viane for his thoroughness. She asked what the percentage of rental to owner in town was. Town Planner Viane did not know the answer. She likes this idea, but asked how would it affect the town's desire to encourage homeownership. Town Planner Viane stated that they are proposing a structure that would require an owner being on site. Commissioner Thomas also expressed a concern with there not being adequate parking. The Commission discussed their concerns with ADU's and asked questions of staff and the Town Manager. Town Manager D'Agostino agrees that parking will be an issue that needs to be solved. Commissioner Thomas suggested looking at larger lots for these ADU's.

Commissioner Taylor has mixed feelings. She is interested in insurance valuations for these structures. Town Planner Viane stated that he did not research this aspect, but would do so. Commissioner Taylor also has concerns with parking.

Mayor Michaud asked about rules or regulations about rental to families members. Town Planner Viane advised that family would be able to occupy the property without having to have a Business Tax Receipt (BTR).

Town Manager D'Agostino spoke about what other municipalities do. Mayor Michaud asked additional questions about BTRs and recommends the Town hold a workshop as a next step to gain community engagement.

Commissioner Thomas asked about homestead exemption and how that would apply to the ADU. Mayor Michaud advised that only the owner occupied unit would be subject to the exemption.

The Town staff will schedule a community workshop.

PUBLIC COMMENT:

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-Brady Drew expressed support for the flexibility, sustainability, and affordability with ADU's.

-Iris Sullivan expressed concern with a Florida Power and Light (FPL) transformer that blew causing sparks of live electricity, which lead her to believe her home would catch fire. She explained that the emergency operators were quick to arrive on the scene and helped them. She asked that FPL be notified of the situation and have them perform maintenance on the equipment.

-Doug Eakins expressed concern with people running their businesses out of the storage units, which create parking issues on 15th Street.

-James Sullivan spoke about the Fire Department and FPL working hand in hand to assist his family. He also addressed the Commission regarding planting trees near electrical lines, the lack of a sidewalk on Old Dixie Highway, garbage being found on lawns.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Lashley had no comments.

Town Manager D'Agostino provided comments via Exhibit B. The Commission were not in favor of joining the litigation against the Form 6 disclosure requirement. The Commission chose Tuesday, February 27, 2024 at 6:30 P.M. to conduct the Special Call Commission Meeting to hear the appeal received for the de-designation of the Historic Preservation Board for the 918 Park Avenue structure. The Historic Preservation Board denied the de-designation several months ago. The Commission requested that the 2024 Women in Construction Week proclamation move forward to a future Commission meeting agenda.

He asked the Vice-Mayor what they wanted to do regarding the March Bike Week. Vice-Mayor Glas-Castro was in favor of a bike tour. A route would be finalized in the next few weeks.

Commissioner Taylor had no comments.

Commissioner Thomas announced the groundbreaking at Roosevelt School in West Palm Beach tomorrow at 10:00 a.m., which will be a full service center. There will also be a groundbreaking for Oceana Coffee at 2:00 P.M. on Friday. She suggested, since employees have MLK day off, that it be recognized as a Day of Service and promote volunteerism in our community, since the Town does not have an organized event on that day.

Vice-Mayor Glas-Castro reminded everyone of the On Your Mark Performance Center movie night this Friday.

Mayor Michaud spoke of the Martin Luther King, Jr. parade in the City of Rivera Beach, which was well attended. He would like to have a collaborated event in the future with the City of Rivera Beach and the Village of North Palm Beach.

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 Commissioner Taylor.

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

2. January 3, 2024 Regular Commission Meeting Minutes.
3. Resolution 08-01-24 Revising the Designation of Signatories for Town Bank Accounts.
4. Resolution 07-01-24 Authorizing and Directing the Mayor to Execute an Agreement with D.S. EAKINS Construction Corporation for the Construction Project at Bert Bostrom Park.

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

5. Ordinance 01-2024 Modifying Chapter 68, Sections 68-2 and 68-3 related to Outdoor Storage.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 68, SECTIONS 68-2 AND 68-3. PERTAINING TO TEMPORARY STORAGE CONTAINERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Viane explained the item (see Exhibit C). Vice-Mayor Glas-Castro feels that 90 days is very generous but would be okay with 90-days as long as we didnt give extensions beyond 90-days. The Commission agreed on the change to the Ordinance.

Motion made to approve Ordinance 01-2024 on first reading by Commissioner Thomas, Seconded by Commissioner Taylor.

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

Town Attorney Lashley and Town Clerk Mendez read the Ordinance by title only.

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

6. Amendment to P3 Hotel Component Ground Lease requested by the Commission at its 1/3/2024 meeting to provide for a date when the tenant can start using the property for parking purposes (enter Town Manager language requested on 1/4/2023).

Town Manager D'Agostino explained the item and provided the amended language regarding parking (see Exhibit D). Commissioner Thomas asked where boat trailers would be parked. She expressed concern that language was not included that would capture an alternative parking site. Town Manager D'Agostino read the language pertaining to an alternative parking site.

Motion made that the tenant agrees to provide an alternative location to park boat trailers and towing vehicles specifically for Marina users subject to Commission approval before the site can be used by the tenant for construction related vehicle use by Commissioner Thomas, Seconded by Vice-Mayor Glas-Castro.

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

NEW BUSINESS:

7. Legislative Talking Points for Commission Members for the Florida League of Cities Legislative Actions Days from Monday January 29, 2024 through Wednesday January 31, 2024.

Town Manager D'Agostino provided bullets points (Exhibit E) to advise the Commission. The Commission will receive a packet with backup information to the talking points. Vice-Mayor Glas-Castro asked about Palm Beach Shores dredging project. Town Manager explained the technic being used for dredging, which would allow the Town to store the dredging material at either Peanut Island or at another location near the Marina. They plan to use some of the dredging to raise the two low points in Town, which are the Marina and Kelsey Park. If the dredging is stored on Peanut Island then an additional transportation cost, which would not be covered under the grant, would need to be absorb by the Town to complete the project.

REQUEST FOR FUTURE AGENDA ITEMS:

None

ADJOURNMENT:

8:44 P.M.

Motion made to adjourn by Commissioner Thomas, Seconded by Commissioner Taylor.

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

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on February 7, 2024.

Mayor Roger Michaud

Town Seal

Town Clerk, Vivian Mendez, MMC

Laura Weidgans, Deputy Town Clerk

Approved on this _____ of _____, 2024

Accessory Dwelling Units 2024 Update

Exhibit A

Item 1.



Anders Viane, Planner – Community Development Department

Introduction

Item 1.

- This presentation continues the dialogue on the topic of Accessory Dwelling Units begun at prior meetings and workshops held on November 20, 2019, February 19, 2020, December 16, 2020, and March 20, 2021.
- Following the last meeting, staff put this process on hold. We utilized this pause to address parking concerns and transient rental concerns related to ADUs and to research best practices nationwide and around the world. Since that time, in reviewing code complaints and observing our existing rental properties and ADUs, staff has not found ADUs to be the cause of disproportionate and excessive code enforcement issues.
- From our previous outreach efforts, staff has taken into account a range of opinions from the general public, private stakeholders, and Town Commission on ADU implementation. Recurring points of interest and concern include: **transient occupancy, vehicle parking, and aesthetic and use harmony with the surrounding neighborhood.**

Introduction (Cont.)

Item 1.

- Based on what we've learned from all stakeholder participants as well as our own research into how ADUs have been implemented elsewhere, staff has put together a set of draft ADU code recommendations we feel will allow for safe, orderly, harmonious, and compatible ADUs in the Town.
- These recommendations are intended to be the framework under which an ADU ordinance would be brought forward to the Commission.
- Tonight we'd like to provide an overview of our recommendations to receive direction on how to proceed.

Agenda

Item 1.

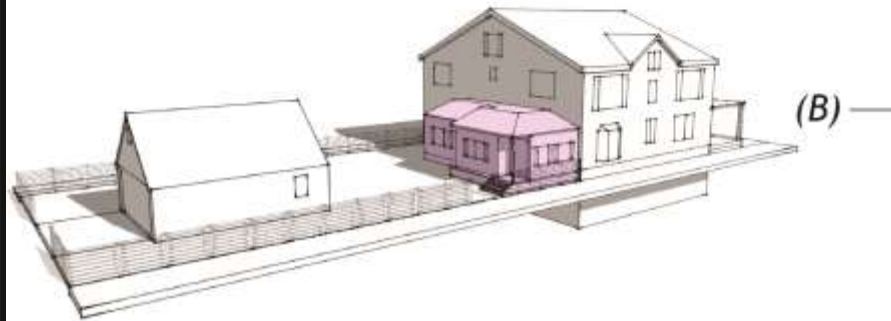
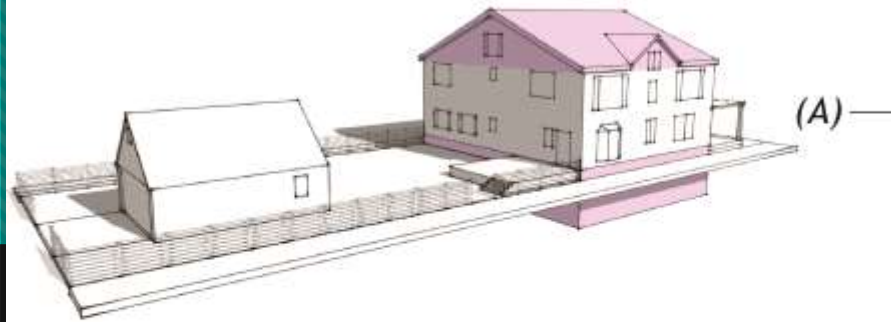
- What's an ADU and what's not?
- Why ADUs?
 - Affordability
 - Flexibility
 - Sustainability
- How would ADUs work?
 - Current zoning rules and staff's recommended regulations
- Q and A



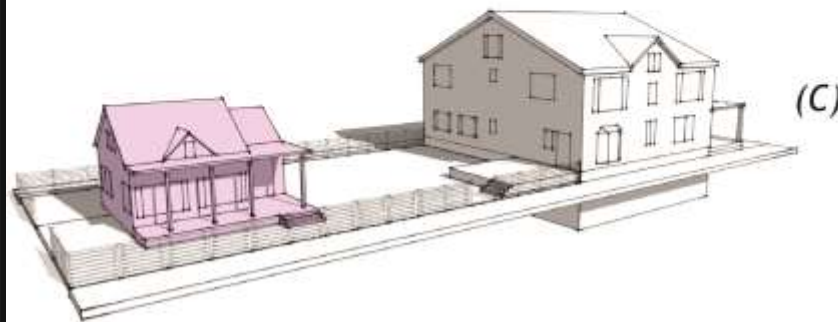
What's an ADU?

- Accessory dwelling units (ADUs) are secondary dwellings on single-family parcels
- Florida State Statute defines ADUs as “a secondary living unit that has a separate kitchen, bathroom, and sleeping area existing either within the same structure, or the same lot, as the primary dwelling unit.”
- ADUs can be either attached, internal to the primary dwelling or detached (standalone).

1. Attached Accessory Dwelling Unit (ADU)



2. Detached Accessory Dwelling Unit (ADU)



Item 1.

Typical ADU characteristics:

- Smaller massing than the primary home
- Backyard location
- Matching aesthetics with the primary home
- Average 1-2 person occupancy

What's an ADU?

Item 1.

415 Greenbriar Drive



Primary Home: 1925

ADU: 1925

500 Evergreen Drive



Primary Home: 1925

ADU: 1930

Existing ADU Locations in Lake Park



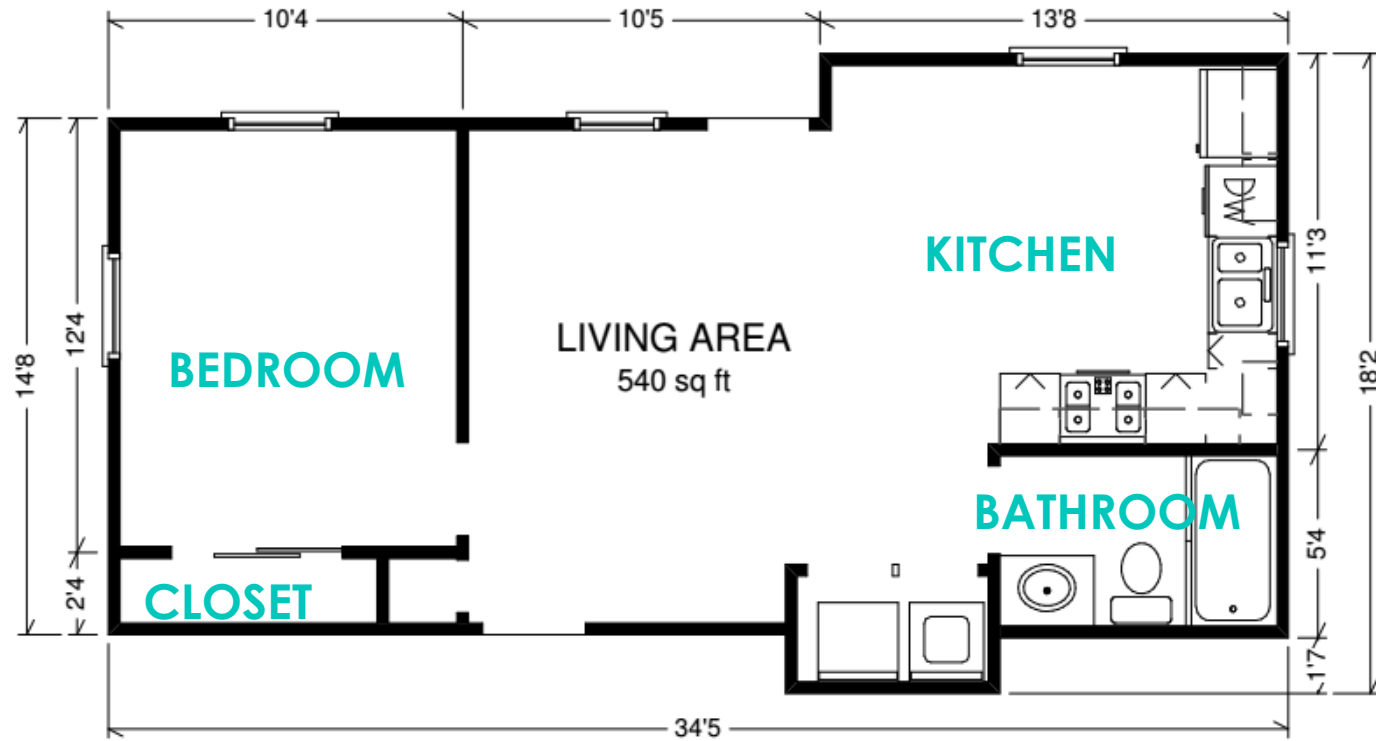
Legend

 ADU Locations

Source: Town of Lake Park Community Development (2020)

- ADUs have historically served as a natural outlet for growth in Lake Park and can again!

Inside an ADU



Item 1.



What's NOT an ADU?



Item 1.



Why ADUs in Lake Park?

Item 1.

○ Affordability – for current owners, new buyers, and renters



○ Flexibility – for multigenerational households, parents and young adults

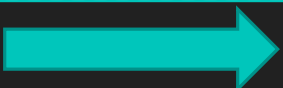


○ Sustainability – for community health and the environment

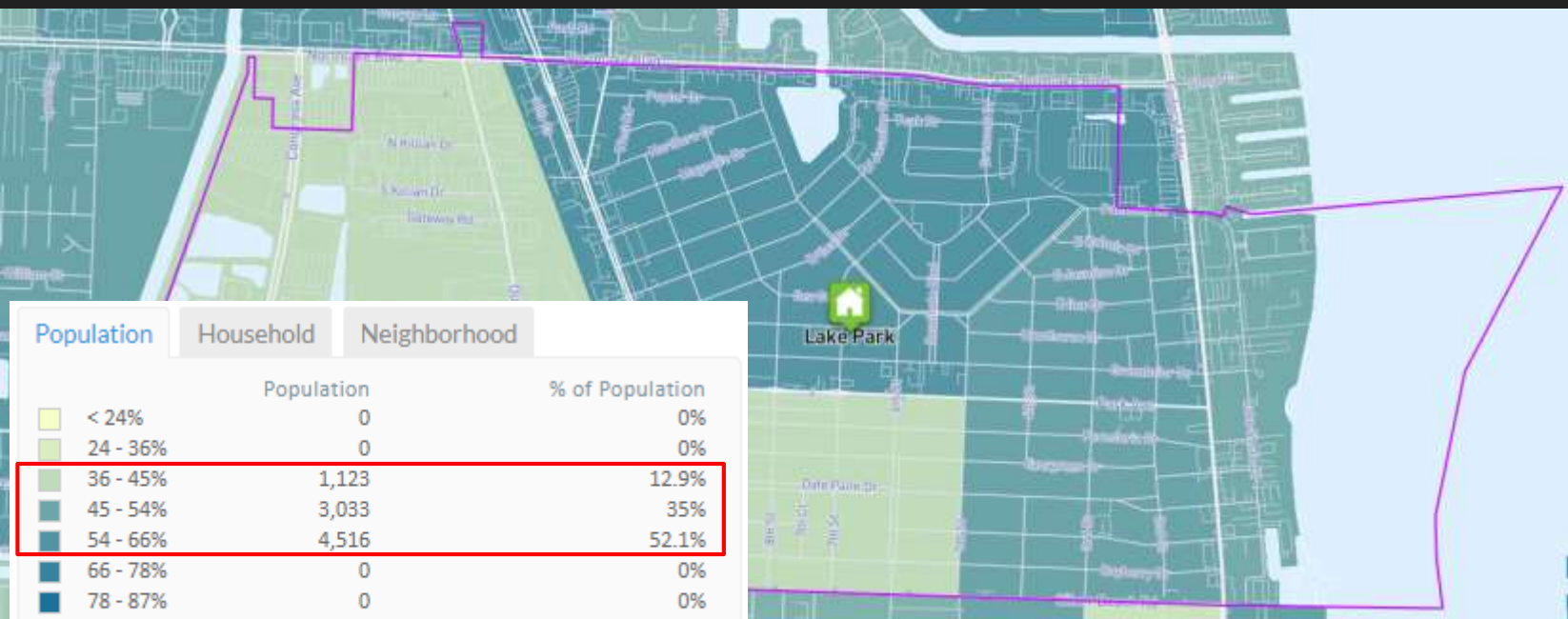


Affordability – Lake Park Overview (2024)

PBC 2010: 1,320,135 → 2024: 1,492,191



LP 2020: 8,556 → 2024: 9,047



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%

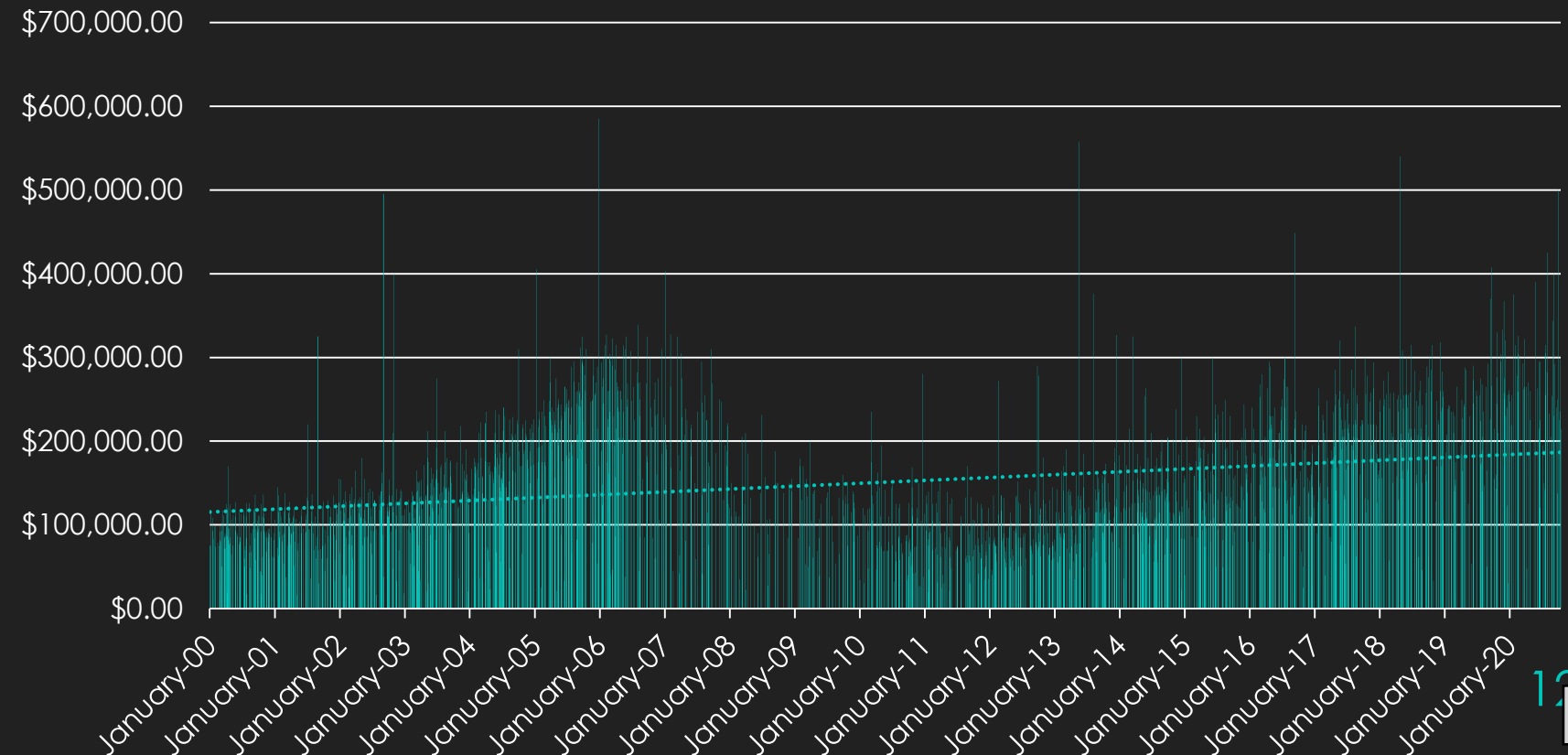
- Demographic change puts pressure on the supply-and-demand relationship of our housing market, impacting renters and owners.
- If you spend more than 30% of your income on housing, you are cost burdened.
- At the HUD standard, an owner making Lake Park's median income of \$56,775 (H + T Index) could mortgage \$255,487 over 15 years.

On Affordability (2024, partial update)

Item 1.

- Housing prices in Lake Park have risen and may rise further
- ADUs can help control rental costs by increasing supply
- Additionally, the rental income ADUs can generate could help facilitate purchases.
- It is worth noting, however, ADUs may also increase property value beyond what can be financed even with a rental agreement in some cases for new buyers.

Lake Park Single-Family Sales Prices



Source: Palm Beach County Property Appraiser (2020)

On Flexibility (2024)

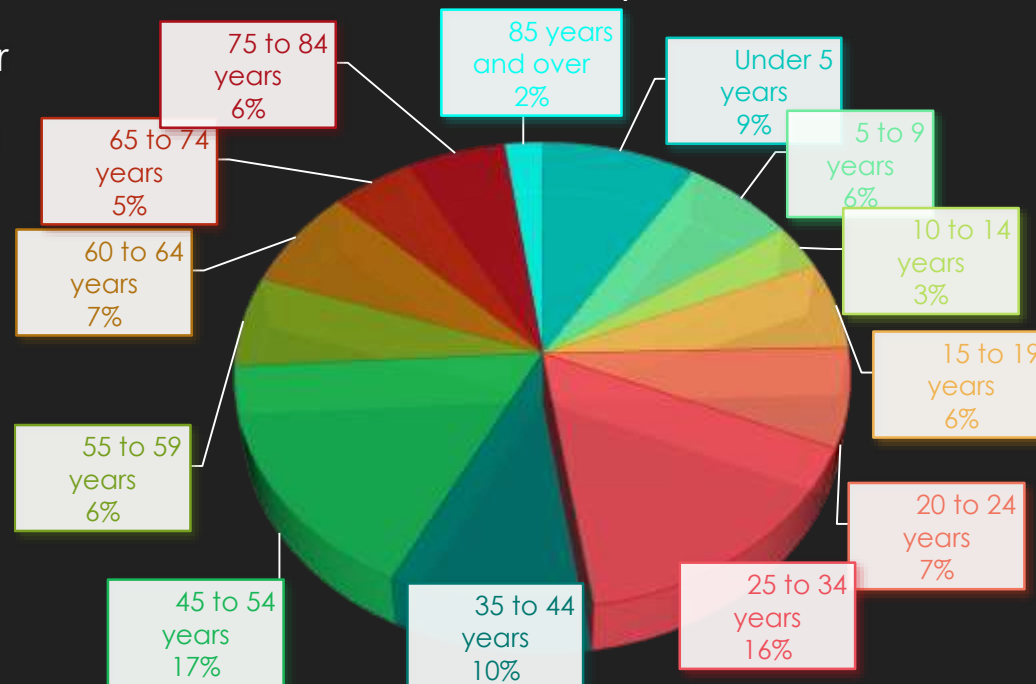
Source: American Community Survey(2022)

Palm Beach County Household Types 2018-2022		Lake Park Household Types 2014-2018	
Percentage		Percentage	
Persons per household	2.49	Persons per household	2.67

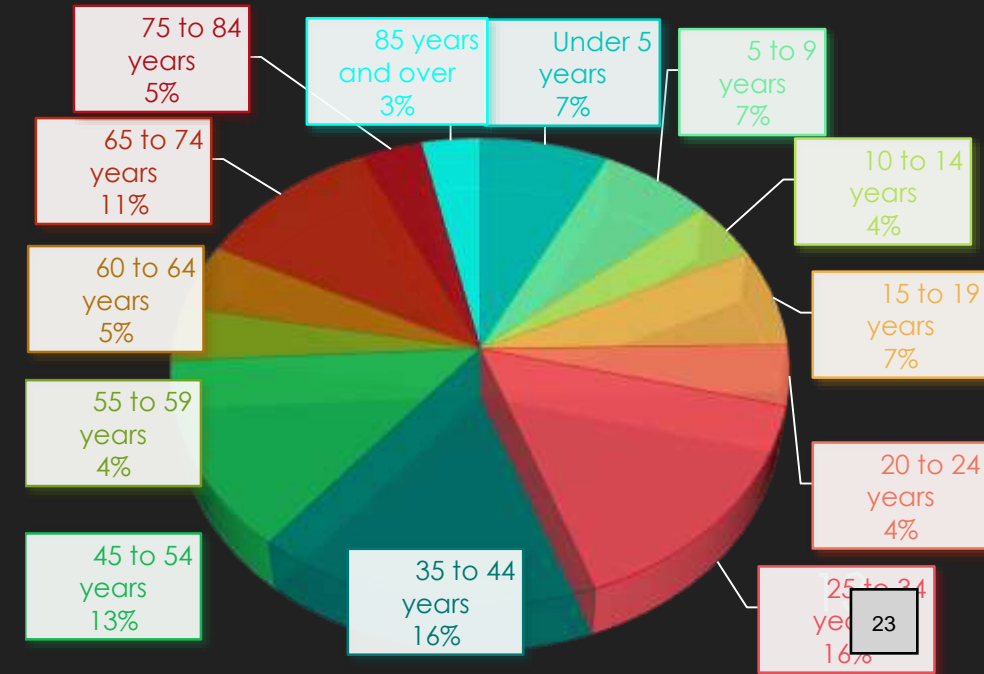
Item 1.

- Lake Park still has more extended families and persons per household than the PBC Average.
- ADUs facilitate flexible living arrangements for Lake Park's extended and multigenerational households.
- Case studies suggest ADUs are usually rented to close friends or the family of the owner. Rather than bringing strangers into the community, ADUs will most likely bring families closer together.

2018 Pop.



2022 Pop.



On Sustainability

Item 1.

- ADUs promote sustainability by refreshing the housing stock and consolidating new development on existing parcels rather than greenfields.
- The average age of a Lake Park house is 64! New ADUs, equipped with new technologies and built to today's standards reduce energy consumption and may "refresh" older homes, giving them a unique asset to boost resale value.
- Additionally, the rental income an ADU may generate could be reinvested into improvements in the main home. In this way, ADUs facilitate healthy community upkeep.
- ADUs are consistent with Comprehensive Plan objectives, which are detailed more in the Fact Sheet.

How to ADU (Best Practices)

Item 1.

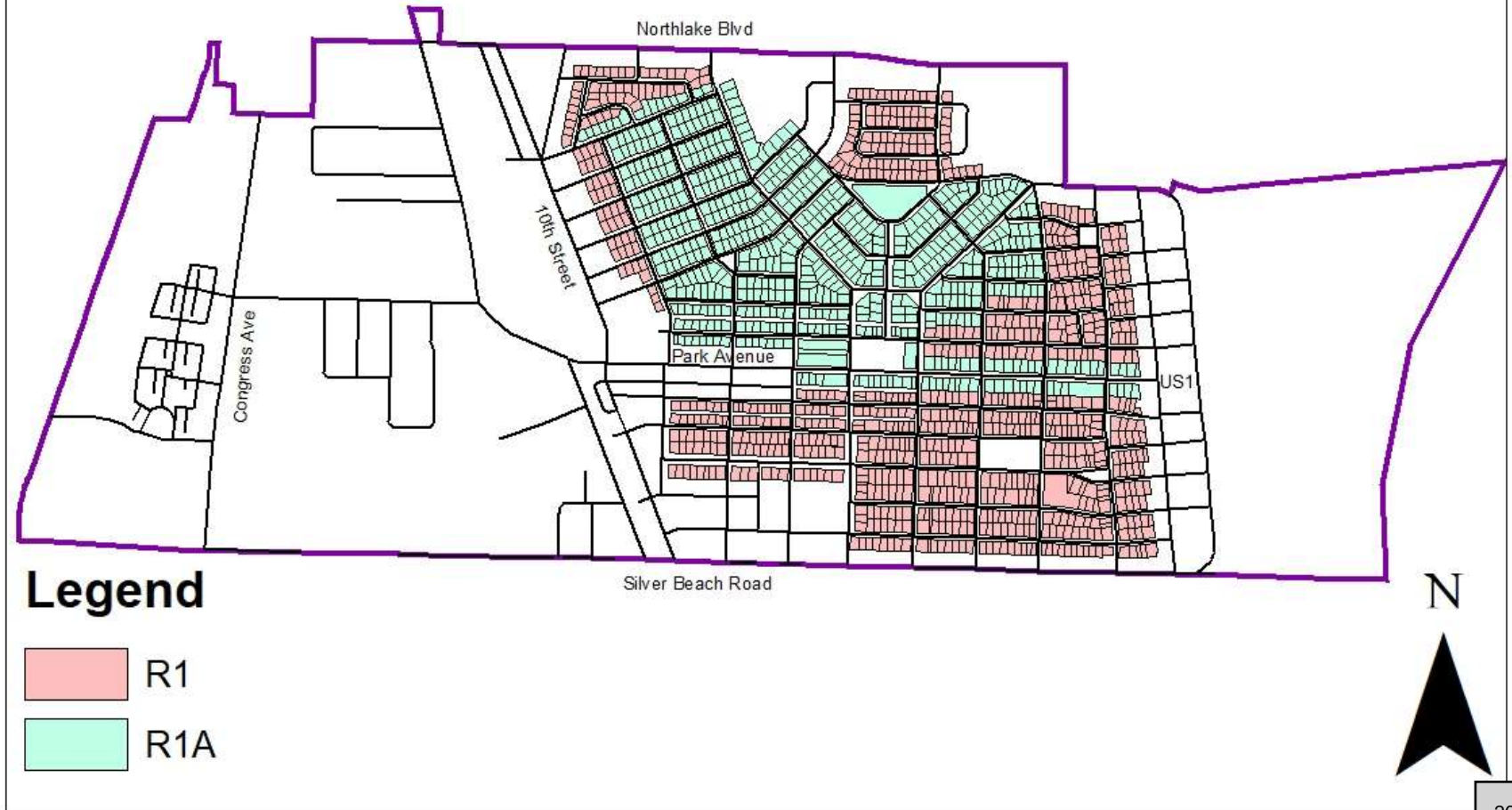
- ADU's exist throughout the US and around the world. They can be tailored to the unique needs of the communities that allow them.
- Since ADU's are widespread, there are a lot of best practices to learn from and staff has researched ADUs in a dozen municipalities from coast to coast and selected those standards we feel would fit best in Lake Park.
- Many of our existing rules and regulations will still apply to ADUs. In the following sections, existing rules that apply to ADUs will be orange. New regulations staff is proposing to regulate ADUs will be blue.

Districts

- The R-1 and R-1A zoning districts already allow for accessory structures.
- ★ Add ADUs to our accessory uses in the R1 and R1A.

Item 1.

Town of Lake Park R1 and R1A Zoning Districts



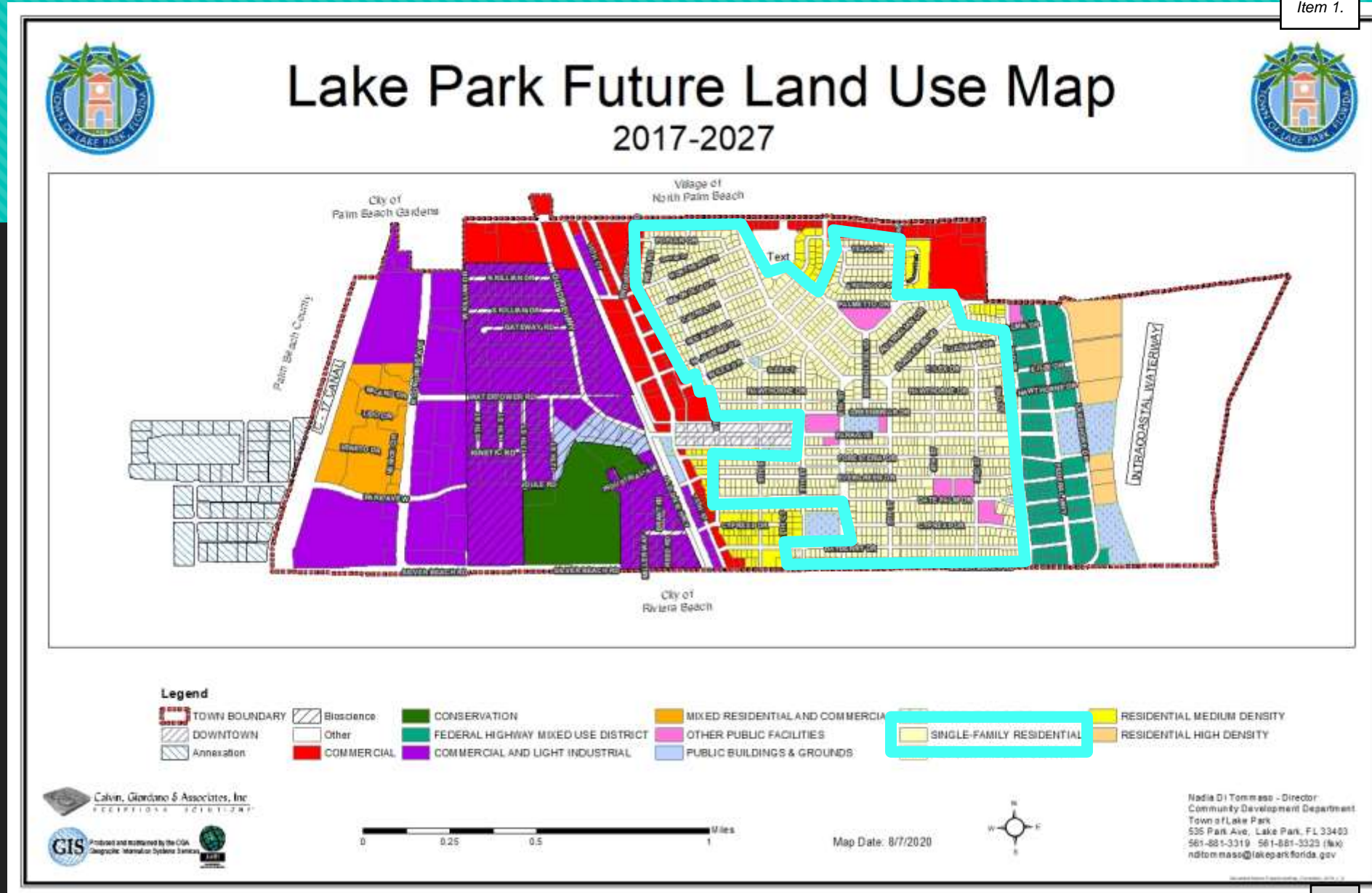
Density

Item 1.

3.4.3 Future Land Use:

Single family detached residences, with a maximum density not to exceed six (6) units per gross acre including permitted accessory uses.

★ Staff recommends amending the comprehensive plan to provide for an additional half-unit density entitlement for ADUs.



Minimum Lot Size

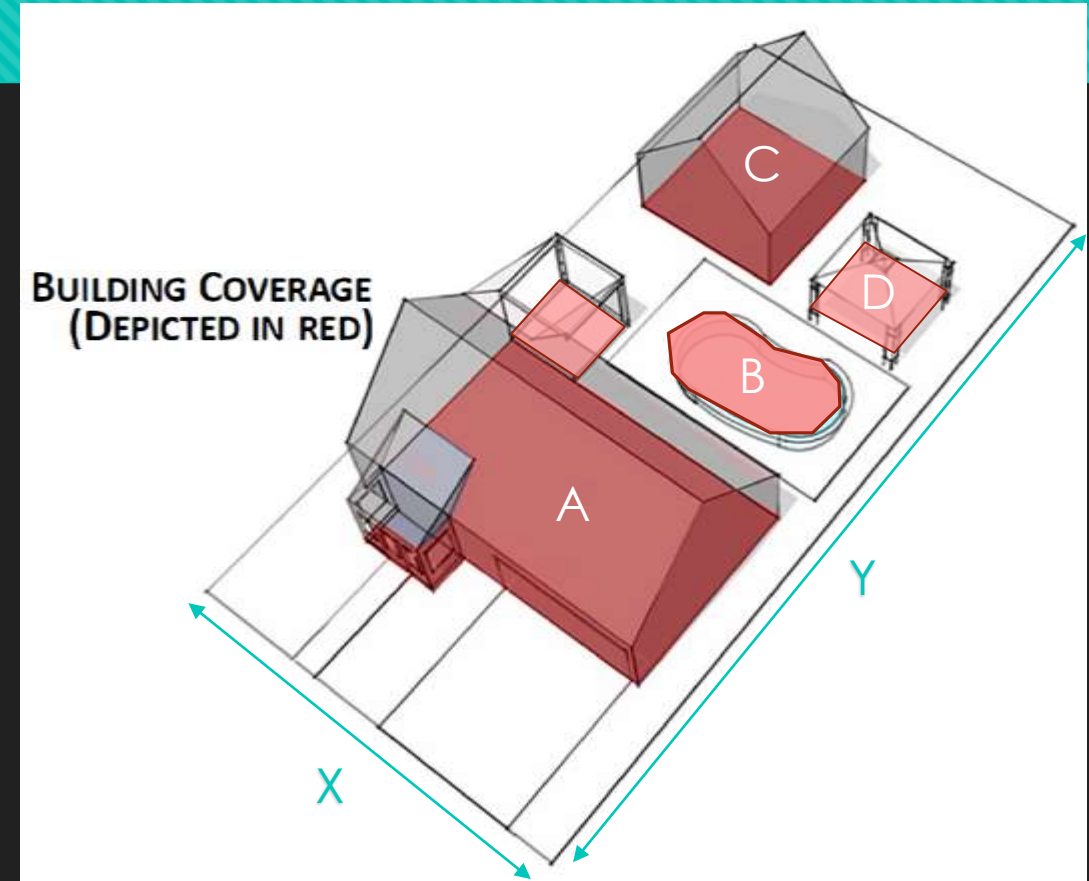
- In Lake Park, the smallest legally conforming lot is 7,500 SF for an interior parcel and 10,000 SF for a corner lot.
- The average lot size is 10,495 SF.
- Staff recommends making all parcels eligible for an accessory dwelling structure, provided they meet the maximum building coverage in their district.



Building Coverage

Item 1.

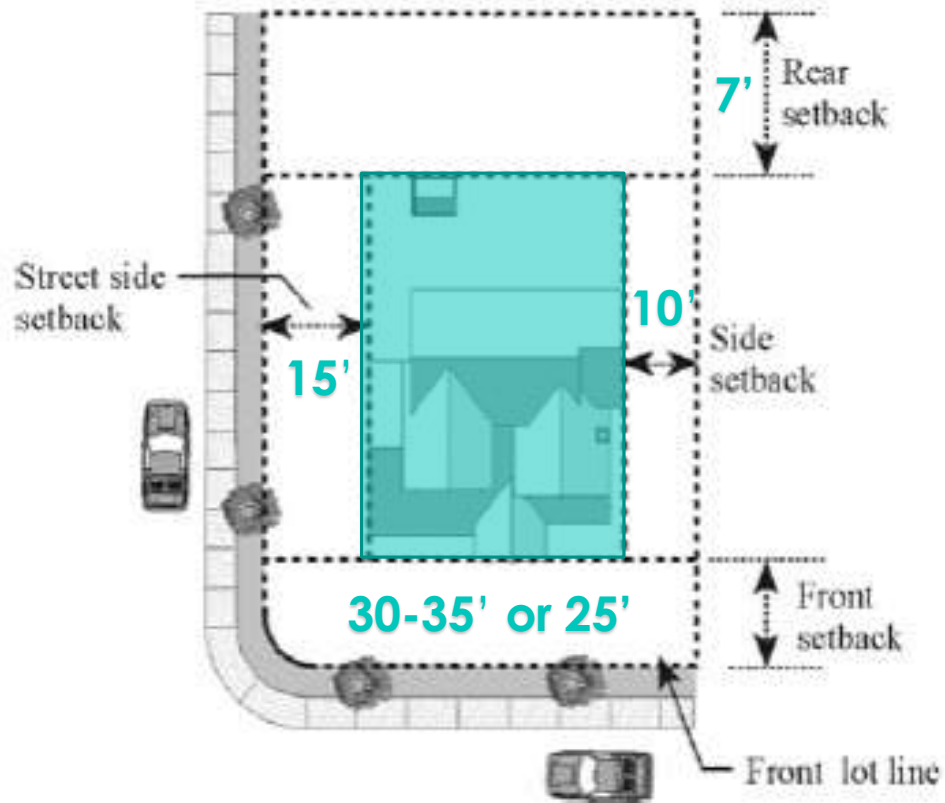
- Built coverage deals with “how much” structure you can build on your property.
- Buildable area is 50% in the R-1A and 60% in the R-1 District.
- Minimum 35% pervious area required.
- ADUs would be regulated under this same framework but could also be controlled with a maximum area.
- ★ Staff recommends a maximum ADU coverage of 1000 SF. So long as an ADU doesn't exceed the maximum ADU area and the maximum built coverage on the lot, it would be permitted.



$$\text{If } A + B + C + D \leq 50\% \text{ or } 60\% \text{ of } X * Y$$

Setbacks

Item 1.



- Setbacks promote harmony between structures and properties
- In the R-1 and R-1A, setbacks are as follows:
 - 30' Front in R-1 or 25' in blocks where established
 - 35' Front in R-1A or 25' in blocks where established
 - 15' Street Side
 - 10' Side
 - 7' Rear
- ★ Staff recommends applying the existing setback standards to accessory structures in the R1 and R1A districts. Additionally, staff proposes a new accessory dwelling structure be set back at least 10 feet from the primary structure, per the Florida Building Code.

Access

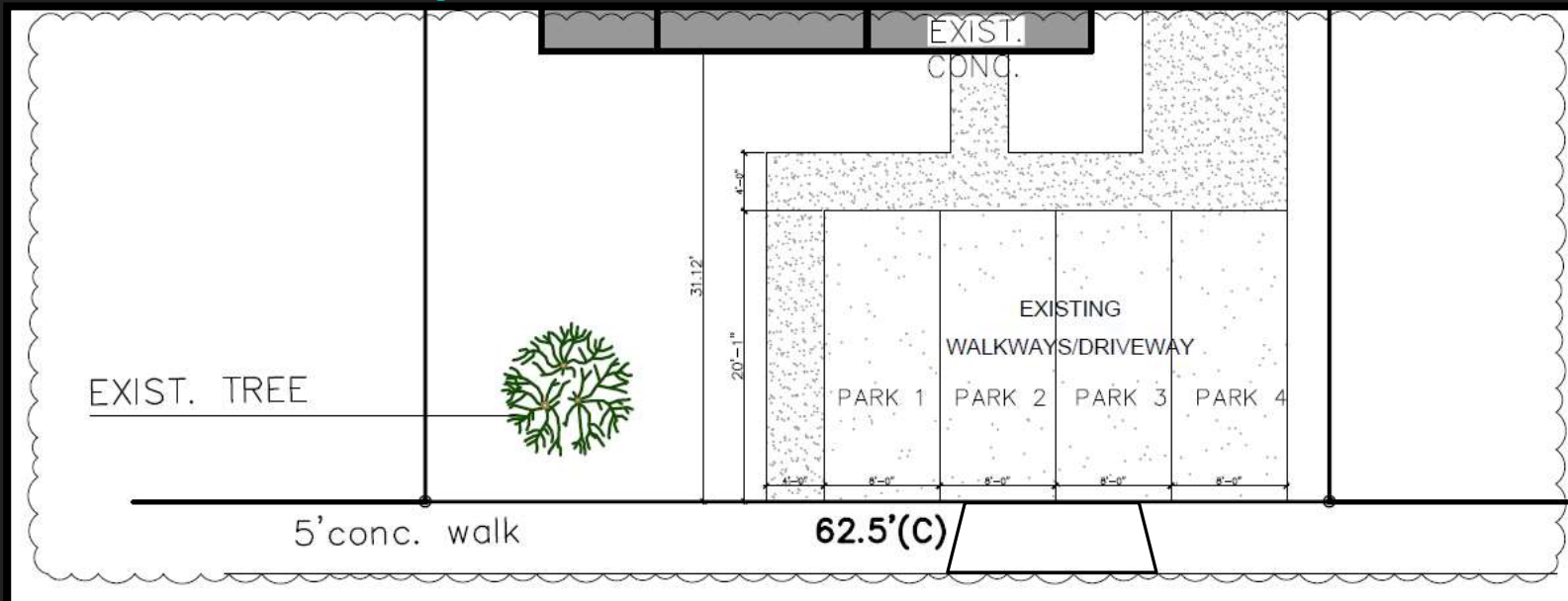
Item 1.

- Since ADUs are not currently allowed, there are no access standards for ADUs.
- Staff recommends that ADU owners be able to access their unit through the side yard of their property along a sidewalk that connects from the right-of-way to the ADU's front door, set back from the side property line by at least 4 feet.



Parking

Item 1.



- ★ Staff recommends that every accessory dwelling unit either demonstrate the ability to accommodate parking on site using existing driveway area or provide a new space per 78-142-1 (1) and 78-142 (c)(9)c.1. No grass parking and no exceptions!

- The Town Parking code requires at least two 8' X 20' spaces per dwelling unit.
- Staff believes ADUs will not generate significant additional traffic.
- Based on the Institute of Traffic Engineers' Trip Generation Manual, it is estimated that ADUs would generate no more than 10 trips per day per unit.

Architectural Standards

Item 1.



- Lake Park currently requires all accessory structures be “harmonious and compatible” with the primary dwelling in design.
- Maximum height would be 2 stories or 35'
- Architectural design standards are a commonsense inclusion for any ADU ordinance and shouldn't serve to hinder ADU development.

★ Staff recommends that accessory dwelling units conform to the preexisting standards for accessory structures generally, which requires they be harmonious and compatible with the primary dwelling in features such as color, height, and materials.

Landscaping

Item 1.

- Lake Park currently requires all residential parcels meet our minimum landscaping requirements.
- Additional landscaping restrictions can be put on ADUs to reduce visual impacts from the street.

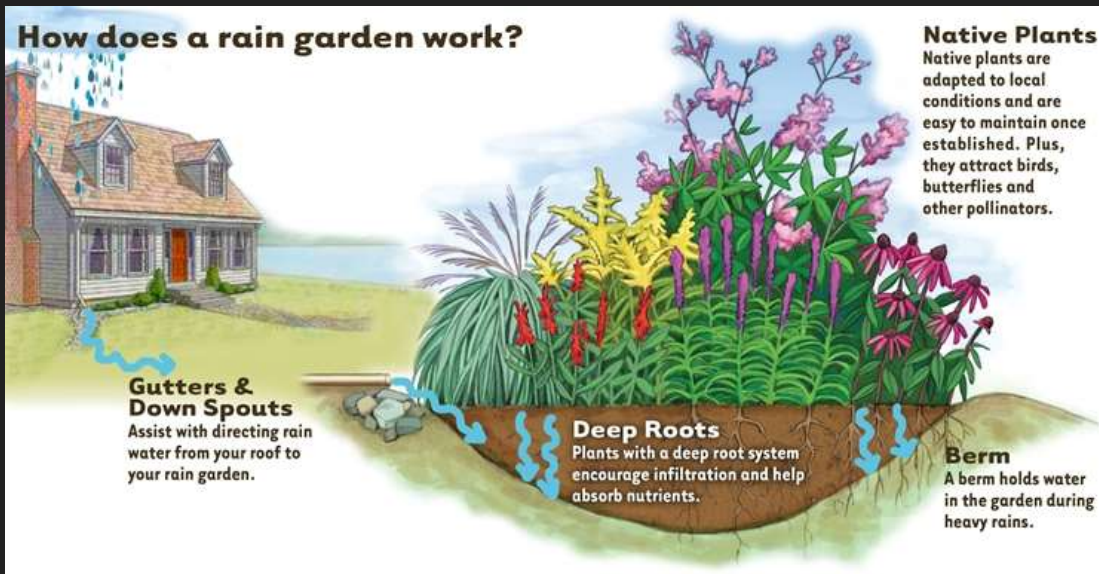


Staff recommends that every ADU provide for landscape screening if it is visible from the public right of way or if visible from a neighbor's property.

Storm Water Retention

Item 1.

- Lake Park currently requires all residential parcels meet the minimum 35% pervious area required.
- ADUs, like any structure, displace runoff, but this can be mitigated.



Staff recommends that every site approved for an ADU provide 1 of the following:

- Rain barrels and Raingardens to collect runoff from the new ADU roof impervious area.
 - Bioswales to trap any runoff before it gets to the road Right-of-Way
 - A vegetated buffer with water holding capacity for infiltration.
 - Any combination of the above
- Additionally, new ADUs should require plan review approval from Public Works/Stormwater Division

Approval Process

Item 1.

- New accessory structures like cabanas and garages and home additions are already administrative approval items that must meet many of the standards just overviewed.
- ★ Staff recommends ADUs be an administrative approval item. Additionally, staff recommends every ADU, prior to receiving a certificate of occupancy, fill out a sworn affidavit that affirms whether the owner intends to rent. If the owner does intend to rent, they would also be required to fill out a rental business tax receipt application prior to CO.

Occupancy Standards

Item 1.

- Lake Park currently defines *Family* as “one person or a group of two or more persons living together and interrelated by bonds of legal adoption, blood, or a licit marriage, or a group of not more than three people who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling.”
- As one dwelling unit, ADUs would be limited to 1 family or no more than 3 unrelated people.
- Staff recommends allowing an ADU owner or their family to occupy either their main home or the ADU. Additionally, staff recommends allowing for families that meet our definition to occupy an ADU.

Rental Standards

Item 1.

- Who an ADU is rented to and for how much are at the discretion of the ADU owner, but here are the regulations that Lake Park currently applies to single-family rentals.
- Single-family rentals are currently allowed. All single-family rentals currently require a rental business tax receipt and a code enforcement health/safety inspection to operate.
- Transient rental, defined as “a dwelling that is operated or used in such a way that it has a turnover in occupancy of more than two times in any one year,” is prohibited in single-family zones.
- All ADUs would have to follow our existing rental standards. Additionally, pursuant to prior discussions, staff recommends additional conditions on ADU rentals if the current Commission is in agreement. These are: the owner or agent of the owner must reside on-site. Staff recommends applying these criteria to all rentals in Town going forward.
- If any of these conditions are violated, the property would be subject to code enforcement action.

Utility Considerations

Item 1.

- Applicants will need to provision for additional water and power utility connections to their ADU. These designs will vary on a case-by-case basis depending on the existing infrastructure of the home and will be subject to building permit approval and the standards of Seacoast and FPL, respectively.
- Both utility providers were previously contacted for comment on the ADU concept and reported no concerns.

Tax and Legal Considerations

Item 1.

- Lake Park ADUs provide significant taxable value to the Town. As of 2021, the Palm Beach County property appraiser acknowledges 50 ADUs in Lake Park, which collectively accounted for \$2,379,599 in taxable value out of a total of \$152,713,615 of taxable value on all single-family residential parcels.
- ADUs, or portions of property, that are rented would not be able to be Homesteaded.
- Historic properties applying for a new ADU would have to go through the special certificate of appropriateness process to determine compliance with the historic code.
- All existing ADUs throughout the Town would be legalized through this ordinance.
- Existing legalized ADUs would be subject to our new zoning standards, so legalizing ADUs will allow for nonconforming ADU properties to come into compliance on issues like parking and rental occupancy over time through the building permit and the business tax receipt processes.

Next Steps

Item 1.

- ADUs have long been discussed and the need for them has only become more pressing given housing cost trends in Florida.
- Tonight we're seeking Commission direction on next steps. Staff can either prepare an additional workshop to solicit further public input or we can begin drafting an ordinance based on the recommendations shown tonight.
- Thank you for your time and consideration!



253 Evergreen Dr



Item 1.

233 Park Ave

Thank you for your time!



754 Date Palm Dr



Please contact staff with further questions or comments at 561-881-3320 EXT 320.



TOWN MANAGER COMMENTS

Item 1.

Exhibit B

TOWN COMMISSION MEETING Wednesday, January 17, 2024

COMMUNICATIONS AND GRANTS

The Town has received an inquiry from a reporter at The Palm Beach Post regarding whether Lake Park plans to join the litigation by Weiss Serota Helfman Cole + Bierman against the Form 6 disclosure requirement. We will respond to her based upon guidance provided by the Commission. At this time I ask the Mayor, Vice Mayor and members of the Commission to consider how they would like the Town to proceed regarding whether or not to join the litigation.

The State of Florida has allocated \$1,000,000 for the Town of Lake Park's septic-to-sewer conversion project. The Town was originally informed that the allocation would be \$750,000. The documentation requested by the Florida Department of Environmental Protection has been submitted in order for the agency to draft a grant agreement and we are now awaiting information regarding next steps. Thanks to the Town's Community Development Director, Capital Projects Manager, and Grant Writer/Chief Public Information Officer, as well as the Town's Lobbyist, Ellyn Bogdanoff, for all their work that made this possible.

COMMUNITY DEVELOPMENT

(1) Karen in Community Development has been working with the Attorneys offices to schedule the Appeal received for the de-designation decision of the Historic Preservation Board for the 918 Park Avenue structure. The Attorneys for both parties agreed to hold the appeal of the Historic Preservation Board denial of de-designation before the Town Commission in February as a special meeting. The dates that will work for the Attorneys, the property owner, and firms representing the Town and property owner are either **Monday, February 26 or Tuesday, February 27, at 6:30 p.m. in the Town Hall Commission Chambers**. We are seeking input from the Commission on which date works best.

(2) Reminder that the official Oceana groundbreaking is this **Friday, January 19 at 2 p.m.** at the job site located at 1301 10th Street.

(3) The Town Manager and Community Development Director participated in a meeting that showcased 3D printed concrete construction technology. Given the Town's many projects and initiatives, an educational site visit to a 3D printed property and the printing facility is

being coordinated for **January 24, from 2 p.m.-5 p.m.** (in Wellington). The Commission invited and more details are forthcoming. Please save-the-date.

Item 1.

(4) While Community Development previously proposed changes to our parking standards, in our continued discussions with applicants and developers, it seems the urban trend is to allow for 9 foot wide spaces (instead of 10 feet) for surface parking lots (not necessarily parking garages). Staff will explore this option and bring back an Ordinance to the Commission for 9 foot wide spaces for surface parking lots, unless the Commission is in disagreement.

(5) 1100 2nd Court - all of the updates were provided to the Commission via email however an official agenda item will also be presented at the February 7 meeting after the Town Manager and Community Development meet with the property owners the third week of January.

(6) Community Development continues working on the Live Local Act related land development regulations and procedures and will have a preliminary draft ready for Commission review in late March 2024. The goal is to get approvals in place by May/June 2024, well ahead of the September 30, 2024 deadline.

HUMAN RESOURCES

Job Openings:

Groundskeeper – Hourly rate: \$16.51 to \$26.42
Lead Groundskeeper – Hourly rate \$18.91 to \$30.25
Library Assistant/Children's -- Hourly rate: \$15.43 to \$24.69
Maintenance Worker -- Hourly rate: \$18.91 to \$30.25
Receptionist/Cashier – 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
Stormwater Technician II -- Hourly rate: \$21.65 to \$34.63
Operations Manager – Hourly rate: \$28.37 to \$45.40 per hour
Senior Accountant – Salary range: \$59,014.54 to \$94,423.27 per year
Public Works Director – Salary range: \$115,002.64 to \$184,004.23 per year
Recreation Supervisor -- Salary range: \$ 51,545.59 to \$82,472.94 per year
Finance Director – Salary range: \$115,002.64 to \$184,004.23 per year

For the CRA, Community Redevelopment Administrator – Salary rate \$90,000.00 per year

All of the above positions are open until filled.

To view the complete job posting for the above position or to download an employment application, please visit the Town's official website at www.lakeparkflorida.gov . For

additional information please contact the Town's Human Resources Department at 561-881-3300 and choose Option 8.

Item 1.

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

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

To view the complete volunteer postings for the above opportunities, please visit the Volunteer Opportunities page of 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.

SPECIAL EVENTS

Sunset Celebration

Sunset Celebration will be held on **Friday, January 26** from 6:00 p.m. – 9:00 p.m. at the Lake Park Harbor Marina. This month's event will feature live entertainment from Krush Party 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.

P3 STATUS REPORT ON REMAINING GROUND LEASES

The professionals, Don Delaney of SDI , Larry Zabik of Zabik and Associates, and Peter Baytarian of Forest Development, responsible for the implementation of all aspects of the P3 have signed off on the remaining ground leases and are ready to move forward. The next step is acceptance by Attorney Anthony Kang (attorney to Forest Development) and our Attorney Tom Baird.

TOWN COMMISSION CONSENSUS

- Mental Health & Wellness Resources Festival – Seeking Town Commission consensus if the Town wishes to co-sponsor this event or attend the event to be held **Saturday, February 3, 2024, 10 a.m.-2 p.m.** located at 2900 North Military Trail, West Palm Beach.
- Irish American Heritage Month - A Proclamation request was received by the Florida Ancient Order of Hibernians, to designate **March 2024** as Irish American Heritage Month in recognition of the long history of Irish American contributions to the State of

Florida. Seeking Town Commission consensus to declare March 2024 as Iris American Heritage Month.

Item 1.

2024 Women in Construction Week – A Proclamation request was received by Mayor Michaud by the Greater Palm Beach Chapter of The National Association of Women in Construction (NAWIC). The organization is celebrating their 26th Annual Women in Construction (WIC) Week March 3-9, 2024. Seeking Town Commission consensus to declare **March 3-9, 2024** as Women in Construction Week in the Town of Lake Park. The NAWIC's mission is to enhance the success of women in the construction industry.

SUNSET CELEBRATION

FREE MUSIC CONCERT

FEATURING



KRUSH
PARTYBAND

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

FRIDAY, JANUARY 26
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





"WELLNESS WEEK"

The West Palm Beach Mental Health Coalition (WPBMHC) cordially invites you to join us as we present **"The 6th Annual Mental Health and Wellness Resource Festival"**. The festival is the grand finale of Keiser University's annual mental health initiative known as **Wellness Week**, and it promises to be a significant gathering aimed at promoting mental health education, awareness and community support. The event will take place at **The Keiser University Flagship Campus – DeVos Building** on **Saturday, February 3, 2024, from 10:00 AM until 2:00 PM**. Location: 2900 North Military Trail, West Palm Beach.

The theme of this event is **"Connections with Mental Health and Wellness Resources."** We ask that you consider hosting a table and showcase the services and programs of your organization. Registration is open now and closes on **January 26, 2024**. Each exhibitor is asked to bring at least one give away (prize) for raffle winners.

There is no cost to register for this event if you are a non-profit. For-profit vendors are asked to make a \$100 tax deductible donation for their space. All contributions are welcomed. We are a 501 (C) (3) and a licensed Charity by FDACS.

To secure your space, visit us at www.westpalmbeachmentalhealth.com and register. We anticipate festival participants will consist of Keiser staff and students, area high school and middle school students, community residents, service providers, non-profit entities, youth groups, and faith-based entities. The festival supports our mission statement: To identify, prioritize and take action to promote education, early identification, and access to mental health services in the underserved communities of West Palm Beach.

We look forward to having you partner with us. Should you have any questions, please contact me at 561-660-8156.

Pamela Frazier, Founder/President
West Palm Beach Mental Health Coalition Inc.

"Together We Each Achieve More"



Ancient Order of **HIBERNIANS** Irish · Catholic · American

Office of the Florida State Secretary

Greg Seán Canning

Gríoghár Seán Ó Canannáin

Past Florida State President and National Director

10 January 2024

Mayor Roger Michaud
Lake Park Town Hall
535 Park Avenue
Lake Park, FL 33403-2603

Dear Mayor Michaud,

Once again, Florida's Irish American community will be celebrating its Irish heritage during the month of March. Ever since the military governorship of Irish American Andrew Jackson, Irish Americans in Florida have provided leadership and service to their state, counties, and local communities. Irish Floridians can look back with pride on the legacy of their Irish forebears, who have contributed significantly to education, business, sports, literature, science, engineering, medicine, science and the arts. Today, we continue to recognize and honor the service of our current State, County and Town/City Council leaders and the contributions of fellow Irish Floridians.

In the past, March has been designated "Irish American Heritage Month" throughout the United States to coincide with the celebration of St. Patrick's Day on the 17th. Across the State of Florida, the Ancient Order of Hibernians and other Irish organizations will be conducting parades, celebrations, and cultural events.

The Florida Ancient Order of Hibernians respectfully requests that your office issue a Proclamation designating March 2024 as "Irish American Heritage Month" in recognition of the long history of Irish American contributions to the State of Florida. To assist you in this request, I have taken the liberty of providing a few "WHEREAS" for your consideration and possible use.

On behalf of the Ancient Order of Hibernians in America, I would like to thank you for your kind consideration of this request. Should you have any questions or need additional information, please do not hesitate to contact me.

In Friendship, Unity, & Christian Charity,

Greg Seán Canning

AOH Florida State Secretary

Past Florida State President and National Director



Greg Seán Canning, FL AOH State Secretary, 4530 Caladium Ct., Kissimmee, FL 34758-2156
Hm Ph (407) 350-4205 Cell Ph (201) 787-6650 Grioghar@mac.com
The Florida State Board of The Ancient Order of Hibernians: <http://www.aohflorida.org>





January 3, 2024

Mayor Roger Michaud
535 Park Avenue
Lake Park, FL 33403
rmichaud@lakeparkflorida.gov

Dear Mayor Michaud

The National Association of Women in Construction (NAWIC) will celebrate the 26th Annual Women in Construction (WIC) Week March 3-9, 2024. NAWIC's mission is to enhance the success of women in the construction industry.

The focus of WIC Week is to highlight women as a visible component of the construction industry. It is also a time for local chapters to give back to their communities. WIC Week provides an occasion for NAWIC's thousands of members across the country to raise awareness of the opportunities available for women in the construction industry and to emphasize the growing role of women in the industry.

Our Chapter, Greater Palm Beach, Chapter 87, will be celebrating our 60th anniversary of serving the community in Greater Palm Beach as well as SE Florida. We, as a chapter are striving to get Proclamations for WIC Week from all our County Commissioners as well as Mayors in all municipalities.

I'm sure you are aware that we put on such programs as Block Kids to introduce elementary school age children to the construction industry as well as a CAD Drafting program geared toward High School and College age participants to introduce them to our industry as well. We have had much success with our mentoring programs and other community outreach programs as well. We have worked with The Boys & Girls Club in both Palm Beach and Martin County, Habitat for Humanity, Project NAWIC cares, adopted charities for the holidays and in general have strived to continue to provide educational and community services throughout the local area.

We ask that you please provide a proclamation for our Chapter and declare March 3-9, 2024, Women in Construction Week in The Town of Lake Park, Florida. I have attached a sample proclamation form for your use.

If you should have any questions about this request, please contact me at the contact information provided below.

Respectfully submitted,

Naomi Stevenson, Chapter Treasurer and WIC Week Chair Greater Palm Beach Chapter of the National Association of Women in Construction, CH 87
(561) 719-6532 nstevenson@maschmeyer.com



Town of Lake Park Town Commission

Item 1.

Agenda Request Form

Exhibit C

Meeting Date: January 17, 2024

Agenda Item No.

Agenda Title: Amendment to Town Code Sections 68-2 and 68-3 of Chapter 68 to Provide for Regulations Associated with Temporary Storage Containers.

- [] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [] OLD BUSINESS
[X] **ORDINANCE on 1st 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: 2024.01.11 17:50:05 -05'00' **Date:** _____

Nadia Di Tommaso, Community Development Director

Name/Title

Originating Department:

Costs: \$ Legal Review

Attachments:

Community Development	Funding Source: Legal Acct. 108 [] Finance _____	→ Ordinance __-2024
Advertised: Date: N/A this agenda item must be notified Paper: of meeting date and time. The [] Not Required	All parties that have an interest in following box must be filled out to be on agenda.	Yes I have notified everyone or Not applicable in this case_ ND Please initial one.

Summary Explanation/Background:

This item is fairly simple. Pursuant to certain code enforcement issues experienced recently, Community Development staff and the Town Manager agree that regulations associated with temporary storage containers are needed. Temporary storage containers such as metal containers or PODs are sometimes necessitated by residents to store personal property during temporary work (or moving) that is being performed on their private property. Such work may include tenting for termites, interior bathroom or kitchen renovations, or a more substantial renovation of private property, just to name a few examples. These temporary containers are also often needed when moving in or out of a property. In such circumstances, it is reasonable to assume that up to 90 days may be required to store personal property, or other items.

The intent of the temporary storage containers is **not** to provide permanent storage facilities on private property (as this need can be satisfied through an off-site storage facility), **nor** is the intent of the temporary container to satisfy ongoing construction material needs (this need is satisfied through an approved roll-off container for the duration of the construction work that is permitted through the Town). Consequently, allowing for temporary containers, but providing for a time limitation and placement

provisions, will provide property owners with the flexibility they need, yet preserve the aesthetic appearance of the Town's residential areas by ensuring they are not placed on private property unnecessarily or for a long duration.

Item 1.

Recommended Motion: I move to "**APPROVE**" Ordinance __-2023.



Agenda Request Form

Agenda Item No.

<input type="checkbox"/>	SPECIAL /REPORTS	<input type="checkbox"/>	CONSENT AGENDA
<input type="checkbox"/>	BOARD APPOINTMENT	<input checked="" type="checkbox"/>	OLD BUSINESS
<input type="checkbox"/>	PUBLIC HEARING ORDINANCE ON 1 st READING		
<input type="checkbox"/>	NEW BUSINESS		
<input type="checkbox"/>	OTHER: WORKSHOP_____		

Approved by Town Manager John D'Agostino **Date:** 2024.01.05 16:53:33 -05'00'

Name/Title

Originating Department: Town Manager	Costs:\$ 0 Funding Source: General Fund Acct. # [] Finance _____	Attachments: <ul style="list-style-type: none"> • P3 Hotel Component Ground Lease Amended Language Paragraph 5 Use of Premises.
Advertised: Date: _____ Paper: _____ [X] Not Required JOD	All parties with interest in this agenda item are t notified of the meeting date and time.	____Yes, I Notified everyone OR ____Not applicable in this case Please initial one.

The attached document provides alternative language for consideration by the Town Commission. The proposed new language is underlined after the preceeding language has been deleted and initialed by the Mayor and the developer. If the Commission after deliberation is satisfied with the suggested language, a vote of approval is recommended below.

.
Recommended Motion: Motion to approve the amended language as suggested.



Exhibit E

PALM BEACH SHORES/LAKE PARK SINGER ISLAND CHANNEL DREDGING PROJECT

The Singer Island Channel is a naturally occurring channel. When the Lake Worth Inlet was cut in the early 1900s, the natural Lake Worth currents were disrupted and the Channel began a shoaling process; the shoaling has now increased to the point that it impedes navigation and creates a safety hazard, and causes localized flooding within Palm Beach Shores. On weekends and holidays, boats breach the sandbar, impeding the navigation channel and creating unsafe conditions. The sand is also blocking Palm Beach Shores' stormwater outfall pipes.

This project is designed to provide a mutual benefit for Palm Beach Shores and the Town of Lake Park, as Palm Beach Shores does not have the staff to undertake the scope of this project. Lake Park will provide the project management and oversight, and will benefit from the receipt of the majority of the dredged material. In order to complete this vital project, the Lake Park and Palm Beach Shores will enter into an inter-municipal agreement, the result of which will permit Lake Park to store and use the material for necessary sea level mitigation measures (outlined below).

The completion of this project will:

- Protect the general public from harm through the resulting decrease in boating accidents
- Improve transportation conditions by creating demonstrably safer and more enjoyable boating conditions in the Channel
- Reduce the stress and workload on police, security and first responder organizations
- Improve economic activity through the direct, positive impact on the business of local marinas
- Increase tourism by improving the experience accessing Peanut Island, a tourist destination located immediately adjacent to the Channel and shoal
- Create dredging-related job opportunities and will indirectly solidify existing marine industry jobs; additional marine industry jobs may also be created (this project is supported by the marine industry)
- Improve wastewater management by reducing the opportunity for passengers of boats beached on the shoal to deposit human excrement in the water
- Improve stormwater management for Palm Beach Shores by removing the sand currently impeding the outflow pipe
- Enable Lake Park to raise its sea wall, marina and park lands (as indicated in its [Vulnerability Assessment](#)), which would otherwise remain a financially unattainable goal



Exhibit E (1)

MOBILITY LEGISLATION (ALTERNATE MOBILITY FUNDING SYSTEMS)

HB479/SB688

- The bills revise and provide additional guidance concerning the use of mobility plans and the collection of mobility fees, including the provision of definitions for the terms “mobility fee” and “mobility plan.”
- The bills prohibit local governments from charging transportation impacts if they are not the local government that is issuing a building permit
- The bills require local governments to collect for extra jurisdictional impacts if they are issuing building permits and prohibit local governments from assessing multiple charges for the same transportation impact
- The bills provide that local governments adopting and collecting impact fees by ordinance or resolution must use localized data available within the previous 12 months of adoption for the calculation of such fees
- The bills limit manner and timeframe within which local governments can increase impact fees
- The bills provide direction to address the provision of “mobility options, such as automobile, bicycle, pedestrian, or mass transit, that minimize environmental impacts, expand transportation options and increase connectivity.”
- The bill defines which local government charges development fees and their responsibilities for mitigation and stops local governments from subsidizing sprawl by not strictly requiring additional road capacity
- The bills do not require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of State tax shared with counties or municipalities
- Adoption by local governments is voluntary, but is predicated on the local government establishing a mobility plan and mobility fee



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

Item 1.

MEETING DATE: 1/17/24

Cards must be submitted before the item is discussed!!

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

Name: Brady Drew

Address: 538 Sabal Palm Dr

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

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

ADUs (#1)

Presentation
on
ADUs

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

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



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

MEETING DATE: 01/19/24

Cards must be submitted before the item is discussed!!

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

Name: IRIS GULLIVAN

Address: 348 Harbor Blvd

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

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

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

response of 911 & Public Safety

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



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

Item 1.

MEETING DATE: 1-17-24

Cards must be submitted before the item is discussed!!

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

Name: Douglas Earkins

Address: 1481 Kinetic Rd

If you are interested in receiving Town information through Email, please provide your E-mail address: doug@dsearbins.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):

Street Parking

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.

(subject)
west side of road from businesses are businesses that have excessive amount of parking, on property and on road.



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

MEETING DATE: 1/17/2024

Cards must be submitted before the item is discussed!!

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

Name: J. SULLIVAN

Address: 348 #2 Eagle Blvd

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

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

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

CONGRATULATIONS TO THE FIRE DEPARTMENT
AN FLORIDA POWER & LIGHT CO

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.

Complimentary

2



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

Item 1.

MEETING DATE: 1/17/2024

Cards must be submitted before the item is discussed!!
***Three (3) minute limitation on all comments

Name: J. SULLIVAN
Address: 348 FLAGLER BLVD

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

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

I would like to make comments on the following Non-Agenda Item(s):
ALL NEW TREE PLANTING NEAR OR BELOW
ELECTRIC LINES SHOULD BE REQUIRED
TO BE TREES THAT DO NOT GROW UP TO REACH LINES
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.
Asking for ordinance for tree height!

3



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

MEETING DATE: 1/17/2024

Cards must be submitted before the item is discussed!!
***Three (3) minute limitation on all comments

Name: J. SULLIVAN
Address: 348 Flagler Blvd

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

* Concerned for pedestrians walking along this area with no side walk.

I would like to make comments on the following Agenda Item:
THERE SHOULD BE A SIDEWALK ALONG
OLD DIXIE FROM RAILROAD AVE TO
EXISTING SIDEWALK

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

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



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 1/17/2024

Cards must be submitted before the item is discussed!!

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

Name: J. SULLIVAN

Address: 348 Flagler Blvd.

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

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

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

CODE AND SHERIFFS DEPUTIES SHOULD
ISSUE CITATIONS TO ANYONE THROWING
TRASH OUT OF CARS OR USED INJECTION NEEDLES

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.

Findings of trash and hypodermic needles being found in construction area.

4



Town of Lake Park Town Commission

Item 2.

Agenda Request Form

Meeting Date: February 7, 2024

Agenda Item No.

Agenda Title: Amendment to Town Code Sections 68-2 and 68-3 of Chapter 68 to Provide for Regulations Associated with Temporary Storage Containers.

[] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [] OLD BUSINESS
[X] **ORDINANCE on 2nd Reading**
[] NEW BUSINESS
[] OTHER

Approved by Town Manager Bambi McKibbon-Turner

Digitally signed by Bambi McKibbon-Turner
DN: cn=Bambi McKibbon-Turner, o=Town of Lake Park,
ou=Assistant Town Manager/Human Resources Director,
email=btturner@lakeparkflorida.gov, c=US
Date: 2024.01.30 10:22:26 -05'00'

Nadia Di Tommaso, Community Development Director

Name/Title

Originating Department: Community Development	Costs: \$ Legal Review Funding Source: Legal Acct. 108 -31100 [] Finance <small>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: 2024.01.30 10:01:45 -05'00'</small>	Attachments: ➔ Ordinance 01-2024 ➔ Legal Ad
Advertised: Date: 01/21/2024 Paper: Palm Beach Post [] 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_ ND Please initial one.

Summary Explanation/Background:

Approved on 1st reading at the January 17, 2024 Town Commission meeting with a condition that extensions beyond the 90 days are not permitted and that off-site storage solutions are required for periods over 90 days. This added language has been included in the enclosed Ordinance.

This item is fairly simple. Pursuant to certain code enforcement issues experienced recently, Community Development staff and the Town Manager agree that regulations associated with temporary storage containers are needed. Temporary storage containers such as metal containers or PODs are sometimes necessitated by residents to store personal property during temporary work (or moving) that is being performed on their private property. Such work may include tenting for termites, interior bathroom or kitchen renovations, or a more substantial renovation of private property, just to name a few examples. These temporary containers are also often needed when moving in or out of a property. In such circumstances, it is reasonable to assume that up to 90 days may be required to store personal property, or other items.

The intent of the temporary storage containers is not to provide permanent storage facilities on private property (as this need can be satisfied through an off-site storage facility), nor is the intent of the temporary container to satisfy ongoing construction material needs (this need is satisfied through an

approved roll-off container for the duration of the construction work that is permitted through the T. Consequently, allowing for temporary containers, but providing for a time limitation and placement provisions, will provide property owners with the flexibility they need, yet preserve the aesthetic appearance of the Town's residential areas by ensuring they are not placed on private property unnecessarily or for a long duration.

Recommended Motion: I move to "**ADOPT**" Ordinance 01-2024.

ORDER DETAILS

PREVIEW FOR AD NUMBER LSAR00526100

Item 2.

Order Number:
LSAR0052610
External Order #:
9753750
Order Status:
Approved
Classification:
Govt Public Notices
Package:
General Package
Total payment:
139.05
Payment Type:
Account Billed
User ID:
L0019963
External User ID:
730028

ACCOUNT INFORMATION

Lake Park, Town Of
535 Park AVE
Lake Park, FL 33403-2603
561-881-3300
lweidgans@lakeparkflorida.gov
Lake Park, Town Of
Contract ID: GOVT

TRANSACTION REPORT

Date
January 18, 2024 8:43:13 AM EST
Amount:
139.05

ADDITIONAL OPTIONS

1 Affidavit

SCHEDULE FOR AD NUMBER LSAR00526100

January 21, 2024
Palm Beach Post

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

Please take notice that on Wednesday, February 7, 2024 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida to be held at 535 Park Avenue, Lake Park, Florida 33403 will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE NO. 01-2024
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 68, SECTIONS 68-2 AND 68-3. PERTAINING TO TEMPORARY STORAGE CONTAINERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, MMC, Town Clerk
Town of Lake Park, Florida
PUB: January 21, 2024 - The Palm Beach Post
Publication Dates
L00000000

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ORDINANCE NO. 01-2024

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 68, SECTIONS 68-2 AND 68-3. PERTAINING TO TEMPORARY STORAGE CONTAINERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Town Code established regulations pertaining to outdoor storage in residential districts and has codified these regulations in Chapter 68 of the Town's Code of Ordinances; and

WHEREAS, the Community Development Department recommends that the Town Commission amend Chapter 68 to provide for regulations associated with temporary storage containers;

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. Chapter 68, Sec. 68-2, is hereby amended to include the term temporary storage containers within the definition of "outdoor storage" as follows:

Sec. 68-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boat means any vessel, with or without motor propulsion, designed for travel over water and for which a trailer is required for transportation over land.

Construction equipment/materials means lumber, concrete blocks, pipe and other building materials, tractors, bulldozers, graders, portable cement mixers, tools and other similar equipment and/or materials.

Element-sensitive means not designed and/or manufactured to withstand exposure to the elements without damage, i.e., outdoor storage.

Light van means any motor vehicle having a generally rectangular bulk which has a carrying capacity of one ton or less with or without an interior designed and used as temporary living quarters.

Motor home and/or RV means a motorized vehicle designed and used as temporary living quarters, other than a light van.

Outdoor storage means intentional placement of vehicles, trailers, temporary containers, or PODs on a property to be used for the temporary outdoor storage of debris, materials, equipment and/or other personal property, outside an enclosed of a residential or non-residential building for purposes other than decoration, ornamentation and/or proper disposal. Storage of materials, debris, garbage, personal property other than motor vehicles permitted herein, or junk within an open carport whether or not it is and/or storage beneath a tarpaulin or similar cover outside an enclosed building shall be considered outdoor storage.

Pickup truck means any motor vehicle designed primarily for the transportation of property with a permanently attached open cargo or utility box not extending above the vehicle roofline and having a carrying capacity of one ton or less.

Project/special-purpose vehicle means a vehicle having greater than nominal salvage value and/or which has been constructed for purposes other than regular transportation including, but not limited to, racing vehicles or vessels, dune buggies, swamp buggies, show vehicles, active restoration or repair projects, etc.

Trailer means any assembly designed to be towed or hauled by a motor vehicle, including, but not limited to, open or enclosed cargo trailers with or without cargo, boat trailers and campers designed to be hauled within the cargo box of a pickup truck.

(Ord. No. 8-1992, § I, 9-16-1992; Code 1978, § 30-2)

Section 3. Chapter 68, Sec. 68-3, is hereby amended to add subsection (11), as follows:

Sec. 68-3. Prohibited outdoor storage in residential zoning districts.

Outdoor storage on a site zoned for single-family or duplex residences is subject to the following conditions and restrictions:

- (1) Automobiles, pickup trucks, light vans and/or motorcycles used for regular transportation shall be stored within an open carport, within an approved driveway and/or within a swale area adjacent to the site provided, however, the storage of any vehicles within the swale area shall be prohibited from dawn to dusk. All such vehicles, at all times, shall have affixed a valid license plate.
- (2) A motor home or RV, travel or camping trailer, boat/trailer combination, open or enclosed cargo trailer with or without cargo, project/special-purpose vehicle shall be stored to the rear of the front building line closest to the street and, if possible, set back from the side property lines a distance at least equivalent to the required side yard setback for the principal building. Provided, however, no such equipment

shall be stored between any building and an adjacent street, except as provided in subsection (2)c of this section. All such vehicles/trailers shall have affixed a current license plate and all boats shall have affixed a valid registration decal.

- a. Not more than one each of any two types of equipment set forth in this subsection shall be stored on such site. For purposes of this subsection, a boat/trailer or vehicle/trailer in combination shall be considered one type.
 - b. A boat may not be stored outdoors, unless the boat is on a boat trailer.
 - c. Such equipment shall be screened from adjacent properties on the side property line nearest the equipment by an obscuring fence or landscaping, which such screening shall be a minimum of six feet in height. On corner lots, when such equipment is stored between a building and an adjacent street, such equipment shall be screened on all sides visible from either adjacent street by an obscuring fence or landscaping, which such screening shall be six feet in height. Provided, however, no such equipment shall be stored within a required side yard setback between a building and an adjacent street.
 - d. When stored on the site, such equipment shall not be used for living or sleeping quarters nor for any purpose other than that for which it has been constructed. Such equipment shall not have attached thereto any utility service connection lines, except as may periodically be required to maintain the equipment and its appliances, if any.
- (3) Outdoor storage of element-sensitive equipment/materials is prohibited.
- (4) Outdoor storage of construction equipment/materials, not required for on-site construction pursuant to a valid construction permit or for normal property maintenance, loose vehicle parts and other similar accumulations is prohibited.
- (5) Outdoor storage within a utility easement, drainage easement, alley right-of-way, street right-of-way or front yard area, except as provided herein, is prohibited. Notwithstanding the foregoing, outdoor storage of project/special purpose vehicles, cargo trailers (enclosed or open), boats and motor homes and/or RVs ("vehicles") shall be permitted in utility and drainage easements, subject to the following restrictions:
- a. Any such vehicle shall not have a gross vehicle weight in excess of 30,000 pounds.
 - b. Any such vehicle must be placed at least seven feet from the rear property line.
 - c. Such storage must not interfere with the rights of the easement holder to access and utilize the easement for the purposes intended by the easement.
 - d. No structures may be erected within such easement.
 - e. No vehicle may be stored directly over a culvert or other drainage infrastructure.

- f. Any such vehicle must be relocated at the request of the easement holder or the town's director of public works or the director's designee.
- (6) Outdoor storage shall be limited to personal property owned or leased by the occupant-owner or occupant-lessee of the site.
- (7) Outdoor storage and the area of storage shall be maintained in a clean, neat and presentable manner.
- (8) Outdoor storage of play-sets, gyms, slides, swing sets and similar equipment is prohibited in the front yard in any residential zoning district.
 - a. In the rear or side yards, play-sets, gyms, slides, swing sets and similar equipment shall be screened from abutting properties and adjacent streets by an obscuring fence, wall or hedge, wherever possible.
 - b. Freestanding basketball backboards are exempt from this restriction as long as they are placed in the driveway.
- (9) Appliances and household furniture that are not designated for exterior use are prohibited in front yards, open front porches, and open carports.
- (10) Private swimming pools, to include in-ground or above-ground swimming pools, shall be prohibited in front yards.

(11) Outdoor temporary storage containers or PODs or any similar type of container are prohibited unless a permit for the placement of such container has been received from the Town's Community Development Department. Outdoor temporary storage containers shall only be permitted on residential properties or construction sites where they are located in an appropriate area and on a surface approved by the town pursuant to a building permit. Outdoor temporary storage containers shall only remain on the property at the approved location for the duration of the time when moving activities, or other active work on a residential property or construction site, is being pursued pursuant to the building permit, not to exceed 90 days. Extensions are not permitted. Off-site storage solutions are required for periods over 90 days.

Section 4. 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 5. Codification.

The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

Section 6. Repeal of Laws in Conflict.

All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon adoption by the Town Commission.



Town of Lake Park Town Commission

Item 3.

Agenda Request Form

Meeting Date: February 7, 2024

Agenda Item No.

Agenda Title: 1100 2nd Court – Property Updates.

[] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [X] OLD BUSINESS
[] ORDINANCE
[] NEW BUSINESS
[] OTHER

Approved by Town Manager Bambi McKibbon-Turner

Date: Digitally signed by Bambi McKibbon-Turner
DN: cn=Bambi McKibbon-Turner, o=Town of Lake Park,
ou=Assistant Town Manager/Human Resources Director,
email=bturner@lakeparkflorida.gov, c=US
Date: 2024.01.30 12:02:05 -05'00'

Nadia Di Tommaso / Community Development Director

Name/Title

Originating Department: Community Development	Costs: Town Attorney Memo Funding Source: Legal Acct. # 108 -31100 [] Finance <small>Barbara A. Gould</small>	Attachments: → Town Attorney Memo
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 <i>ND</i> Please initial one.

Summary Explanation/Background:

The Town acquired 1100 2nd Court through foreclosure in September 2021. In November 2022, the Town sold the property to the current owners, Natasha A. Quiza and Igor Jose O. De Almeida, through a formal solicitation process which resulted in the current owners being selected by the Town Commission pursuant to their purchase price and proposal to substantially reconstruct the home, but with the ability to keep the existing concrete block system. The sales contract stipulated the following conditions:

Buyer agrees to meet and comply with the following conditions:

- (1) Demolition, with the exception of the concrete block system, and construction of a new single-family home in accordance with the Town Code and Florida Building Code.**
- (2) Buyer will apply for permits for the demolition and construction within 60 days of assuming ownership of the Property, and that all associated construction work, along with the issuance of a Certificate of Occupancy, shall be completed on or before 1 year following the issuance of the building permit for construction of the single-family home.**
- (3) Buyer shall occupy the home as the Buyer's or Buyer's immediate family member, primary residence for a period of at least 5 years from the date of issuance of the Certificate of Occupancy. Immediate family member is defined as: parents, spouse, children, domestic partner, sister, brother, grandparents and those relationships that arise as a result of marriage or adoption, or legal guardianship.**

Since November 2022, the Town met with the owners several times and as a courtesy, the Town Manager also granted a couple of extensions due to the owner's difficulties with their consultants. The property owners were communicating monthly updates with Staff however, permit applications

were not received in 2023. While Staff understands this is a result of their consultants not completing their required plans for a full permit application (Staff also verified this with their consultant), this has resulted in the property being left unattended for a much longer period than original anticipated. Consequently, Code Compliance cited the property (even though this was not our objective since a lien and fines would not eliminate the eyesore – the goal is reconstruction).

One January 23, 2024, the Town Manager and Community Development Director met with the property owners. At this meeting, the Town was informed that the owner's signed and sealed plans are ready and they anticipate being able to submit for permits very soon (they were simply waiting on some product approvals). We also discussed the 3D concrete printing technology however, after some follow-up with the 3D concrete printing contractor, it was confirmed by them that it would be best for the owners to move forward with their signed and sealed plans using traditional construction. This determination was based on the fact that they are able to maintain the concrete block system and do not require full demolition. While there is a significant cost savings with 3D concrete printing, since 1100 2nd Court does not need to fully demolish (demolition would run anywhere from \$25K-\$45K) and can keep the block walls (replacing them would cost \$100K+), the 3D concrete printing contractor recommended they move forward with traditional construction given the circumstances. Consequently, the owners initiated a permit submittal through the CAP online portal on 01/29/2024. We are missing a few documents before being able to process the permit application, but the owners are moving forward in CAP at this point. The owners also expressed some difficulties in obtaining materials in a timely fashion, particularly windows/doors, since it seems there is a 6-8 month delay after order placement. They are exploring other companies who may be able to provide materials quicker. They anticipate the home will take 8-10 months to complete after construction is initiated.

Staff will of course continue to stay on top of the construction progress and will expedite the permit review (once their submittal packet is complete) and processing. The owners indicated that they are fully funded for their construction and money is not an issue at this point.

Due to work conflicts, the owners informed us in our January 23 meeting that they are unable to attend the Commission meeting on February 7, but their objective is to also move forward as quickly as possible since they are renting a home and did not anticipate to have these added expenses for this long. Their reconstructed one-story home at 1100 2nd Court is estimated to be approximately 60% larger than the existing footprint at approximately 3,200+/- SF under air once completed.

In light of the delays, the Town Attorney also prepared a Memo for the Town Manager on January 26, 2024. A copy is enclosed.

Recommended Motion: For discussion only.

Memo

To: John D'Agostino, Town Manager
From: Thomas Baird, Esq. and Brett Lashley, Esq.
Date: January 26, 2024
Subject: Contract for purchase and sale of real property located at 1100 2nd Court, Lake Park, Florida 33403 ("Property")

Background

The Town of Lake Park ("Town") owned the Property and entered into a contract for the sale and purchase of it on or about November 2, 2022. The buyers are Igor Jose Oliveira De Almeida and Natasha Allen Quiza ("Buyers"). The total purchase price is \$151,000.00. The original closing date was November 15, 2022. The closing date was twice extended with the closing occurring on November 28, 2022. In an addendum attached to the contract, the Buyers agreed to the following conditions:

- 1) Demolish, with the exception of the concrete block system, and construct a new single-family home in accordance with the Town Code and Florida Building Code;
- 2) Apply for permits for the demolition and construction within 60 days of assuming ownership of the Property, and all associated construction work, along with the issuance of a certificate of occupancy, shall be completed on or before one year following the issuance of the building permit for construction of the single-family home; and
- 3) Occupy the home for a period of at least five years from the date of issuance of the certificate of occupancy.

Thus far, the Buyers have failed to comply with conditions 1 and 2, above. The analysis below sets forth the Town's remedy for the Buyers' failure to comply with the conditions of the contract.

Analysis

Before the Town can file a lawsuit, pursuant to Section 16 of the contract, the parties must submit the dispute to mediation. Pursuant to the contract, the parties split the costs of mediation. If a settlement is not reached during mediation, the Town may then file a lawsuit.



Should the Town file a lawsuit, the Town's remedies pursuant to the contract are to (1) to recover and retain the deposits Buyers made in connection with the purchase of the property and (2) proceed in equity to enforce the Town's rights under the contract.

As to (1), the Town has already received the deposits by virtue of having closed on the contract and receiving the full contract price, which included the deposit. This leaves the Town with (2), an action in equity for specific performance to enforce the conditions of the contract that the Buyers have not met. Real property is considered unique and the court may grant specific performance when dealing with land-sale contracts. *DiMauro v. Martin*, 359 So. 3d 3, 9 (Fla. 4th DCA 2023). Specific performance is an appropriate remedy only when there is no adequate remedy at law. *Id.* Accordingly, the Town's remedy under the contract is specific performance to compel Buyer's to meet the conditions of the contract which requires them to demolish and rebuild the house. The Town would be asking the court to grant an affirmative injunction to compel the specific performance of the contract. Although the court can order the Buyers to comply with the conditions, the Buyers can only comply if they have expended funds to obtain all necessary permits and to pay the contractors to carry out the work. If they do not, the Town could pursue a contempt of court proceeding for the Buyers' failure to comply with the court's final order.

Finally, we note that if the Town files a lawsuit, and the court finds that the Buyers have failed to meet the conditions of the contract, it will be entitled to recover the reasonable attorney's fees it incurred in preparing and prosecuting the lawsuit.



Town of Lake Park Town Commission

Item 4.

Agenda Request Form

Meeting Date: February 7, 2024
Originating Department: Special Events
Agenda Title: Coastal Middle and High School Waiver Requests

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: 2024.01.26 16:53:39 -05'00' **Date:**

Cost of Item: \$150.00 **Funding Source:** Special Events Department Budget
Account Number: 600-14000 **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: 2024.01.26 15:00:18 -05'00'

Advertised:
Date: **Newspaper:**

Attachments: Coastal Middle & High School Facility Rental Application
Coastal Middle & High School Facility Rental Invoice

Please initial one:
☒ Yes I have notified everyone
☐ Not applicable in this case

Summary Explanation/Background:

On June 30, 2023 the Special Events Department received a Facility Rental Application from Coastal Middle and High School to rent the Mirror Ballroom for their prom on Thursday, April 25, 2024 from 6:00 pm – 11:00 pm. The owner of the school, Lisa Collum, has requested that the Town Commission waive the refundable security deposit and the staff fee.

<u>REQUESTED CATEGORY</u>	<u>VALUE</u> (monetary or other)	<u>TOTAL</u>
Facility Rental Refundable Security Deposit	\$500.00	\$500.00 (Indirect Cost)
Staff Fee	\$30.00 per hour	\$150.00 (Direct Cost)

Recommended Motion: I move to waive the facility rental fees for Coastal Middle & High School Prom.



Town of Lake Park Facility Rental Application

Date of Event: Thursday, April 25, 2024

Time of Event: 7:30 PM to 10:00 PM

Set-up Time: 6:00 PM to 7:30 PM

Breakdown Time: 10:00 PM to 11:00 PM

Rental Facility

Town Hall:

W. Ilex Park:

Kelsey Park:

Lake Shore Park:

Lake Shore Park:

- ☒ Mirror Ballroom
☐ Picnic Pavilion
☐ Entire Park ☐ Gazebo
☐ Entire Park ☐ Indoor Pavilion
☐ Picnic Pavilions (North, South, Playground)

Purpose of Rental:

Coastal Middle & High School Prom

Requests:

No Alcoholic Beverages No Bounce House
No Special Events Permit Required

Contact Information:

Name: Alysha Mosley

Organization: Coastal Middle & High School

Address: 730 5th St

Lake Park, FL 33403

Home: () - - **Cell:** () - -

Work: (501) 875 - 9208 **E-mail:** amosley@coastalmiddleandhighschool.com

I, THE UNDERSIGNED, HAVE READ AND UNDERSTAND EVERYTHING IN THE FACILITY RENTAL POLICY AGREEMENT.

Renter: ☒ Alysha Mosley **Date** 6/19/23

Lake Park Staff: ☒ Sara Notgarnie **Date** 6/19/23

Digitally signed by Sara Notgarnie
 cn=Sara Notgarnie, o=Town of Lake Park, ou=Special Events
 Department, email=snotgarnie@lakeparkflorida.gov, c=US
 Date: 2023.06.30 16:30:43 -0400



Facility Usage Agreement

This agreement, made the 15th day of June, ~~201~~ 2023, by and between
THE TOWN OF LAKE PARK, a Florida municipal corporation (Town)
 and Alysha Mosley - Coastal Middle & High School (Renter).

Premises: Town leases to Renter and Renter leases from Town
 the Mirror Ballroom (Facility Name)

Term: The hours of rental are from 6 o'clock P.m. until 11 o'clock P.m. on
Thursday, April 25, 2024 (Day/Date).

Security Deposit: Event organizer shall deposit with Town the sum of \$ TBD as security for the full and faithful performance by event organizer of all of event organizers obligations hereunder. The deposit shall be made at the time the reservation for the premise is made with Town. No interest shall be paid upon the security deposit nor shall Town be required to maintain said deposit in a segregated account. The security deposit shall not be considered prepaid rent. In the event that the event organizer shall default in the full and faithful performance of any of the terms hereof, then Town may, without notice, either retain the security deposit as liquidated damages, or Town may retain the same and apply it toward actual damages sustained by Town by reason of the default of the event organizer. If the event organizer fully and faithfully complies with all of the terms hereof, the security deposit or any balance thereof shall be returned to the event organizer within one month of the event.

Rental Rate: Event Organizer shall pay Town the rental sum of \$ TBD, fourteen (14) business days prior to the event. Any payment made to the Town after the 14 days must be paid in cash only.

Leases and Assignments: Event Organizer shall not have the right to assign this agreement to any other person or entity.

Rules and Regulations: The rules and regulations included hereto shall be incorporated into and made a part of this agreement.

Renter has requested fees be waived. This will go before the Commission at a regular scheduled Commission Meeting on a to be determined date.

SN 6/30/2023

Indemnification: Renter shall, during the term of this agreement, fully protect, indemnify and hold Town harmless from any and all claims, demands, actions, suits, judgments, liabilities, losses, costs and expenses (including reasonable attorney's fees and expenses) of every kind and character arising, or alleged to arise, out of or in connection with any injury to, or the death of, any person or any damage to or loss of any property in any manner growing out of or connected with, or alleged to grow out of or to be connected with, any act, omission, event, condition or casualty in connection with the business or profession conducted on the premises or the use or occupancy of the premises by Renter, his employees, agents, licensees or invitees, or causes by or resulting from, or alleged to be caused by or to result from, the negligence of other conduct of Renter, his employees, agents, licensees or invitees.

General Provisions:

Captions: The captions or titles to the various sections of this agreement are for convenience and ease of reference only and do not define, limit, augment or describe the scope, content or intent of this agreement or of any parts thereof.

Joint and Several Obligations: If event organizer consists of more than one person or entity, the obligation of all such persons is joint and several.

Situs: The agreement shall be constructed and interpreted according to the laws of the State of Florida.

In witness whereof, the parties have executed this Agreement, as evidence of their agreement to the information set out therein.

I, THE UNDERSIGNED, HAVE READ AND UNDERSTAND EVERYTHING IN THIS RENTAL AGREEMENT POLICY.

EVENT ORGANIZER:

Alysha Cosby-Hoske
(PRINT)

Alysha Cosby-Hoske
(SIGNATURE)

DATE:

6 / 19 / 2023



TOWN OF LAKE PARK

535 Park Avenue
Lake Park, FL 33403
561-840-0160

Item 4.

FACILITY RENTAL INVOICE

NAME: Coastal Middle & High School
ADDRESS: 730 5th Street
Lake Park, FL 33403
PHONE: 561-875-9208
EVENT DATE: Thursday, April 25, 2024
EVENT TIME: 7:30 pm to 10:00 pm
SET-UP TIME: 6:00 pm to 7:30 am
BREAK DOWN TIME: 10:00 pm to 11:00 pm
EVENT TYPE: Prom
LOCATION: Mirror Ballroom **NO. OF PEOPLE** 100

RENTAL (Plus 7% Tax)

RFRNT	Resident Fee	\$ _____/HR* X _____ HRS	\$ <u>N/A</u>
RFRNT	Non-Resident Fee	\$ _____/HR* X _____ HRS	\$ _____
* Plus \$30/hr Personnel Fee (see below)			
RFRNT	Flat Rate Rental Fee	\$ _____	\$ _____
RFRNT	Set-up/Breakdown	\$60.00/HR X _____ HRS	\$ <u>N/A</u>
	RENTAL FEE		\$ _____
RFTAX	TAX 7% (On Rental Fee only)		\$ _____

TOTAL RENTAL FEE (From above taxed box) \$ 0

DEPMB/DEPPV **DEPOSIT** \$ 500.00

RSCUR ***PERSONNEL** \$30.00/HR X 5 HRS = \$ 150.00

TOTAL: \$ 650.00

PAID TODAY: \$ _____

(14 days prior to the Event) (Balance Due Date / /) **BALANCE DUE:** \$ _____

NOTES: _____