

RESOLUTION NO. R- 07-22

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, CREATING AN AD HOC COMMITTEE ON INLET PARK ENCROACHMENTS; PROVIDING FOR COMMITTEE COMPOSITION, AUTHORITY & RESPONSIBILITIES; PROVIDING FOR COMPLIANCE WITH LAWS; PROVIDING FOR SUNSET OF SAID COMMITTEE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town of Palm Beach Shores owns park land adjacent to the Palm Beach / Lake Worth Inlet which has generally been developed as a passive park known as the Inlet Park; and

WHEREAS, adjacent to the Town owned Inlet Park property are several residential properties with addresses on both Inlet Way and Lake Drive; and

WHEREAS, a number of these residential properties have, over the course of years, placed and maintained encroachments in the Town owned Inlet Park property which consist of landscape materials, sitting areas, parking lots, shuffleboard courts, a swimming pool and other accessory structures; and

WHEREAS, the swimming pool, pool house, and associated parking area encroachments associated with and adjacent to the Romaine property at 320 Inlet Way are permitted by long term lease agreement between the Town and the Romaine, and which does not terminate until 2057; however, no other encroachments into the Town owned Inlet Park property have been formally authorized or memorialized; and

WHEREAS, in the year 2005, the Town entered into grant agreements with State (FRDAP) and County (FIND) agencies for the purpose of developing and improving the Town owned Inlet Park; and thereby dedicated the Inlet Park as an outdoor recreation site for the perpetual use and benefit of the public; and

WHEREAS, in the year 2010, the Town Commission considered the issue of the Inlet Park encroachments, and officially took the position that all such encroachments into the Town owned Inlet Park property could remain as they existed at that time, until a Town determination is made that it is in the public interest to remove them; and, so long as certain conditions were met by the adjacent residential properties, most of which have not occurred, including a willful failure to provide for public access and a further failure to remove "No Trespassing" or similar signs; and

WHEREAS, the Town Commission is now revisiting the issue of the existing encroachments into the Town's Inlet Park property; and

WHEREAS, to assist with finally resolving these encroachment issues, the Town Commission desires to create an ad hoc committee on Inlet Park encroachments; and

WHEREAS, the Town Commission desires to provide for the Committee's composition, its authority & responsibilities, its compliance with applicable laws, and its sunset.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1: The above stated recitals are true and accurate and are hereby made part of this Resolution.

Section 2: The Town Commission of the Town of Palm Beach Shores, Florida, hereby provides for the "Town of Palm Beach Shores Ad-Hoc Committee on Inlet Park Encroachments". The Town of Palm Beach Shores Ad-Hoc Committee on Inlet Park Encroachments shall be composed of five (5) members. The initial members of the Town of Palm Beach Shores Ad-Hoc Committee on Inlet Park Encroachments,

appointed by the Town Commission in conjunction with the establishment of the committee, are as follows:

1. Steve Barrow
2. Dodi Glas
3. Paul Siviletti
4. Bob Stanton
5. Grace Sterritt

Committee members shall serve at the pleasure of the Town Commission until they are removed by the Town Commission, or until they voluntarily resign their seat, or until the committee is dissolved pursuant to Section 6 of this resolution. Vacancies on the Committee may be filled via appointment by the Town Commission if needed.

Section 3: The Town of Palm Beach Shores Ad-Hoc Committee on Inlet Park Encroachments shall hold public meetings for the purpose of developing recommendations to facilitate the transition of encroached Town owned Inlet Park property to public use. The encroachments which are the subject of the lease agreement between the Romaine and the Town, adjacent to the Romaine property at 320 Inlet Way are excluded from the Committee's jurisdiction since these encroachments are already memorialized by said lease agreement. The primary focus of the Committee shall be the existing encroachments adjacent to the Anchorage property located at 340 Lake Drive; said encroachments consisting primarily of vegetation buffers, a shuffleboard court, a parking and turn-around lot, and an accessory shed. The Committee may also review the three remaining minor encroachments east of the Romaine encroachments but only after completing its work relative to the Anchorage property encroachments which are located west of the Romaine encroachments. The Committee should make every effort to engage both the general Town population, and the Anchorage resident population in formulating its recommendations. Similar engagements should be sought to the extent the Committee also reviews other encroachments adjacent to properties east of the Romaine.

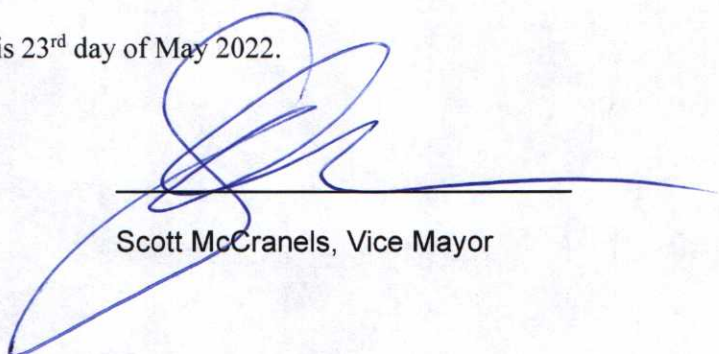
Section 4: The Town of Palm Beach Shores Ad-Hoc Committee on Inlet Park Encroachments shall endeavor to report to the Town Commission no later than September 30, 2022 with its final recommendations. The Town Commission may extend this time period as needed.

Section 5: The Town of Palm Beach Shores Ad-Hoc Committee on Inlet Park Encroachments shall appoint from among its membership a Chair and a Vice-Chair, and shall establish its own rules of procedure; however, any such rules shall comply with and be subject to the Florida Government in the Sunshine laws and the Florida Public Records Act. Additionally, all committee members shall be bound by the Florida Code of Ethics and the Palm Beach County Code of Ethics for appointed officials.

Section 6: The Town of Palm Beach Shores Ad-Hoc Committee on Inlet Park Encroachments shall continue until such time as the Town Commission shall deem the committee to no longer be required and dissolve same.

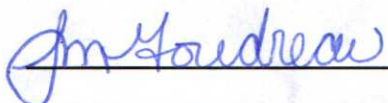
Section 7: This Resolution shall take effect immediately upon adoption

DULY PASSED AND ADOPTED this 23rd day of May 2022.



Scott McCranels, Vice Mayor

ATTEST:



Jude Marie Goudreau, Town Clerk

