



Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, June 26, 2012 at 7:00 p.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

Mayor David Browning (Seat 4)

Vice Mayor Jim Rockett (Seat 2)

Councilman Tom Goltzené (Seat 5)

Councilman Ronald D. Jarriel (Seat 1)

Councilman Ryan Liang (Seat 3)

Town Manager Mark Kutney

Town Clerk Susan A. Eichhorn

Town Attorney Michael D. Cirullo, Jr.

PUBLIC NOTICE/AGENDA

1. OPENING

- a. Call to Order & Roll Call
- b. Pledge of Allegiance & Invocation
- c. Approval of Agenda

2. CONSENT AGENDA - None

3. PRESENTATIONS –

- a. CAFR presentation – Terry Morton of Nowlen, Holt & Miner, PA

4. COMMITTEE REPORTS –

- a. FAAC Report & Approval of the April & May 2012 Financial Report – Vice Chair Elise Ryan

5. ORDINANCES

- a. 1st Reading – Public Hearings

Ordinance No. 2012-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA COMPREHENSIVE PLAN TO: AMEND THE COMPREHENSIVE PLAN TEXT TO RESCIND SPECIAL POLICY 1.15.1 UNDER OBJECTIVE 1.15 OF THE FUTURE LAND USE ELEMENT; AND (2) AMEND THE FUTURE LAND USE MAP FLU-1.10 TO RESCIND THE MULTIPLE LAND USE DESIGNATION AND SPECIFIC REFERENCE TO SPECIAL POLICY 1.15.1 ON THE 96.7 ACRES LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND "B" ROAD LOXAHATCHEE GROVES, FLORIDA, THUS RESTORING THE RR-5 LAND USE

DESIGNATION ON THE PROPERTY; AMENDING THE FUTURE LAND USE MAP TO ASSIGN THE COMMERCIAL LOW DESIGNATION TO THE 21.73 ACRES LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND "B" ROAD LOXAHATCHEE GROVES, FLORIDA AS INDICATED ON EXHIBIT 1 HERETO; PROVIDING FOR AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance No. 2012-05

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA COMPREHENSIVE PLAN TO (1) AMEND THE COMPREHENSIVE PLAN TEXT TO CREAATE SPECIAL POLICY 1.15.4 UNDER OBJECTIVE 1.15 OF THE FUTURE LAND USE ELEMENT WHICH REGULATES DEVELPOMENT ON THE 74.99 ACRE PROPERTY LOCATED GENERALLY AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND "B" ROAD LOXAHATCHEE GROVES, FLORIDA, AS SPECIFICALLY INDICATED ON EXHIBIT 1, KNOWN AS THE PALM BEACH STATE COLLEGE PARCEL; AND (2) AMEND THE FUTURE LAND USE MAP FLU-1.10 TO INCORPORATE A SPECIFIC REFERENCE TO SPECIAL POLICY 1.15.4; PROVIDING FOR AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance No. 2012-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE REZONING OF LAND CONSISTING OF THREE ADJOINING PARCELS, TOTALING APPROXIMATELY 2.1879 ACRES, MORE OR LESS, LOCATED AT OR NEAR 15003 AND 14955 SOUTHERN BOULEVARD, EAST OF "C" ROAD, LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT "A" TO THIS ORDINANCE, FROM PALM BEACH COUNTY ZONING DESGINATION COMMERCIAL GENERAL (CG) TO THE TOWN'S ZONING DESIGNATION COMMERCIAL LOW (CL); PROVIDING FOR THE APPROPRIATE REVISIONS OF THE ZONING DISTRICT MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

b. 2nd Reading – Public Hearings

Ordinance No. 2012-06

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR A MORATORIUM UNTIL NOVEMBER 30, 2012, ON THE PROCESSING AND REVIEW OD APPLICATIONS FOR AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS AND TEXT AMENDMENTS, WITHIN THE CORPORATE BOUNDARIES OF THE TOWN AS OF APRIL 17, 2012; PROVIDING FOR EXCEPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTIONS

Resolution 2012-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A BUDGET AMENDMENT FOR THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

7. ADMINISTRATIVE UPDATE - Town Manager Kutney

- a. IGC Report

8. OLD BUSINESS - *None*

9. NEW BUSINESS

- a. ULDC Amendment – Hay Sales
- b. RETGAC Hiatus

10. CLOSING COMMENTS

- a. Public
- b. Town Attorney
 1. Code Enforcement Issues
- c. Town Council Members

11. ADJOURNMENT

The next Town Council Meeting is scheduled for Tuesday, July 17rd, 2012 at 7:00 p.m.

Comments Cards: Anyone from the public wishing to address the Town Council must complete a Comment Card before speaking. This must be filled out completely with your full name and address and given to the Town Clerk. During the meeting, before public comments, you may only address the item on the agenda in which is being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comment. Any person who decides to appeal any decision of the Council with respect to any matter considered at this meeting 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 included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.



Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, June 26, 2012 at 7:00 p.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

Mayor David Browning (Seat 4)

Vice Mayor Jim Rockett (Seat 2)

Councilman Tom Goltzené (Seat 5)

Councilman Ronald D. Jarriel (Seat 1)

Councilman Ryan Liang (Seat 3)

Town Manager Mark Kutney

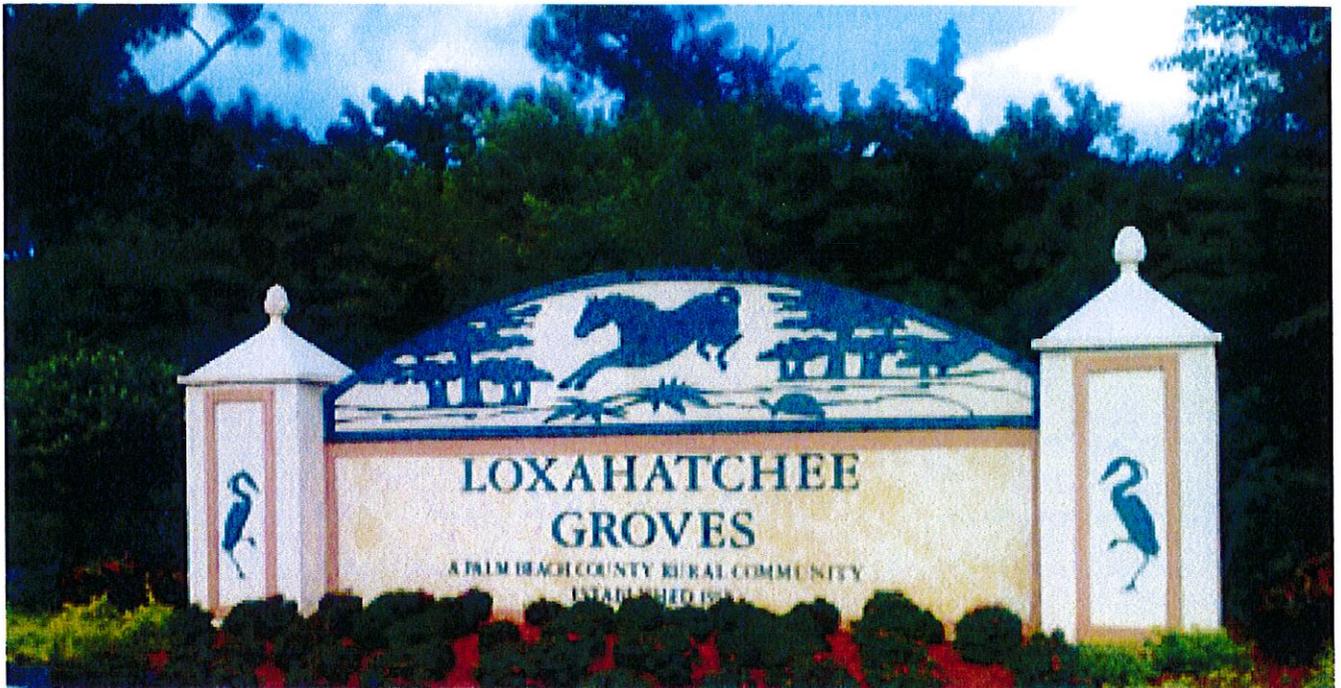
Town Clerk Susan A. Eichhorn

Town Attorney Michael D. Cirullo, Jr.

3. PRESENTATIONS

CAFR presentation – Terry Morton of Nowlen, Holt & Miner, PA

TOWN OF LOXAHATCHEE GROVES, FLORIDA



COMPREHENSIVE ANNUAL FINANCIAL REPORT

FOR THE FISCAL YEAR ENDED

SEPTEMBER 30, 2011

TOWN OF LOXAHATCHEE GROVES, FLORIDA
COMPREHENSIVE ANNUAL FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

PREPARED BY:

THE TOWN OF LOXAHATCHEE GROVES
UNDERWOOD MANAGEMENT SERVICES GROUP, LLC

TOWN OF LOXAHATCHEE GROVES, FLORIDA
TABLE OF CONTENTS

	PAGE
I. INTRODUCTORY SECTION	
Letter of Transmittal	i-iii
GFOA Certificate	iv
List of Elected Officials	v
Organizational Chart	vi
II. FINANCIAL SECTION	
INDEPENDENT AUDITORS' REPORT	1-2
MANAGEMENT'S DISCUSSION AND ANALYSIS (Required Supplementary Information)	3-11
BASIC FINANCIAL STATEMENTS:	
Government-Wide Financial Statements:	
Statement of Net Assets	12
Statement of Activities	13
Fund Financial Statements:	
Balance Sheet – Governmental Funds	14
Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds	15
Statement of Net Assets – Proprietary Funds	16
Statement of Revenues, Expenses, and Changes in Fund Net Assets – Proprietary Funds	17
Statement of Cash Flows – Proprietary Funds	18
Notes to the Financial Statements	19-29
REQUIRED SUPPLEMENTARY INFORMATION	
Budgetary Comparison Schedule – General Fund	30
Budgetary Comparison Schedule – Transportation Fund	31
Notes to Budgetary Comparison Schedules	32

TOWN OF LOXAHATCHEE GROVES, FLORIDA
TABLE OF CONTENTS

	PAGE
III. STATISTICAL SECTION	
Net Assets by Component	33
Changes in Net Assets	34
Fund Balances of Governmental Funds	35
Changes in Fund Balances of Governmental Funds	36
General Governmental Revenues by Source	37-38
Assessed Value and Estimated Value of Taxable Property	39-40
Property Tax Rates Direct and Overlapping Governments	41-42
Principal Property Tax Payers	43
Property Tax Levies and Collections	44
Direct and Overlapping Governmental Activities Debt	45
Demographic and Economic Statistics	46
Principal Employers	47
Full-Time Equivalent Town Government Employees by Function	48
Operating Indicators By Function	49
IV. COMPLIANCE SECTION	
Report on Internal Controls over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards	50-51
Management Letter in Accordance with the Rules of the Auditor General of the State of Florida	52-55



Town of Loxahatchee Groves

4579 Southern Blvd, Suite 2, Loxahatchee Groves, Florida 33470 (561) 793-2418 Fax (561) 793-2420

May 24, 2012

To The Honorable Mayor and Members of the Town Council
14579 Southern Blvd., Suite 2
Loxahatchee Groves, Florida 33470

It is our pleasure to submit the Comprehensive Annual Financial Report (CAFR) for the Town of Loxahatchee Groves, Florida, for the fiscal year ended September 30, 2011, pursuant to Section 218.39 of the Florida Statutes, Chapter 10.550 of the Rules of the Auditor General of the State of Florida, and the Town Charter. The financial statements included in this report conform to generally accepted accounting principles in the United States of America ("GAAP") as prescribed by the Governmental Accounting Standards Board ("GASB"). The responsibility for both the accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with the Town. The financial statements have been audited by Nowlen, Holt & Miner, P.A., Certified Public Accountants. The independent auditor has issued an unqualified opinion that this report fairly represents the financial position of the Town in conformity with GAAP. Management's Discussion and Analysis (MD&A) immediately follows the independent auditor's report and provides a narrative introduction, overview, and analysis of the basic financial statements. MD&A complements this letter of transmittal and should be read in conjunction with it.

PROFILE OF THE GOVERNMENT

The Town of Loxahatchee Groves (the "Town") is a political subdivision of the State of Florida located in Palm Beach County (the "County") incorporated in November 2006. The Town has a population estimated at 3,180 residents living within 12.5 square miles. The Town is a rural-residential community with a limited commercial district.

The Town operates under a Council-Manager form of government in which the Town elects five council members, one of whom is the Mayor. Council members are elected for three year terms. The Town Council determines the policies that guide the Town's operations and hire a Town Manager to implement and administer these policies that guide the Town's operations and implement these policies on a full-time basis. The Town functions under the basis of "Contract Form of Government" with no employees.

The annual budget serves as the foundation for the Town's financial planning and control. All departments of the Town are required to submit proposed budgets to the Town Manager, who then makes any necessary revisions. The Town Manager then presents to the Town Council for their review, a budget estimate of the expenditures and revenues of all the Town's departments. Two public hearings are then conducted to inform taxpayers of the proposed and final budget, to receive their comments, and respond to their questions on the budget. A majority affirmative vote of the quorum is needed to adopt the budget, which is legally enacted prior to October 1st by the passage of a Resolution. The Town's budget is approved at the fund level.

The Town Council must approve all budget amendments as well as any supplemental appropriations. At the close of each fiscal year, the unencumbered balance of each appropriation reverts to the fund from which it was appropriated and is subject to future appropriations.

ECONOMIC CONDITION AND OUTLOOK

The growth and development of the Town of Loxahatchee Groves is dependent upon the economic environment of South Florida and particularly that of Palm Beach County. The major economic influences in this area are the housing market, the regional job market, new construction, weather events and uncertainty of any future tax reform.

During 2007, the Florida Legislature passed property tax reform legislation limiting the property tax levies of local governments in the State of Florida. For the fiscal year ending September 30, 2011, the maximum tax levy allowed by a majority vote of the governing body is based on a percentage reduction applied to the prior year property tax revenue. The percentage reduction is calculated based on the annual growth rate in the per capita property taxes levied for the fiscal year ended September 30, 2010. For the fiscal year ending September 30, 2012 the Town Council adopted a rate of 1.2 mills. This millage rate results in a total tax levy of \$210,000, representing a reduction of \$53,434 or 20.3% from the property tax levy for 2011. Future property tax growth is limited to the annual growth rate of per capita personal income, which is currently minimal, plus the value of new construction.

The impact of the ongoing recession and declining property values are a central influence in decisions made during the current fiscal year, as well as, in next year's budget. The combination of the current recession and collapse of the housing market have resulted in declining property values and in a large loss of tax dollars. Additionally, there is current proposed legislation that could place further restrictions on the amount of property taxes a municipality in Florida could levy.

LONG TERM FINANCIAL PLAN

The Town adopted a Comprehensive Plan. Within this plan, the Town will examine the growth opportunities for the Town over the next 10 years. Management will continue to review revenues received from other sources to verify that, as a new government, the Town is receiving those revenues to which it is entitled. The Town will also continue to pursue new revenue streams which will have as little impact on the residents as possible. In addition, the Town will continue to contract municipal services to maintain low operational costs and the best opportunity to keep taxes as low as possible. Maintaining appropriate reserves will enable the Town to absorb the increased costs of contracted services, as well as, the decrease of the ad-valorem base due to the continued decrease in property values within the Town.

FINANCIAL INFORMATION

Town Management is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the Town are protected from loss, theft or misuse and to ensure that adequate accounting data is compiled to allow for the preparation of financial statements in conformity with generally accepted accounting principles in the United States of America. The internal control structure is designed to provide reasonable, but not absolute, assurance that these objectives are met. The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

As a recipient of federal, state and local financial assistance, the government is also responsible for ensuring that an adequate internal control structure is in place to ensure and document compliance with applicable laws and regulations related to these programs. This internal control structure is subject to periodic evaluation by management. In addition, the Town maintains budgetary controls. The objective of these controls is to ensure compliance with legal provisions embodied in the annual appropriated

budget approved by the Town Council. The level of budgetary control (i.e., the level at which expenditures cannot legally exceed the appropriated amount) is the fund level.

The Town's *accounting system* is organized on a fund basis. A fund is defined as an independent fiscal and accounting entity with a self-balancing set of accounts. The type of funds used are generally determined by the Town Council upon the recommendations of the Town Manager and the Finance Director which is based upon established and accepted accounting policies and procedures as well as the number of funds required.

INDEPENDENT AUDIT

In accordance with Florida Statutes Section 218.39, the Town has engaged the firm of Nowlen, Holt & Miner, P.A., to perform the independent audit of the Town's financial statements for the year ended September 30, 2011. The Independent Certified Public Accountants' report is presented in the financial section of this Comprehensive Annual Financial Report.

AWARDS AND ACKNOWLEDGEMENTS

The Government Finance Officers Association of the United States and Canada ("GFOA") awarded a Certificate of Achievement for Excellence in Financial Reporting to the Town of Loxahatchee Groves for its comprehensive annual financial report for the fiscal year ended September 30, 2010. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized Comprehensive Annual Financial Report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current Comprehensive Annual Financial Report continues to meet the Certificate of Achievement Program's requirements, and we are submitting it to the GFOA to determine its eligibility for the certificate.

The preparation of this report could not have been accomplished without the efficient and dedicated services of the entire staff of Underwood Management Services Group, LLC and the Town's audit firm, Nowlen, Holt & Miner, P.A.. We wish to express our appreciation to the staff for their interest and support in planning and conducting the financial operations of the Town in a responsible and progressive manner.

In closing, without the leadership and support of the Mayor and Town Council, the accomplishments and anticipated future successes noted in this report would not have been possible.

Respectfully submitted,



Underwood Management Services Group, LLC
Mark A. Kutney, ICMA-CM
Town Manager

Certificate of Achievement for Excellence in Financial Reporting

Presented to

Town of Loxahatchee Groves
Florida

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended
September 30, 2010

A Certificate of Achievement for Excellence in Financial Reporting is presented by the Government Finance Officers Association of the United States and Canada to government units and public employee retirement systems whose comprehensive annual financial reports (CAFRs) achieve the highest standards in government accounting and financial reporting.



Linda C. Davidson

President

Jeffrey R. Emen

Executive Director

TOWN OF LOXAHATCHEE GROVES

List of Elected Town Officials

September 30, 2011

Council-Manager Form of Government

TOWN COUNCIL

David W. Browning, Mayor

Ryan Liang, Vice Mayor

Tom Goltzene, Councilmember

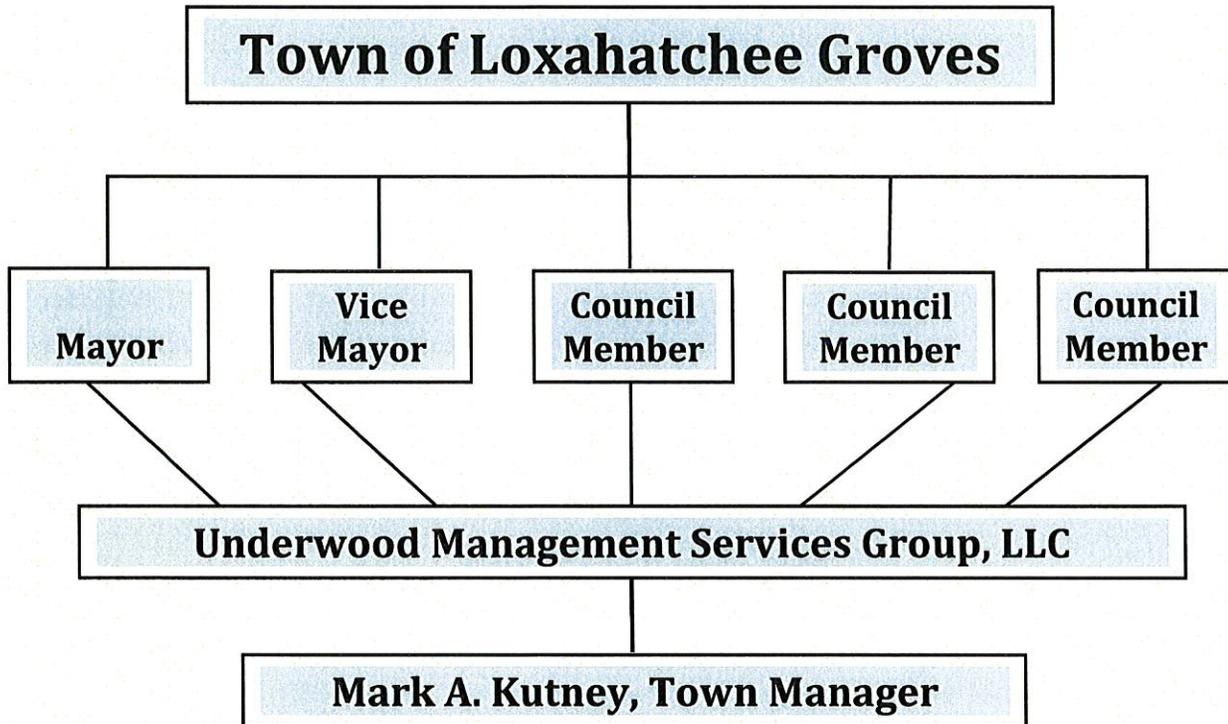
Ronald D. Jarriel, Councilmember

James Rockett, Councilmember

Prepared by:

Underwood Management Services Group, LLC

Town of Loxahatchee Groves Organizational Chart



INDEPENDENT AUDITORS' REPORT



NOWLEN, HOLT & MINER, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

WEST PALM BEACH OFFICE
NORTHBRIDGE CENTRE
515 N. FLAGLER DRIVE, SUITE 1700
POST OFFICE BOX 347
WEST PALM BEACH, FLORIDA 33402-0347
TELEPHONE (561) 659-3060
FAX (561) 835-0628
WWW.NHMCPA.COM

EVERETT B. NOWLEN (1930-1984), CPA
EDWARD T. HOLT, CPA
WILLIAM B. MINER, CPA
ROBERT W. HENDRIX, JR., CPA
JANET R. BARICEVICH, CPA
TERRY L. MORTON, JR., CPA
N. RONALD BENNETT, CPA
ALEXIA G. VARGA, CPA
EDWARD T. HOLT, JR., CPA
BRIAN J. BRESCIA, CFP®, CPA

KATHLEEN A. MINER, CPA
J. MICHAEL STEVENS, CPA
KARAD. PETERSON, CPA

INDEPENDENT AUDITORS' REPORT

The Honorable Mayor and Members of the Town Council
Town of Loxahatchee Groves, Florida

BELLE GLADE OFFICE
333 S.E. 2nd STREET
POST OFFICE BOX 338
BELLE GLADE, FLORIDA 33430-0338
TELEPHONE (561) 996-5612
FAX (561) 996-6248

We have audited the accompanying financial statements of the governmental activities, the business-type activities and each major fund of the Town of Loxahatchee Groves, Florida as of and for the year ended September 30, 2011, which collectively comprise the Town's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Town of Loxahatchee Groves, Florida's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with U.S. generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provide a reasonable basis for our opinions.

In our opinion the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities and each major fund of the Town of Loxahatchee Groves, Florida as of September 30, 2011, and the respective changes in financial position, and cash flows, where applicable, thereof for the year then ended in conformity with U.S. generally accepted accounting principles.

In accordance with *Government Auditing Standards*, we have also issued our report dated May 23, 2012, on our consideration of the Town of Loxahatchee Groves, Florida's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and

the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through 11 and 30 through 32 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Loxahatchee Groves, Florida's basic financial statements as a whole. The introductory section and statistical section are presented for purposes of additional analysis and are not a required part of the financial statements. The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Maulen, Haet + Miron, P.A.

West Palm Beach, Florida
May 23, 2012

MANAGEMENT'S DISCUSSION AND ANALYSIS
(MD&A)

Management's Discussion and Analysis

As management of the Town of Loxahatchee Groves, we offer readers of the Town's financial statements this narrative overview and analysis of the financial activities of the Town of Loxahatchee Groves (the Town) for the fiscal year ended September 30, 2011. Readers are encouraged to consider the information presented here in conjunction with the auditors' reports, the basic financial statements, the notes to the financial statements, and the supplementary information.

Financial Highlights for Fiscal Year 2011

- At September 30, 2011, the assets of the Town of Loxahatchee Groves exceeded its liabilities by \$620,295 was restricted by law or agreements. The Town had \$2,044,965 (*unrestricted net assets*) which may be used to meet the Town's ongoing obligations to citizens and creditors.
- During the fiscal year 2011, net assets increased by \$544,352. The increase is attributable to excess revenues over expenses.
- At September 30, 2011, the Town of Loxahatchee Grove's general fund reported an ending fund balance of \$2,045,135, an increase of \$373,580 as compared with the prior year. Of the total fund balance, \$2,016,698 or 99% of this total amount is available for spending at the government's discretion (*unreserved fund balance*). The unreserved fund balance represents 267% of total general fund operating expenditures.

Overview of the Financial Statements

This annual report consists of three parts—*management's discussion and analysis* (this section), the *basic financial statements* and *required supplementary information*. The basic financial statements include two kinds of statements that present different views of the Town:

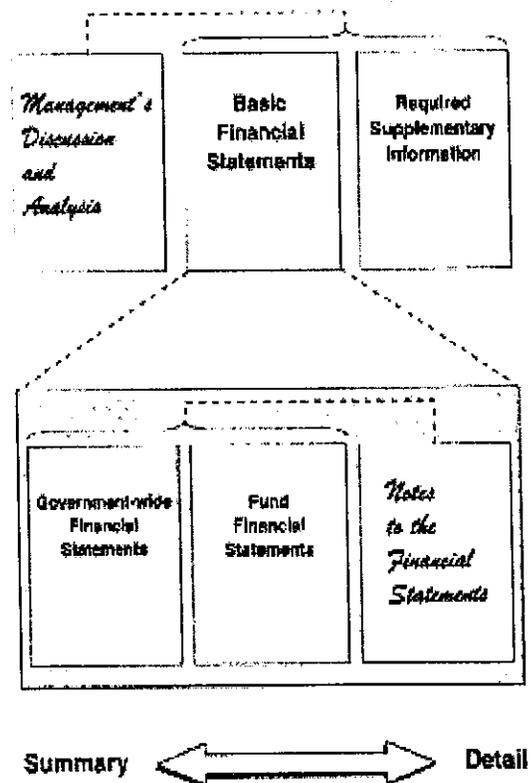
- The first two statements are *government-wide financial statements* that provide both long-term and short-term information about the Town's overall financial status.
- The remaining statements are *fund financial statements* that focus on individual parts of the Town government, reporting the Town's operations in more detail than the government-wide statements.
- The *governmental funds* statements show how general government services such as public safety were financed in the short term as well as what remains for future spending.

The financial statements also include *notes* that explain some of the information in the financial statements and provide more detailed data. The statements are followed by a section of *required supplementary information* which further explains and supports the information in the financial statements. Figure A-1 shows how the required parts of this annual report are arranged and are related to one another.

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the Town's finances, in a manner similar to a private-sector business.

The *statement of net assets* presents information on all of the Town's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Town is improving or deteriorating.

Figure A-1
Required Components of
City's Annual Financial Report



The *statement of activities* presents information showing how the Town's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes).

Both of the government-wide financial statements distinguish functions of the Town that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The government activities of the Town include public works, police, and general administration services. The Town has one business-type activity for the provision of garbage and trash collection services.

The government-wide financial statements can be found on pages 12 and 13 of this report.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. Most of the Town's basic services are reported in governmental funds. Governmental funds focus on how resources flow in and out, with the balances remaining at year-end that are available for spending. These funds are reported using an accounting method called the modified accrual accounting method, which measures cash and all other financial assets that can readily be converted to cash. The governmental fund statements provide a detailed short-term view of the Town's general government operations and the basic services it provides. Governmental fund information shows whether there are more or fewer financial resources that can be spent in the near future to finance the Town's programs.

The Town maintains two governmental funds; the General Fund and the Transportation Fund.

The Town adopts an annual appropriated budget for both the general fund and the transportation fund. A budgetary comparison statement has been provided for the General Fund and the Transportation Fund to demonstrate compliance with the budget.

The basic governmental fund financial statements can be found on pages 14 and 15 of this report.

Enterprise funds. The Town has one enterprise fund, the Sanitation Fund, which charges customers for the services provided. These services are generally reported in proprietary funds. Proprietary funds are reported in the same way that all activities are reported in the Statement of Net Assets and the Statement of Activities. The basic proprietary fund financial statements can be found on pages 16-18 of this report.

Notes to the basic financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 19 to 29 of this report.

Government-wide Financial Analysis

Summary of net assets. As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. In the case of the Town, governmental activity assets exceeded liabilities by \$2,673,030. Business-type activity liabilities exceeded assets by \$4,102. The Town-wide total net assets were \$2,725,946 at the close of the fiscal year ended September 30, 2011. The Statement of Net Assets is on page 12 of this report.

The Town's investment in capital assets (e.g., land, buildings, equipment and vehicles, less any related debt used to acquire those assets that is still outstanding) was \$7,600 or 0.3% of total net assets at September 30, 2011. The Town uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending.

An additional portion of the net assets \$620,295 or 23% represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net assets \$2,044,965 or 77% may be used to meet the government's ongoing obligations to citizens and creditors. The following table reflects the condensed Statement of Net Assets for the current year as compared to the prior year.

Table 1
Town of Loxahatchee Groves
Summary of Net Assets

	Governmental Activities		Business Activities		Total	
	2011	2010	2011	2010	2011	2010
Assets:						
Current and other assets	\$ 2,692,194	\$ 2,153,939	\$ 33,533	\$ -	\$ 2,725,727	\$ 2,153,939
Capital assets	7,600	3,656	-	-	7,600	3,656
Total assets	2,699,794	2,157,595	33,533	-	2,733,327	2,157,595
Liabilities:						
Other liabilities	26,764	33,019	37,635	-	64,399	33,019
Total liabilities	26,764	33,019	37,635	-	64,399	33,019
Net assets:						
Invested in capital assets	7,600	3,656	-	-	7,600	3,656
Restricted	620,295	449,365	-	-	620,295	449,365
Unrestricted	2,045,135	1,671,555	(4,102)	-	2,041,033	1,671,555
Total net assets	\$ 2,673,030	\$ 2,124,576	\$ (4,102)	\$ -	\$ 2,668,928	\$ 2,124,576

Governmental Activities.

- During the fiscal year 2011, the Town's current assets increased by \$538,255 or 25%. The increase is mainly due to increases in cash as a result of the current year's operations.
- Capital assets increased primarily due to land donated by the County.

Business Activities.

- The Town created a proprietary fund to account for its solid waste removal operations in this fiscal year
- The funding for the operation is derived from an assessment placed upon residential properties within the Town's jurisdiction
- The Town assesses 1,260 residential properties \$372.73 per year for both the collection and disposal of solid waste.
- Palm Beach County Property Appraiser notifies all affected property owners of the amount, public hearing date, and location of the meeting when the Town will adopt the Tentative Assessment
- Palm Beach County Tax Collector receives all Town ad valorem tax and assessment payments and remits the funds to the Town.

The following is a summary of the changes in net assets for the years ended September 30, 2011 and 2010: Key indicators, including revenues and expenditures by category are presented herein for review:

**Table 2
Town of Loxahatchee Groves
Changes in Net Assets**

	Governmental Activities		Business Activities		Total	
	2011	2010	2011	2010	2011	2010
Revenues:						
Program revenues:						
Charges for services	\$ 11,948	\$ 458,111	\$ 464,023	\$ -	\$ 475,971	\$ 458,111
General revenues:						
Property taxes	263,170	321,912	-	-	263,170	321,912
Franchise fees	207,153	208,158	-	-	207,153	208,158
Utility taxes	345,155	481,710	-	-	345,155	481,710
Intergovernmental	635,918	633,171	-	-	635,918	633,171
Investment/other income	20,064	6,775	1,636	-	21,700	6,775
Total revenues	1,483,408	2,109,837	465,659	-	1,949,067	2,109,837
Expenses:						
General Government	477,173	451,305	-	-	477,173	451,305
Public safety	274,785	272,064	-	-	274,785	272,064
Physical environment	182,996	233,852	-	-	182,996	233,852
Sanitation		482,326	469,761	-	469,761	482,326
Total Expenses	934,954	1,439,547	469,761	-	1,404,715	1,439,547
Increase (decrease) in net assets	548,454	670,290	(4,102)	-	544,352	670,290
Net assets, beginning	2,124,576	1,454,286	-	-	2,124,576	1,454,286
Net assets, ending	\$ 2,673,030	\$ 2,124,576	\$ (4,102)	\$ -	\$ 2,668,928	\$ 2,124,576

Governmental Activities.

For fiscal year 2011, total revenues decreased by \$626,882. Property tax revenues decreased \$58,742 or 18% as a direct result of the housing market crisis and the downturn in the economy. Investment and other income increased \$13,289 or 196% due to an increase in transfers from the newly established Solid Waste Fund to offset general and administrative costs associated with providing operational support. Charges for services decreased \$446,163 or 97% due to sanitation moving to a business activity. Unrestricted intergovernmental revenues increased \$2,294 or 0.4%, franchise fee revenue decreased by \$1,005 or 0.5%, and utility tax revenue decreased by \$136,555 or 28%. The decrease in utility tax revenue was due to the 2010 revenue including one-time adjustment for prior years' revenues.

Total expenses decreased by \$504,583 or 35% primarily due to sanitation moving to a business activity.

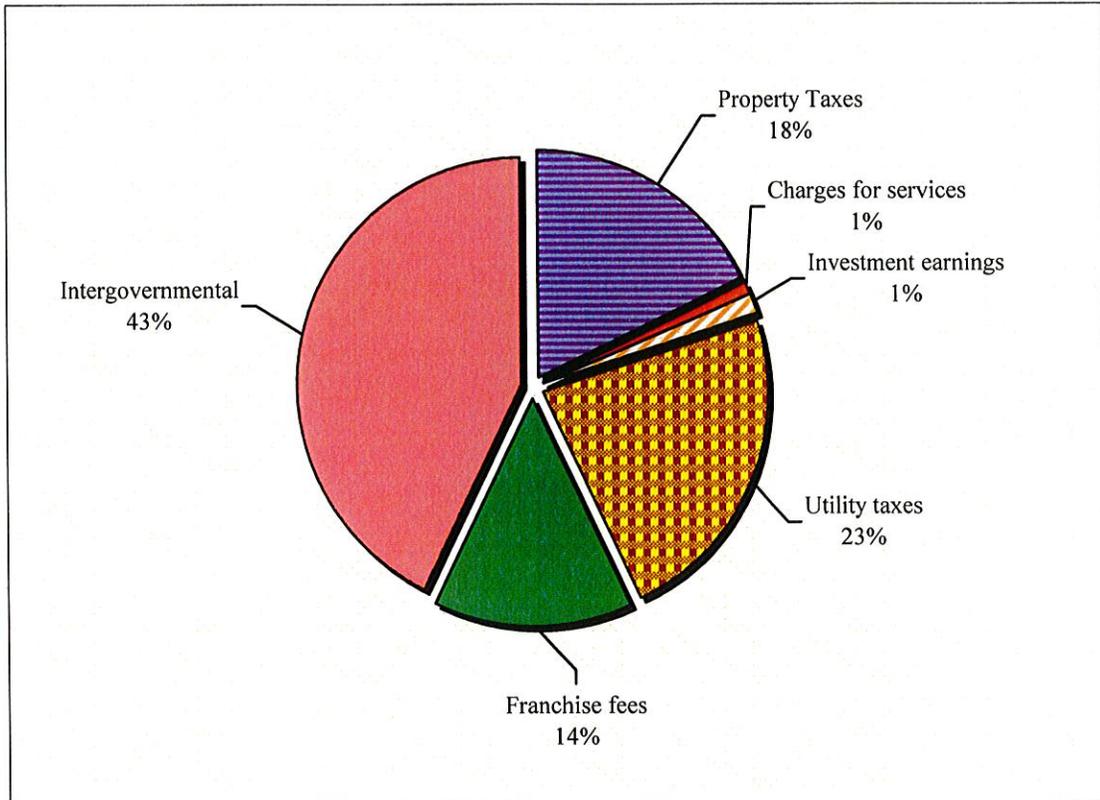
Business Activities.

Fiscal year 2011 is the first year the Town decided to establish a proprietary fund as an enterprise fund within the Town's oversight. Revenue earned by business-type activities is primarily concentrated in one source, charges for services, \$464,023. This figure represents the fees assessed for the City's enterprise fund, Solid Waste. Operating revenues increased by \$5,912 or 1.3% from a year ago for the Solid Waste Fund due to an assessment rate increase.

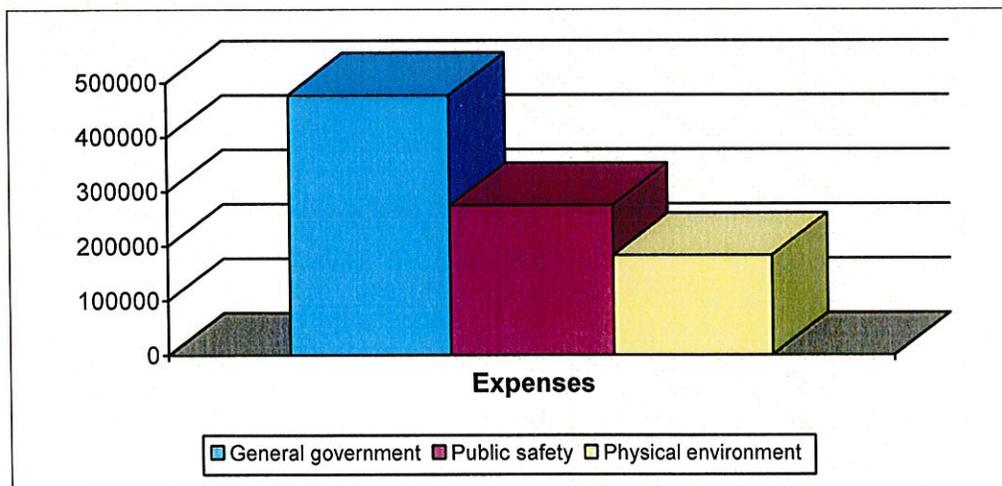
For business-type expenses, the \$469,761 represents Solid Waste expenses. The decrease of \$12,565 in total expense was the result of the decreases in costs of solid waste operations. As the Town controlled costs substantially during the year, the Town was able to increase its net assets by \$548,001 for the governmental activities and ended its first year of solid waste operations with a negative \$4,102 for the business-type activities.

Figure A-1

**Town of Loxahatchee Groves
Revenues by Source – Governmental Activities
For the Fiscal Year Ended September 30, 2011**



**Figure A-2
Town of Loxahatchee Groves
Expenses – Governmental Activities
For the Fiscal Year Ended September 30, 2011**



Financial Analysis of the Government's Funds

As noted earlier, the Town of Loxahatchee Groves uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The focus of the Town's *governmental funds* is to provide information on near-term inflows, outflows and balances of *spendable* resources. Such information is useful in assessing the Town's financing requirements. In particular, the *unreserved fund balance* may serve as a useful measure of the government's net resources available for spending at the end of a fiscal year.

General fund. The general fund is the primary operating fund of the Town. At the end of the current fiscal year, the Town's General Fund reported a fund balance of \$2,045,135 an increase of \$373,580 in comparison with the prior fiscal year.

A summary of the general fund's condensed balance sheet and statement of revenues, expenditures and changes in fund balance for September 30, 2011 and 2010 is shown below:

Table 3
Town of Loxahatchee Groves
Summary of General Fund Balance Sheet

	2011	2010	Change	% Change
Total assets	<u>\$ 2,068,451</u>	<u>\$ 1,699,277</u>	<u>\$ 369,174</u>	22%
Total liabilities	23,316	27,722	(4,406)	(16)%
Nonspendable fund balance	28,437	28,437		
Assigned fund balance	1,000,000		1,000,000	
Unassigned fund balance	<u>1,016,698</u>	<u>1,643,118</u>	<u>(626,420)</u>	(38)%
Total fund balance	<u>2,045,135</u>	<u>1,671,555</u>	<u>373,580</u>	22%
Total liabilities and fund balance	<u>\$ 2,068,451</u>	<u>\$1,699,277</u>	<u>(\$369,174)</u>	22%

During the fiscal year 2011, the General Fund assets increased by \$369,174 or 22%. The increase is mainly due to increases in cash as a result of the current year's operations. Liabilities decreased by \$4,406 or 16% mainly due to reductions in accounts payable and builder's planning deposits. Total fund balance increased by \$373,580 or 22% due to revenues exceeding expenditures. Unassigned fund balance decreased by \$626,420 or 38% and assigned fund balance increased by \$1,000,000 due to the budgeted transfer in the subsequent year for the creation of the Capital Project Fund.

Table 4
Town of Loxahatchee Groves
Summary of General Fund Statement of Revenues,
Expenditures, and Changes in Fund Balance

	2011	2010	Change	% Change
Total revenues	<u>\$ 1,129,436</u>	<u>\$ 1,742,505</u>	<u>\$ (613,069)</u>	(35)%
Total expenditures	<u>755,856</u>	<u>1,204,251</u>	<u>(448,395)</u>	(37)%
Excess of revenues over expenditures	<u>373,580</u>	<u>538,254</u>	<u>(164,674)</u>	(31)%
Other financing uses		<u>(315,885)</u>	<u>315,885</u>	
Change in fund balance	373,580	222,369	151,211	68%
Fund balance, beginning	<u>1,671,555</u>	<u>1,449,186</u>	<u>222,369</u>	15%
Fund balance ending	<u>\$ 2,045,135</u>	<u>\$ 1,671,555</u>	<u>\$ 373,580</u>	22%

The Town of Loxahatchee Groves revenues decreased \$613,069 or 35%. Although property tax revenues decreased \$124,382, charges for services decreased \$54,657 and investment income decreased \$2,971; these decreases were offset by increases in utility taxes of \$212,962 due to reallocation of revenues between the Town and the County. But, in addition, General Fund revenues decreased \$361,813 due to the transfer of intergovernmental revenues to the newly created Transportation Fund.

Total expenditures increased \$116,915 or 9% due to the Town increasing services necessary to meet the demands of a new government.

General Fund Budgetary Highlights

The Town adopts annual budgets by fund, department and line item in compliance with Florida State Statute Section 200.065 (commonly referred to as the Truth-in Millage Legislation). The law requires municipal organizations to prepare and adopt annual operating budgets for the General, Special Revenue and Debt Service Funds following uniform time frames related to property tax levies. The balanced budgets may be revised throughout the year. The Town's code allows for department level budget transfers without Council approval; however, fund total changes require Council-approved budget amendments adopted by resolution.

The estimated revenues are lagging \$126,460 or 10.1% behind the estimated revenue caused primarily by an assumption that a one-time lump sum payment for communication services taxes would be repeated in this fiscal year but failed to materialize. However, the unanticipated drop in revenue was somewhat mitigated by a \$68,386 favorable variance in expenditures below appropriations. The most significant saving occurred within the planning and zoning function of the Town where \$56,414 or 12.5% of the appropriation was not used.

The Town's policy is to adopt the budget following the second public hearing of each fiscal year, held in September for an October 1st year. Budget amendments may be presented to Council at any time during the fiscal year.

Over the course of the year, the Town did amend the General Fund budget. The fiscal year final 2011 budget was \$1.3 million. Revenues failed to meet budgeted amounts by approximately \$127 thousand and expenses were approximately \$82 thousand below budgeted amounts. General government, \$68 thousand, was the most significant contributor to this variance. There was a significant savings in general government costs and various departmental savings due to cost cutting and conservative spending.

Budget versus actual schedules are presented on page 30 for the general fund.

Capital Assets and Long Term Debt

As of September 30, 2011, the Town's investment in capital assets amounted to \$7,600 (net of accumulated depreciation). More details relating to capital assets can be found on page 27 of the footnotes.

The Town has no long term debt.

Economic Factors and Next Year's Budgets and Rates

- In setting its fiscal 2011-2012 budget, the Town adopted a millage rate of 1.20.
- The Town of Loxahatchee Groves anticipates that the total assessed property value will decrease 13% for 2011. Accordingly, the Town's reserves that have been built up will secure the Town's income flow for the upcoming fiscal years.
- For fiscal year 2011, the Town established a Sanitation Fund to account for revenues from the assessment of sanitation fees and the related expenses.

The State of Florida, by constitution, does not have a state personal income tax and therefore, the State operates primarily using sales, gasoline and corporate income taxes. Local governments (cities, counties and school boards) primarily rely upon property taxes and a limited array of permitted other taxes (sales, telecommunication, gasoline, utilities services, etc.) and fees (franchise, building permits, occupational license, etc.) for funding of their governmental activities. In addition, there are a limited number of state-shared revenues and recurring and non-recurring (one-time) grants from both the state and federal governments.

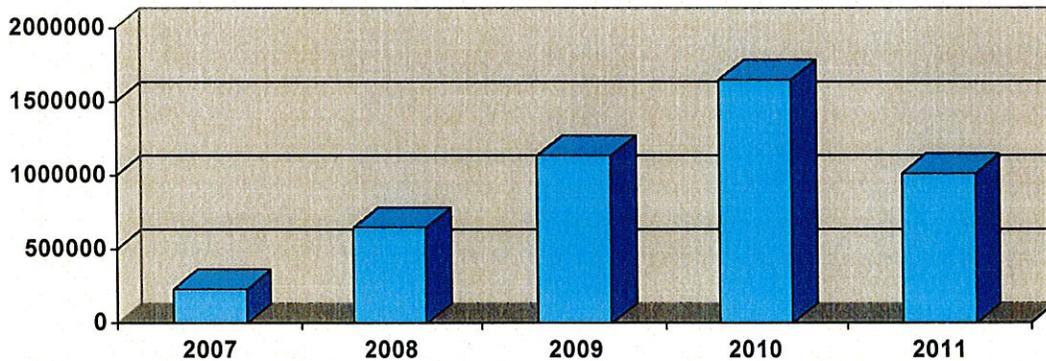
On January 29, 2008 the Florida electorate approved an amendment to the Florida Constitution relative to property taxation. This amendment (referred to as Amendment 1) was placed on the ballot by the Florida Legislature at a special session held in October 2007. With respect to homestead property, Amendment 1 increases the current \$25,000 homestead exemption by another \$25,000 (for property values between \$50,000 - \$75,000), except for school district taxes. Since the new \$25,000 homestead exemption does not apply to school district taxes, this effectively amounts to a \$15,000 increase to the existing homestead exemption. Amendment 1 also allows property owners to transfer (make portable) up to \$500,000 of their Save Our Homes benefits to their next homestead when they move. Save Our Homes became effective in 1995 and limits (caps) the annual increase in assessed value for homestead property to three percent (3%) or the percentage change in the Consumer Price Index, whichever is less.

With respect to non-homestead property, Amendment 1 limits (caps) the annual increase in assessed value for non-homestead property (businesses, industrial property, rental property, second homes, etc.) to ten percent (10%), except for school district taxes. The Amendment also provides a \$25,000 exemption for tangible personal property.

Amendment 1 became effective on October 1, 2008, with the exception of the ten percent (10%) assessment cap on non-homestead property which became effective on January 1, 2009. Additional tax relief bills are expected to be introduced at the upcoming legislative session which could, if ratified, further limit the extent to which municipalities can levy taxes.

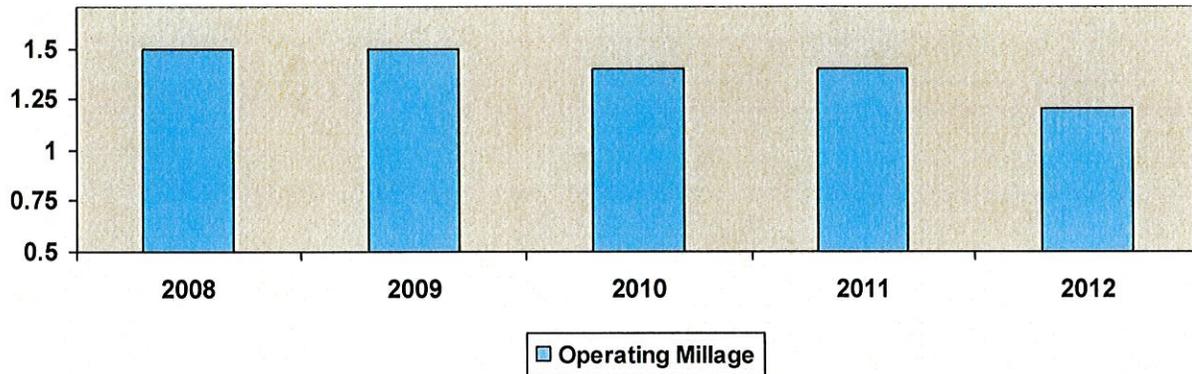
Revenues in the FY 2011 adopted General Fund budget are \$1.25 million, a decrease of approximately 28% from the FY 2011 actual revenues of \$1.74 million. Fiscal year 2011 budgeted expenditures are expected to be consistent with actual expenses of \$1.25 million for fiscal year 2011.

**General Fund Unassigned Surplus
For the Fiscal Years ended September 30, 2007-2011**



In 1995, the state of Florida limited all local governments' ability to increase property assessments of homestead property in any given year to 3 percent or cost of living, whichever is lower. The graph below shows the millage rates over the past four years. The Town, just like many cities across the country, has to face the challenge of keeping taxes and service charges as low as possible while providing residents with the level of service they have come to expect.

**Town of Loxahatchee Groves Millage
For the Fiscal Years ended September 30, 2008-2012**



The operating millage rate for fiscal year 2012 decreased to 1.2 mills or \$1.20 per thousand dollars of taxable value from 1.4 mills in fiscal year 2011. Under current legislation, the Town was required to rollback its millage rate to the rollback rate less 5%. The 2011 budget achieved this objective. Historically, the rollback rate has always been lower than the existing rate. However, with new laws, the rolled back rate was actually higher, even though the resulting tax bill will be lower due to the new homestead exemption. Overall, the adopted budget is an economical and prudent financial plan that will ensure quality public services and needed capital improvements for all residents, both today and in the future.

Requests for Information

This financial report is designed to provide a general overview of the Town of Loxahatchee Groves' finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Town Manager, 14579 Southern Blvd., Suite 2, Loxahatchee Groves, Florida 33470.

BASIC FINANCIAL STATEMENTS

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Net Assets
September 30, 2011

	Primary Government		
	Governmental Activities	Business-type Activities	Total
ASSETS			
Cash and cash equivalents	\$ 2,551,703	\$ 33,533	\$ 2,585,236
Receivables			
Franchise and utility taxes	58,335		58,335
Due from other governments	53,719		53,719
Prepaid items	28,437		28,437
Capital assets			
Non-depreciable	3,932		3,932
Depreciable (net of depreciation)	3,668		3,668
Total assets	<u>2,699,794</u>	<u>33,533</u>	<u>2,733,327</u>
LIABILITIES AND NET ASSETS			
Accounts payable	23,315	37,635	60,950
Deposits for planning and zoning	3,449		3,449
Total liabilities	<u>26,764</u>	<u>37,635</u>	<u>64,399</u>
Net Assets			
Invested in capital assets	7,600		7,600
Restricted for:			
Transportation	620,295		620,295
Unrestricted	2,045,135	(4,102)	2,041,033
Total net assets	<u>\$ 2,673,030</u>	<u>\$ (4,102)</u>	<u>\$ 2,668,928</u>

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Activities
For the Year Ended September 30, 2011

Function / Program Activities	Program Revenues			Net (Expenses) Revenues and Changes in Net assets			
	Expenses	Charges For Services	Operating Grants and Contributions	Capital Grants and Contributions	Primary Government		Total
					Governmental Activities	Business-type Activities	
Governmental activities							
General government	\$ 477,173	\$ 11,948	\$	\$	\$ (465,225)	\$	\$ (465,225)
Public safety	274,785				(274,785)		(274,785)
Physical environment	182,996			453	(182,543)		(182,543)
Total governmental activities	934,954	11,948		453	(922,553)		(922,553)
Business-type activities							
Sanitation	469,761	464,023				(5,738)	(5,738)
Total	\$ 1,404,715	\$ 475,971	\$	\$ 453	(922,553.00)	(5,738.00)	(928,291)
		General revenues					
		Property taxes			263,170		263,170
		Franchise taxes			207,153		207,153
		Utility taxes			345,155		345,155
		Intergovernmental (unrestricted)			635,465		635,465
		Interest and other			20,064	1,636	21,700
		Total general revenues			1,471,007	1,636	1,472,643
		Change in net assets			548,454	(4,102)	544,352
		Net assets, beginning of year			2,124,576		2,124,576
		Net assets, end of year			\$ 2,673,030	\$ (4,102)	\$ 2,668,928

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA

Balance Sheet

Governmental Funds

September 30, 2011

	Major Funds		
	General	Transportation Special Revenue	Total
ASSETS			
Cash and cash equivalents	\$ 1,954,706	\$ 596,997	\$ 2,551,703
Receivables			
Franchise and utility taxes	58,335		58,335
Due from other governments	26,973	26,746	53,719
Prepaid items	28,437		28,437
Total assets	\$ 2,068,451	\$ 623,743	\$ 2,692,194
LIABILITIES AND FUND BALANCE			
Liabilities			
Accounts payable	\$ 19,867	\$ 3,448	\$ 23,315
Deposits for planning and zoning	3,449		3,449
Total liabilities	23,316	3,448	26,764
Fund balances			
Nonspendable:			
Prepaid items	28,437		28,437
Restricted for:			
Transportation		620,295	620,295
Assigned for capital projects	1,000,000		1,000,000
Unassigned	1,016,698		1,016,698
Total fund balances	2,045,135	620,295	2,665,430
Total liabilities and fund balances	\$ 2,068,451	\$ 623,743	\$ 2,692,194

Reconciliation to the Statement of Net Assets

Fund balances - governmental fund	\$ 2,665,430
Capital assets used in governmental activities are not financial resources and therefore are not reported in the governmental funds:	7,600
Net assets of governmental activities	\$ 2,673,030

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Revenues, Expenditures, and Changes
In Fund Balance - Governmental Funds
For the Year Ended September 30, 2011

	Major Funds		Total
	General	Transportation Special Revenue	
Revenues			
Property taxes	\$ 263,170	\$	\$ 263,170
Franchise taxes	207,153		207,153
Utility service taxes	345,155		345,155
Intergovernmental revenues	281,946	353,519	635,465
Licenses and permits	9,596		9,596
Charges for services	2,352		2,352
Interest and other	20,064		20,064
Total revenues	<u>1,129,436</u>	<u>353,519</u>	<u>1,482,955</u>
Expenditures			
Current			
General government	480,664		480,664
Public safety	274,785		274,785
Physical environment	407	182,589	182,996
Total expenditures	<u>755,856</u>	<u>182,589</u>	<u>938,445</u>
Net change in fund balances	373,580	170,930	544,510
Fund balances, beginning of year	<u>1,671,555</u>	<u>449,365</u>	<u>2,120,920</u>
Fund balances, end of year	<u>\$ 2,045,135</u>	<u>\$ 620,295</u>	<u>\$ 2,665,430</u>

Reconciliation to the Statement of Activities

Net change in fund balances \$ 544,510

Governmental funds report capital outlays as expenditures.
However, in the statement of activities, the cost of those
assets is depreciated over their estimated useful lives

Expenditures for capital assets	\$ 5,012	
Less: current year depreciation	<u>(1,521)</u>	3,491

Donations of capital assets affect net assets in the statement
of activities, but do not appear in the governmental funds
because they are not financial resources.

<u>453</u>
<u>\$ 548,454</u>

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Net Assets
Proprietary Fund
September 30, 2011

	<u>Sanitation Fund</u>
ASSETS	
Cash and cash equivalents	<u>\$ 33,533</u>
Total assets	<u>33,533</u>
LIABILITIES AND FUND BALANCE	
Liabilities	
Accounts payable	<u>37,635</u>
Total liabilities	<u>37,635</u>
Net Assets	
Unrestricted	<u>\$ (4,102)</u>

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Revenues, Expenditures, and Changes
in Fund Net Assets
Proprietary Fund
For the Year Ended September 30, 2011

	Sanitation Fund
Operating revenues	
Charges for services	\$ 464,023
Operating expenses	
Solid waste contractor	441,449
Contractual waste oversight	10,000
Management fees	12,000
Other expenses	6,312
Total operating expenses	469,761
Operating loss	(5,738)
Nonoperating revenues	
Interest	1,636
Change in net assets	(4,102)
Net assets, beginning of year	_____
Net assets, end of year	\$ (4,102)

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Cash Flows
Proprietary Fund
For the Year Ended September 30, 2011

	<u>Sanitation Fund</u>
Cash flows from operating activities:	
Receipts from customers and users	\$ 464,023
Payments to suppliers	(420,126)
Payments to other funds	<u>(12,000)</u>
Net cash provided by operating activities	<u>31,897</u>
 Cash flows from investing activities:	
Interest income	<u>1,636</u>
Net cash provided by investing activities	
 Net increase in cash and cash equivalents	 33,533
 Cash and cash equivalents, beginning of year	 <u> </u>
Cash and cash equivalents, end of year	<u>\$ 33,533</u>
 Cash flows from operating activities	
Operating loss	\$ (5,738)
 Adjustments to reconcile operating income to net cash provided by operating activities:	
Increase in accounts payable	<u>37,635</u>
Net cash provided by operating activities	<u>\$ 31,897</u>

See notes to the financial statements

NOTES TO BASIC FINANCIAL STATEMENTS

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town of Loxahatchee Groves, Florida (the "Town") have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The Town's significant accounting policies are described below.

Reporting Entity

The Town was incorporated on November 1, 2006 as a municipal corporation, in accordance with Chapter 2006-328 under the Laws of the State of Florida, and was established to conduct a government, perform municipal functions, and provide services to its citizens, as provided by the Constitution of the State of Florida. The Town operates under a Council-Manager form of government. The Town Council is responsible for legislative and fiscal control of the Town. A Town Manager is appointed by the Town Council and is responsible for the administration of all Town affairs placed in the manager's charge by charter or action of the Town Council.

In accordance with generally accepted accounting standards, the underlying concept of the governmental financial reporting entity is that governmental organizations are responsible to elected governing officials; therefore, financial reporting should report the elected officials' accountability for those organizations. Furthermore, the financial statements of the reporting entity should allow users to distinguish between the primary governments and its component units if any, by communicating information about the component units and their relationships with the primary government. A component unit is a legally separate organization for which the elected officials of the primary government are financially accountable. Determining factors of financial accountability include appointment of a voting majority, imposition of will, financial benefit or burden on a primary government, or fiscal dependency. In addition, component units can be other organizations for which the nature and significance of their relationship with a primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

Based upon application of these criteria, the Town of Loxahatchee Groves has determined that there are no additional governmental departments, agencies, institutions, commissions, public authorities or other governmental organizations operating within the jurisdiction of the Town that would be required to be included in the Town's financial statements.

Government-wide and Fund Financial Statements – GASB Statement #34

The basic financial statements include both government-wide and fund financial statements. The government-wide financial statements (i.e., the statement of net assets and the statement of activities) report information on all of the activities of the primary government.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

Notes to the Financial Statements

September 30, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Government-wide and Fund Financial Statements -- GASB Statement #34 (Continued)

For the most part, the effect of inter-fund activity has been removed from these statements, except for inter-fund services provided and used. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely on fees and charges for support.

The statement of activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function. Taxes and other items not included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and the major individual enterprise fund are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses recorded when a liability is incurred, regardless of the timing of related cash flows. The Town does not accrue property tax revenues since the collection of these taxes coincides with the fiscal year in which levied, and since the Town consistently has no material uncollected property taxes at year end. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental Funds

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough afterwards to pay liabilities of the current period. The Town considers revenues collected within 60 days of the year end to be available to pay liabilities of the current period. Expenditures are generally recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures relating to compensated absences and claims and judgments are recorded only when payment is due.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus, Basis of Accounting, and Financial Statement Presentation (Continued)

Governmental Funds (Continued)

Property taxes, franchise taxes, licenses, interest revenue, intergovernmental revenues, and charges for services associated with the current fiscal period are all considered to be susceptible to accrual and have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the Town.

When both restricted and unrestricted resources are combined in a fund, expenses are considered to be paid first from restricted resources and then from the unrestricted resources.

The Town reports the following major governmental funds:

The General Fund is the general operating fund of the Town. It is used to account for all financial resources except those required to be accounted for in another fund.

The Transportation Fund is a special revenue fund that accounts for the revenues that are restricted for transportation related expenditures.

Proprietary Fund

The Town reports one major proprietary fund the Sanitation Enterprise fund to account for the Town's garbage and trash collection services, which are financed primarily by user charges.

Private sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in both the government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of GASB. Governments also have the option of following subsequent private sector guidance for their business-type activities and enterprise funds, subject to this same limitation. The Town has elected not to follow subsequent private sector guidance.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Town's Sanitation Enterprise Fund are charges to customers for sales and services. Operating expenses for the Enterprise Fund include the cost of sales and services, administrative expenses and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

When both restricted and unrestricted resources are available for use, it is the Town's policy to use restricted resources first, then unrestricted resources as they are needed.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Cash and Cash Equivalents

Cash and cash equivalents include amounts on deposit in demand accounts, money market accounts and certificate of deposits.

Prepaid Items

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. Prepaid items in governmental funds are accounted for using the consumption method.

Interfund Transactions

Activity between funds that is representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to" or "due from other funds". Any residual balance outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as internal balances.

Transfers and interfund balances totally within governmental activities and those that are totally within business-type activities are eliminated and not presented in the government wide financial statements. Transfers and balances between governmental and business-type activities are presented in the government-wide financial statements.

Capital Assets

Capital assets, which include equipment are reported in the government-wide financial statements. Capital assets, excluding infrastructure assets, are defined by the Town as assets with an initial, individual cost of more than \$1,000 and an estimated useful life in excess of one year. Capital assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

As of September 30, 2011 the County has only transferred one piece of land that would be considered infrastructure (roads, sidewalks and similar items) to the Town.

Depreciation has been provided over the useful lives using the straight line method. The estimated useful lives are as follows:

Equipment	5 to 10 years
-----------	---------------

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Net Assets

Equity in the government-wide statement of net assets is displayed in three categories: 1) invested in capital assets, 2) restricted, 3) unrestricted. Net assets invested in capital assets consist of capital assets reduced by accumulated depreciation. Net assets are reported as restricted when there are legal limitations imposed on their use by Town legislation or external restrictions by other governments, creditors, or grantors. Unrestricted net assets consist of all net assets that do not meet the definition of either of the other two components.

Fund Equity

Fund balance is the difference between assets and liabilities reported in governmental funds. There are five possible components of fund balance:

- Nonspendable fund balance represents amounts that are not in spendable form or are legally or contractually required to be maintained intact.
- Restricted fund balance represents amounts that can be spent only for specific purposes stipulated by external providers (e.g. creditors, grantors, contributor, or laws or regulations of other governments) or imposed by law through constitutional provisions or enabling legislation.
- Committed fund balance represents amounts that can be used only for the specific purposes determined by formal action of the Town Council.
- Assigned fund balance includes spendable fund balance amounts that are intended to be used for specific purposes, as expressed by the Town Council that are neither considered restricted or committed.
- Unassigned fund balance is the residual fund balance classification for the general fund.

The Town will first use restricted fund balance then committed fund balance then assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which any of the unrestricted fund balance classifications could be used.

Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States requires management to make estimates and assumptions that affect the amounts of assets, liabilities, disclosure of contingent liabilities, revenues, and expenditures/expenses reported in the financial statements and accompanying notes. These estimates include assessing the collectability of receivables and the useful lives of capital assets. Although those estimates are based on management's knowledge of current events and actions it may undertake in the future, they may ultimately differ from actual results.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Statement of Cash Flows

For purposes of the statement of cash flows, the Town considers all short-term investments that are highly liquid to be cash equivalents. Cash equivalents are readily convertible to a known amount of cash, and at the day of purchase, have a maturity date no longer than three months

NOTE 2 - STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

Budgetary Data

The Town follows these procedures in establishing the budgetary data reflected in the financial statements.

1. Prior to September 1, the Town Manager submits to the Town Council a proposed operating budget for the fiscal year commencing the following October 1. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain taxpayer comments.
3. Prior to October 1, the budget is legally enacted through passage of two resolutions – one establishing a milage rate and another adopting the final budget.
4. The Town prepares and adopts a budget for the General Fund. No differences exist between the budgetary and GAAP basis of accounting. Budgeted amounts are as originally adopted, or as amended by the Town Council. If, at any time during the fiscal year, it appears probable to the Town Manager that the revenues available will be insufficient to meet the amount appropriated, the Town Manager shall report to the Council without delay, indicating the estimated amount of the deficit, any remedial action taken, and recommendations as to any other steps that should be taken. The Council shall then take such further action as it deems necessary to prevent or minimize any deficit and, for that purpose, the council may by resolution reduce one or more appropriations accordingly. Therefore, the legal level of control (level of which expenditures may not exceed the budget) is at the fund level.
5. Appropriations along with encumbrances lapse on September 30.
6. During the fiscal year ended September 30, 2011, there was one supplemental appropriation.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 2 - STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY (Continued)

Property Taxes

Under Florida law, the assessment of all properties and the collection of all county, municipal, and school board property taxes are consolidated in the offices of the County Property Appraiser and County Tax Collector. The laws of the State regulating tax assessment are also designed to assure a consistent property valuation method statewide.

The tax levy of the Town is established by the Town Council prior to October 1 of each year, and the Palm Beach County Property Appraiser incorporates the Town's millages into the total tax levy, which includes Palm Beach County and Palm Beach County School Board tax requirements. State statutes permit municipalities to levy property taxes at a rate of up to 10 mills (\$10 per \$1,000 of assessed taxable valuation). The millage rate assessed by the Town for the year ended September 30, 2011, was 1.400 mills (\$1.400 per \$1,000 of taxable assessed valuation).

All property is reassessed according to its fair market value January 1 of each year, which is also the lien date. In November 1992, a Florida constitutional amendment was approved by the voters which provides for limiting the increases in homestead property valuations for Ad Valorem tax purposes to a maximum of 3% annually and also provides for reassessment of market values upon changes in ownership. Each assessment roll is submitted to the Executive Director of the State Department of Revenue for review to determine if the rolls meet all the appropriate requirements of state statutes.

All taxes are due and payable on November 1 of each year or as soon thereafter as the assessment roll is certified and delivered to the Tax Collector. Taxes may be paid less a discount beginning November 1. Discounts are allowed for early payment at the rate of 4% in the month of November, 3% in the month of December, 2% in the month of January and 1% in the month of February. The taxes paid in March are without discount. All unpaid taxes become delinquent on April 1, following the year in which they are assessed.

On or prior, to June 1 following the tax year, certificates are sold for all delinquent taxes on real property. After the sale, tax certificates bear interest of 18% per year or any lower rate bid by the buyer. Application for a tax deed on any unredeemed tax certificates may be made by the certificate holder after a period of two years. Delinquent taxes on personal property bear interest of 18% per year until the tax is satisfied either by seizure and sale of the property or by the five year statute of limitations.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 3 - CASH AND INVESTMENTS

Deposits

As of September 30, 2011, the carrying amounts of the Town's deposits were \$2,585,236 and the bank balances totaled \$2,601,621. All cash deposits are covered by FDIC insurance or the multiple financial institution collateral pool administered by the State of Florida. The collateral pool was created pursuant to the Florida Security for Deposits Act, Chapter 280, Florida Statutes

The collateral pool consists of assets pledged to the State Treasurer by financial institutions that comply with the requirements of Florida Statutes and have been thereby designated as "qualified public depositories". Therefore, the Town's entire bank balance of \$2,585,236 is insured either by Federal depository insurance or is collateralized with securities pursuant to the Florida Security for Public Deposits Act. The Town's deposits at year end are considered insured for custodial credit risk purposes.

Investments

The Town adopted an investment policy on August 5, 2008, which is consistent with the requirements of State Statute 218.415. In accordance with Section 218.415 of the Florida Statutes, the Town is authorized to invest in obligations of the U.S. Treasury, its agencies and instrumentalities and in the Local Government Surplus Trust Funds administered by the State Board of Administration (SBA).

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The Town's investment policy states that interest rate risk will be minimized by:

1. Structuring the investment portfolio so that the securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
2. Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 4 – CAPITAL ASSETS

Capital asset activity for the year ended September 30, 2011, was as follows:

Primary Government

Governmental activities:	Beginning Balance	Additions	Deletions	Ending Balance
Capital assets not being depreciated:				
Land	\$	\$ 3,932	\$	\$ 3,932
Capital assets being depreciated:				
Equipment	7,220	1,533		8,753
Less accumulated depreciation for:				
Equipment	(3,564)	(1,521)		(5,085)
Governmental activities capital assets, net	<u>\$ 3,656</u>	<u>\$ 3,944</u>	<u>\$</u>	<u>\$ 7,600</u>

Depreciation expense was charged to the general government functions/programs of the Town.

NOTE 5 - RISK MANAGEMENT

The Town is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and natural disasters. The Town has joined with other municipalities in the State participating in the Florida League of Cities Municipal Self Insurance Program, (the Program) a public entity risk pool currently operating as a common risk management and insurance program. The inter-local agreement with the Florida League of Cities Municipal Self Insurance Program provides that the Program will be self-sustaining through member premiums and will reinsure through commercial companies.

The Town is also covered by Florida Statutes under the Doctrine of Sovereign Immunity which effectively limits the amount of liability of municipalities to individual claims of \$100,000/\$200,000 for all claims relating to the same accident. There have been no significant reductions in insurance coverage in the prior year. No settlements exceeded insurance coverage for the past three years.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 6 – COMMITMENTS

Professional Services Agreement- Management Services

The Town enters into a professional service agreement for the positions of Town Manager, Town Clerk and financial reporting services. The current contract starts on October 1, 2011, and expires on September 30, 2014, and calls for monthly payments of \$20,885. Effective May 1, 2012, the contract was amended to include additional planning and zoning activities and the monthly payments were changed to \$27,135. The contract may be extended for additional one year terms, with the contract payments being increased by the percentage change in the Consumer Price Index – All Urban Consumers for the South Urban Region for corresponding period.

Interlocal Agreements with Palm Beach County

In 2007, the Town entered into two interlocal agreements with Palm Beach County (the County) for zoning services and land development services within the municipal limits of the Town. The County will provide the same level of service to the Town as it provides its unincorporated areas and collect fees and surcharges from applicants for the services. Oversight of the County's performance of these public services will be performed by the Town Manager. In 2011, the Town and the County amended one of the interlocal agreements whereby, the Town of Loxahatchee Groves has accepted responsibility for Planning and Zoning Services while Building Permitting and Inspection Services are performed by Palm Beach County. Both agreements automatically renew each year unless either party notifies the other, in writing, of the other party's desire to terminate all or part of the agreements six months in advance, but no later than April 1 of the previous fiscal year.

Agreement with Palm Beach County for Law Enforcement Services

During 2008, the Town executed an agreement with Palm Beach County for law enforcement services within the Town's boundaries. There have been two addendums to the agreement to amend the term and payments. The agreement currently expires on September 30, 2011, and the total cost of personnel and equipment is \$274,776 payable in monthly installments of \$22,898

Solid Waste and Recycling Collection Franchise Agreement

During 2008, the Town executed an agreement with Waste Pro of Florida for solid waste and recycling collection services. The term of the agreement is for the period beginning October 1, 2008 through September 30, 2013. Residential rates are set by a monthly amount per unit and commercial rates are set per cubic yard or per pull. The rates are adjusted based the Refuse Rate Index.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2011

NOTE 7 – ACCOUNTING CHANGE

GASB Statement 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, enhances the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied and by clarifying the existing governmental fund type definitions. The Town implemented this standard in fiscal year 2011. Changes to the government fund type fund balance reporting are reflected in the financial statements and schedules. Related disclosures are included in Note 1.

REQUIRED SUPPLEMENTARY INFORMATION
(Other Than MD&A)

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Required Supplementary Information (RSI)
Schedule of Revenues, Expenditures and Changes in Fund Balance-Budget and Actual
General Fund
For the Year Ended September 30, 2011

	Budget Amounts		Actual	Variance
	Original	Final Revised	Amounts	
Revenues				
Property taxes	\$ 263,434	\$ 263,434	\$ 263,170	\$ (264)
Franchise taxes	216,000	216,000	207,153	(8,847)
Utility service taxes	454,944	454,944	345,155	(109,789)
Intergovernmental revenues	292,018	292,018	281,946	(10,072)
Licenses and permits	8,000	8,000	9,596	1,596
Charges for services	2,500	2,500	2,352	(148)
Interest and other	19,000	19,000	20,064	1,064
Total revenues	<u>1,255,896</u>	<u>1,255,896</u>	<u>1,129,436</u>	<u>(126,460)</u>
Expenditures				
General government				
Legislative	13,200	13,200	7,606	5,594
Executive	216,500	217,100	217,921	(821)
Town clerk	11,750	17,350	19,605	(2,255)
Finance	18,000	15,000	15,000	
Legal	100,000	123,000	116,099	6,901
Planning and zoning	121,000	133,000	76,586	56,414
Other general government		30,400	27,847	2,553
Total general government	<u>480,450</u>	<u>549,050</u>	<u>480,664</u>	<u>68,386</u>
Public safety				
Police	<u>283,785</u>	<u>283,785</u>	<u>274,785</u>	<u>9,000</u>
Physical environment				
Sanitation	<u>5,000</u>	<u>5,000</u>	<u>407</u>	<u>4,593</u>
Total expenditures	<u>769,235</u>	<u>837,835</u>	<u>755,856</u>	<u>81,979</u>
Excess (deficiency) of revenues over (under) expenditures	<u>486,661</u>	<u>418,061</u>	<u>373,580</u>	<u>44,481</u>
Other financing sources				
Transfers out	<u>459,661</u>	<u>418,061</u>		<u>418,061</u>
Total other financing sources	<u>459,661</u>	<u>418,061</u>		<u>418,061</u>
Net change in fund balance	<u>\$ 946,322</u>	<u>\$ 836,122</u>	<u>373,580</u>	<u>\$ 462,542</u>
Fund balance, beginning of year			<u>1,671,555</u>	
Fund balance, end of year			<u>\$ 2,045,135</u>	

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Required Supplementary Information (RSI)
Schedule of Revenues, Expenditures and Changes in Fund Balance-Budget and Actual
Transportation Special Revenue Fund
For the Year Ended September 30, 2011

	<u>Budget Amounts</u>		<u>Actual</u>	<u>Variance</u>
	<u>Original</u>	<u>Final Revised</u>	<u>Amounts</u>	
Revenues				
Intergovernmental revenues	\$ 382,846	\$ 382,846	\$ 353,519	\$ (29,327)
Total revenues	<u>382,846</u>	<u>382,846</u>	<u>353,519</u>	<u>(29,327)</u>
Expenditures				
Physical environment				
Roads and streets	<u>422,846</u>	<u>422,846</u>	<u>182,589</u>	<u>240,257</u>
Total expenditures	<u>422,846</u>	<u>422,846</u>	<u>182,589</u>	<u>240,257</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(40,000)</u>	<u>(40,000)</u>	<u>170,930</u>	<u>(210,930)</u>
Other financing sources				
Transfers in	<u>(40,000)</u>	<u>(40,000)</u>		<u>(40,000)</u>
Total other financing sources	<u>(40,000)</u>	<u>(40,000)</u>		<u>(40,000)</u>
Net change in fund balance	<u>\$ (80,000)</u>	<u>\$ (80,000)</u>	<u>170,930</u>	<u>\$ (250,930)</u>
Fund balance, beginning of year			<u>449,365</u>	
Fund balance, end of year			<u>\$ 620,295</u>	

TOWN OF LOXAHATCHEE GROVES, FLORIDA

Notes to the Budgetary

Required Supplementary Information (RSI)

September 30, 2011

Note 1 - Basis of Accounting

Budgetary comparison schedules are presented for the General Fund and Transportation Fund, as required by generally accepted accounting principles. The budgetary process is described in Note 2 to the financial statements on page 24. Budgets are adopted on a basis consistent with generally accepted accounting principles.

Note 2 - Stewardship, Compliance, and Accountability

Appropriations are legally controlled at the fund level, and expenditures may not legally exceed budgeted appropriations at that level. For the year ended September 30, 2011, there were no funds that had an excess of expenditures over appropriations.

THIS PAGE INTENTIONALLY LEFT BLANK

STATISTICAL SECTION

This part of the Town of Loxahatchee Groves' comprehensive annual financial report presents detailed unaudited information as a context for understanding what the information in the financial statement, note disclosures, and required supplementary information says about the Town's overall financial health.

<u>Contents</u>	<u>Page</u>
Financial Trends	
<i>These schedules contain trend information to help the reader understand how the Town's financial performance and well-being have changed over time. These schedules include:</i>	
Net Assets by Component	33
Changes in Net Assets	34
Fund Balances of Governmental Funds	35
Changes in Fund Balances of Governmental Funds	36
General Governmental Revenues by Source	37-38
Revenue Capacity	
<i>These schedules contain information to help the reader assess the Town's most significant local revenue source, the property tax.</i>	
Assessed Value and Estimated Actual Value of Taxable Property	39-40
Property Tax Rates Direct and Overlapping Governments	41-42
Principal Property Tax Payers	43
Property Tax Levies and Collections	44
Debt Capacity	
<i>These schedules present information to help the reader assess the affordability of the Town's current levels of outstanding debt and the Town's ability to issue additional debt in the future.</i>	
Direct and Overlapping Governmental Activities Debt	45
Demographic and Economic Information	
<i>These schedules offer demographic and economic indicators to help the reader understand the environment within which the Town's financial activities take place.</i>	
Demographic and Economic Statistics	46
Principal Employers	47
Operating Information	
<i>These schedules contain service and infrastructure data to help understand how the information in the Town's financial report relates to the services the Town provides and the activities it performs.</i>	
Full-Time Equivalent Town Government Employees by Function/Program	48
Operating indicators By Function	49

Sources: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Net Assets By Component
Last Ten Fiscal Years (1)
(accrual basis of accounting)

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Governmental activities:					
Invested in capital assets (net of depreciation)	\$ 4,369	\$ 3,480	\$ 5,100	\$ 3,656	\$ 7,600
Restricted		16,849	315,885	449,365	620,295
Unrestricted	228,241	658,888	1,133,301	1,671,555	2,045,135
Total governmental activities net assets	<u><u>\$ 232,610</u></u>	<u><u>\$ 679,217</u></u>	<u><u>\$ 1,454,286</u></u>	<u><u>\$ 2,124,576</u></u>	<u><u>\$ 2,673,030</u></u>
Business-type activities:					
Invested in capital assets (net of depreciation)	\$	\$	\$	\$	\$
Restricted					
Unrestricted					(4,102)
Total business-type activities net assets	<u><u>\$</u></u>	<u><u>\$</u></u>	<u><u>\$</u></u>	<u><u>\$</u></u>	<u><u>\$ (4,102)</u></u>
Primary government:					
Invested in capital assets (net of depreciation)	\$ 4,369	\$ 3,480	\$ 5,100	\$ 3,656	\$ 7,600
Restricted			315,885	449,365	620,295
Unrestricted	228,241	653,424	1,133,301	1,671,555	2,041,033
Total primary government net assets	<u><u>\$ 232,610</u></u>	<u><u>\$ 656,904</u></u>	<u><u>\$ 1,454,286</u></u>	<u><u>\$ 2,124,576</u></u>	<u><u>\$ 2,668,928</u></u>

(1) - Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town was incorporated in November 2006.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Changes in Net Assets
Last Ten Fiscal Years (1)
(accrual basis of accounting)

	2007	2008	2009	2010	2011
EXPENSES					
Governmental activities:					
General government	\$ 113,836	\$ 581,459	\$ 558,728	\$ 451,305	\$ 477,173
Public safety	-	241,921	280,295	272,064	274,785
Physical environment	-	383,508	480,523	716,178	182,996
	-	-	-	-	-
Total governmental activities	<u>113,836</u>	<u>1,206,888</u>	<u>1,319,546</u>	<u>1,439,547</u>	<u>934,954</u>
Business-type activities:					
Sanitation	-	-	-	-	469,761
Total primary government expenses	<u>113,836</u>	<u>1,206,888</u>	<u>1,319,546</u>	<u>1,439,547</u>	<u>1,404,715</u>
PROGRAM REVENUES					
Governmental activities:					
Charges for services:					
General government	14	8,119	12,496	12,743	11,948
Public safety	-	1,500	-	-	-
Physical environment	-	330,238	500,260	445,368	-
Operating grants and contributions	-	-	-	-	-
Capital grants and contributions	-	-	-	-	453
Total governmental activities program revenues	<u>14</u>	<u>339,857</u>	<u>512,756</u>	<u>458,111</u>	<u>12,401</u>
Business-type activities:					
Charges for services-Sanitation	-	-	-	-	464,023
Total primary government program revenues	<u>14</u>	<u>339,857</u>	<u>512,756</u>	<u>458,111</u>	<u>476,424</u>
Net (expense) revenue					
Governmental activities	(113,822)	(867,031)	(806,790)	(981,436)	(922,553)
Business-type activities	-	-	-	-	(5,738)
Total primary government net (expenses) revenue	<u>(113,822)</u>	<u>(867,031)</u>	<u>(806,790)</u>	<u>(981,436)</u>	<u>(928,291)</u>
General revenues and Other Changes in Net Assets:					
Governmental activities:					
Property taxes	-	508,845	446,294	321,912	263,170
Utility taxes	154,857	205,802	268,748	481,710	345,155
Franchise fees based on gross receipts	65,729	218,236	232,172	208,158	207,153
Unrestricted intergovernmental revenue	124,459	361,896	625,617	633,171	635,465
Interest and other	1,387	18,859	9,028	6,775	20,064
Total governmental activities	<u>346,432</u>	<u>1,313,638</u>	<u>1,581,859</u>	<u>1,651,726</u>	<u>1,471,007</u>
Business-type activities:					
Interest and other	-	-	-	-	1,636
Total primary government	<u>346,432</u>	<u>1,313,638</u>	<u>1,581,859</u>	<u>1,651,726</u>	<u>1,472,643</u>
Change in Net Assets					
Governmental activities	232,610	446,607	775,069	670,290	548,454
Business-type activities	-	-	-	-	(4,102)
Total primary government	<u>\$ 232,610</u>	<u>\$ 446,607</u>	<u>\$ 775,069</u>	<u>\$ 670,290</u>	<u>\$ 544,352</u>

(1) - Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town was incorporated in November 2006.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

Fund Balances of Governmental Funds

Last Ten Fiscal Years (1)

(modified accrual basis of accounting)

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
General Fund					
Nonspendable-prepays	\$ 5,095	\$ 20,944	\$ 27,969	\$ 28,437	\$ 28,437
Reserved for transportation			315,885		
Assigned for capital projects					1,000,000
Unassigned	<u>223,146</u>	<u>654,793</u>	<u>1,105,332</u>	<u>1,643,118</u>	<u>1,016,698</u>
Total general fund	<u>\$ 228,241</u>	<u>\$ 675,737</u>	<u>\$ 1,449,186</u>	<u>\$ 1,671,555</u>	<u>\$ 2,045,135</u>
All other governmental funds					
Reserved for transportation	\$ _____	\$ _____	\$ _____	\$ 449,365	\$ 620,295
Total all other governmental funds	<u>\$ _____</u>	<u>\$ _____</u>	<u>\$ _____</u>	<u>\$ 449,365</u>	<u>\$ 620,295</u>

(1) - Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town was incorporated in November 2006.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Changes in Fund Balances of Governmental Funds
Last Ten Fiscal Years (1)
(modified accrual basis of accounting)

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
REVENUES					
Property taxes	\$ -	\$ 508,845	\$ 446,294	\$ 321,912	\$ 263,170
Utility taxes	154,857	205,802	268,748	481,710	345,155
Franchise fees	65,729	218,236	232,172	208,158	207,153
Intergovernmental revenue	124,459	361,896	625,617	633,171	635,465
Charge for services	-	330,238	502,035	447,379	2,352
Licenses and permits	-	8,119	10,721	10,732	9,596
Fines and forfeitures	14	1,500	-	-	-
Interest and other	1,387	18,859	9,028	6,775	20,064
Total revenues	<u>346,446</u>	<u>1,653,495</u>	<u>2,094,615</u>	<u>2,109,837</u>	<u>1,482,955</u>
EXPENDITURES					
Current:					
General government	113,762	807,439	560,348	449,861	480,664
Public safety	-	241,921	280,295	272,064	274,785
Solid waste	-	156,639	480,523	716,178	182,996
Capital outlay	4,443	-	-	-	-
Total expenditures	<u>118,205</u>	<u>1,205,999</u>	<u>1,321,166</u>	<u>1,438,103</u>	<u>938,445</u>
Net change in fund balances	<u>\$ 228,241</u>	<u>\$ 447,496</u>	<u>\$ 773,449</u>	<u>\$ 671,734</u>	<u>\$ 544,510</u>
 Debt service as a percentage of noncapital expenditures	<u>0.0%</u>	<u>0.0%</u>	<u>0.0%</u>	<u>0.0%</u>	<u>0.0%</u>

(1) - Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town was incorporated in November 2006.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
General Governmental Revenues By Source
Last Ten Fiscal Years (1)
(accrual basis of accounting)

<u>Fiscal Year</u>	<u>Ad-Valorem Taxes General Purpose</u>	<u>Utility Tax</u>	<u>Intergovernmental</u>	<u>Franchise Tax</u>
2007	\$ -	\$ 154,857	\$ 124,459	\$ 65,729
2008	508,845	187,584	361,896	218,236
2009	446,294	268,748	625,617	232,172
2010	321,912	481,710	633,171	208,158
2011	263,170	345,155	635,465	207,153

(1) - Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town

<u>Charges for Service (2)</u>	<u>License and Permits</u>	<u>Interest</u>	<u>Fines and Forfeitures</u>	<u>Total</u>
\$ -	\$ -	\$ 1,387	\$ 14	\$ 346,446
330,238	8,119	18,859	1,500	1,635,277
502,035	10,721	9,016	12	2,094,615
444,379	10,732	6,775	-	2,106,837
2,352	9,596	20,064	-	1,482,955

TOWN OF LOXAHATCHEE GROVES, FLORIDA
 Assessed Value and Estimated Actual Value of Taxable Property
 Last Ten Fiscal Years (1)

Fiscal Year	Real Property				Personal Property	Net Assessed Value
	Residential Property	Commercial Property	Agricultural Property	Gov't/Institutional Property		
2007	(1)	(1)	(1)	(1)	(1)	(1)
2008	245,439,224	17,618,241	72,320,220	2,222,765	12,680,070	350,280,520
2009	207,549,455	18,974,712	71,068,044		9,797,359	307,389,570
2010	146,181,111	16,932,326	54,450,995		9,823,860	227,388,292
2011	143,947,895	14,652,455	59,567,834		12,798,827	230,967,011

Note: Property in the Town is reassessed each year. State law requires the Property Appraiser to appraise property at 100% of market value. The Florida Constitution was amended, effective January 1, 1995, to limit annual increases in assessed value of property with homestead exemption to 3% per year or the amount of the Consumer Price Index, whichever is less. The increase is not automatic since no assessed value shall exceed market value. Tax rates are per \$1,000 of assessed value.

(1) The Town incorporated in November 2006 and its first year of setting its millage rate was fiscal year 2008. Therefore, information for fiscal periods prior to that are not available.

Total Direct Tax Rate	Estimated Actual Value	Net Assessed Value as a Percentage of Estimated Actual Value
(1)	(1)	(1)
1.5000	727,915,606	48.12%
1.5000	653,870,928	47.01%
1.4000	459,295,516	49.51%
1.2000	327,489,734	70.53%

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Property Tax Rates
Direct and Overlapping Governments
Last Ten Fiscal Years (1)

OVERLAPPING RATES

Fiscal Year	Town Total Direct Millage	Palm Beach County School District	Palm Beach County	OVERLAPPING RATES	
				County Palm Beach County Health Care District	Palm Beach County Library System
2007	(1)	(1)	(1)	(1)	(1)
2008	1.500	7.360	6.760	0.890	0.540
2009	1.500	7.250	6.920	1.000	0.540
2010	1.400	7.980	8.020	1.150	0.550
2011	1.400	8.010	8.450	1.150	0.610

(1) The Town incorporated in November 2006 and its first year of setting its millage rate was fiscal year 2008. Therefore, information for fiscal periods prior to that are not available.

Note: All millage rates are based on \$1 for every \$1,000 of assessed value.

Source: Town of Loxahatchee Groves Finance Department and Palm Beach Property Appraiser's Office.

OVERLAPPING RATES

South Florida Water Management District	Children's Services Council	Special Districts Florida Inland Navigation District	Total Direct and Overlapping Rates
(1)	(1)	(1)	(1)
0.620	0.580	0.030	18.280
0.620	0.600	0.040	18.470
0.620	0.690	0.040	20.450
0.620	0.748	0.035	21.023

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Principal Property Taxpayers
Last year and nine years ago

2011				2002(1)			
<u>Taxpayer</u>	<u>Assessed Valuation</u>	<u>Rank</u>	<u>Percentage Total Assessed Valuation</u>	<u>Taxpayer</u>	<u>Assessed Valuation</u>	<u>Rank</u>	<u>Percentage Total Assessed Valuation</u>
ZDARSKY CONSTANTINE	\$ 2,358,031	1	1.04				
R BROKE NOW LLC	2,328,627	2	1.02				
YEES CORP	1,796,560	3	0.79				
EVERGLADES FARM EQUIP CO	1,731,146	4	0.76				
SOUTHERN MANAGEMENT CORP	1,601,806	5	0.70				
SUNSPORT GARDENS	1,248,949	6	0.55				
JACA BUSINESS CORP	1,151,601	7	0.51				
GROVES MEDICAL PLAZA LLC	1,128,204	8	0.50				
ROYALS OK LUNCH INC	1,025,007	9	0.45				
ACKERMAN LORI &	795,001	10	0.35				
	<u>\$ 15,164,932</u>		<u>6.67</u>				

(1) The Town incorporated in November 2006. Therefore, information for fiscal periods prior to that are not available.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Property Tax Levies and Collections
Last Ten Fiscal Years (1)

Fiscal Year	Total Taxes Levied for Fiscal Year	Collected Within the Fiscal Year of Levy		Collections in Subsequent Years	Total Collections to Date	
		Amount	Percent of Levy		Amount	Percent of Levy
2007	(1)	(1)	(1)	(1)	(1)	(1)
2008	543,920	508,845	93.55%	n/a	508,845	93.55%
2009	465,999	441,450	94.73%	n/a	446,294	94.73%
2010	319,175	307,800	96.44%	n/a	321,912	96.44%
2011	263,434	261,597	99.30%	n/a	263,170	99.30%

- (1) The Town incorporated in November 2006 and its first year of setting its millage rate was fiscal year 2007. Therefore, information for fiscal periods prior to that are not available.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Direct and Overlapping Governmental Activities Debt
Fiscal year ended September 30, 2011

<u>Government Unit</u>	<u>Net Debt Outstanding</u>	<u>Estimated Percentage Applicable(1)</u>	<u>Amount Applicable to Town of Loxahatchee Groves</u>
Debt repaid with property taxes:			
Palm Beach County	\$ 250,470,000	0.18%	450,846
Palm Beach County School Board	29,555,000	0.18%	53,199
Other debt:			
Palm Beach County	888,161,139	0.18%	1,598,690
Palm Beach County School Board	1,886,293,000	0.18%	3,395,327
Town of Loxahatchee Groves direct debt		n/a	-
Total direct and overlapping debt			<u>\$ 5,498,062</u>

Sources: Data provided by the Palm Beach Country Finance Department and Palm Beach Country School Board

Note: Overlapping governments are those that coincide, at least in part, with the geographic boundaries of the Town. This schedule estimates the portion of the outstanding debt of those overlapping governments that is borne by the residents and businesses of the Town of Loxahatchee Groves. This process recognizes that, when considering the Town's ability to issue and repay long-term debt, the entire debt burden borne by the residents and businesses should be taken into account. However, this does not imply that every taxpayer is a resident, and therefore responsible for repaying the debt.

(1) For debt repaid with property taxes, the percentage of overlapping debt applicable is estimated using taxable assessed property values by taking the value that is within the Town's boundaries and dividing it by the County's and School Boards total taxable assessed value. This approach was also used for the other debt.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Demographic and Economic Statistics
Last Ten Fiscal Years (1)

<u>Fiscal Year</u>	<u>Population (2)</u>	<u>Personal Income (3)</u>	<u>Per Capita Personal Income (4)</u>	<u>Unemployment Rate (5)</u>
2007	3,200	n/a	\$ 59,147	4.7%
2008	3,200	n/a	n/a	7.4%
2009	3,200	n/a	n/a	11.7%
2010	3,200	n/a	n/a	12.4%
2011	3,091	n/a	n/a	12.4%

(1) Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town was incorporated in November 2006.

(2) Population estimate for 2007 as published by the University of Florida, Bureau of Economic and Business Research. Estimated population for 2006 is from Adopted Operating Budget.

(3) Personal income is the Palm Beach County per capita personal income applied to the Loxahatchee Groves population.

(4) Per Capita Personal Income is for Palm-Beach County from the U.S. Department of Commerce, Bureau of Economic Analysis. The most recent data are for fiscal 2005.

(5) Florida Agency for Workplace Innovation, Labor Force Statistics, Labor Force Summary, Annual Average Employment for Palm-Beach County.

n/a Data not available.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

Principal Employers - Palm Beach County

Last year and nine years ago

Employer	2010			2002(1)		
	<u>EMPLOYEES</u>	<u>RANK</u>	<u>Percentage of Total County Employment</u>	<u>EMPLOYEES</u>	<u>RANK</u>	<u>Percentage of Total County Employment</u>
Palm Beach County School District	21,495	1	3.71%			
Palm Beach County	11,381	2	1.96%			
Tenet Healthcare Corp.	6,100	3	0.94%			
Florida Power & Light	3,635	4	0.63%			
Wackenhut Corporation	3,000	5	0.52%			
Hospital Corporation of America	2,714	6	0.47%			
Florida Atlantic University	2,706	7	0.47%			
Bethesda Memorial Hospital	2,391	8	0.41%			
Boca Raton Community Hospital	2,250	9	0.40%			
Veterans Health Administration	2,207	10	0.40%			
	<u>57,879</u>		<u>9.91%</u>			

Source: Business Development Board of Palm Beach County

Note: The Town is not a significant area for employment but rather a residential community. Therefore, Palm Beach County statistics were used.

(1) - Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town was incorporated in November 2006.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Full-Time Equivalent Town Government Employees By Function
Last Ten Fiscal Years (1)

Function	2007	2008	2009	2010	2011
Legislative	(2)	(2)	(2)	(2)	(2)
Clerk	(2)	(2)	(2)	(2)	(2)
General government	(2)	(2)	(2)	(2)	(2)
Community Development	(2)	(2)	(2)	(2)	(2)
Public Works	(2)	(2)	(2)	(2)	(2)
Parks	(2)	(2)	(2)	(2)	(2)
Public Safety: Police	(3)	(3)	(3)	(3)	(3)

(1) - Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town was incorporated in November 2006.

(2) - Town Manager and Town Clerk as well as other managerial services are provided by a private management company.

(3) - Police services contracted through Palm Beach County .

Source: Town of Loxahatchee Groves Finance Department

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Operating Indicators By Function
Last Ten Fiscal Years (1)

Function/Program	2007	2008	2009	2010	2011
Public Safety					
Police:					
Number of emergency calls for service	(2)	(2)	(2)	(2)	(2)
Number of non-emergency calls for service	(2)	(2)	(2)	(2)	(2)
Number of arrests	(2)	(2)	(2)	(2)	(2)
Number of uniformed officers	(2)	(2)	(2)	(2)	(2)
Building and Zoning:					
Number of building permits issued	(2)	(2)	(2)	(2)	(2)
Number of certificates of use issued	(2)	(2)	(2)	(2)	(2)
Number of occupational licenses issued	(2)	(2)	(2)	(2)	(2)
Culture and Recreation					
Number of parks	(3)	(3)	(3)	(3)	(3)

(1) - Information for fiscal years prior to September 30, 2007 are unavailable in this format since the Town was incorporated in November 2006.

(2) - The County provided these services for 2007. In 2008, the Town contracted with the County for these services.

(3)- The County did not transfer any parks during 2007.

Source: Town Clerk.



NOWLEN, HOLT & MINER, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

WEST PALM BEACH OFFICE
NORTHBRIDGE CENTRE
515 N. FLAGLER DRIVE, SUITE 1700
POST OFFICE BOX 347
WEST PALM BEACH, FLORIDA 33402-0347
TELEPHONE (561) 659-3060
FAX (561) 835-0628
WWW.NHMCOPA.COM

EVERETT B. NOWLEN (1930-1984), CPA
EDWARD T. HOLT, CPA
WILLIAM B. MINER, CPA
ROBERT W. HENDRIX, JR., CPA
JANET R. BARICEVICH, CPA
TERRY L. MORTON, JR., CPA
N. RONALD BENNETT, CPA
ALEXIA G. VARGA, CPA
EDWARD T. HOLT, JR., CPA
BRIAN J. BRESCIA, CFP®, CPA

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

KATHLEEN A. MINER, CPA
J. MICHAEL STEVENS, CPA
KARA D. PETERSON, CPA

BELLE GLADE OFFICE
333 S.E. 2nd STREET
POST OFFICE BOX 338
BELLE GLADE, FLORIDA 33430-0338
TELEPHONE (561) 996-5612
FAX (561) 996-6248

The Honorable Mayor and Members of the Town Council
Town of Loxahatchee Groves, Florida

We have audited the financial statements of the governmental activities, the business-type activities and each major fund of the Town of Loxahatchee Groves, Florida as of and for the year ended September 30, 2011, which collectively comprise the Town's basic financial statements and have issued our report thereon dated May 23, 2012. We conducted our audit in accordance with U.S. generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Town's, internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Town's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain matters that we have reported to the management of the Town of Loxahatchee Groves in a separate letter dated May 23, 2012.

This report is intended solely for the information and use of the Town Council and management and is not intended to be and should not be used by anyone other than those specified parties.

Nawlen, Holt & Miner P.A.

West Palm Beach, Florida
May 23, 2012



NOWLEN, HOLT & MINER, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

WEST PALM BEACH OFFICE
NORTHBRIDGE CENTRE
515 N. FLAGLER DRIVE, SUITE 1700
POST OFFICE BOX 347
WEST PALM BEACH, FLORIDA 33402-0347
TELEPHONE (561) 659-3060
FAX (561) 835-0628
WWW.NHMCPA.COM

EVERETT B. NOWLEN (1930-1984), CPA
EDWARD T. HOLT, CPA
WILLIAM B. MINER, CPA
ROBERT W. HENDRIX, JR., CPA
JANET R. BARICEVICH, CPA
TERRY L. MORTON, JR., CPA
N. RONALD BENNETT, CPA
ALEXIA G. VARGA, CPA
EDWARD T. HOLT, JR., CPA
BRIAN J. BRESCIA, CFP®, CPA

KATHLEEN A. MINER, CPA
J. MICHAEL STEVENS, CPA
KARAD. PETERSON, CPA

MANAGEMENT LETTER

BELLE GLADE OFFICE
333 S.E. 2nd STREET
POST OFFICE BOX 338
BELLE GLADE, FLORIDA 33430-0338
TELEPHONE (561) 996-5612
FAX (561) 996-6248

The Honorable Mayor and Members of the Town Council
Town of Loxahatchee Groves

We have audited the financial statements of the Town of Loxahatchee Groves, Florida as of and for the year ended September 30, 2011, and have issued our report thereon dated May 23, 2012.

We conducted our audit in accordance with U.S. generally accepted auditing standards, and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. We have issued our Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*. Disclosures in that report, which is dated May 23, 2012, should be considered conjunction with this management letter.

Additionally, our audit was conducted in accordance with the provisions of Chapter 10.550, Rules of the Auditor General, which governs the conduct of local governmental entity audits performed in the State of Florida. This letter includes the following information, which is not included in the aforementioned auditor's reports.

PRIOR YEAR COMMENTS

The Rules of the Auditor General, require that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. Corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report.

CURRENT YEAR COMMENTS

The Rules of the Auditor General require that we address in the management letter any recommendations to improve financial management. In connection with our audit for the fiscal year ended September 30, 2011, we have the following recommendations:

2011-1 Recording and Recordkeeping

In performing our audit we noted the following:

- Two months credit card bills were paid late resulting in interest charges being assessed.
- An invoice was paid twice for legal advertising, and the credit was not applied to the same expense accounts as the double posting.
- A voided check did not have the signatures lines defaced.
- Minutes were not properly maintained for all the Council meetings.
- A capital asset was purchased which was not budgeted or expended in a capital outlay account. In addition, Land donated by Palm Beach County was not identified for recording in the Entity Wide Financial Statements.
- The Public Depositor Annual Report to the Chief Financial Officer report which lists the Town's bank accounts in qualified public depositories as of September 30 was not timely filed.
- The ad valorem proceeds in the Budget Summary Advertisement were computed by using less than 95 percent of the gross taxable value, as required by s. 200.065(2)(a)1., F.S. for September 30, 2012 budget.

We recommend that the Town improve procedures over recording and recordkeeping to prevent such errors from happening in the future.

Management's Response: We concur with the findings. These items occurred with the previous Management entity. We have taken steps to rectify the matters and have financial procedures under continued review for improvement.

Investment of Public Funds

Rules of the Auditor General, require our audit to include a review of the Town's compliance with Section 218.415, Florida Statutes, regarding the investment of public funds. In connection with our audit for the fiscal year ended September 30, 2011, the results of our procedures did not disclose any instances of noncompliance with Section 218.415, Florida Statutes.

Violations of Contracts and Grant Provisions or Abuse

Rules of the Auditor General, require that we address violations of provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but more than inconsequential. In connection with our audit for the fiscal year ended September 30, 2011, we did not have any such findings.

Matters Inconsequential to the Financial Statements

Rules of the Auditor General, require based on professional judgment, the reporting of the following matters that have an inconsequential to the financial statements, considering both quantitative and qualitative factors: (1) violations provisions of contracts or grant agreements, fraud, illegal acts, or abuse; and (2) deficiencies in internal control that are not significant deficiencies. In connection with our audit for the fiscal year ended September 30, 2011, we did not have any such findings.

Oversight Unit and Component Units

The Town of Loxahatchee Groves, Florida is a municipal corporation organized pursuant to Chapter 2006-328, Laws of Florida. Based upon the application of criteria defined in publications cited in Chapter 10.553, Rules of the Auditor General, the Town has determined that there are no component units related to the Town.

Consideration of Financial Emergency Criteria

As required by the Rules of the Auditor General, our audit included a review of whether or not the Town has met one or more of the conditions described in Section 218.503(1), Florida Statutes. The results of our procedures did not disclose that the Town of Loxahatchee Groves has met any of the conditions described in Section 218.503(1) during the year ended September 30, 2011.

Financial Condition Assessment Procedures

As required by Rules of the Auditor General we applied financial condition assessment procedures as of the fiscal year ended September 30, 2011 for the Town of Loxahatchee Groves. It is management's responsibility to monitor the Town's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by management. The results of our procedures did not disclose any matters that are required to be reported.

Annual Financial Report

In connection with our audit, we reviewed the Annual Financial Report of Units of Local Government filed by the Town of Loxahatchee Groves with the Florida Department of Financial Services pursuant to Section 218.32(1)(a), Florida Statutes, for the year ended September 30, 2011. We noted that the amounts reported in the Annual Financial Report were in substantial agreement with the annual financial audit report for the year ended September 30, 2011.

The Town of Loxahatchee Groves, Florida's response the finding identified in our audit is listed above. We did not audit the Town of Loxahatchee Groves, Florida's response and, accordingly, we express no opinion on it.

We appreciate the courtesy and cooperation shown us by your officials and employees. If you have any questions or wish to discuss these comments further, we would be pleased to meet with you at your convenience.

Pursuant to Chapter 119, Florida Statutes, this management letter is a public record and its distribution is not limited. Auditing standards generally accepted in the United States of America require us to indicate that this letter is intended solely for the information and use of the Town Council, management, and the Florida Auditor General, and is not intended to be and should not be used by anyone other than these specified parties.

Nawler, Holt & Miner, P.A.

West Palm Beach, Florida
May 23, 2012



Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, June 26, 2012 at 7:00 p.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

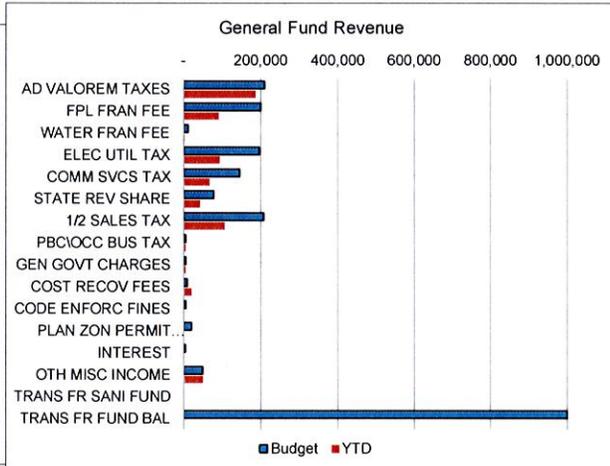
4. COMMITTEE REPORTS

**FAAC Report & Approval of the April & May 2012 Financial Report – Vice
Chair Elise Ryan**



Town of Loxahatchee Groves
Financial Activity Report as of April 30, 2012
 (58% of year elapsed)

General Fund Revenue Budget



General Fund Revenues

Revenues	Budget	Year-to-Date	%
AD VALOREM TAXES @ 1.2000	210,000	186,569	88.8%
FPL FRANCHISE FEE	200,000	91,495	45.7%
PBC WATER UTILITY FRANCHISE FEE	12,000	2,289	19.1%
ELECTRIC UTILITY TAX	196,000	94,472	48.2%
COMMUNICATION SERVICES TAX	145,392	68,048	46.8%
STATE REVENUE SHARING	78,236	41,989	53.7%
HALF CENT SALES TAX	207,222	105,862	51.1%
COUNTY OCCUPATIONAL LICENSES	5,000	5,029	100.6%
GENERAL GOVERNMENT CHARGES	5,000	4,776	95.5%
COST RECOVERY FEES	10,000	20,794	207.9%
CODE ENFORCEMENT FINES	5,000	306	6.1%
PLANNING & ZONING PERMIT FEES	20,000	98	0.5%
INTEREST	4,000	287	7.2%
OTHER MISC INCOME	49,913	50,610	101%
TRANSFER FROM SANITATION FUND	-	-	-
TRANSFER FROM FUND BALANCE	1,000,000	-	0.0%
Total Revenues	2,147,763	672,625	31.3%

General Fund Expenditures

Expenditures	Budget	Year-to-Date	%
LEGISLATIVE	11,700	7,895	67.5%
EXECUTIVE	268,125	152,858	57.0%
FINANCIAL AND ADMINISTRATIVE	39,000	19,834	50.9%
LEGAL COUNSEL	50,000	25,485	51.0%
COMPREHENSIVE PLANNING & ZONING	45,000	22,044	49.0%
OTHER GENERAL GOVERNMENT	1,455,153	70,758	4.9%
LAW ENFORCEMENT	278,785	160,417	57.5%
PUBLIC WORKS	-	738	-
Total Expenditures	2,147,763	460,028	21.4%
Excess(deficiency)	-	212,597	-

YTD-Total Funds Expen. Budget

Expenditures	Budget	Year-to-Date	%
Total Townwide Budget	4,028,674	895,218	22.2%

Selected Other Funds

Transportation Fund	Budget	Year-to-Date	%
FIRST LOCAL OPTION FUEL TAX (6 CENT)	244,969	122,937	50.2%
SECOND LOCAL OPTION FUEL (5 CENT)	113,480	58,412	51.5%
CONTRIBUTION FROM GENERAL FUND	48,913	-	0.0%
Total Revenues	407,362	181,349	44.5%

ROAD AND STREETS (5 CENT)	112,554	112,781	100.2%
NON-DISTRICT ROADS (6 CENT) MAINT.	94,969	34,638	36.5%
DISTRICT ROADS (6 CENT) MAINT.	150,000	180	0.1%
SPECIAL PROJECTS	-	-	-
22nd ROAD DITCH (6)	-	-	-
148th TERR BRIDGE(5)/CULVERT	49,839	51,539	103.4%
Total Expenses	407,362	199,138	48.9%
Excess(deficiency)	0	(17,789)	-

Solid Waste Fund	Budget	Year-to-Date	%
SOLID WASTE ASSESSMENTS (1,260 units)	469,640	414,824	88.3%
DISCOUNT FEES	(18,785)	(14,918)	79.4%
SWA RECYCLING INCOME	7,000	4,191	59.9%
HAULERS LICENSING FEE	2,000	1,000	50.0%
CONTRIBUTION FROM GENERAL FUND	13,694	-	-
Total Revenues	473,549	405,097	85.5%

CONTRACTUAL-WASTE OVERSIGHT	12,000	5,175	43.1%
PBC ADMINISTRATION FEE 1%	4,710	3,973	84.4%
SOLID WASTE CONTRACTOR	452,300	225,817	49.9%
OTHER SANITATION SERVICES	2,500	775	31.0%
FREIGHT & POSTAGE	539	34	6.3%
LEGAL ADVERTISING	1,500	279	-
MANAGEMENT FEES	-	-	-
Total Expenses	473,549	236,053	49.8%
Excess(deficiency)	-	169,045	-

Capital Improvement Program (CIP) Fund

Capital Improvement Program (CIP) Fund	Budget	Year-to-Date	%
CONTRIBUTION FROM GENERAL FUND	1,000,000	-	-
Total Revenues	1,000,000	-	-
LINEAR PARK/GRANT MATCH	100,000	-	-
ROAD AND DRAINAGE IMPROVEMENTS	150,000	-	-
OGEM PAVING/COST SHARING	150,000	-	-
TRAFFIC LIGHT OKEECHOBEE BLVD	100,000	-	-
ROAD AND DRAINAGE IMPROVEMENTS	200,000	-	-
OGEM PAVING/COST SHARING	300,000	-	-
TRAFFIC LIGHT OKEECHOBEE BLVD	1,000,000	-	-
Total Expenses	1,000,000	-	-
Excess(deficiency)	-	-	-

Contract Services Expenditures

Contract Services Expenditures	Budget	Year-to-Date	%
Waste Pro	452,300	224,766.40	49.7%
Palm Beach County Sheriff	274,785	137,518.50	50.0%
Underwood Management Services Group	250,650	125,281.20	50.0%
Goren, Cherof, Doody, Ezrol	50,000	37,988.15	33.3%
Tew & Associates	45,000	20,767.50	46.2%
Land Research Management	-	19,099.68	-
Calvin Giodomo	-	4,861.75	-
Frank Schiola	12,000	8,047.21	67.1%
YEE's Corporation	12,000	4,603.74	38.4%
Loxahatchee Water Control District	-	3694.24	-
Total Expenses	-	586,628.37	-



BUDGET VS ACTUAL
AS OF APRIL 30, 2012
 58% Elapsed
 General Fund
 Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-311-100-000	Ad Valorem Taxes	8,882.94	186,568.91	-	210,000.00	(23,431.09)	88.8%
	Ad Valorem Taxes Total	8,882.94	186,568.91		210,000.00	(23,431.09)	
001-314-100-000	Electric Utility Tax	14,952.97	94,472.45	-	196,000.00	(101,527.55)	48.2%
	Utility Services Taxes Total	14,952.97	94,472.45		196,000.00	(101,527.55)	
001-315-100-000	Communications Services	10,609.54	68,048.16	-	145,392.00	(77,343.84)	46.8%
	Communications Services Taxes Total	10,609.54	68,048.16		145,392.00	(77,343.84)	
001-316-200-000	County Occupational License	95.72	5,028.52	-	5,000.00	28.52	100.6%
	Local Business Tax totals	95.72	5,028.52		5,000.00	28.52	
001-323-100-000	FPL Franchise Fee	12,253.87	91,495.11	-	200,000.00	(108,504.89)	45.8%
001-323-300-000	PBC Water Utility Franchise	500.95	2,289.02	-	12,000.00	(9,710.98)	19.1%
	Franchise Fee Totals	12,754.82	93,784.13		212,000.00	(118,215.87)	44.2%
001-329-100-000	Planning & Zoning Permit	-	98.45	-	20,000.00	(19,901.55)	0.5%
	Other Permits and Fees Total	-	98.45		20,000.00	(19,901.55)	
001-335-120-000	State Revenue Sharing	5,998.47	41,989.29	-	78,236.00	(36,246.71)	53.7%
001-335-180-000	Half Cent Sales Tax	17,747.93	105,862.11	-	207,222.00	(101,359.89)	51.1%
	State Revenue Sharing Total	23,746.40	147,851.40		285,458.00	(137,606.60)	51.8%
001-341-000-000	General Government Charges	320.30	4,775.62	-	5,000.00	(224.38)	95.5%
	General Government Fees Total	320.30	4,775.62		5,000.00	(224.38)	
001-343-349-000	Cost Recovery Fees	10,738.18	20,793.68	-	10,000.00	10,793.68	207.9%
	Cost Recovery Fees Totals	10,738.18	20,793.68		10,000.00	10,793.68	
001-354-100-000	Code Enforcement Fines	300.00	306.00	-	5,000.00	(4,694.00)	6.1%
	Code Enforcement Fines Totals	300.00	306.00		5,000.00	(4,694.00)	
001-361-100-000	Interest	195.94	287.05	-	4,000.00	(3,712.95)	7.2%
	Interest and Other Earnings Total	195.94	287.05		4,000.00	(3,712.95)	
001-369-000-000	Other Misc Income	-	50,610.17	-	49,913.00	697.17	101.4%
	Other Misc Revenue Total	-	50,610.17		49,913.00	697.17	
001-399-000-000	Transfer from Fund Balance	-	-	-	1,000,000.00	(1,000,000.00)	0.0%
	Other Non-operating Sources Total	-	-		1,000,000.00	(1,000,000.00)	
	Grand Total Revenue	82,596.81	672,624.54		2,147,763.00		31.3%



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2012
 58% Elapsed
 General Fund
 Expenditures

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-511-400-000	Travel	-	-	-	3,000.00	3,000.00	0.0%
001-511-492-000	Other Operating Expenses	2,490.96	2,490.96	-	1,000.00	(1,490.96)	249.1%
001-511-500-000	Education & Training	-	300.00	-	1,000.00	700.00	30.0%
001-511-510-000	Office Supplies	-	72.00	-	-	(72.00)	-
001-511-540-000	Books, Publications & Subscriptions	-	920.00	-	4,200.00	3,280.00	21.9%
001-511-820-000	Special Events/Contributions	-	4,111.70	-	2,500.00	(1,611.70)	164.5%
	Legislative Total	2,490.96	7,894.66		11,700.00	3,805.34	67.5%
001-512-340-000	Other Services	20,855.20	146,136.40	-	250,625.00	104,488.60	58.3%
001-512-400-000	Travel	121.75	344.29	-	500.00	155.71	68.9%
001-512-410-000	Communication Services	-	1,992.25	-	6,000.00	4,007.75	33.2%
001-512-420-000	Postage & Freight	264.23	401.02	-	2,000.00	1,598.98	20.1%
001-512-492-000	Other Operating Expenses	107.07	645.70	-	4,000.00	3,354.30	16.1%
001-512-510-000	Office Supplies	934.10	3,113.42	-	2,500.00	(613.42)	124.5%
001-512-521-000	Loxahatchee Groves CERT	-	-	-	2,000.00	2,000.00	0.0%
001-512-540-000	Books, Publications & Subscriptions	225.00	225.00	-	500.00	275.00	45.0%
	Executive Total	22,507.35	152,858.08		268,125.00	115,266.92	57.0%
001-513-320-000	Accounting and Auditing	9,200.00	9,200.00	-	18,000.00	8,800.00	51.1%
001-513-470-000	Printing and Binding	114.06	3,494.13	-	5,000.00	1,505.87	69.9%
001-513-490-000	Legal Advertising	357.42	(62.58)	-	7,000.00	7,062.58	-0.9%
001-513-493-000	Election Expense	3,432.26	7,202.16	-	9,000.00	1,797.84	80.0%
	Financial & Administrative Total	13,103.74	19,833.71		39,000.00	19,166.29	50.9%
001-514-310-000	Professional Services	4,819.80	25,464.79	-	50,000.00	24,535.21	50.9%
	Legal Total	4,819.80	25,464.79		50,000.00	24,535.21	32.6%



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2012
 58% Elapsed
 General Fund
 Expenditures

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-515-310-000	Professional Services	-	-	-	20,000.00	20,000.00	0.0%
001-515-343-000	Planning & Zoning Contract	(217.50)	1,250.00	-	10,000.00	8,750.00	12.5%
001-515-347-000	Comprehensive Plan	-	-	-	5,000.00	5,000.00	0.0%
001-515-349-000	Cost Recovery Expenditure	10,738.18	20,793.68	-	10,000.00	(10,793.68)	207.9%
	Comprehensive Planning & Zoning Total	10,520.68	22,043.68		45,000.00	22,956.32	49.0%
001-519-315-000	Special Magistrate	3,597.35	11,594.05	-	3,000.00	(8,594.05)	386.5%
001-519-354-000	Code Compliance	3,562.50	12,944.82	-	45,000.00	32,055.18	28.8%
001-519-410-000	Communications Services	461.77	461.77	-	500.00	38.23	92.4%
001-519-440-000	Rentals and Leases	365.21	7,367.12	1,500.00	14,000.00	5,132.88	63.3%
001-519-450-000	Insurance	10,834.00	10,834.00	-	9,500.00	(1,334.00)	114.0%
001-519-460-000	Repair & Maint - Building	443.02	4,403.50	-	250.00	(4,153.50)	761.4%
001-519-470-000	Printing and Binding	-	-	-	4,000.00	4,000.00	0.0%
001-519-490-000	Computer Repair	2,403.46	16,984.87	4,200.00	2,000.00	(19,184.87)	59.2%
001-519-494-000	Inspector General Office	-	468.00	-	2,172.00	1,704.00	21.6%
001-519-900-000	Transfer to Transportation Fund	-	-	-	48,913.00	48,913.00	0.0%
001-519-910-000	Transfer to Sanitation Fund	-	-	-	13,694.00	13,694.00	0.0%
001-519-920-000	Transfer to Capital Projects	-	-	-	1,000,000.00	1,000,000.00	0.0%
001-519-990-000	Contingency	-	-	-	312,124.00	312,124.00	0.0%
	Other Governmental Services Total	21,667.31	65,058.13		1,455,153.00	1,384,394.87	4.5%
001-521-341-000	Professional Services-PBSO	22,898.75	160,291.25	-	274,785.00	114,493.75	58.3%
001-521-342-000	Contractual-ADDL PBSO	-	126.00	-	4,000.00	3,874.00	3.2%
	Law Enforcement Total	22,898.75	160,417.25		278,785.00	118,367.75	57.5%
001-539-340-000	Other Services	-	275.00	-	-	(275.00)	-
001-541-310-000	Professional Services	-	462.50	-	-	(462.50)	-
	Public Works Total	-	737.50		-	(737.50)	0.0%
	Grand Total Expenditure	98,008.59	454,307.80	5,700.00	2,147,763.00	1,687,755.20	21.4%
	Net Revenue	(15,411.78)	218,316.74		-		



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2012
 58% Elapsed
 Transportation Fund
 Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
101-312-410-000	1st Local Option Fuel Tax	20,992.52	122,936.89	-	244,969.00	(122,032.11)	50.2%
101-312-420-000	2nd Local Option Fuel Tax	9,826.38	58,411.92	-	113,480.00	(55,068.08)	51.5%
101-363-990-000	Contribution from General Fund	-	-	-	48,913.00	(48,913.00)	0.0%
	Total Revenue	30,818.90	181,348.81		407,362.00		44.5%

**Transportation Fund
Expenditures**

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
101-541-468-000	Non-District Roads (6 ct) Maint.	276.26	34,638.18	-	94,969.00	60,330.82	36.5%
101-541-469-000	District Roads (6 ct) Maint.	-	180.29	-	150,000.00	149,819.71	0.1%
101-541-631-000	Road and Streets (5 cent)	112,780.65	112,780.65	-	112,554.00	(226.65)	100.2%
101-541-634-000	148th Terr Bridge (5)/Culvert	-	51,538.69	-	49,839.00	(1,699.69)	103.4%
	Total Expenditure	113,056.91	199,137.81		407,362.00		48.9%
	Net Revenue	(82,238.01)	(17,789.00)		-		



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2012
 58% Elapsed
 Capital Improvement Program
 Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
305-363-990-000	Contributions from General Fund	-	-	-	1,000,000.00	(1,000,000.00)	0.0%
	Total Revenue	-	-	-	1,000,000.00	(1,000,000.00)	0.0%

Capital Improvement Program
Expenditures

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
305-541-341-000	Linear Park/Grant Match	-	-	-	100,000.00	100,000.00	0.0%
305-541-346-000	OGEM Paving/Cost Sharing	-	-	-	450,000.00	450,000.00	0.0%
305-541-434-000	Road & Drainage Improvement	-	-	-	350,000.00	350,000.00	0.0%
305-541-436-000	Traffic Light Okeechobee	-	-	-	100,000.00	100,000.00	0.0%
	Total Expenditure	-	-	-	1,000,000.00	1,000,000.00	0.0%

Net Revenue

- - -



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2012
 58% Elapsed
 Solid Waste Fund
 Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
405-323-125-000	Haulers Licensing Fee	-	1,000.00	-	2,000.00	(1,000.00)	50.0%
405-325-205-000	Solid Waste Assessments	18,587.31	414,823.94	-	469,640.00	(54,816.06)	88.3%
405-325-206-000	Discount Fees	(18.60)	(14,917.91)	-	(18,785.00)	3,867.09	79.4%
405-343-120-000	SWA Recycling Income	-	4,191.35	-	7,000.00	(2,808.65)	59.9%
405-363-990-000	Contributions from General Fund	-	-	-	13,694.00	(13,694.00)	0.0%
	Total Revenue	18,568.71	405,097.38	-	473,549.00	(68,451.62)	85.5%

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
405-534-345-000	Contractual - Waste Over	925.00	5,175.00	-	12,000.00	6,825.00	43.1%
405-534-346-000	PBC Administration Fee 1	185.69	3,972.98	-	4,710.00	737.02	84.4%
405-534-420-000	Postage & Freight	-	34.00	-	539.00	505.00	6.3%
405-534-434-000	Solid Waste Contractor	37,636.20	225,817.22	-	452,300.00	226,482.78	49.9%
405-534-436-000	Other Sanitation Service	450.00	775.00	-	2,500.00	1,725.00	31.0%
405-534-490-000	Legal Advertising	278.64	278.64	-	1,500.00	1,221.36	18.6%
	Total Expenditure	39,475.53	236,052.84	-	473,549.00	237,496.16	49.8%

Net Revenue (20,906.82) 169,044.54 -

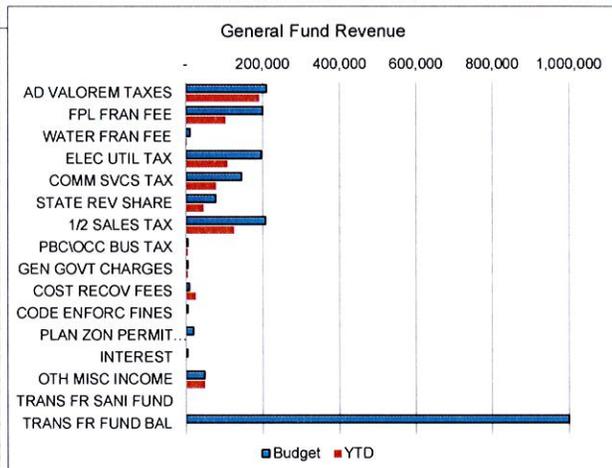


Town of Loxahatchee Groves

Financial Activity Report as of May 31, 2012

(67% of year elapsed)

General Fund Revenue Budget



General Fund Revenues

Revenues	Budget	Year-to-Date	%
AD VALOREM TAXES @ 1.2000	210,000	192,607	91.7%
FPL FRANCHISE FEE	200,000	104,641	52.3%
PBC WATER UTILITY FRANCHISE FEE	12,000	3,141	26.2%
ELECTRIC UTILITY TAX	196,000	109,775	56.0%
COMMUNICATION SERVICES TAX	145,392	79,964	55.0%
STATE REVENUE SHARING	78,236	47,988	61.3%
HALF CENT SALES TAX	207,222	126,156	60.9%
COUNTY OCCUPATIONAL LICENSES	5,000	5,098	102.0%
GENERAL GOVERNMENT CHARGES	5,000	5,110	102.2%
COST RECOVERY FEES	10,000	27,146	271.5%
CODE ENFORCEMENT FINES	5,000	306	6.1%
PLANNING & ZONING PERMIT FEES	20,000	98	0.5%
INTEREST	4,000	300	7.5%
OTHER MISC INCOME	49,913	50,610	101%
TRANSFER FROM SANITATION FUND	-	-	-
TRANSFER FROM FUND BALANCE	1,000,000	-	0.0%
Total Revenues	2,147,763	752,940	35.1%

General Fund Expenditures

Expenditures	Budget	Year-to-Date	%
LEGISLATIVE	11,700	7,991	68.3%
EXECUTIVE	268,125	180,960	67.5%
FINANCIAL AND ADMINISTRATIVE	39,000	20,287	52.0%
LEGAL COUNSEL	50,000	30,621	61.2%
COMPREHENSIVE PLANNING & ZONING	45,000	29,396	65.3%
OTHER GENERAL GOVERNMENT	1,455,153	120,437	8.3%
LAW ENFORCEMENT	278,785	183,316	65.8%
PUBLIC WORKS	-	738	-
Total Expenditures	2,147,763	573,745	26.7%
Excess(deficiency)	-	179,195	-

YTD-Total Funds Expen. Budget

Expenditures	Budget	Year-to-Date	%
Total Townwide Budget	4,028,674	1,047,769	26.0%

Selected Other Funds

Transportation Fund	Budget	Year-to-Date	%
FIRST LOCAL OPTION FUEL TAX (6 CENT)	244,969	146,801	59.9%
SECOND LOCAL OPTION FUEL (5 CENT)	113,480	69,225	61.0%
CONTRIBUTION FROM GENERAL FUND	48,913	48,913	100.0%
Total Revenues	407,362	264,939	65.0%
ROAD AND STREETS (5 CENT)	112,554	112,781	100.2%
NON-DISTRICT ROADS (6 CENT) MAINT.	94,969	34,638	36.5%
DISTRICT ROADS (6 CENT) MAINT.	150,000	180	0.1%
SPECIAL PROJECTS	-	-	-
22nd ROAD DITCH (6)	-	-	-
148th TERR BRIDGE(5)/CULVERT	49,839	51,539	103.4%
Total Expenses	407,362	199,138	48.9%
Excess(deficiency)	0	65,802	-

Solid Waste Fund	Budget	Year-to-Date	%
SOLID WASTE ASSESSMENTS (1,260 units)	469,640	429,598	91.5%
DISCOUNT FEES	(18,785)	(14,937)	79.5%
SWA RECYCLING INCOME	7,000	5,856	83.7%
HAULERS LICENSING FEE	2,000	1,000	50.0%
CONTRIBUTION FROM GENERAL FUND	13,694	-	-
Total Revenues	473,549	421,518	89.0%
CONTRACTUAL-WASTE OVERSIGHT	12,000	6,075	50.6%
PBC ADMINISTRATION FEE 1%	4,710	3,973	84.4%
SOLID WASTE CONTRACTOR	452,300	263,453	58.2%
OTHER SANITATION SERVICES	2,500	1,073	42.9%
FREIGHT & POSTAGE	539	34	6.3%
LEGAL ADVERTISING	1,500	279	-
MANAGEMENT FEES	-	-	-
Total Expenses	473,549	274,887	58.0%
Excess(deficiency)	-	146,631	-

Capital Improvement Program (CIP) Fund	Budget	Year-to-Date	%
CONTRIBUTION FROM GENERAL FUND	1,000,000	-	-
Total Revenues	1,000,000	-	-
LINEAR PARK/GRANT MATCH	100,000	-	-
ROAD AND DRAINAGE IMPROVEMENTS	150,000	-	-
OGEM PAVING/COST SHARING	150,000	-	-
TRAFFIC LIGHT OKEECHOBEE BLVD	100,000	-	-
ROAD AND DRAINAGE IMPROVEMENTS	200,000	-	-
OGEM PAVING/COST SHARING	300,000	-	-
TRAFFIC LIGHT OKEECHOBEE BLVD	-	-	-
Total Expenses	1,000,000	-	-
Excess(deficiency)	-	-	-

Contract Services Expenditures

Expenditures	Budget	Year-to-Date	%
Waste Pro	452,300	262,402.60	58.0%
Palm Beach County Sheriff	274,785	160,417.25	58.4%
Underwood Management Services Group	281,900	152,416.40	54.1%
Goren, Cherof, Doody, Ezrol	50,000	44,846.26	33.3%
Tew & Associates	45,000	24,570.00	54.6%
Land Research Management	-	23,349.68	-
Calvin Giodomo	-	4,861.75	-
Frank Schiola	12,000	9,022.21	75.2%
YEE's Corporation	12,000	5,548.82	46.2%
Loxahatchee Water Control District	-	3,694.24	-
Total Expenses	-	691,129.21	-



BUDGET VS ACTUAL
AS OF May 31, 2012
 67% Elapsed
 General Fund
 Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-311-100-000	Ad Valorem Taxes	6,038.52	192,607.43	-	210,000.00	(17,392.57)	91.7%
	Ad Valorem Taxes Total	6,038.52	192,607.43		210,000.00	(17,392.57)	
001-314-100-000	Electric Utility Tax	15,302.51	109,774.96	-	196,000.00	(86,225.04)	56.0%
	Utility Services Taxes Total	15,302.51	109,774.96		196,000.00	(86,225.04)	
001-315-100-000	Communications Services	11,916.14	79,964.30	-	145,392.00	(65,427.70)	55.0%
	Communications Services Taxes Total	11,916.14	79,964.30		145,392.00	(65,427.70)	
001-316-200-000	County Occupational License	69.36	5,097.88	-	5,000.00	97.88	102.0%
	Local Business Tax totals	69.36	5,097.88		5,000.00	97.88	
001-323-100-000	FPL Franchise Fee	13,145.80	104,640.91	-	200,000.00	(95,359.09)	52.3%
001-323-300-000	PBC Water Utility Franchise	851.68	3,140.70	-	12,000.00	(8,859.30)	26.2%
	Franchise Fee Totals	13,997.48	107,781.61		212,000.00	(104,218.39)	50.8%
001-329-100-000	Planning & Zoning Permit	-	98.45	-	20,000.00	(19,901.55)	0.5%
	Other Permits and Fees Total	-	98.45		20,000.00	(19,901.55)	
001-335-120-000	State Revenue Sharing	5,998.47	47,987.76	-	78,236.00	(30,248.24)	61.3%
001-335-180-000	Half Cent Sales Tax	20,293.86	126,155.97	-	207,222.00	(81,066.03)	60.9%
	State Revenue Sharing Total	26,292.33	174,143.73		285,458.00	(111,314.27)	61.0%
001-341-000-000	General Government Charges	334.06	5,109.68	-	5,000.00	109.68	102.2%
	General Government Fees Total	334.06	5,109.68		5,000.00	109.68	
001-343-349-000	Cost Recovery Fees	6,352.00	27,145.68	-	10,000.00	17,145.68	271.5%
	Cost Recovery Fees Totals	6,352.00	27,145.68		10,000.00	17,145.68	
001-354-100-000	Code Enforcement Fines	-	306.00	-	5,000.00	(4,694.00)	6.1%
	Code Enforcement Fines Totals	-	306.00		5,000.00	(4,694.00)	
001-361-100-000	Interest	13.01	300.06	-	4,000.00	(3,699.94)	7.5%
	Interest and Other Earnings Total	13.01	300.06		4,000.00	(3,699.94)	
001-369-000-000	Other Misc Income	-	50,610.17	-	49,913.00	697.17	101.4%
	Other Misc Revenue Total	-	50,610.17		49,913.00	697.17	
001-399-000-000	Transfer from Fund Balance	-	-	-	1,000,000.00	(1,000,000.00)	0.0%
	Other Non-operating Sources Total	-	-		1,000,000.00	(1,000,000.00)	
	Grand Total Revenue	80,315.41	752,939.95	-	2,147,763.00		35.1%



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF May 31, 2012
 67% Elapsed
 General Fund
 Expenditures

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-511-400-000	Travel	-	-	-	3,000.00	3,000.00	0.0%
001-511-492-000	Other Operating Expenses	96.09	2,587.05	-	1,000.00	(1,587.05)	258.7%
001-511-500-000	Education & Training	-	300.00	-	1,000.00	700.00	30.0%
001-511-510-000	Office Supplies	-	72.00	-	-	(72.00)	-
001-511-540-000	Books, Publications & Subscriptions	-	920.00	-	4,200.00	3,280.00	21.9%
001-511-820-000	Special Events/Contributions	-	4,111.70	-	2,500.00	(1,611.70)	164.5%
	Legislative Total	96.09	7,990.75	-	11,700.00	3,709.25	68.3%
001-512-340-000	Other Services	27,135.20	173,271.60	-	250,625.00	77,353.40	69.1%
001-512-400-000	Travel	95.59	439.88	-	500.00	60.12	88.0%
001-512-410-000	Communication Services	313.00	2,305.25	-	6,000.00	3,694.75	38.4%
001-512-420-000	Postage & Freight	196.00	597.02	-	2,000.00	1,402.98	29.9%
001-512-492-000	Other Operating Expenses	5.00	650.70	-	4,000.00	3,349.30	16.3%
001-512-510-000	Office Supplies	315.24	3,428.66	-	2,500.00	(928.66)	137.2%
001-512-521-000	Loxahatchee Groves CERT	-	-	-	2,000.00	2,000.00	0.0%
001-512-540-000	Books, Publications & Subscriptions	42.00	267.00	-	500.00	233.00	53.4%
	Executive Total	28,102.03	180,960.11	-	268,125.00	87,164.89	67.5%
001-513-320-000	Accounting and Auditing	-	9,200.00	-	18,000.00	8,800.00	51.1%
001-513-470-000	Printing and Binding	373.25	3,867.38	-	5,000.00	1,132.62	77.4%
001-513-490-000	Legal Advertising	-	(62.58)	-	7,000.00	7,062.58	-0.9%
001-513-493-000	Election Expense	80.00	7,282.16	-	9,000.00	1,717.84	80.9%
	Financial & Administrative Total	453.25	20,286.96	-	39,000.00	18,713.04	52.0%
001-514-310-000	Professional Services	5,156.11	30,620.90	-	50,000.00	19,379.10	61.2%
	Legal Total	5,156.11	30,620.90	-	50,000.00	19,379.10	32.6%



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF May 31, 2012
 67% Elapsed
 General Fund
 Expenditures

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-515-310-000	Professional Services	-	-	-	20,000.00	20,000.00	0.0%
001-515-343-000	Planning & Zoning Contract	1,000.00	2,250.00	-	10,000.00	7,750.00	22.5%
001-515-347-000	Comprehensive Plan	-	-	-	5,000.00	5,000.00	0.0%
001-515-349-000	Cost Recovery Expenditure	6,352.00	27,145.68	-	10,000.00	(17,145.68)	271.5%
	Comprehensive Planning & Zoning Total	7,352.00	29,395.68		45,000.00	15,604.32	65.3%
001-519-315-000	Special Magistrate	1,417.50	13,011.55	-	3,000.00	(10,011.55)	433.7%
001-519-354-000	Code Compliance	3,601.10	16,545.92	-	45,000.00	28,454.08	36.8%
001-519-410-000	Communications Services	-	461.77	-	500.00	38.23	92.4%
001-519-440-000	Rentals and Leases	1,002.03	8,369.15	1,500.00	14,000.00	4,130.85	70.5%
001-519-450-000	Insurance	-	10,834.00	-	9,500.00	(1,334.00)	114.0%
001-519-460-000	Repair & Maint - Building	400.00	4,803.50	-	250.00	(4,553.50)	921.4%
001-519-470-000	Printing and Binding	-	-	-	4,000.00	4,000.00	0.0%
001-519-490-000	Computer Repair	44.98	17,029.85	4,200.00	2,000.00	(19,229.85)	61.5%
001-519-494-000	Inspector General Office	-	468.00	-	2,172.00	1,704.00	21.6%
001-519-900-000	Transfer to Transportation Fund	48,913.00	48,913.00	-	48,913.00	-	100.0%
001-519-910-000	Transfer to Sanitation Fund	-	-	-	13,694.00	13,694.00	0.0%
001-519-920-000	Transfer to Capital Projects	-	-	-	1,000,000.00	1,000,000.00	0.0%
001-519-990-000	Contingency	-	-	-	312,124.00	312,124.00	0.0%
	Other Governmental Services Total	55,378.61	120,436.74		1,455,153.00	1,329,016.26	8.3%
001-521-341-000	Professional Services-PBSO	22,898.75	183,190.00	-	274,785.00	91,595.00	66.7%
001-521-342-000	Contractual-ADDL PBSO	-	126.00	-	4,000.00	3,874.00	3.2%
	Law Enforcement Total	22,898.75	183,316.00		278,785.00	95,469.00	65.8%
001-539-340-000	Other Services	-	275.00	-	-	(275.00)	-
001-541-310-000	Professional Services	-	462.50	-	-	(462.50)	-
	Public Works Total	-	737.50		-	(737.50)	0.0%
	Grand Total Expenditure	119,436.84	573,744.64	5,700.00	2,147,763.00	1,568,318.36	27.0%
	Net Revenue	(39,121.43)	179,195.31		-		



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF May 31, 2012
 67% Elapsed

Capital Improvement Program
 Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
305-363-990-000	Contributions from General Fund	-	-	-	1,000,000.00	(1,000,000.00)	0.0%
	Total Revenue	-	-	-	1,000,000.00	(1,000,000.00)	0.0%

Capital Improvement Program
 Expenditures

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
305-541-341-000	Linear Park/Grant Match	-	-	-	100,000.00	100,000.00	0.0%
305-541-346-000	OGEM Paving/Cost Sharing	-	-	-	450,000.00	450,000.00	0.0%
305-541-434-000	Road & Drainage Improvement	-	-	-	350,000.00	350,000.00	0.0%
305-541-436-000	Traffic Light Okeechobee	-	-	-	100,000.00	100,000.00	0.0%
	Total Expenditure	-	-	-	1,000,000.00	1,000,000.00	0.0%

Net Revenue

- - - - -



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF May 31, 2012
 67% Elapsed
 Solid Waste Fund
 Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
405-323-125-000	Haulers Licensing Fee	-	1,000.00	-	2,000.00	(1,000.00)	50.0%
405-325-205-000	Solid Waste Assessments	14,774.32	429,598.26	-	469,640.00	(40,041.74)	91.5%
405-325-206-000	Discount Fees	(18.63)	(14,936.54)	-	(18,785.00)	3,848.46	79.5%
405-343-120-000	SWA Recycling Income	1,664.68	5,856.03	-	7,000.00	(1,143.97)	83.7%
405-363-990-000	Contributions from General Fund	-	-	-	13,694.00	(13,694.00)	0.0%
	Total Revenue	16,420.37	421,517.75	-	473,549.00	(52,031.25)	89.0%

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
405-534-345-000	Contractual - Waste Over	900.00	6,075.00	-	12,000.00	5,925.00	50.6%
405-534-346-000	PBC Administration Fee 1	-	3,972.98	-	4,710.00	737.02	84.4%
405-534-420-000	Postage & Freight	-	34.00	-	539.00	505.00	6.3%
405-534-434-000	Solid Waste Contractor	37,636.20	263,453.42	-	452,300.00	188,846.58	58.3%
405-534-436-000	Other Sanitation Service	297.55	1,072.55	-	2,500.00	1,427.45	42.9%
405-534-490-000	Legal Advertising	-	278.64	-	1,500.00	1,221.36	18.6%
	Total Expenditure	38,833.75	274,886.59	-	473,549.00	198,662.41	58.0%

Net Revenue (22,413.38) 146,631.16



Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, June 26, 2012 at 7:00 p.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

5. ORDINANCES



TOWN OF LOXAHATCHEE GROVES
OFFICE OF THE TOWN MANAGER
AGENDA REPORT

TO: Mayor and Town Council
FROM: Mark A. Kutney, Town Manager, AICP, ICMA-CM
DATE: June 20, 2012
SUBJECT: Amendment 12-1

I. ATTACHMENTS

Attachments included with this Agenda item are

- Staff Report – LRM
- Legal Advertisement
- Ordinance 2012-04

TO: Mark Kutney, Town Manager

FROM: Jim Fleischmann, Town Planning Consultant

RE: Simon Trust Property Comprehensive Plan Amendment 12-1 to the Loxahatchee Groves Comprehensive Plan: Rescind Multiple Land Use (MLU) and Revert to Rural Residential 5 (RR-5), in part, and Assign Commercial Low (CL), in part.

DATE: April 3, 2012; Rev: May 9, 2012; June 18, 2012

I. BACKGROUND INFORMATION

The subject property is a 96.73 acre parcel, known as the "Simon Property", located at the northwest corner of Southern Boulevard and "B" Road (Ref: Map 1). The property was the subject of Comprehensive Plan Amendment 11-1.2 (Town Ordinance 2011-015) which changed the previous Future Land Use (FLU) designation from Rural Residential 5 (RR 5) to Multiple Land Use (MLU).

In addition to the MLU map amendment, Amendment 11-1.2 added Special Policy 1.15.1 to the text of the Future Land Use Element of the Comprehensive Plan regulating the land uses and development density and intensity on the property, as follows:

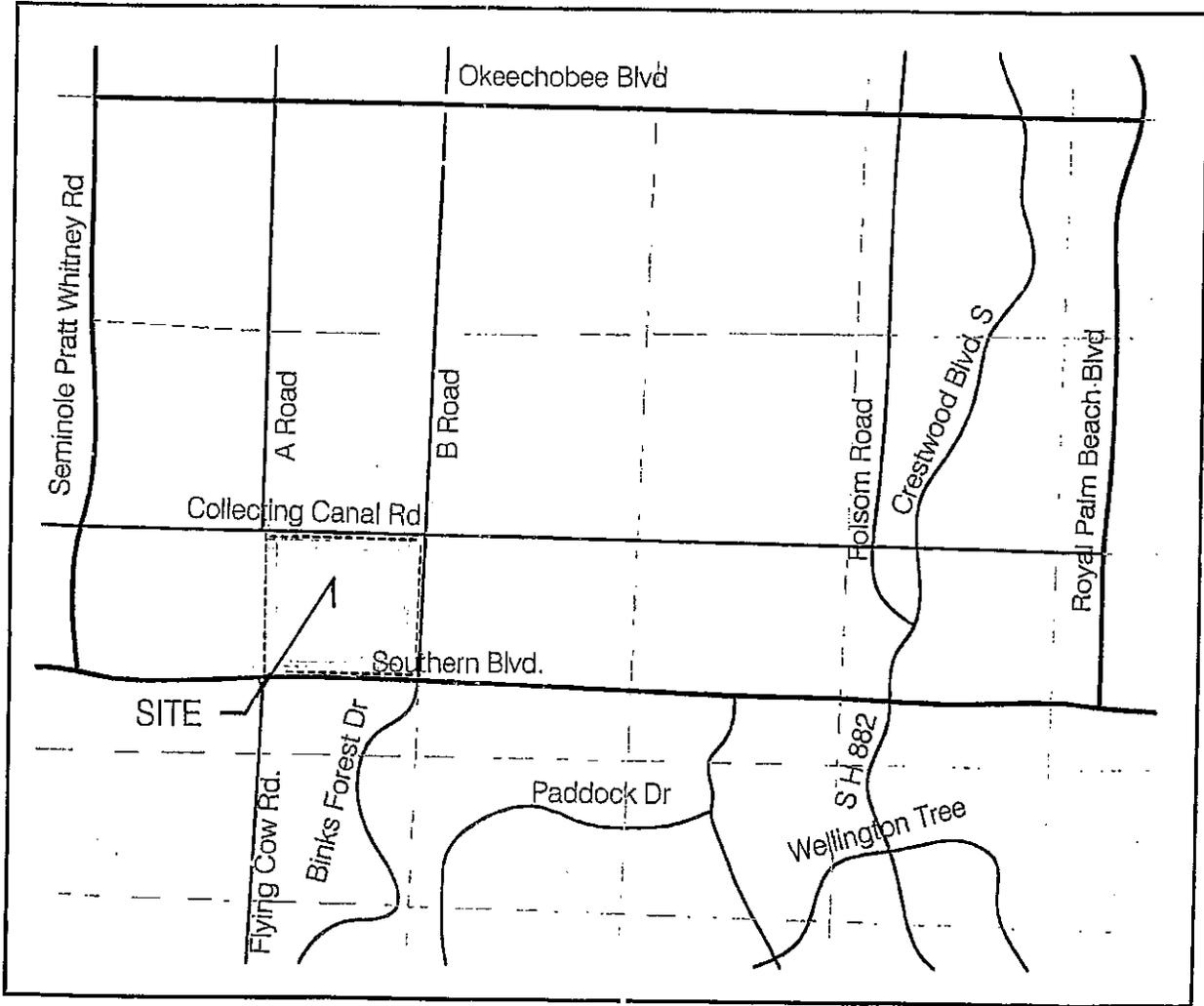
Commercial Low (CL) – Maximum of 21.0 acres/ 91,476 sq. ft. of retail commercial space; Commercial Low Office - Maximum of 21.0 acres/130,000 sq. ft. of office commercial space; and Rural Residential 5 – Minimum of 55.0 acres/Maximum of 19 residential units.

Amendment 11-1.2 was found in compliance with Florida Statutes by the Florida Department of Economic Opportunity and became effective in November 2011.

The current application (proposed Comprehensive Plan Amendment 12-1) is a request for the following actions:

1. Rescind the MLU FLU designation on the entire 96.73 acre parcel;
2. Rescind Special Policy 1.15.1 of the Future Land Use Element; and
3. Assign the Commercial Low (CL) FLU designation to the 21.73 acre portion of the property located at the corner of Southern Boulevard and "B" Road.

MAP 1 Site Location



N.T.S.



The net result of Amendment 12-1 is the reversion of 75 acres of the "Simon Property" to its original RR 5 designation and the assignment of a CL designation to the 21.73 acre corner portion thereof.

II. GENERAL INFORMATION

A. APPLICANT: Atlantic Land Investments, LLC, contract purchaser. The applicant is being represented by Land Design South. The authorization letter is included as Attachment C of the associated General Application.

B. OWNER: Ernest G. Simon, as Trustee of Trusts "A" and "B" u/w/o Alexander Abraham Simon.

C. LOCATION: The property is located at the northwest corner of Southern Boulevard and "B" Road, Loxahatchee Groves, Florida.

D. LEGAL DESCRIPTION: The property is legally described as being portions of Lots 1 and 3, Block 1, Loxahatchee Groves, and Lot 2 Block 1, Loxahatchee District. The full legal description is included as Attachment A of the associated General Application.

E. PARCEL SIZE: 96.73 acres.

F. EXISTING FUTURE LAND USE (FLU) DESIGNATION: Multiple Land Use (MLU).

G. EXISTING ZONING: Agricultural Residential.

H. EXISTING USE: Vacant land.

I. ADJACENT USES: The property is described as the 96.73 acre "Simon Property". The property is located at the northwest corner of Southern Boulevard and "B" Road. Adjacent properties are described below.

- To the north, the subject site is bordered by Collecting Canal and Collecting Canal Road (approximate 80 foot right-of-way). Seven properties are located to the north of these infrastructure features, ranging in size from 1.11 to 10.0 acres. Five of the seven properties are five acres in size, and five properties contain a single-family residence. Two of the properties contain active agricultural uses.
- To the south, the subject site is bordered by Southern Boulevard and the C-51 Canal (approximate combined 450 foot right-of-way). The Landings PUD, within the Village of Wellington, is located further south, beyond the C-51 Canal right-of-way.

- To the east, the subject site is bordered by "B" Road. Four properties are located further to the east, beyond the "B" Road right-of-way. A vacant 16.4 acre parcel (Equestrian Partners) is located at the northeast corner of "B" Road and Southern Boulevard, followed (to the north) by three parcels ranging in size from 5 to 8 acres each, including two single-family homes and agricultural uses.
- To the west, the subject site is bordered by the "A" Road Canal. To its west is the 86.5 acre Guest property, consisting of active agricultural uses.

Adjacent properties to the north and west, and a portion of those lying to its east (the 3 northernmost adjacent properties), across "B" Road within the Town of Loxahatchee Groves are currently assigned the Rural Residential 5 Future Land Use designation. The balance of the adjacent property (16.4 acre parcel) to the east was assigned an MLU future land use designation by Amendment 11-1.3.

A discussion of compatibility with adjacent land uses is presented in Section VI.A of the staff report dated June 14, 2011.

III. REQUESTED COMPREHENSIVE PLAN AMENDMENTS

A. FUTURE LAND USE MAP (FLUM) AMENDMENT: The current future land Use category assigned to the subject property is MLU. The applicant has requested removal of the MLU category on 75 acres and assignment of the CL category to the balance of the property (21.73 acres). A comparison of the existing MLU land use allocation versus that which is proposed by Amendment 12-1 is presented in Table 1.

**Table 1
MLU versus Proposed Amendment 12-1 Future Land Use Allocation**

Future Land Use Allocation	MLU Allocation (Acres)	Amendment 12-1 Allocation
Commercial Low (CL)	21.0*	21.73
Commercial Low Office (CL-O)	21.0*	00.00
Rural Residential 5 (RR 5)	55.0**	75.00
Total	97.0***	96.73

- * - Maximum allocation
- ** - Minimum allocation
- *** - Total not to exceed 96.73 acres

Under the Comprehensive Plan, the Commercial Low FLU category allows for a maximum development intensity (Floor-Area-Ratio) of 0.10 and the Rural Residential 5 FLU category permits a maximum of one dwelling unit per five acres.

Uses permitted under each of the requested FLU categories are described in Table 1-8 of the Future Land Use Element of the Comprehensive Plan, as follows:

- Commercial Low (CL): “A limited range of neighborhood-oriented commercial activities designed primarily to provide services to adjacent residential areas and public schools. Limited institutional and public facilities allowed.”
- Rural Residential 5 (RR 5): “Single-family dwelling units, public schools, and limited institutional and public facilities. Agricultural uses shall be compatible with a rural residential neighborhood.”

Maximum development intensities under the current MLU designation and proposed Amendment 12-1 are presented in Table 2.

**Table 2
MLU versus Proposed Amendment 12-1 Maximum Development Potential**

Future Land Use Allocation	MLU Potential	Amendment 12-1 Allocation
Commercial Low (CL)	91,476 sq. ft.	94,655 sq. ft.
Commercial Low Office (CL-O)	182,952 sq. ft.	0 sq. ft.
Rural Residential 5 (RR 5)	19 Housing units****	15 Housing units
Total	274,428 sq. ft./19 Residential units	94,655 sq. ft./ 15 Residential units

B. TEXT AMENDMENT: Amendment 11-1.2 incorporated Special Policy 1.15.1 under Objective 1.15 of the Comprehensive, as follows:

1.15.1 Special Policy:

Land use and density/intensity of development on the property delineated as “Special Policy 1.15.1” on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the Multiple Land Use (MLU) land use category, and the following criteria: Commercial Low (CL) – Maximum of 21.0 acres/ 91,476 sq. ft. of retail commercial space; Commercial Low Office - Maximum of 21.0 acres/130,000 sq. ft. of office commercial space; and Rural Residential 5 – Minimum of 55.0 acres/Maximum of 19 residential units.

Amendment 12-1 proposes to rescind Special Policy 1.15.1.

IV. PROPOSED DEVELOPMENT PROGRAM: The applicant is requesting the assignment of two FLU designations; reversion to RR 5 on 75 acres, and assignment of CL to the 21.73 acre parcel at the northwest corner of Southern Boulevard and “B” Road . The application also includes a conceptual plan for the CL parcel which assumes the maximum development potential.

V. DATA AND ANALYSIS: The following data and analysis was prepared for Amendment 11-1.2 and presented in the staff report dated June 2011: Infrastructure; environmental; compatibility; and consistency with Town planning documents and state planning directives, including an urban sprawl assessment. As Amendment 12-1 encompasses the same property, it is concluded that the previously submitted staff report, which found no related issues and consistency with the Town Comprehensive Plan, represents the best available data and analysis and is incorporated herein by reference.

The applicant has submitted the following updated correspondence confirming previously determined impacts and services availability: Caulfield & Wheeler, Inc. (updated Drainage Statement), Palm Beach County Planning, Zoning and Building Department (updated Historical and Archaeological Resource Review), Palm Beach County Fire Rescue (Emergency Response Time), and Palm Beach County Water Utilities Department (Water and Sewer Availability).

In addition to the updated correspondence, a traffic equivalency analysis comparing impacts generated by the MLU land use designation versus the proposed combination of RR 5 (75 acres) and CL (21.73 acres) was included in the Amendment 12-1 application. The analysis compared Daily, A.M. and P.M. peak hour traffic generation for the alternative MLU and Amendment 12-1 land use scenarios, as shown in Table 2. The results of the comparative analysis are shown in Table 3.

**Table 3
MLU versus Proposed Amendment 12-1 Traffic Generation Comparison**

Trip Generation	MLU Net Trips	Amendment 12-1 Net Trips	Net Trip Reduction
Average Daily	5,269	4,001	1,268
A.M. Peak Hour	267	66	201
P.M. Peak Hour	597	417	180

Source: Southern & B Rd. – Traffic Equivalency, 2/12/12; Land Design South.

VI. STAFF ANALYSIS

A. APPROPRIATENESS OF THE CURRENT FUTURE LAND USE MAP DESIGNATION:

As a result of a change in conditions, the current MLU designation and related development limitations imposed by Special Policy 1.15.1 are no longer appropriate. Since the approval of Amendment 11-1.2, Palm Beach State College (PBSC) has selected a portion of the Simon Property for the location of a new college campus. A contract for purchase of the 75 acre targeted portion of the property has been executed with the property owner, subject to being assigned an appropriate future land use designation. The specifics of the development limitations imposed by Special Policy 1.15.1, as summarized in Table 2, will not allow the college campus to be developed.

In order for the PBSC proposal to proceed, a change to an appropriate future land use designation must be assigned to the targeted 75 acre portion of the Simon Property. Further, since PBSC will only develop a portion of the property, a separate FLU designation must be assigned to the remaining 21.73 acres, which represents the CL portion of the previous MLU designation.

B. APPROPRIATENES OF THE PROPOSED AMENDMENT: As the Town's previous RR 5 future land use category allows public schools, as does the underlying Agricultural Residential (AR) zoning district, it is appropriate to revert the portion of the Simon Property targeted for the college campus to that designation. Also, by assigning a CL designation to the 21.73 acre corner portion of the parcel, the commercial component of the previously approved MLU designation can be implemented.

VII. STAFF FINDINGS: Planning staff finds Comprehensive Plan Amendment 12-1 to be generally consistent with the intent and direction of the Loxahatchee Groves Comprehensive Plan.

VIII. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION: The Planning and Zoning Board, sitting as the LPA, at its meeting of April 12, 2012 and following a public hearing on the matter, recommended that the Town Council approve Amendment 12-1 by a 4-1 vote.

IX. TOWN COUNCIL TRANSMITTAL: To be determined by the Town Council at its meeting on the subject.

X. REGIONAL AND STATE AGENCY REVIEW: To be included if the Town Council decides to transmit the application for appropriate regional and state agency review.

XI. STAFF RECOMMENDATION: Staff recommends approval of proposed Amendment 12-1. Recommended text and map amendments are included in Attachment A.

XII. TOWN COUNCIL ADOPTION: To be included if, and when the Town Council has second reading of the related adoption ordinance.

Rev: May 9, 2012

**ATTACHMENT A1
FUTURE LAND USE ELEMENT TEXT AMENDMENT 12-1**

1. Deletion of Special Policy 1.15.1 of the Future Land Use Element which limits the uses and intensity of development to levels reflected in pervious Amendment 11-1.2.

Words underlined are added and words ~~struck through~~ are deletions to the current text of the Loxahatchee Groves Comprehensive Plan.

1.15.1 Special Policy:

Reserved.

~~Land use and density/intensity of development on the property delineated as "Special Policy 1.15.1" on the Future Land Use Map, Map # FLU-1.10, shall be regulated by the application of the Multiple Land Use (MLU) land use category, and the following criteria: Commercial Low (CL) – Maximum of 21.0 acres/ 91,476 sq. ft. of retail commercial space; Commercial Low Office – Maximum of 21.0 acres/130,000 sq. ft. of office commercial space; and Rural Residential 5 – Minimum of 55.0 acres/Maximum of 19 residential units.~~

Ordinance 2012-004

**ATTACHMENT A2
FUTURE LAND USE MAP #FLU-1.10 AMENDMENT 12-1
(Ref: Following Page)**

1. Deletion of the MLU future land use category to the subject site on Future Land Use Map FLU-1.10
2. Amendment of the Future Land Use Map FLU-1.10 to delete the specific reference to Special Policy 1.15.1 which limits the uses and intensity of development to levels stated in Special Policy 1.15.1 of the Future Land element of the Loxahatchee Groves Comprehensive Plan.
3. Assignment of the Commercial Low (CL) future land use designation to the 21.73 acre portion of the subject property located at the northwest corner of Southern Boulevard and "B" Road.

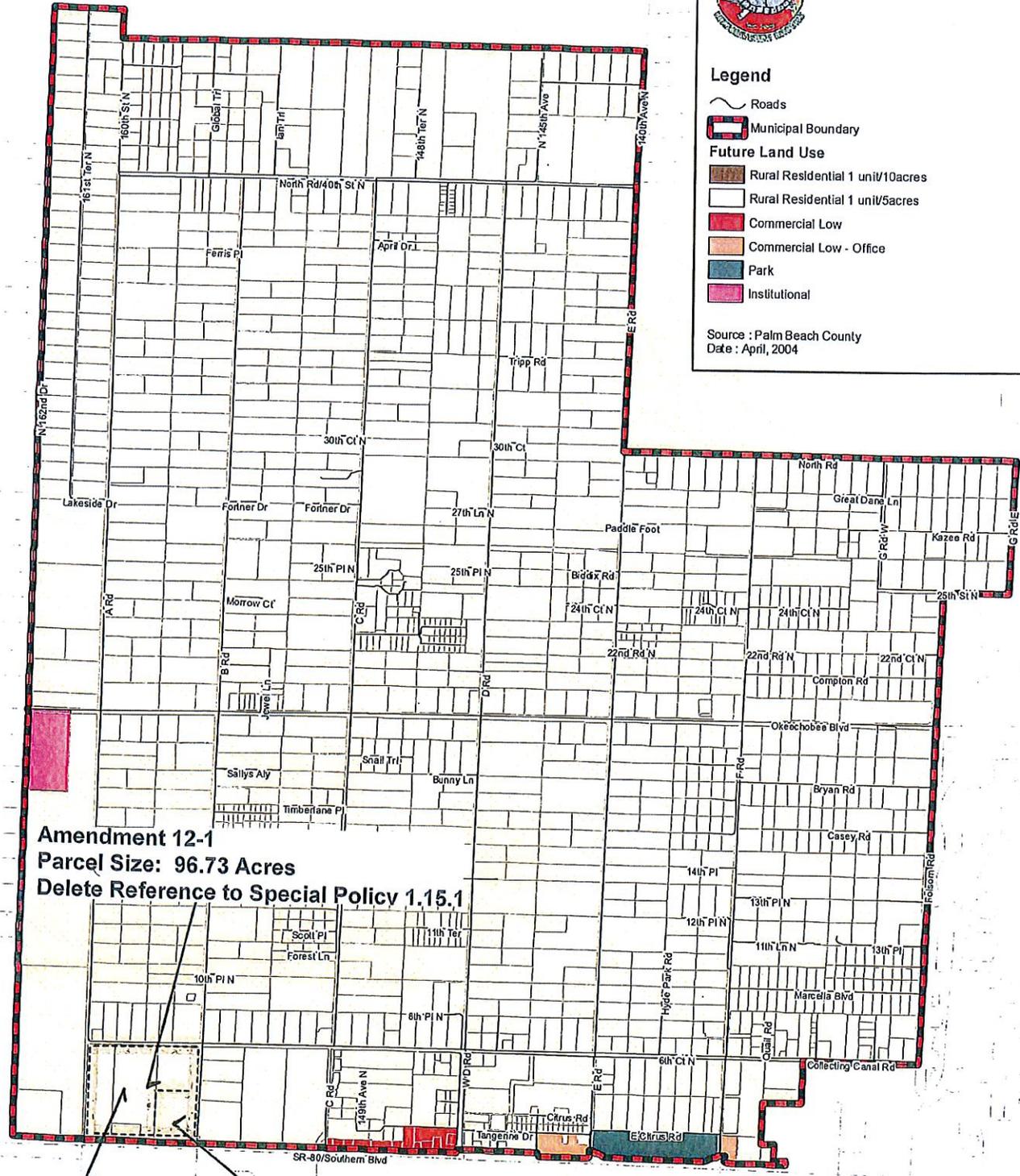


Future Land Use

Legend

- Roads
- Municipal Boundary
- Future Land Use**
- Rural Residential 1 unit/10 acres
- Rural Residential 1 unit/5 acres
- Commercial Low
- Commercial Low - Office
- Park
- Institutional

Source : Palm Beach County
Date : April, 2004

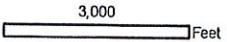


Amendment 12-1
Parcel Size: 96.73 Acres
Delete Reference to Special Policy 1.15.1

Amendment 12-1
Parcel Size: 75 Acres
Revise: From MLU to RR 5

Amendment 12-1
Parcel Size: 21.73 Acres
Revise: From MLU to CL

FLU Amendment 12-1
Simon Property Large Scale Map and Text Amendment



PROOF OF PUBLICATION

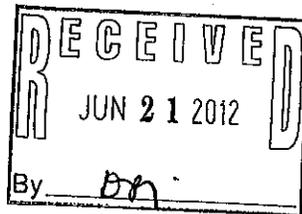
STATE OF FLORIDA
 COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Ellen Sanita**, who on oath says that she is **Call Center Revenue Manager** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter **Amendment 12-1** was published in said newspaper in the issues of **June 14, 2012**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.



Sworn to and subscribed before 14th day of June, A.D. 2012.
 Who is personally known to me.

(Handwritten signature)



NOTARY PUBLIC-STATE OF FLORIDA
Karen M. McLinton
 Commission #DD832672
 Expires: NOV. 15, 2012
 BONDED THRU ATLANTIC BONDING CO., INC.

NO. 6762969R

NOTICE OF TEXT AND MAP CHANGE TO TOWN OF LOXAHATCHEE GROVES COMPREHENSIVE PLAN

The Town Council for the Town of Loxahatchee Groves proposes to adopt the following Ordinance 2012-04 of the Town Council of the Town of Loxahatchee Groves, Florida, adopting amendment 12-1 to the Town of Loxahatchee Groves Comprehensive Plan:

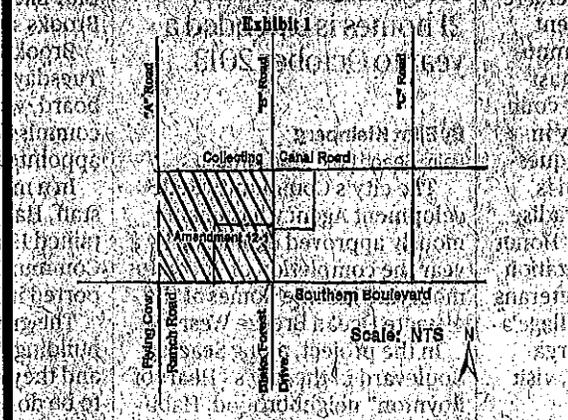
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE TOWN OF LOXAHATCHEE GROVES, FLORIDA COMPREHENSIVE PLAN TO: (1) AMEND THE COMPREHENSIVE PLAN TEXT TO REVISION SPECIAL POLICY 1.15.1 UNDER OBJECTIVE 1.15 OF THE FUTURE LAND USE ELEMENT; AND (2) AMEND THE FUTURE LAND USE MAP FLU 1110 TO REScind THE MULTIPLE LAND USE DESIGNATION AND SPECIFIC REFERENCE TO SPECIAL POLICY 1.15.1 ON THE 96.73 ACRES LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND B ROAD, LOXAHATCHEE GROVES, FLORIDA, THUS RESTORING THE RR-5 LAND USE DESIGNATION ON THE PROPERTY, AMENDING THE FUTURE LAND USE MAP TO ASSIGN THE COMMERCIAL LOW DESIGNATION TO THE 21.73 ACRES LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND B ROAD, LOXAHATCHEE GROVES, FLORIDA AS INDICATED ON EXHIBIT 1, HERETO PROVIDING FOR AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGES, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Amendment 12-1 relates to revising the text and Future Land Use Map of the Future Land Use Element of the Town of Loxahatchee Groves Comprehensive Plan.

The Town Council of the Town of Loxahatchee Groves will conduct a public hearing on Tuesday, June 26, 2012 commencing at 7:00 p.m. to discuss proposed text and map amendments to the Future Land Use Element of the Comprehensive Plan (Amendment 12-1). The Public Hearing of the Town Council shall be held at the Loxahatchee Groves Water Control District meeting room 101 West D Road, Loxahatchee Groves, Florida 33470. The Town Council will consider approval of the ordinance on first reading and whether to transmit Amendment 12-1 to the Florida Department of Economic Opportunity and other applicable reviewing agencies. The area of proposed Land Use Amendment 12-1 is depicted below.

All interested persons are invited to appear at the public hearing which may be continued from time to time, and may be heard with respect to these matters. A copy of Amendment 12-1 and Ordinance 2012-04 are on file at the Town Management Office 14579 Southern Boulevard, Suite 2 Loxahatchee Groves, Florida, 33470 for inspection by members of the public during normal business hours.

In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Town Management Office at (561) 793-2418 at least five days prior to the Public Hearing date.



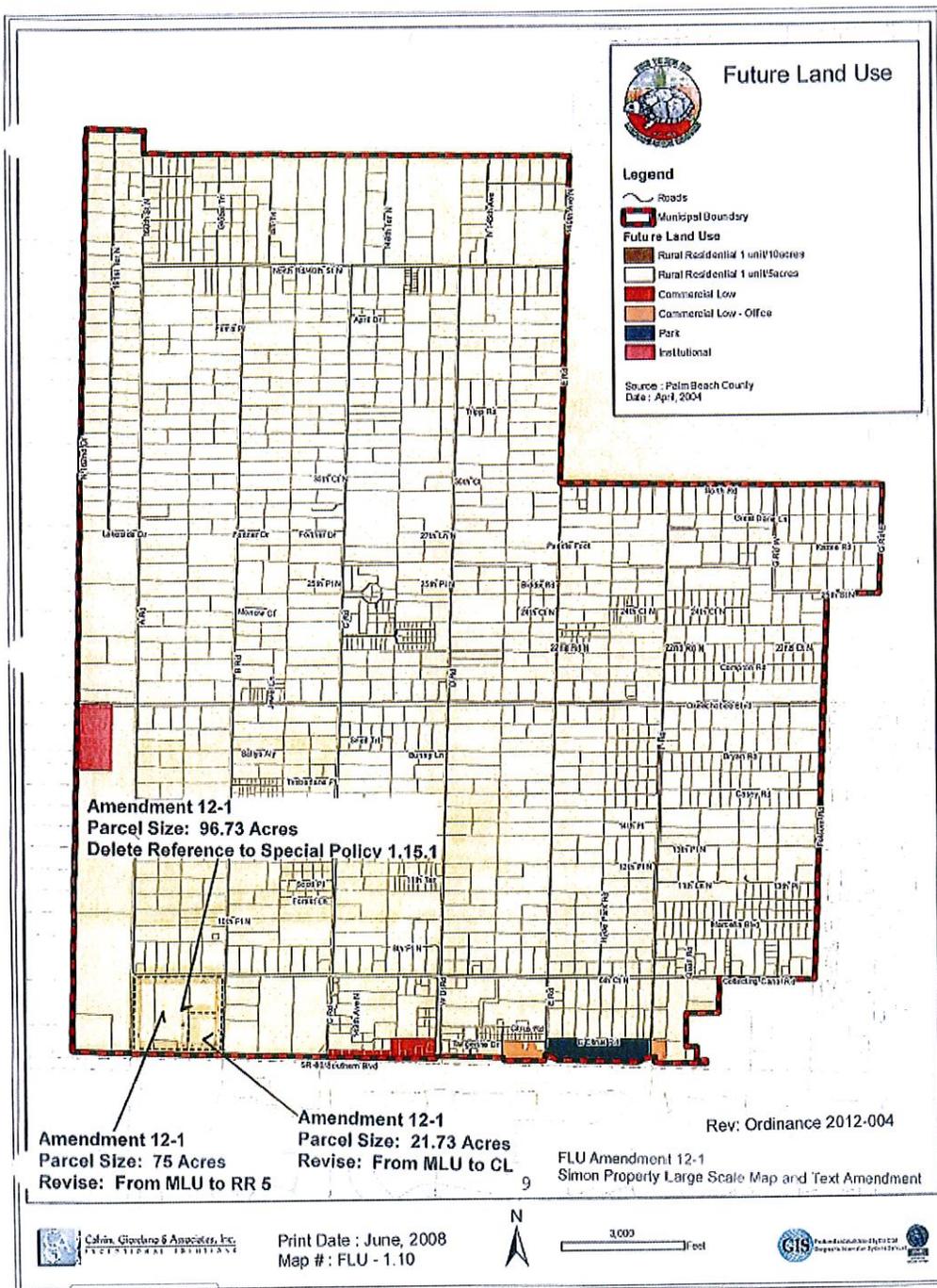
PUB: June 14, 2012

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-04

EXHIBIT "1"

PROPERTY SUBJECT OF THE AMENDMENT



TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE TOWN OF LOXAHATCHEE GROVES FLORIDA COMPREHENSIVE PLAN TO: (1) AMEND THE COMPREHENSIVE PLAN TEXT TO RESCIND SPECIAL POLICY 1.15.1 UNDER OBJECTIVE 1.15 OF THE FUTURE LAND USE ELEMENT; AND (2) AMEND THE FUTURE LAND USE MAP FLU-1.10 TO RESCIND THE MULTIPLE LAND USE DESIGNATION AND SPECIFIC REFERENCE TO SPECIAL POLICY 1.15.1 ON THE 96.73 ACRES LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA, THUS RESTORING THE RR-5 LAND USE DESIGNATION ON THE PROPERTY; AMENDING THE FUTURE LAND USE MAP TO ASSIGN THE COMMERCIAL LOW DESIGNATION TO THE 21.73 ACRES LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA AS INDICATED ON EXHIBIT 1 HERETO; PROVIDING FOR AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, provisions of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985 require adoption of a comprehensive plan; and;

WHEREAS, the Town of Loxahatchee Groves, Florida, pursuant to the Local Government Comprehensive Planning Act, and in accordance with all of its terms and provisions, adopted its Comprehensive Plan which became effective on August 19, 2011; and,

WHEREAS, on September 20, 2011, the Town Council adopted Ordinance 2011-015, which amended the Land Use Category on the 96.73 acres located at the northwest corner of Southern Boulevard and “B” Road (“Simon Property”), within the Town of Loxahatchee Groves, Florida, from the Land Use Designation Rural Residential 5 to the Multiple Land Use (“MLU”) designation to include Commercial Low, Commercial Low-Office and Rural Residential Land Uses within the MLU, and adopted Special Policy 1.15.1 under Objective 1.15 of the Future Land Use Element of the Town’s Comprehensive Plan to govern the uses on the Simon Property

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-04

pursuant to the MLU designation; and,

WHEREAS, the Simon Property is now the subject of Purchase and Sale Agreement with Palm Beach State College (PBSC) for seventy-five (75) acres of the 96.73 acres for the development of a new campus for PBSC, and the remaining 21.73 acres at the southeast corner of the Simon Property are the subject of a Purchase and Sale Agreement for the development of a commercial and retail use; and,

WHEREAS, the proposed uses on the Simon Property by the two contract purchasers is incompatible with the MLU Land Use Designation; and

WHEREAS, the Rural Residential-5 Land Use Category permits the use of the 75 acres as depicted on Exhibit “1” to be purchased by PBSC to be used for its new campus (“PBSC Property”), and the Commercial Low Land Use Category will permit the use of the 21.73 acres at the southeast corner of the Simon Property as depicted on Exhibit “1” (“Commercial Property”) to be used for the proposed commercial/retail use; and,

WHEREAS, the Contract Purchasers for the PBSC Property and the Commercial Property have filed Application 12-1, to amend the Town’s Comprehensive Plan to rescind the MLU designation placed on the Simon Property by Ordinance 2011-015, restoring the Rural Residential – 5 Land Use on the Town’s Future Land Use Map for entire Simon Property, amend the Town’s Comprehensive Plan to amend the Future Land Use Map to assign the Commercial Low (CL) Land Use designation to the Commercial Property, as depicted on Exhibit “1” hereto, and to rescind Special Policy 1.15.1 of Objective 1.15 of the Town’s Comprehensive Plan which would no longer govern the uses on the Simon Property upon the approval of the amendments to the Town’s Future Land Use Map as set forth herein (the “Amendment”); and,

WHEREAS, the Town’s Planning Consultant recommends approval of Application 12-1

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-04

and the Amendment; and,

WHEREAS, the Town's Planning Consultant recommends the transmittal of this Land Use Plan Amendment consistent with his recommendations, to the State of Florida Department of Economic Opportunity (DEO) (formerly Department of Community Affairs) and all other agencies having jurisdiction over the Amendment for their review; and,

WHEREAS, at a public hearing conducted on April 12, 2012, the Town's Planning and Zoning Board, in its capacity as the Town's Local Planning Agency, reviewed the Amendment, the records of which are incorporated herein and made specific part thereof, and recommended approval of Application 12-1 and the Amendment; and,

WHEREAS, the Town Council of the Town of Loxahatchee Groves has conducted public hearings on this Amendment; and,

WHEREAS, the Amendment will be transmitted to the DEO for review and all other agencies having jurisdiction over the Amendment for review and comments, all as provided by law; and,

WHEREAS, the Town Council of the Town of Loxahatchee Groves has deemed it to be in the best interest of the citizens and residents of the Town of Loxahatchee Groves to adopt the Amendment to the Town's Comprehensive Plan, in accordance with Chapter 163, specifically Section 163.3184 Florida Statutes, to rescind the MLU designation assigned to the Simon Property pursuant to Ordinance 2011-015, restoring the Rural Residential – 5 Land Use Category to the Simon Property, assign the Commercial Low (CL) Land Use Category to the Commercial Property, and rescind Special Policy 1.15.1 of the Future Land Use Element of the Town's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-04

TOWN OF LOXAHATCHEE GROVES, FLORIDA:

SECTION 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Ordinance upon adoption hereof; all exhibits and reports attached hereto or referenced herein are incorporated herein and made a specific part of this Ordinance.

SECTION 2: The Town Council has reviewed the application as the governing board of the Town, and finds the following:

1. The Amendment, as approved herein, is consistent with the goals, objectives and policies of the currently effective comprehensive plan;
2. The characteristics of the surrounding area and the characteristics included in the proposed development are compatible;
3. The Town of Loxahatchee Groves has the ability or will have the ability to provide, or insure the provision of necessary services for the additional demand for public facilities.

SECTION 3: The Town Council approves and adopts the recommendations of the Town’s Planning Consultant, which are incorporated herein.

SECTION 4: The Land Use Plan Amendment to the Comprehensive Plan of the Town of Loxahatchee Groves (Application No. 12-1) reviewed by the Town’s Planning Consultant, the Town’s Planning and Zoning Board in its capacity as the Local Planning Agency, and approved by the Town Council in its capacity as the governing body of the Town, to rescind the MLU Land Use Designation placed on the Simon Property pursuant to Ordinance 2011-015, restoring the Rural Residential – 5 Land Use Category to the Simon Property, assign the Commercial Low (CL) Land Use category to the Commercial Property, and rescind Special

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-04

Policy 1.15.1 of the Future Land Use Element of the Town's Comprehensive Plan is adopted and approved.

SECTION 5: The Town's Planning Consultant is further authorized and directed to make the necessary textual changes to the Future Land Use Element and map changes to Map # FLU-1.10 of the Town's Comprehensive Plan in order to reflect the above-stated changes.

SECTION 6: All Ordinances or parts of Ordinances, including without limitation Ordinance 2011-015, and all Resolutions or parts of Resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given affect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8: This Ordinance shall become effective as provided by law.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS ___ DAY OF _____, 2012.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS ___ DAY OF _____, 2012.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor David Browning

TOWN CLERK

Vice Mayor Jim Rockett

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-04

APPROVED AS TO LEGAL FORM:

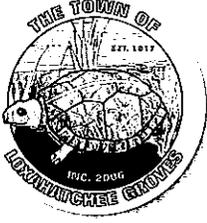
Council Member

Council Member

Office of the Town Attorney

Council Member

H:\Muni Clients\LOX 1574\070240.LOX\ORD 2012\2012-04 (Simon Property - PBSC Lox Grv Cmns).doc



TOWN OF LOXAHATCHEE GROVES
OFFICE OF THE TOWN MANAGER
AGENDA REPORT

TO: Mayor and Town Council

FROM: Mark A. Kutney, Town Manager, AICP, ICMA-CM

DATE: June 20, 2012

SUBJECT: Amendment 12-2

I. ATTACHMENTS

Attachments included with this Agenda item are

- Staff Report-LRM
- Legal Advertisement
- Ordinance 2012- 05

TO: Mark Kutney, Town Manager

FROM: Jim Fleischmann, Town Planning Consultant

RE: Simon Trust Property Amendment 12-2 to the Loxahatchee Groves Comprehensive Plan: (1) Amend Objective 1.15 of the Future Land Use Element to add Special Policy 1.15.4. to Govern Future Development of a Palm Beach State College Campus; and (2) Revise the Future Land Use Map to Incorporate a Geographical Reference to Special Policy 1.15.4.

DATE: April 3, 2012; Rev: April 25, 2012; June 18, 2012

I. BACKGROUND INFORMATION

The subject Palm Beach State College (PBSC) property is an approximate 75 acre portion of the 96.73 acre parcel, known as the "Simon Property", located at the northwest corner of Southern Boulevard and "B" Road. The property was the subject of Comprehensive Plan Amendment 11-1.2 (Town Ordinance 2011-015) which changed the previous Future Land Use (FLU) designation from Rural Residential 5 (RR 5) to Multiple Land Use (MLU).

In addition to the MLU map amendment, Amendment 11-1.2 added Special Policy 1.15.1 to the text of the Future Land Use Element of the Comprehensive Plan regulating the land uses and development density and intensity on the property, as follows:

Commercial Low (CL) – Maximum of 21.0 acres/ 91,476 sq. ft. of retail commercial space; Commercial Low Office - Maximum of 21.0 acres/130,000 sq. ft. of office commercial space; and Rural Residential 5 – Minimum of 55.0 acres/Maximum of 19 residential units.

Amendment 11-1.2 was found in compliance with Florida Statutes by the Florida Department of Economic Opportunity and became effective in November 2011.

Comprehensive Plan Amendment 12-1 is being concurrently processed with Amendment 12-2 requesting the following actions:

1. Rescind the MLU FLU designation on the entire 96.73 acre parcel;
2. Rescind Special Policy 1.15.1 of the Future Land Use Element; and
3. Assign the Commercial Low (CL) FLU designation to the 21.73 acre portion of the property located at the corner of Southern Boulevard and "B" Road.

The net result of Amendment 12-1 is the reversion of 75 acre PBSC portion of the "Simon Property" to its original RR 5 designation to allow development of a new college campus, as well as assigning a CL designation to the 21.73 acre corner portion thereof.

As a companion to Amendment 12-1, Amendment 12-2 will then incorporate new Special Policy 1.15.4 within the Future Land Use Element governing the future development of the proposed PBSC campus.

Pursuant to proposed Special Policy 1.15.4.b, a Master Site Development Plan will be submitted for approval prior to issuance of the first building permit.

II. GENERAL INFORMATION

A. APPLICANT: Palm Beach State College, contract purchaser. The applicant is being represented by Urban Design Kilday Studios. The authorization letter is included as Attachment D of the associated General Application.

B. OWNER: Ernest G. Simon, as Trustee of Trusts "A" and "B" u/w/o Alexander Abraham Simon.

C. LOCATION: The property is generally located at the northwest corner of Southern Boulevard and "B" Road, Loxahatchee Groves, Florida (Ref: Map 1).

D. LEGAL DESCRIPTION: A full legal description is included as Attachment A of the associated General Application.

E. PARCEL SIZE: 74.99 acres.

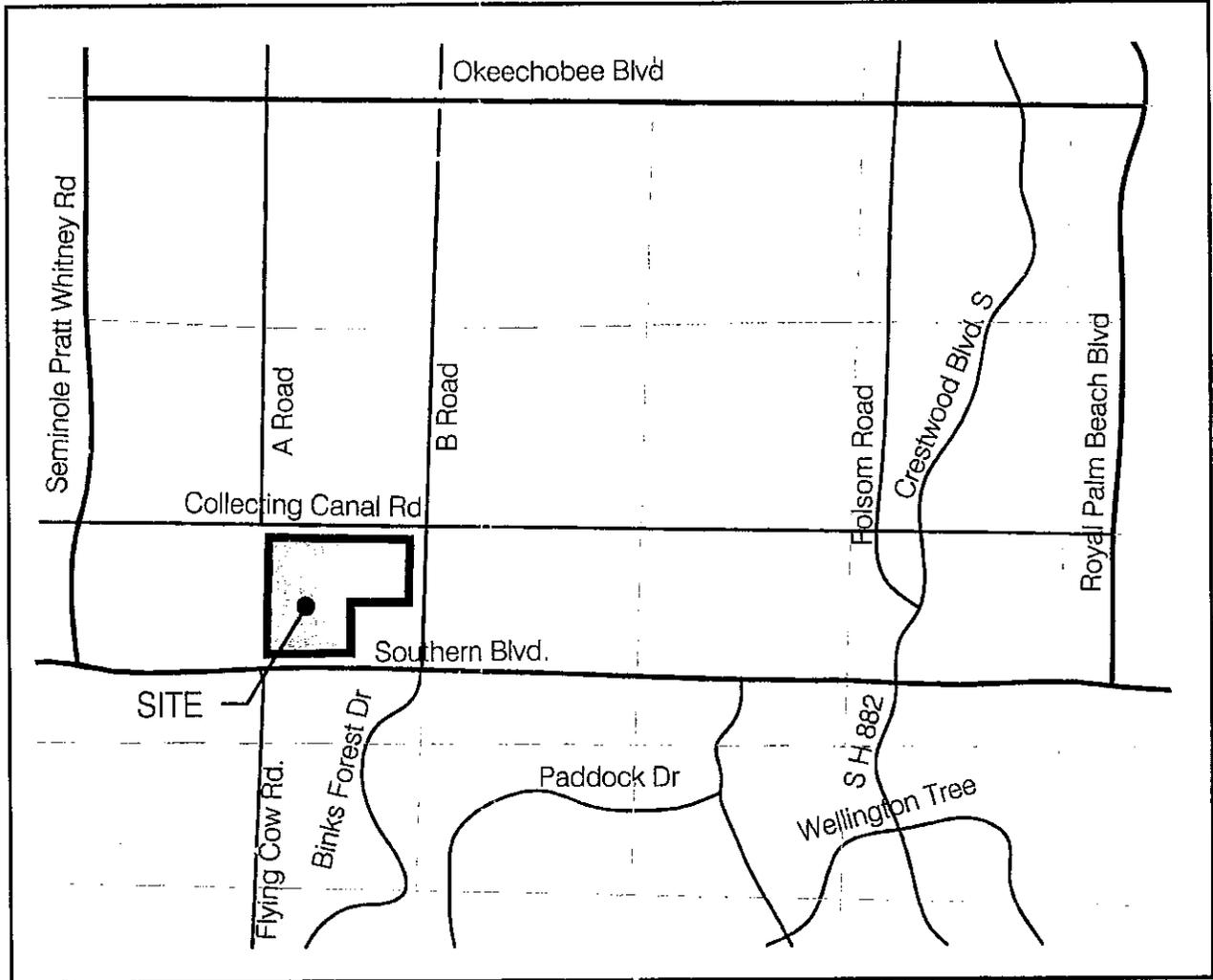
F. EXISTING FUTURE LAND USE (FLU) DESIGNATION: Multiple Land Use (MLU).

G. EXISTING ZONING: Agricultural Residential.

H. EXISTING USE: Vacant land.

I. ADJACENT USES: The property is bordered by two roads and two canals and the 21.73 acre corner portion of the "Simon Property" (Ref: Map 1). Southern Boulevard and "B" Road constitute the majority of the property borders on its south and east, and Collecting Canal and "A" Road Canal border the property on its north and west. Beyond these bordering facilities is a mixture of residential and agricultural uses and vacant properties, as described below.

MAP 1 Site Location



N.T.S.



- To the north, the subject site is bordered by Collecting Canal and Collecting Canal Road (approximate 80 foot right-of-way). Seven properties are located to the north of these infrastructure features, ranging in size from 1.11 to 10.0 acres. Five of the seven properties are five acres in size, and five properties contain a single-family residence. Two of the properties contain active agricultural uses.
- To the south, the subject site is bordered by Southern Boulevard and the C-51 Canal (approximate combined 450 foot right-of-way), in part, and the northern extent of 21.73 acre "Simon Property" corner plot. The Landings PUD, within the Village of Wellington, is located further south, beyond the C-51 Canal right-of-way.
- To the east, the subject site is bordered by "B" Road, in part. Three properties are located further to the east, beyond the "B" Road right-of-way, ranging in size from 5 to 8 acres each, including two single-family homes and agricultural uses. The balance of the subject site is bordered by western extent of 21.73 acre "Simon Property" corner plot.
- To the west, the subject site is bordered by the "A" Road Canal. To its west is the 86.5 acre Guest property, consisting of active agricultural uses.

A majority of the adjacent properties within the Town of Loxahatchee Groves are currently assigned the Rural Residential 5 Future Land Use designation. The exception is the 21.73 acre "Simon Property" corner plot which was assigned an MLU future land use designation by Comprehensive Plan Amendment 11-1.2. The MLU designation will be changed to Commercial Low (CL) if Amendment 12-1 (currently in process) becomes effective.

III. REQUESTED COMPREHENSIVE PLAN AMENDMENTS

A. FUTURE LAND USE MAP (FLUM) AMENDMENT: The current future land Use category assigned to the subject property is MLU. Assuming approval of Amendment 12-1, the future land use designation will revert to its original Rural Residential 5 (RR 5). The applicant has requested a text amendment (Special Policy 1.15.4) to govern the future development of a Palm Beach State College campus on the site. The incorporation of Special Policy 1.15.4 within the Future Land Use Element will require a site-specific notation on Future Land Use Map FLU-1.10 of the Comprehensive Plan.

B. TEXT AMENDMENT: The applicant proposes to add Special Policy 1.15.4 under Objective 1.15 (special policies) to the Future Land Use Element of the Comprehensive Plan to govern development of the proposed PBSC campus:

Policy 1.15.4: Development on the Palm Beach State College Property delineated as "Special Policy 1.15.4" on the Future Land Use Map, Map # FLU-1.10, shall be regulated by the following criteria:

Policy 1.15.4-a: Development of the property shall be governed only by the following regulations:

- a. SREF- State Requirements for Educational Facilities as adopted in Rule 6A-2.0010
- b. Florida Building Code
- c. Florida Fire Prevention Code
- d. South Florida Water Management District
- e. Loxahatchee Groves Water Control District

Policy 1.15.4-b: A "Master Site Development Plan" providing the following information for the overall site shall be submitted to the Town for approval prior to issuance of the first building permit:

1. Site Acreage
2. Site boundaries clearly identified, and ties to section corners.
3. Existing and proposed land uses and existing uses on adjacent land.
4. Generalized location of development areas and uses.
5. Indication of vehicular connections to public rights-of-way.
6. A valid Conceptual Driveway Permit approval from the Florida Department of Transportation issued pursuant to the "State Highway System Access Management Classification System and Standards", as amended.
7. Design Guidelines.
8. All adjacent public and private rights-of-way and easements, indication of ultimate right-of-way line, centerline, width, pavement width, existing and proposed median cuts and intersections, street light poles and other utility facilities and easements.
9. Indication of existing native vegetation that will be preserved.
10. A detail of the proposed buffer for screening along the northern boundary, including addressing removal of invasive vegetation and replanting.
11. Site Data, including the maximum intensity permitted on site.

Policy 1.15.4-c: A copy of the "Campus Master Plan" prepared pursuant to SREF- State Requirements for Educational Facilities as adopted in Rule 6A-2.0010 and all future 5-year updates shall be submitted to the Town of Loxahatchee Groves for informational purposes.

(NOTE: The above language is that which was originally proposed by the Applicant. Subsequent review by the Town Staff and Planning and Zoning Board has resulted in modifications which are incorporated in the staff recommendation on page 7).

IV. PROPOSED DEVELOPMENT PROGRAM: Although a specific plan of development for the property has not been prepared at this time, the applicant has submitted a document entitled: "Applicant's Statement Master Site Development Plan" and a Master Site Development Plan graphic which reflect proposed Southern Boulevard and "B" Road access points and cross access points with the adjacent proposed commercial parcel and statistical data quantifying open space, wetland preserve, wet and dry stormwater detention areas and estimated impervious areas.

Conceptually, it is assumed that, over the expected 50-year development program, construction on the site will commence along Southern Boulevard and then gradually move toward the north and east as PBSC programs and funding dictate. Open spaces will be maintained along the northern property boundary, capturing the higher quality native vegetation and wetland areas and buffering properties to the north of Collecting Canal Road.

In addition, the applicant has submitted proposed design guidelines oriented to insuring that the college is developed in a manner consistent with the character of the Town. The "Applicant's Statement Master Site Development Plan", Master Site Development Plan graphic and design guidelines, although not a part of proposed Amendment 12-2, are included in Attachment B for illustrative purposes.

V. DATA AND ANALYSIS: The following data and analysis was prepared for Amendment 11-1.2 and presented in the staff report dated June 2011: Infrastructure; environmental; compatibility; and consistency with Town planning documents and state planning directives, including an urban sprawl assessment. As Amendment 12-1 encompasses 75 of the 97 acres analyzed in Amendment 11-1.2, it is concluded that the previously submitted staff report, which found no related issues and consistency with the Town Comprehensive Plan, represents the best available data and analysis and is incorporated herein by reference.

VI. STAFF ANALYSIS

A. APPROPRIATENESS OF THE CURRENT FUTURE LAND USE MAP DESIGNATION:

PBSC is requesting a Text and Map Amendment to add site-specific Special Policy 1.15.4 to the Comprehensive Plan pursuant to Objective 1.15 of the Future Land Use Element. The request is being coordinated with a pending application (Amendment 12-1) to revoke the current future land use designation of MLU and reinstate the previous RR 5 land use category in order to allow construction of a PBSC branch campus. Assignment of the RR 5 is an appropriate land use category. However, as a college campus was not specifically envisioned when the Town's Unified Land Development Code (ULDC) was adopted, incorporation of Special Policy 1.15.4 within the Comprehensive Plan will allow for and govern the site-specific development of the proposed college campus

B. APPROPRIATENES OF THE PROPOSED AMENDMENT: In order for the PBSC proposal to proceed in the most appropriate manner, Special Policy 1.15.4 should be incorporated within the Comprehensive Plan and tied to the subject site by a site-specific reference on Future Land Use, Map FLU-1.10 of the Future Land Use Element. Incorporation of the Special Policy and site-specific map reference will supplement the RR 5 land use designation and provide guidelines for development of the PBSC campus.

VII. STAFF FINDINGS: Planning staff finds Comprehensive Plan Amendment 12-2, as presented in Section III.B, to be generally consistent with the intent and direction of the Loxahatchee Groves Comprehensive Plan. Further, the proposed text and map amendments will provide additional guidance to a use generally allowed in the RR 5 future land use category by requiring a Master Site Development Plan to be approved by the Town, including design guidelines to be followed during development of the proposed college campus.

VIII. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION: At its meeting on April 12, 2012, the LPA recommended approval of the staff recommendation by a 4 – 1 vote, subject to the following conditions:

1. Special Policy 1.15.4-b.g be amended to read: "Design Guidelines to meet the intentions of the Town's Rural Vista Guidelines."
2. Special Policy 1.15.4-c be amended to add the following sentence: "College shall allow the Town to participate and have input in the preparation of each of the 5 - year updates to the "Campus "Master Plan" prior to submission to the Department of Education".

In response to the above recommendation, PBSC has submitted alternative wording which, in their opinion, accurately expresses the intent of the LPA while clarifying its application to the school.

1. Special Policy 1.15.4-b.g be amended to read: "Design Guidelines to be consistent with the intentions of the Town's Rural Vista Guidelines as can be applied to a college campus".
2. Special Policy 1.15.4-c be amended to add the following sentence: "The 5 - year updates to the "Campus Master Plan" shall be submitted to the Town of Loxahatchee Groves for informational purposes prior to submission of the Plan to the Department of Education. During the development of the Educational Plant Survey and the Campus Master Plan, the Town shall be given the opportunity to raise any issues or concerns with the Plan for consideration by the College".

Rev: June 18, 2012

IX. TOWN COUNCIL TRANSMITTAL: To be determined by the Town Council at its meeting on the subject.

X. REGIONAL AND STATE AGENCY REVIEW: To be included if the Town Council decides to transmit the application for appropriate regional and state agency review.

XI. STAFF RECOMMENDATION: Staff recommends approval of proposed Amendment 12-2, including the revisions to Special Policy 1.15.4 recommended by the LPA at its meeting of April 12, 2012 and the subsequent clarifications proposed by Palm Beach State College. Recommended text and map amendments are included in Attachment A.

XII. TOWN COUNCIL ADOPTION: To be included if, and when the Town Council has second reading of the related adoption ordinance.

Rev: June 18, 2012

ATTACHMENT A1
FUTURE LAND USE ELEMENT TEXT AMENDMENT 12-2

1. Addition of Special Policy 1.15.4 of the Future Land Use Element which regulates development on the Palm Beach State College property.

Words underlined are additions to the current text of the Loxahatchee Groves Comprehensive Plan.

1.15.4 Special Policy:

Policy 1.15.4: Development on the Palm Beach State College Property delineated as "Special Policy 1.15.4" on the Future Land Use Map, Map # FLU-1.10, shall be regulated by the following criteria:

i. Policy 1.15.4-a: Development of the property shall be governed only by the following regulations:

- a. SREF- State Requirements for Educational Facilities as adopted in Rule 6A-2.0010
- b. Florida Building Code
- c. Florida Fire Prevention Code
- d. South Florida Water Management District
- e. Loxahatchee Groves Water Control District

ii. Policy 1.15.4-b: A "Master Site Development Plan" providing the following information for the overall site shall be submitted to the Town for approval prior to issuance of the first building permit:

- a. Site Acreage
- b. Site boundaries clearly identified, and ties to section corners.
- c. Existing and proposed land uses and existing uses on adjacent land.
- d. Generalized location of development areas and uses.
- e. Indication of vehicular connections to public rights-of-way.
- f. A valid Conceptual Driveway Permit approval from the Florida Department of Transportation issued pursuant to the "State Highway System Access Management Classification System and Standards", as amended.
- g. Design Guidelines to be consistent with the intentions of the Town's Rural Vista Guidelines as can be applied to a college campus.

- h. All adjacent public and private rights-of-way and easements, indication of ultimate right-of-way line, centerline, width, pavement width, existing and proposed median cuts and intersections, street light poles and other utility facilities and easements.
 - i. Indication of existing native vegetation that will be preserved.
 - j. A detail of the proposed buffer for screening along the northern boundary, including addressing removal of invasive vegetation and replanting.
 - k. Site Data, including the maximum intensity permitted on site.
- iii. Policy 1.15.4-c: A copy of the "Campus Master Plan" prepared pursuant to REF- State Requirements for Educational Facilities as adopted in Rule 6A-2.0010 and all future 5-year updates shall be submitted to the Town of Loxahatchee Groves for informational purposes. The 5 - year updates to the "Campus Master Plan" shall be submitted to the Town of Loxahatchee Groves for informational purposes prior to submission of the Plan to the Department of Education. During the development of the Educational Plant Survey and the Campus Master Plan, the Town shall be given the opportunity to raise any issues or concerns with the Plan for consideration by the College.

Ordinance 2012-05

**ATTACHMENT A2
FUTURE LAND USE MAP #FLU-1.10 AMENDMENT 12-2
(Ref: Following Page)**

1. Amendment of the Future Land Use Map FLU-1.10 of the Loxahatchee Groves Comprehensive Plan to include a specific reference to Special Policy 1.15.4 which regulates development on the Palm Beach State College property.

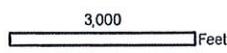
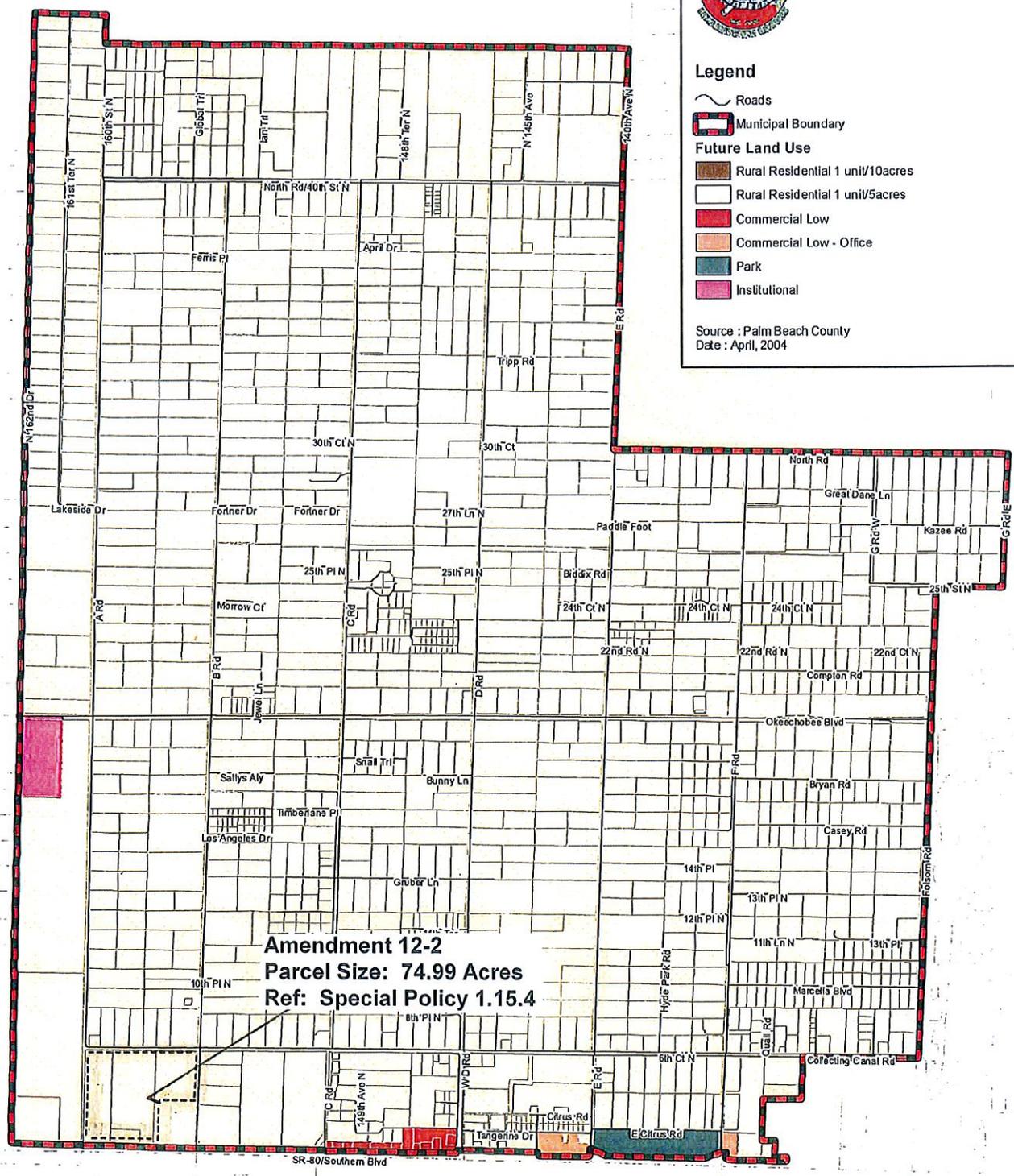


Future Land Use

Legend

- Roads
- Municipal Boundary
- Future Land Use**
- Rural Residential 1 unit/10 acres
- Rural Residential 1 unit/5 acres
- Commercial Low
- Commercial Low - Office
- Park
- Institutional

Source : Palm Beach County
Date : April, 2004



ATTACHMENT B1

Applicant's Statement Master Site Development Plan

Palm Beach State College is the contract purchaser of 74.999 acres, generally located along Southern Boulevard between A Road and B Road ("Future PBSC Property"). It is anticipated that a Future Land Use Amendment application to reinstate the Rural Residential 5 (RR-5) designation on the Future PBSC Property will be adopted. Pursuant to FLUE Table 1-8 Future Land Uses, the Town's Comprehensive Plan allows "public schools" within the RR-5 Land Use Category. The site currently has an Agricultural Residential (AR) zoning designation. This designation is consistent with the RR-5 land use category and allows "public schools" as a permitted use. Concurrent with the reinstatement of the RR-5 designation, it is anticipated that "Special Policies" specific to the Future PBSC Property will also be adopted under the provisions of Comprehensive Plan Future Land Use Element 1.15 Objective - Special Policies. One of the Special Policies allows for the submission of a Master Site Development Plan that generally represents the development pattern of the site.

Palm Beach State College (PBSC) has identified the Future PBSC Property as their preferred location to construct a new campus to best serve the western Palm Beach County communities. PBSC has contracted for this property with the intention of developing the campus over +50 years, similar to the growth pattern experienced at their other campuses. Development will be phased based on an identified need for programs and the associated funding for improvements and infrastructure.

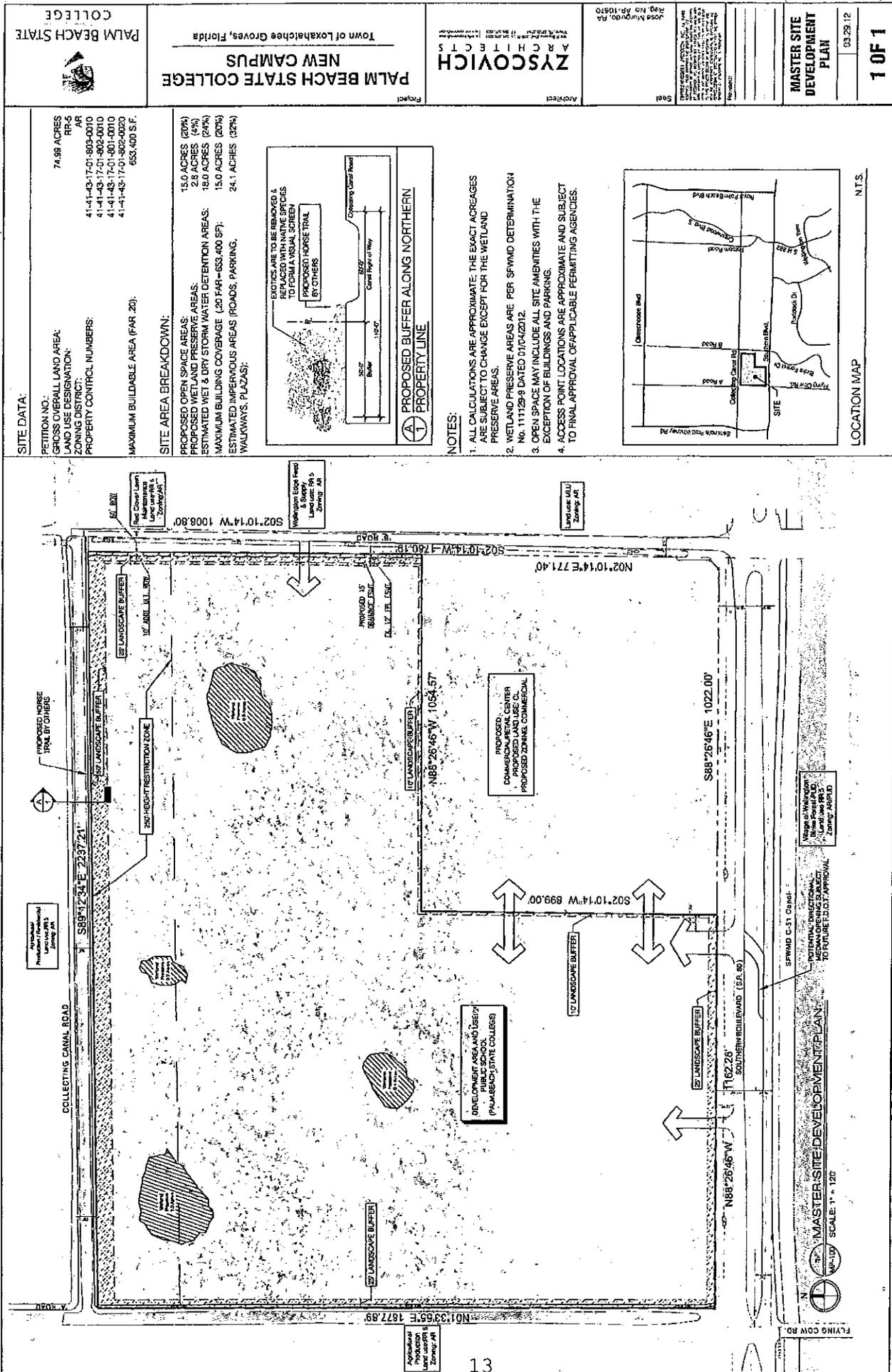
At this time, PBSC cannot produce a specific plan of development for the property but there are certain development features and infrastructure improvements that can be identified. It is anticipated that the first phases of development will occur on the southern portion of the property where the site is already cleared, utilities exist, drainage connections are available and access to Southern Boulevard and B Road can most easily be accomplished without significant infrastructure extensions. This Master Site Development Plan reflects the proposed access points on Southern Boulevard and B Road, and shows the location of cross access points with the adjacent commercial parcel. It is assumed that over the following decades development on the site will move toward the north and east. The Master Site Development Plan shows the open space that will be maintained along the northern property boundary. This open space treatment captures the higher quality native vegetation and wetland areas, and will sufficiently buffer the properties on the north of Collecting Canal Road from the future phases of development.

Included with the Master Site Development Plan are Design Guidelines addressing architectural style and site development characteristics. The Master Site Development Plan and Design Guidelines would be consistent with, and act as a supplement to, the site development requirements included in the "State Requirements for Educational Facilities" (SREF). The SREF will govern site development in conjunction with the Florida Building Code and the Florida Fire Prevention Code.

H:\JOBS\PBSC Campus 5 11-018\PBSC_PL_000\Documents\Applications\Master Site Development Plan\Applicants Statement MSDP 022112.docx

ATTACHMENT B2

Proposed Master Site Development Plan Graphic



SITE DATA:

PETITION NO.:
GROSS OVERALL LAND AREA:
LAND USE DESIGNATION:
ZONING DISTRICT:
PROPERTY CONTROL NUMBERS:

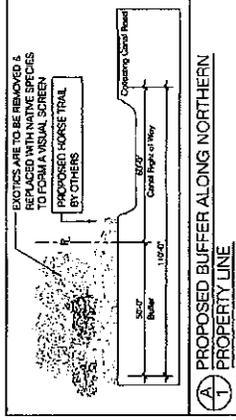
74.89 ACRES
RR-5
AR
41-41-43-17-01-803-0010
41-41-43-17-01-802-0010
41-41-43-17-01-801-0010
41-41-43-17-01-800-0020
653,400 S.F.

MAXIMUM BUILDABLE AREA (FAR .20):

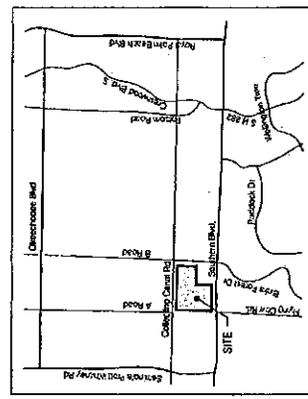
SITE AREA BREAKDOWN:

PROPOSED OPEN SPACE AREAS:
PROPOSED WETLAND PRESERVE AREAS:
ESTIMATED WET & DRY STORM WATER DETENTION AREAS:
MAXIMUM BUILDING COVERAGE (20 FAR-653,400 SF):
ESTIMATED IMPERVIOUS AREAS (ROADS, PARKING, WALKWAYS, PLAZAS):

15.0 ACRES (20%)
23.8 ACRES (32%)
18.0 ACRES (24%)
15.0 ACRES (20%)
24.1 ACRES (32%)



- NOTES:**
1. ALL CALCULATIONS ARE APPROXIMATE; THE EXACT ACRES ARE SUBJECT TO CHANGE EXCEPT FOR THE WETLAND PRESERVE AREAS.
 2. WETLAND PRESERVE AREAS ARE PER SPWMD DETERMINATION No. 111129-9 DATED 07/04/2012.
 3. OPEN SPACE MAY INCLUDE ALL SITE AMENITIES WITH THE EXCEPTION OF BUILDINGS AND PARKING.
 4. ACCESS POINT LOCATIONS ARE APPROXIMATE AND SUBJECT TO FINAL APPROVAL OF APPLICABLE PERMITTING AGENCIES.



LOCATION MAP
N.T.S.

PALM BEACH STATE COLLEGE NEW CAMPUS Town of Loxahatchee Groves, Florida	ZYSOCOVICH ARCHITECTS 2201 N. W. 11th St., Suite 100 Ft. Lauderdale, FL 33304 Phone: 754.341.1111 Fax: 754.341.1112 Email: info@zysocovich.com	MASTER SITE DEVELOPMENT PLAN 09.29.12 1 OF 1
--------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------

March 29, 2012

**ATTACHMENT B3
Palm Beach State College
Design Guidelines For:
The New Campus at the Town of Loxahatchee Groves**

PALM BEACH STATE COLLEGE

**DESIGN GUIDELINES FOR:
THE NEW CAMPUS AT THE TOWN OF LOXAHATCHEE GROVES**



**PALM BEACH STATE
COLLEGE**

**ZYSCOVICH
ARCHITECTS**

Purpose

A Public College Campus within the municipal limits of the Town of Loxahatchee Groves was not envisioned when the Town initially created and adopted its Unified Land Development Code (ULDC). The ULDC recognizes “public schools” but does not contain provisions that specifically address development of colleges or universities. Development of Public Colleges is regulated by the State of Florida under adopted Statutes and Rules, which are implemented by various State agencies. Rule 6A-2.0010, Florida Administrative Code, states that the Florida State Board of Education approves and the Florida Department of Education/Office of Educational Facilities administers the “State Requirements for Educational Facilities” (SREF). In conjunction with the Florida Building Code and Florida Fire Prevention Code, the SREF requirements govern the physical development of Public College facilities.

As the Town’s Land Development Code does not include specific requirements for Public Colleges, a Special Policy adopted in the Comprehensive Plan would permit development of the site to be regulated by State regulations. The purpose of these Design Guidelines is to supplement the State regulations specifically for this Public College Campus to allow for its integration into the community and to preserve and enhance the character of Loxahatchee Groves.

Site Planning

LOXAHATCHEE GROVES

The physical layout, orientation, and design of the proposed development should consider overall neighborhood character, the preservation of existing natural resources, and connectivity to off-site uses and activities. Therefore:

- Clustering of development within the campus core is encouraged to promote walkability, provide a variety of usable open spaces, and promote the preservation of native vegetation. Site design should incorporate design strategies that attempt to minimize the impact on neighboring uses.
- Buildings should be oriented in a manner that shields service components such as loading docks, trash areas, chiller plants and generators from the adjacent residential uses where feasible. Screen walls and/or vegetation may also be used to screen such components
- Site Design should incorporate existing native vegetation and natural features that preserve and enhance the character of Loxahatchee Groves in accordance with the approved Master Site Development Plan.
- A network of varied open spaces that facilitate both formal and informal interactions is strongly encouraged.
- Site Design should promote pedestrian connections with adjacent uses to encourage convenience, amenities, and positive synergies for students, faculty and staff, and the community as a whole.
- Site Design should consider incorporating greenspace into the surface parking areas that can blend with the natural landscape.

SP1 BUILDING PLACEMENT

SP 1.1

Building Orientation

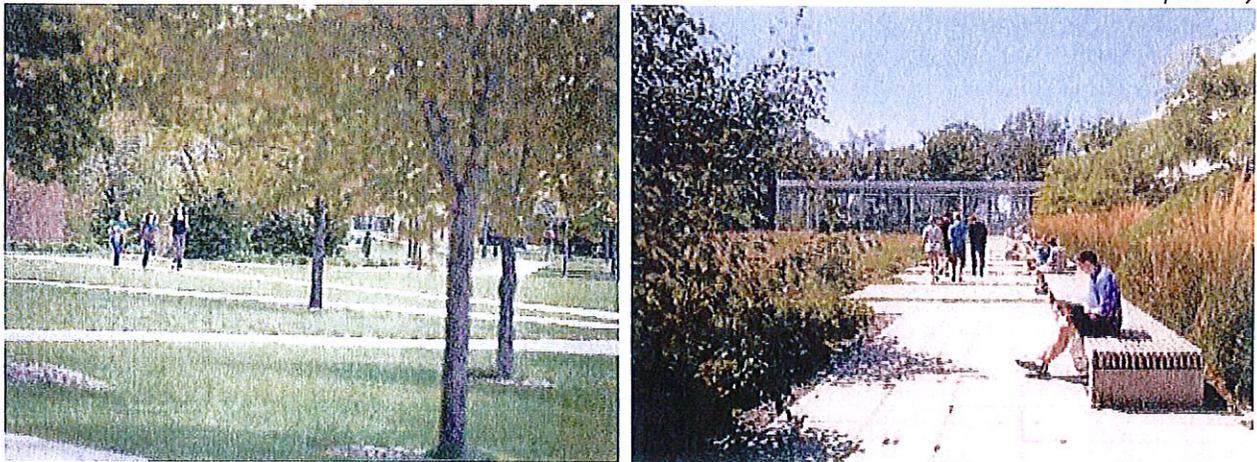
Buildings should be sited based on their functional relationship with other buildings, site amenities, support facilities, campus quads (discussed below) and open space, natural areas and the surrounding community. Clustering of buildings is encouraged, with the higher intensity buildings (i.e. height, floor area) located interior to the site to further the character of the community and retain natural vegetation, and to minimize visibility from adjoining residential properties, as set forth further in these Design Guidelines.

SP 1.2

Campus Quads

Site design should encourage the incorporation of building locations which create Campus Quads. Campus quads are open spaces or courtyards defined by a cluster of buildings or landscaping that creates a delineated yet permeable perimeter. Campus Quads help preserve existing native vegetation by allowing for increased open space thus protecting the rural character of Loxahatchee Groves. The series of open spaces will create a pedestrian node at the heart of the campus that welcomes visitors and encourages dynamic interior and exterior movement and interaction. Open spaces should incorporate paths, seating areas, lawns and landscape and outdoor study areas where feasible to create open air academic amenities and promote spatial articulation.

For Illustrative Purposes Only



SP 1.3

Building Setbacks

Buildings should be setback from the property lines to further compatibility with adjacent properties, provide for access for emergency services, allow for service from public utilities, and be sensitive to natural resources. Building setbacks will be determined based on the function of each building, its access needs, and its intensity.

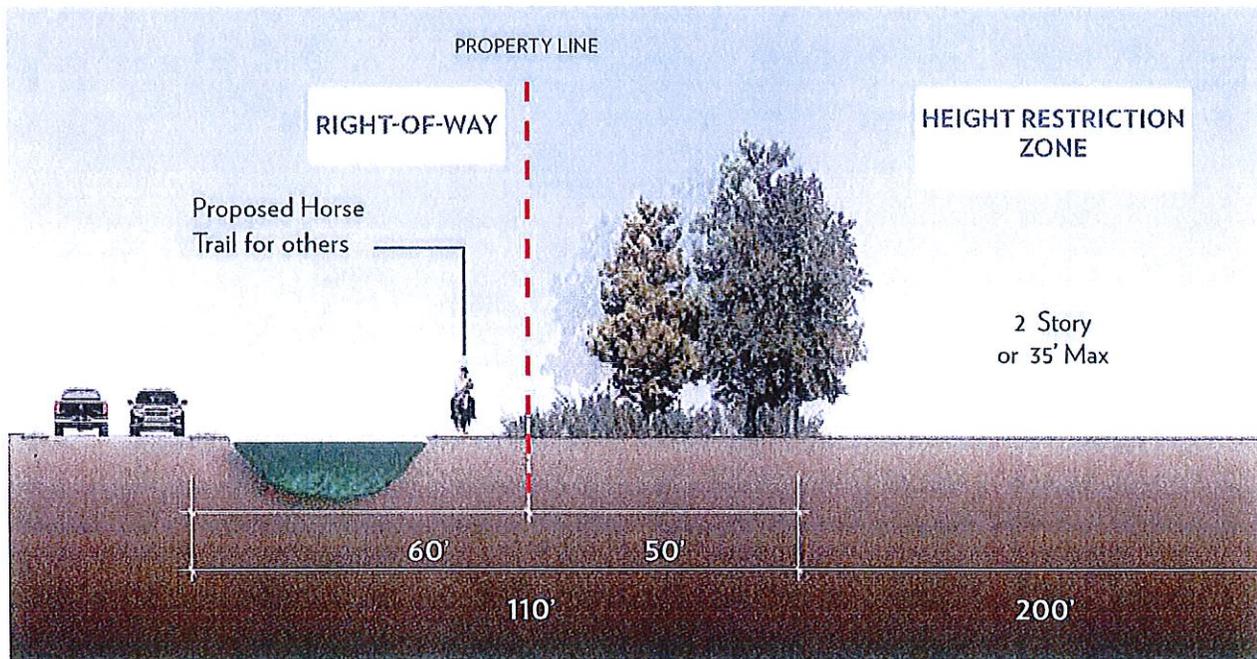
SP 1.4

Height Restriction Zone

Less intense uses on adjacent properties, such as residential uses, should be separated from the higher intensity uses associated with a College/Higher Education use. A transitional height restriction zone is proposed to provide separation between uses that vary in intensity and character. To provide a transition in mass and scale, buildings within 250 feet of the northern property line abutting residential uses shall not exceed 2 stories and 35 feet.

Within the Height Restriction Zone, no more than 50% of the land area may be utilized for buildings. Retaining existing vegetation, providing supplemental plantings and/or incorporating lakes into the Height Restriction Zone is encouraged.

For Illustrative Purposes Only



SP2 LANDSCAPING & OPEN SPACE

SP 2.1

Conservation

Existing native vegetation is part of Loxahatchee Groves' character. Site design should incorporate and seek to protect and enhance natural resources when feasible, in accordance with the approved Master Site Development Plan. New landscaping should complement the native plant communities on site and in the surrounding community.

SP 2.2

Northern Property Line Buffer

A Landscape buffer of no less than 50' in width of continuous land, as measured from the property line, along the northern perimeter of the property shall be provided. The preservation of existing vegetation and understory material, and relocation of native landscape into this buffer, is encouraged. Invasive vegetation within this buffer will be removed and new material planted such that within two years of the time of planting, the landscape buffers understory material shall create an opaque buffer that is a minimum of 4' in height and an average of not less than 8' in height.

For Illustrative Purposes Only



SP 2.3

Right of Way Buffers

The Right of Way Landscape buffers along Southern Boulevard and B Road shall be a minimum of 25' in width and will contain a minimum of one shade tree per 20 linear feet of buffer. The maximum spacing between shade trees shall be 60'. Shade trees shall be a minimum of 12' in height at the time of planting. Three cabbage palms with a minimum of 8' of clear wood each are permitted in place of any required shade tree. Except when interrupted by vehicular access drives, understory plant material shall be provided throughout the entire length of the landscape buffer. Shrubs shall be installed in a minimum of two tiers or in plant masses a minimum of three shrubs in depth. When necessary and appropriate, plant materials shall be maintained at varied heights, depending on their species, growth habit, and intended purpose. Shrub heights at the time of planting will vary between 12" and 36" depending on the species. Shrub spacing will vary between 18" and 72" depending on the shrub size, species, location, and growth rate. Within two years of the time of planting, the landscape buffers understory materials shall create a hedge that is a minimum of 30" in height.

SP 2.4

Western Perimeter Buffer

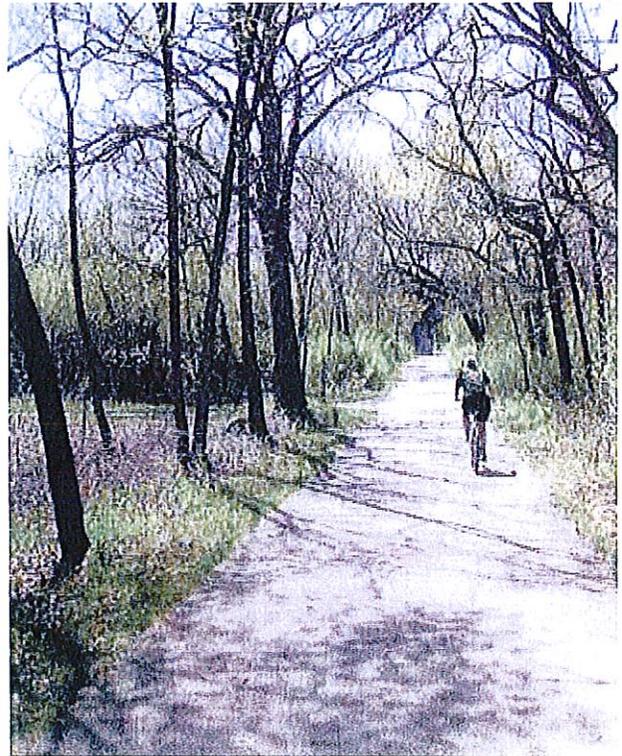
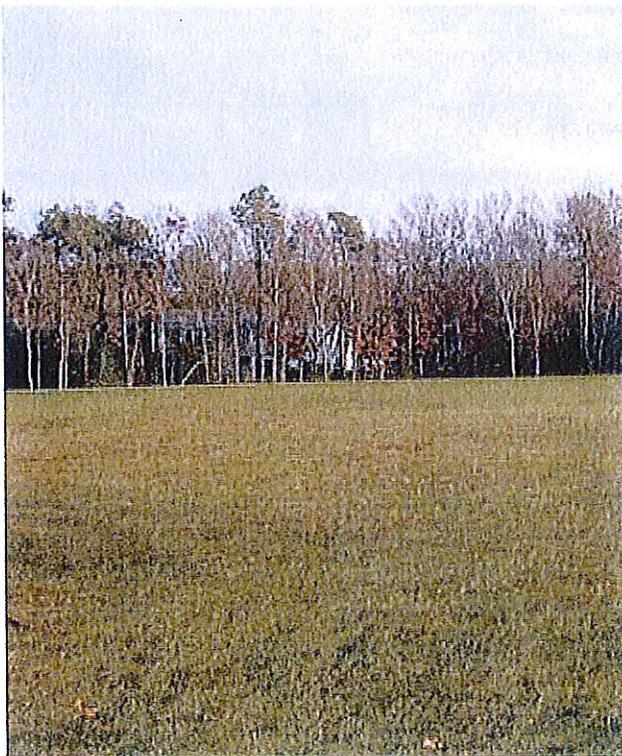
A Landscape buffer shall be provided along the western property boundary at a minimum of 25' in width and will contain a minimum of one shade tree per 20 linear feet of buffer. The maximum spacing between shade trees shall be 60'. Shade trees shall be a minimum of 12' in height at the time of planting. Three cabbage palms with a minimum of 8' of clear wood each are permitted in place of any required shade tree. Understory plant material shall be provided for a minimum of 50% of the length of the landscape buffer. When necessary and appropriate, plant materials shall be maintained at varied heights, depending on the species, growth habit, and intended purpose. Shrub heights at the time of planting will vary between 12" and 36" depending on the species. Shrub spacing will vary between 18" and 72" depending on the shrub size, species, location, and growth rate.

SP 2.5

Buffers Adjacent to Commercial Parcel

The Landscape buffers adjacent to the Commercial Parcel to the east and south of the property shall be a minimum of 10' in width and will contain a minimum of one shade tree per 30 linear feet of buffer. The maximum spacing between shade trees shall be 60'. Shade trees shall be a minimum of 12' in height at the time of planting. Three cabbage palms with a minimum of 8' of clear wood are permitted in place of any required shade tree. Understory plant material shall be provided for a minimum of 50% of the length of the landscape buffer. When necessary and appropriate, plant materials shall be maintained at varied heights, depending on their species, growth habit, and intended purpose. Shrub heights at the time of planting will vary between 12" and 36" depending on the species. Shrub spacing will vary between 18" and 72" depending on the shrub size, species, location, and growth rate.

For Illustrative Purposes Only



SP 2.6

General Requirements

Trees, Slash Pines, Palms and understory plant materials preserved on site may be credited towards landscape buffer requirements. Design of the buffer is encouraged to emulate a natural Florida woodland. Buffer plant materials are encouraged to be installed in an undulating, naturalistic configuration and may provide views into the site. The majority of the buffer plant materials shall be native to Florida, such as:

Trees:	Live Oaks	Cabbage Palm	Pigeon Plum
	Laurel Oaks	Green Buttonwood	Stoppers
	Mahogany	Gumbo Limbo	Slash Pine
	Red Maple	Dahoon Holly	Redbay
	Southern Red Cedar	Bald Cypress	
Understory	Saw Palmetto	Myrsine	Wax Myrtle
	Wild Coffee	Firebush	Cocoplum
	Fiddlewood	Stoppers	Beautyberry
	Dwarf Yaupon	Fakahatchee Grass	Spartina
	Jamaica Caper	Muley Grass	Gama Grass
	Fetterbush	Walter's Viburnum	Coontie

Plant materials listed are for reference purposes only, alternative species may be substituted depending upon availability.

In order to enhance screening and provide amenities for the campus, buffers may be comprised of preserved native vegetation or new plantings, recreation, greenways and/or pedestrian and bicycle paths. Additional improvements allowed with buffers include screening or fencing materials, utilities and detention areas. Locating lakes in proximity to buffers is encouraged.

Installation of Landscape Buffers will be phased in accordance with the construction of the campus.

SP 2.7

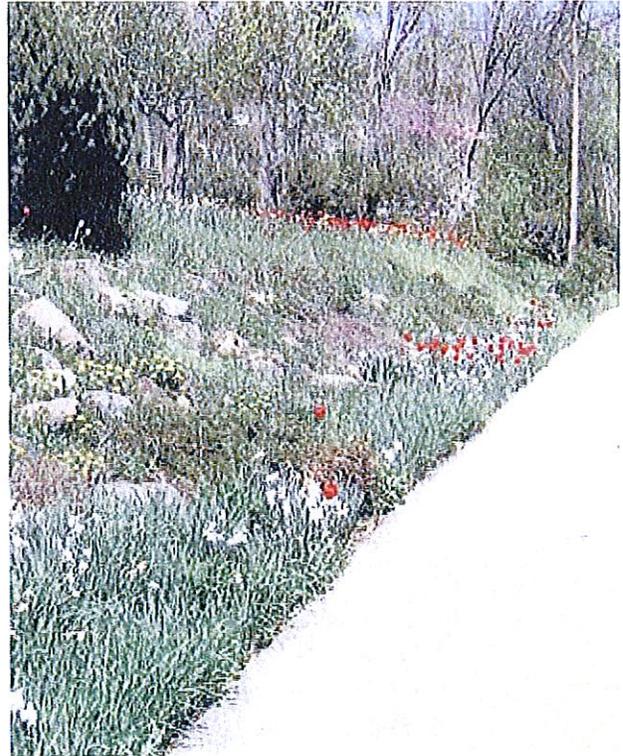
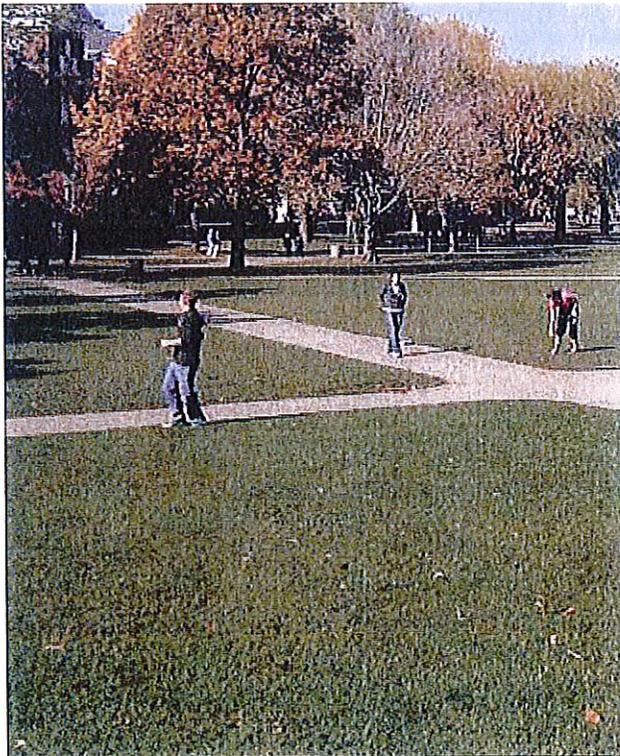
Recreational Zones and Open Spaces

Recreational Zones and Open Spaces are permitted throughout the property. Recreational Zones and Open Spaces may be used as passive or active areas; and are encouraged to facilitate both formal and informal interactions.

Active recreational zones such as sports fields and courts are encouraged to utilize pedestrian path networks to connect with other portions of the property. Preservation areas and buffers may be utilized for passive recreation purposes when such use will not interfere with the viability of the natural area and the health of the landscaping within the buffer. Passive trails may include pedestrian or bicycle trails connecting the property internally or to neighboring residential uses.

The integration of pedestrian and bicycle trails into buffers and preservation areas is encouraged providing that such uses are not detrimental to the ecology. Integrated passive trails also offer an opportunity to establish pedestrian connections with adjacent uses to encourage convenience, amenities, and positive synergies for its students, faculty and staff, and the community as a whole.

For Illustrative Purposes Only



SP3 PARKING

SP 3.1 Surface Parking Lot Design

a. Northern Property Line Screening

Parking lots adjacent to the northern property line should be screened to minimize visibility from residential uses located north of the campus. Screening may include landscaping (including existing native and new vegetation), fencing, and/or berms.

For Illustrative Purposes Only



b. Landscaping

To help reduce the heat index and further contribute to the rural character of Loxahatchee Groves, parking lots should provide canopy trees and planting areas when feasible.

c. Pedestrian Walkways and Lighting for Parking Lots

In order to create a safe and protected pedestrian environment, walkways should be provided that conveniently connect surface parking lots to campus buildings. For safety purposes, surface parking lots should be lit. Cut off lighting or other methods to minimize glare and light spillover is encouraged.

d. Paving Materials

To reduce stormwater runoff and increase groundwater recharge, pervious paving materials such as grass pavers, pervious asphalt or concrete, and gravel are permitted.



For Illustrative Purposes Only



Architectural Design and Character

LOXAHATCHEE GROVES

Building design should foster and encourage social interaction, create visual connections to exterior spaces and natural features, and promote convenient pedestrian connections. Facade articulation, building materials and textures, and architectural details should utilize architecture that considers the character of the community. Therefore:

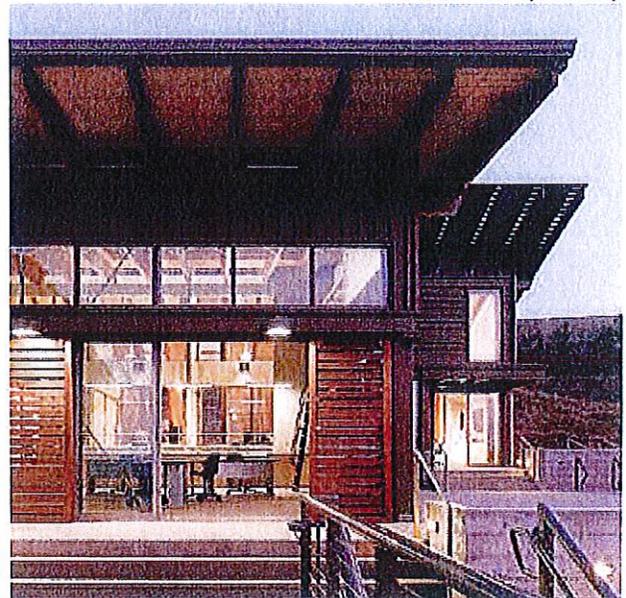
- Buildings should be designed in consideration of the character of the community as set forth below. The use of elements/styles/materials not specifically referenced shall not constitute a building to be out of character or non-compliant with the character of the community.
- Buildings should be oriented to maximize passive design strategies and incorporate innovative systems that promote sustainable design.

AD1 MASSING AND SCALE

AD 1.1

Building Footprint & Length

Large volumes and long, uninterrupted building facades are discouraged. Instead, buildings that break the roofline and divide large building planes into separate volumes and forms are encouraged.



For Illustrative Purposes Only

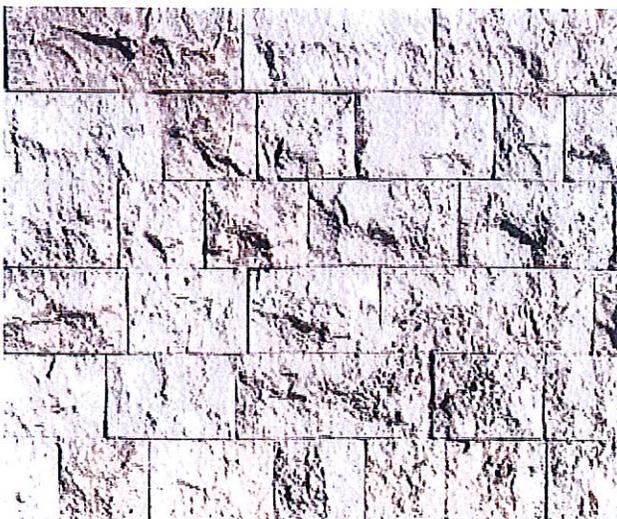
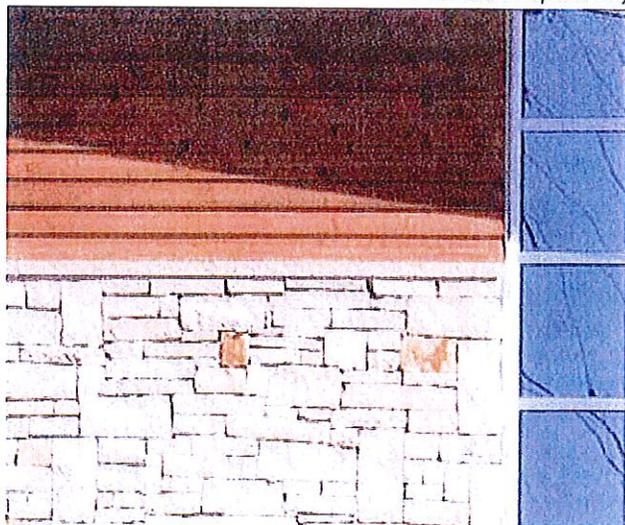
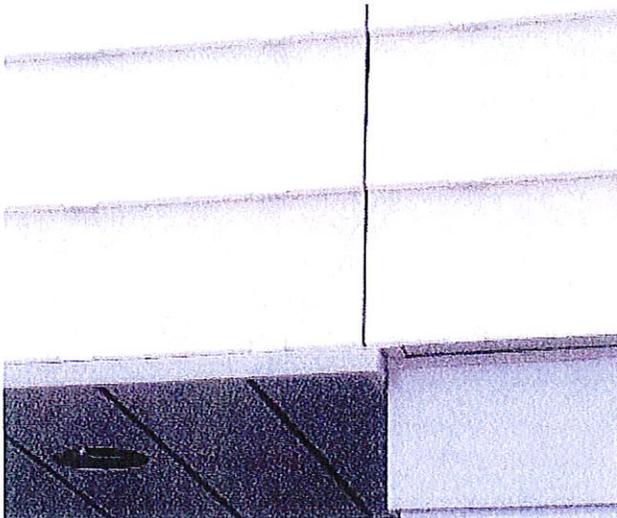
AD2 BUILDING ARTICULATION, FACADE & ARCHITECTURAL TREATMENT

AD 2.1

Materials and Building Textures

Buildings are encouraged to incorporate materials and textures associated with the rural character of the neighborhood such as natural stones, precast concrete, textured concrete block, textured stucco, and fiber cement siding (also known as “Hardie Board”).

For Illustrative Purposes Only



AD 2.2

Roof and Terraces

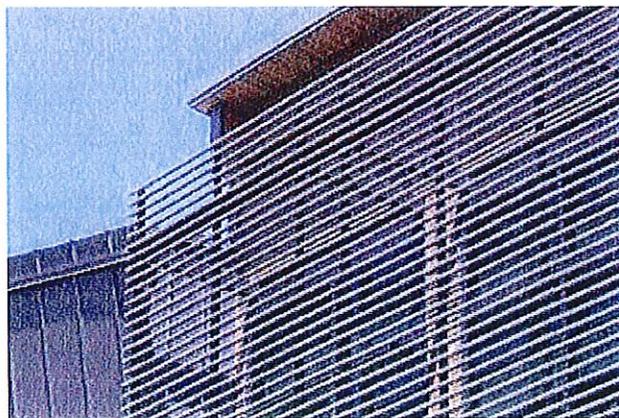
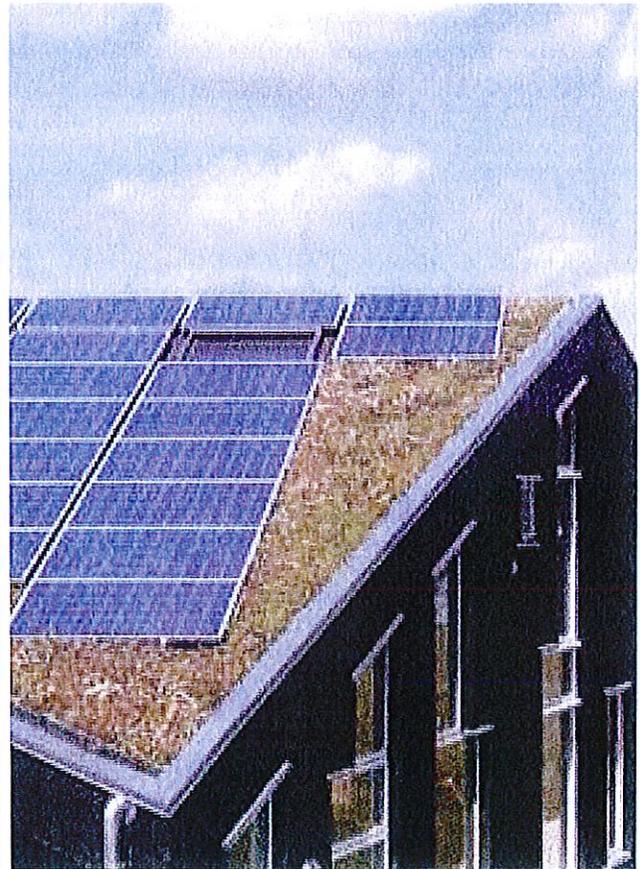
a. Rooftops and Terraces

Roofs are permitted to be multi-functional and incorporate recreational, leisure, and other active spaces which take advantage of natural views and moderate temperatures. Vegetated roofs, rain barrels, and solar panels may also be incorporated to either enhance energy efficiency, stormwater management, or conservation value.

b. Mechanical Equipment

Roof top mechanical equipment and appurtenances such as cooling towers, elevator, stairs, vent stacks, and antennas should be screened from view at street level and from adjacent residential uses, and integrated into the overall building design.

For Illustrative Purposes Only



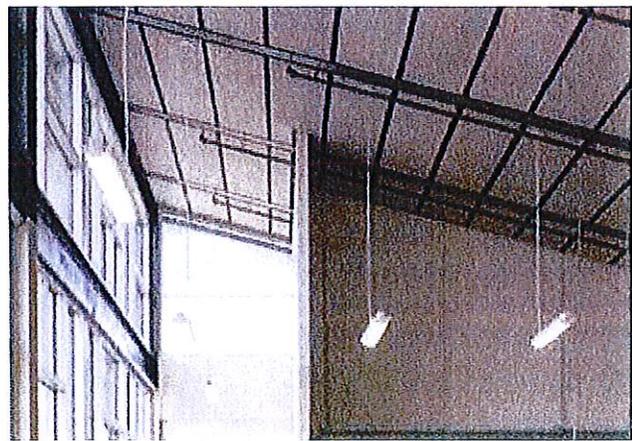
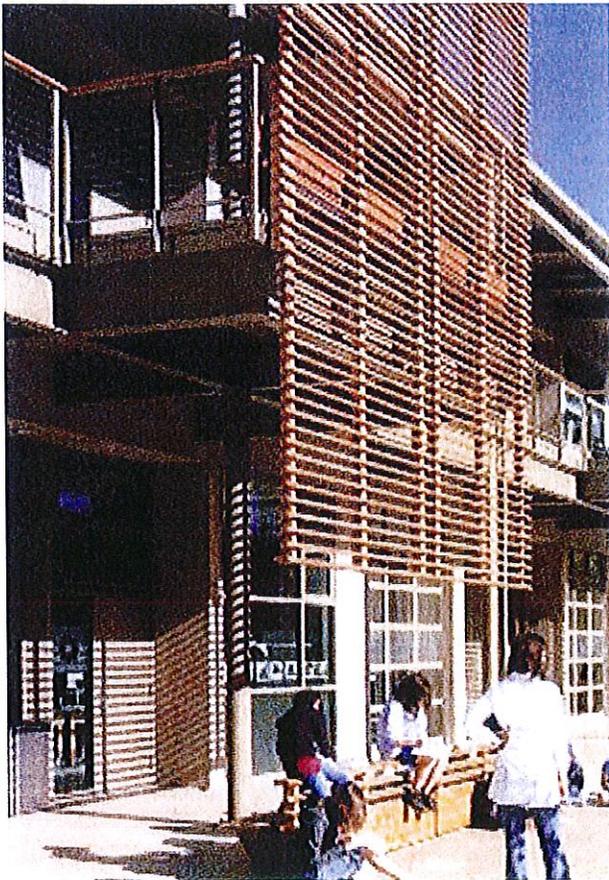
AD3 SUSTAINABLE DESIGN

AD 3.1

Fenestration that promotes Energy Efficiency

Windows and similar transparent openings, and reflective surfaces should be placed in a manner to maximize the sunlight in an effort to promote energy efficiency. The incorporation of other energy efficient building systems is also encouraged. Energy efficient systems may include passive features such as large overhangs, breezeways, and louvers, as well as active features such as solar panels and other mechanical systems.

For Illustrative Purposes Only



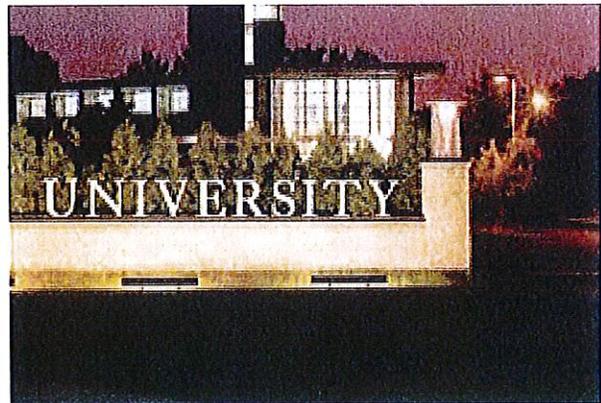
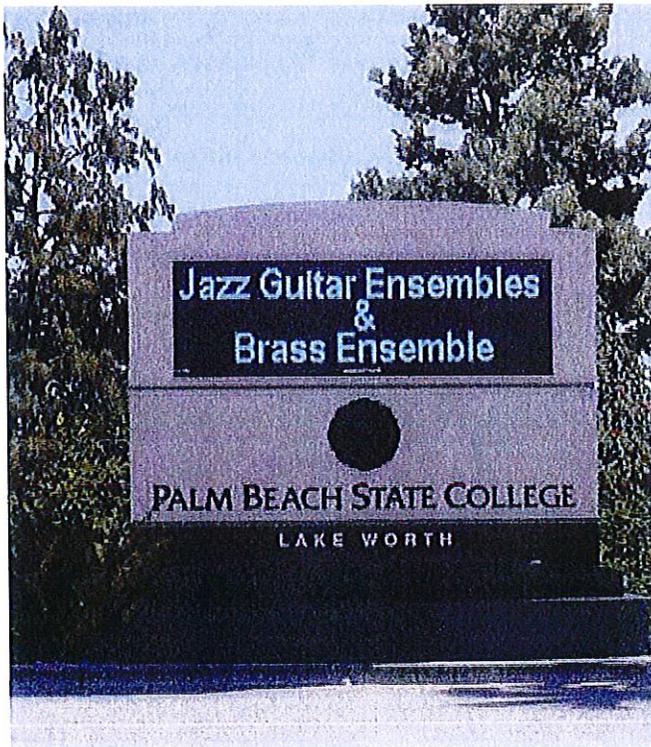
AD4 SIGNAGE

AD 4.1

Standards

College signage should be designed in consideration of the character of the community to ensure a visually cohesive environment that reflects, rather than detracts from, the quality of the College and the surrounding neighborhood. To that end, signs are encouraged to incorporate materials and textures associated with the community and the College architectural design. Entry, informational and directional signage for vehicles and pedestrians, and building identification should be horizontal in format and installed lower to the ground in order to improve readability and minimize potential negative visual impacts. Directional signage should be coordinated throughout the site, including major vehicular and pedestrian access points. Signs with raised and/or carved lettering and images are encouraged. Signs may be illuminated and include electronic display.

For Illustrative Purposes Only



THE PALM BEACH POST
 Published Daily and Sunday
 West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
 COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Ellen Sanita**, who on oath says that she is **Call Center Revenue Manager** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter **Amendment 12-2** was published in said newspaper in the issues of **June 14, 2012**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.

(Handwritten mark)

Sworn to and subscribed before 14th day of June, A.D. 2012.
 Who is personally known to me.

(Handwritten signature: M. Thinton)

NOTARY PUBLIC-STATE OF FLORIDA
Karen M. McLinton
 Commission #DD832672
 Expires: NOV. 15, 2012
 BONDED THRU ATLANTIC BONDING CO., INC.

RECEIVED
 JUN 21 2012
 By *DP*

NO. 6756561R

NOTICE OF TEXT AND MAP CHANGE TO TOWN OF LOXAHATCHEE GROVES COMPREHENSIVE PLAN

The Town Council for the Town of Loxahatchee Groves proposes to adopt the following Ordinance 2012-05, adopting amendment 12-2 to the Town of Loxahatchee Groves Comprehensive Plan:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE TOWN OF LOXAHATCHEE GROVES FLORIDA COMPREHENSIVE PLAN TO (1) AMEND THE COMPREHENSIVE PLAN TEXT TO CREATE SPECIAL POLICY 1.15.4 UNDER OBJECTIVE 1.15 OF THE FUTURE LAND USE ELEMENT WHICH REGULATES DEVELOPMENT ON THE 74.99 ACRE PROPERTY LOCATED GENERALLY AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND BIRCH ROAD LOXAHATCHEE GROVES, FLORIDA, AS SPECIFICALLY INDICATED ON EXHIBIT 1, KNOWN AS THE PALM BEACH STATE COLLEGE PARCEL; AND (2) AMEND THE FUTURE LAND USE MAP FIG. 1.10 TO INCORPORATE A SPECIFIC REFERENCE TO SPECIAL POLICY 1.15.4, PROVIDING FOR AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGES, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Amendment 12-2 relates to revising the text and Future Land Use Map of the Future Land Use Element of the Town of Loxahatchee Groves Comprehensive Plan.

The Town Council of the Town of Loxahatchee Groves will conduct a public hearing on Tuesday, June 26, 2012 commencing at 7:00 p.m. to discuss proposed text and map amendments to the Future Land Use Element of the Comprehensive Plan (Amendment 12-2). The Public Hearing of the Town Council shall be held at the Loxahatchee Groves Water Control District meeting room 101 West Birch Road, Loxahatchee Groves, Florida 33470. The Town Council will consider approval of the ordinance on first reading and whether to transmit Amendment 12-2 to the Florida Department of Economic Opportunity and other applicable reviewing agencies. The area of proposed Land Use Amendment 12-2 is depicted below.

All interested persons are invited to appear at the public hearing, which may be continued from time to time, and may be heard with respect to these matters. A copy of Amendment 12-2 and Ordinance 2012-05 are on file at the Town Management Office 14579 Southern Boulevard, Suite 2, Loxahatchee Groves, Florida, 33470 for inspection by members of the public during normal business hours.

In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Town Management Office at (561) 793-2418 at least five days prior to the Public Hearing date.

Exhibit 1

Scale: NTS N

PUBLISH: The Palm Beach Post, June 14, 2012

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-05

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE TOWN OF LOXAHATCHEE GROVES FLORIDA COMPREHENSIVE PLAN TO (1) AMEND THE COMPREHENSIVE PLAN TEXT TO CREATE SPECIAL POLICY 1.15.4 UNDER OBJECTIVE 1.15 OF THE FUTURE LAND USE ELEMENT WHICH REGULATES DEVELOPMENT ON THE 74.99 ACRE PROPERTY LOCATED GENERALLY AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA, AS SPECIFICALLY INDICATED ON EXHIBIT 1, KNOWN AS THE PALM BEACH STATE COLLEGE PARCEL; AND (2) AMEND THE FUTURE LAND USE MAP FLU-1.10 TO INCORPORATE A SPECIFIC REFERENCE TO SPECIAL POLICY 1.15.4; PROVIDING FOR AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, provisions of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985 require adoption of a comprehensive plan; and;

WHEREAS, the Town of Loxahatchee Groves, Florida, pursuant to the Local Government Comprehensive Planning Act, and in accordance with all of its terms and provisions, adopted its Comprehensive Plan which became effective on August 19, 2011; and,

WHEREAS, the Town has adopted Ordinance 2012-04, to amend the Town’s Comprehensive Plan, which approved Land Use Application 12-1 and amended the Land Use Category on the 96.7 acres located at the northwest corner of Southern Boulevard and “B” Road (“Simon Property”), within the Town of Loxahatchee Groves, Florida, to rescind the MLU designation placed on the Simon Property by Ordinance 2011-015, restoring the Rural Residential – 5 Land Use on the Town’s Future Land Use Map for entire Simon Property, amended the Town’s Comprehensive Plan to amend the Future Land Use Map to assign the Commercial Low (CL) Land Use designation to the 21.73 acres located at the southeast corner of the Simon Property, and rescinded Special Policy 1.15.1 of Objective 1.15 of the Town’s

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-05

Comprehensive Plan which would no longer govern the uses on the Simon Property upon the approval of the Application 12-1; and,

WHEREAS, Palm Beach State College (PBSC) has entered into a Purchase and Sale Agreements for 74.99 acres of the 96.73 acres of the Simon Property (“PBSC Property”), which pursuant to the adoption of Ordinance 2012-04 has a Land Use designation of Rural Residential – 5 (RR-5), for the development of a new campus for PBSC, as depicted on Exhibit “1” hereto (the “PBSC Property”); and,

WHEREAS, the RR-5 Land Use Category placed on the Property through the adoption of Ordinance 2012-04 and approval of Application 12-1 permits the use of the 74.99 acres to be purchased by PBSC to be used for its new campus (“PBSC Property”); and,

WHEREAS, PBSC has filed Amendment 12-2 to amend the Town’s Comprehensive Plan to add Special Policy 1.15.4 to the Future Land Use Element of the Town’s Comprehensive Plan, which will be delineated on the Town’s Future Land Use Map, to regulate the development of the PBSC Property as a college campus (the “Amendment”); and

WHEREAS, the Town’s Planning Consultant recommends approval of Application 12-2 and the Amendment; and,

WHEREAS, the Town’s Planning Consultant recommends the transmittal of the Amendment, to the State of Florida Department of Economic Opportunity (DEO) (formerly Department of Community Affairs) and all other agencies having jurisdiction over the Amendment for their review; and,

WHEREAS, at a public hearing conducted on April 12, 2012, the Town’s Planning and Zoning Board, in its capacity as the Town’s Local Planning Agency, reviewed the Amendment, the records of which are incorporated herein and made specific part thereof, and recommended

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-05

approval of Application 12-2 and the Amendment with two (2) recommended amendments to the proposed language; and,

WHEREAS, the Town Council of the Town of Loxahatchee Groves has conducted public hearings on this Amendment; and,

WHEREAS, the Amendment will be transmitted to the DEO for review and all other agencies having jurisdiction over the Amendment for review and comments, all as provided by law; and,

WHEREAS, the Town Council of the Town of Loxahatchee Groves has deemed it to be in the best interest of the citizens and residents of the Town of Loxahatchee Groves to adopt the Amendment to the Town's Comprehensive Plan, in accordance with Chapter 163, specifically Section 163.3184 Florida Statutes, to add Special Policy 1.15.4 to the Future Land Use Element of the Town's Comprehensive Plan, which will be delineated on the Town's Future Land Use Map, to regulate the development of the PBSC Property as a college campus.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA:

SECTION 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Ordinance upon adoption hereof; all exhibits and reports attached hereto or referenced herein are incorporated herein and made a specific part of this Ordinance.

SECTION 2: The Town Council has reviewed the Application as the governing board of the Town, and finds the following:

1. The Amendment, as hereinafter approved herein, is consistent with the goals, objectives and policies of the currently effective comprehensive plan;

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-05

2. The characteristics of the surrounding area and the characteristics included in the proposed development are compatible;

3. The Town of Loxahatchee Groves has the ability or will have the ability to provide, or insure the provision of, necessary services for the additional demand for public facilities.

SECTION 3: The Town Council approves and adopts the recommendations of the Town's Planning Consultant, and Planning and Zoning Board, which are incorporated herein.

SECTION 4: The Amendment to the Comprehensive Plan of the Town of Loxahatchee Groves (Application No. 12-2) reviewed by the Town's Planning Consultant, the Town's Planning and Zoning Board in its capacity as the Local Planning Agency, and approved by the Town Council in its capacity as the governing body of the Town, to amend the Town's Comprehensive Plan to add Special Policy 1.15.4 to the Future Land Use Element of the Town's Comprehensive Plan, which will be delineated on the Town's Future Land Use Map, to regulate the development of the PBSC Property as a college campus, as set forth as Attachment A1 in the Planning Consultant's Report, and attached to this Ordinance as Exhibit "2" and incorporated herein, is adopted and approved.

SECTION 5: The Town's Planning Consultant is further authorized and directed to make the necessary textual changes to the Future Land Use Element and map changes to Map # FLU-1.10 of the Town's Comprehensive Plan in order to reflect the above-stated changes.

SECTION 6: All Ordinances or parts of Ordinances, and all Resolutions or parts of Resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-05

applications of this Ordinance that can be given affect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8: This Ordinance shall become effective as provided by law.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS ___ DAY OF _____, 2012.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS ___ DAY OF _____, 2012.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor David Browning

TOWN CLERK

Vice Mayor Jim Rockett

APPROVED AS TO LEGAL FORM:

Council Member

Office of the Town Attorney

Council Member

Council Member

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-05

EXHIBIT "1"

DEPICTION OF PROPERTY SUBJECT TO AMENDMENT

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-05

EXHIBIT "2"

SPECIAL POLICY 1.15.4

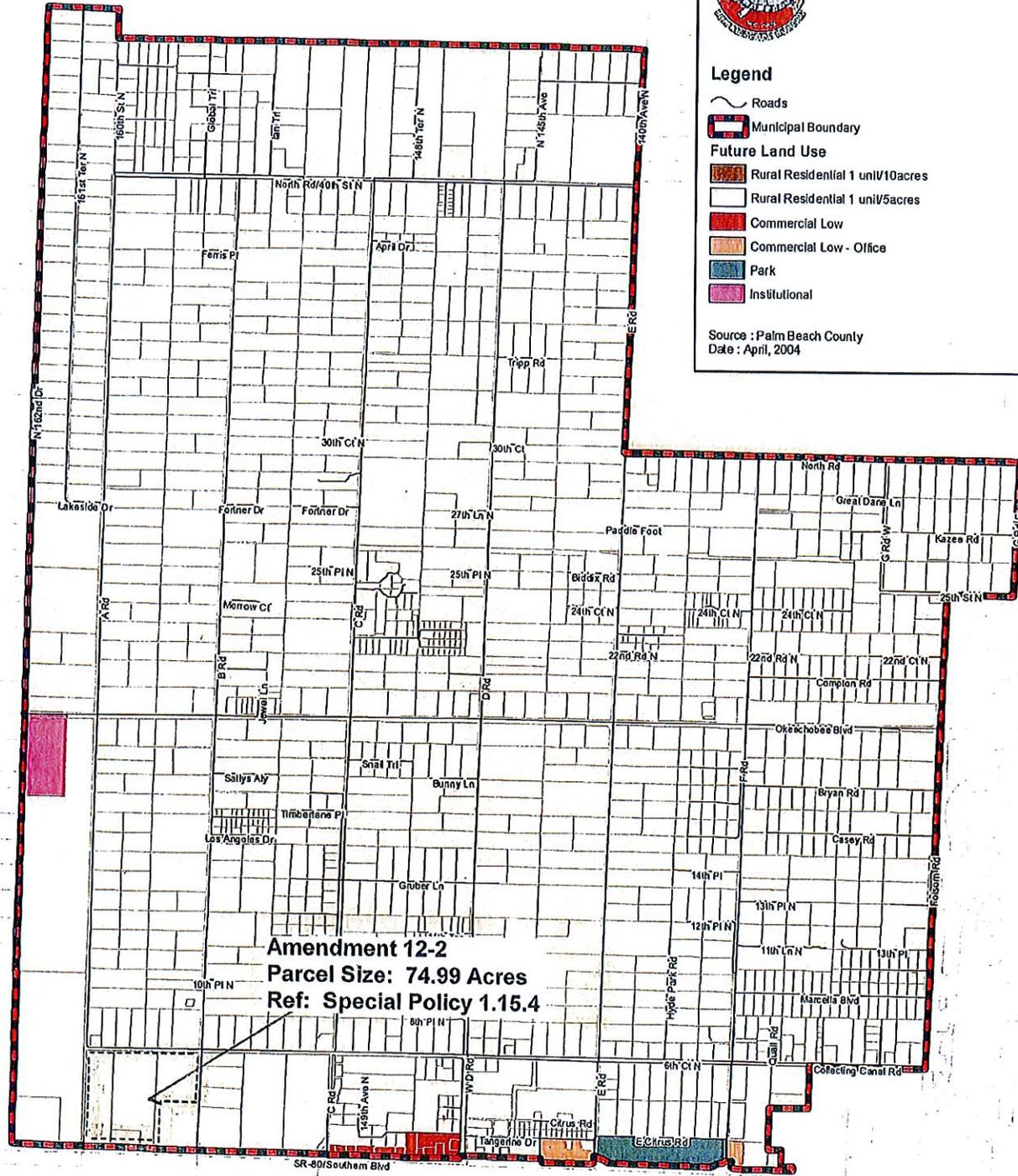


Future Land Use

Legend

- Roads
- Municipal Boundary
- Future Land Use**
- Rural Residential 1 unit/10 acres
- Rural Residential 1 unit/5 acres
- Commercial Low
- Commercial Low - Office
- Park
- Institutional

Source : Palm Beach County
Date : April, 2004





TOWN OF LOXAHATCHEE GROVES
OFFICE OF THE TOWN MANAGER
AGENDA REPORT

TO: Mayor and Town Council

FROM: Mark A. Kutney, Town Manager, AICP, ICMA-CM

DATE: June 20, 2012

SUBJECT: Administrative Rezoning – Morello Property CG (County) to CL

I. BACKGROUND/HISTORY

Currently within the Town, there are a number of parcels that maintain a Palm Beach County zoning designation and are inconsistent with land use, zoning or both designations. Upon the adoption of the Town's Unified Land Development Code (ULDC) on November 16, 2010, Ordinance NO. 2010-009 indicated that zoning designations that were inconsistent be resolved prior to redevelopment. In regard to the property in question, a portion of the property (parcel 1) is currently slated to be redeveloped with retail sales operation of hay and related products of an agricultural nature.

This administrative rezoning request with the Property owner's concurrence strictly relates to a rezoning from General Commercial (CG), a Palm Beach County zoning designation to Commercial Low (CL) within the Town. The Future Land Use map currently depicts the parcel as commercial. Since the adoption of the Growth Management Act in 1985, local governments were required to adopt Comprehensive Plans and the appropriate land development regulations to address any inconsistencies as a result of the adopted Comprehensive Plans. Many communities chose to address zoning district/map inconsistencies by conducting administrative rezoning's. In the Town's case, due to completing a Comprehensive Plan as a newly incorporated Town, moving forward and creating a ULDC for the first time and dealing with a Comprehensive Plan challenge (all within a short period of time), the Town chose not to attempt a large or mass administrative rezoning process, but rather opt for a parcel by parcel approach to address the matter.

II. DISCUSSION

This request is more of perfunctory or housekeeping type of matter that essentially takes a county zoning designation off the property and replaces it with the appropriate CL designation within the Town. Staff has reviewed both designations and they are similar in many respects. This action will permit the Staff to properly administer and enforce zoning/land development regulations on the property and correct the problem of County regulations governing the parcel.

III. FISCAL IMPACT

No fiscal impact

IV. ATTACHMENTS

Ordinance 2012- 07

Parcel Data for Parcels 1, 2 and 3

V. RECOMMENDATION

Town Management Staff recommends approval of the Administrative Rezoning

Parcel # 1

Property Detail
 Parcel Control Number: 41414317018070120 Location Address: 15003 SOUTHERN BLVD
 Owners: MORELLO GASPAR
 Mailing Address: PO BOX 55, LOXAHATCHEE FL 33470 0055
 Last Sale: Not available Book/Page#: / Price: Not available
 Legal Description: LOXAHATCHEE GROVES W 130.20 FT OF TR 7 LYG N OF & ADJ TO SR 80 R/W

2011 Values (Current)

Improvement Value	\$3,640
Land Value	\$105,449
Total Market Value	\$109,089
Assessed Value	\$109,089
Exemption Amount	50
Taxable Value	\$109,089

All values are as of January 1st each year

2011 Taxes

Ad Valorem	\$2,267
Non Ad Valorem	\$151
Total Tax	\$2,418

2012 Qualified Exemptions
 No Details Found
Applicants
 No Details Found

Building Footprint (Building 1)

No Image Found

ZONED: GC

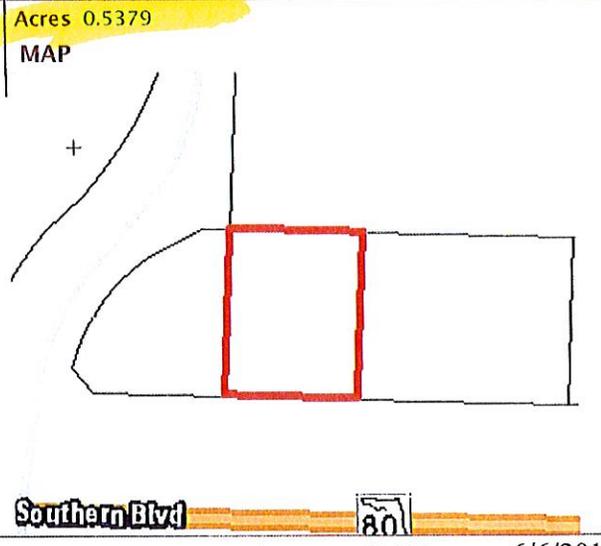
Subarea and Square Footage (Building 1)

Description	Area	Sq. Footage
Extra Features		
Description	Unit	
Shed	260	
Shed	140	

Unit may represent the perimeter, square footage, linear footage, total number or other measurement

Structural Details (Building 1)

No Description



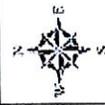
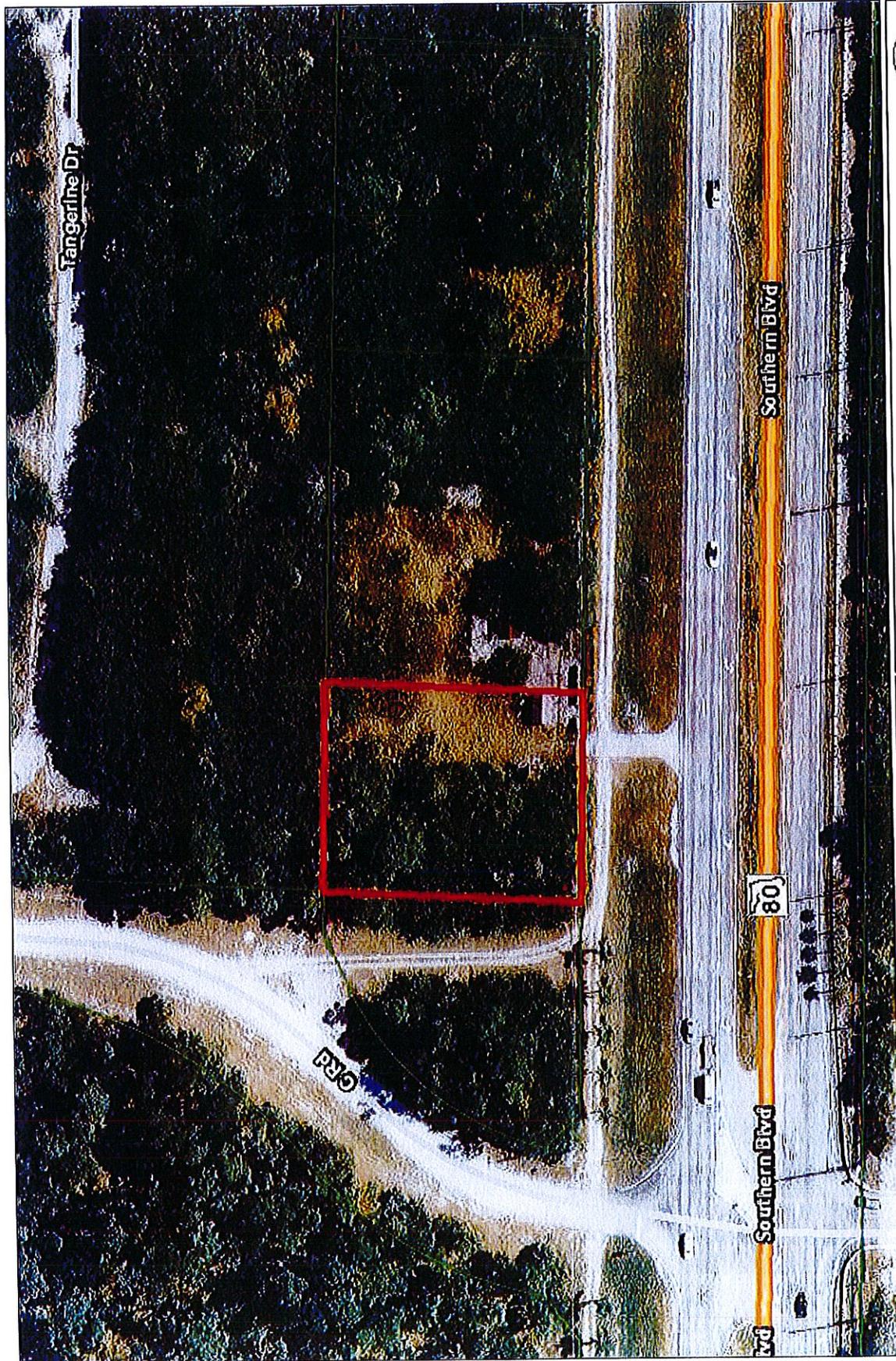
Owner: MORELLO GASPAR PCN: 41414317018070120 1 of 1

Legal Description for
41-41-43-17-01-807-0120

confirmed OK w/ Survey

LOXAHATCHEE GROVES W 130.20 FT OF TR 7 LYG N OF &
ADJ TO SR 80 R/W





41-41-43-17-01-807-0120

produced by: PapayaGIS

Parcel # 2

Property Detail																	
Parcel Control Number: 41414317018070070	Location Address: 14955 SOUTHERN BLVD																
Owners: MORELLO GASPER																	
Mailing Address: PO BOX 55.LOXAHATCHEE FL 33470 0055																	
Last Sale: JUN-1986	Book/Page#: 04926 / 1915																
Price: \$100																	
Legal Description: LOXAHATCHEE GROVES S 300 FT OF E 206.5 FT OF W 336.7 FT OF TH PT OF TR 7 LYG N OF & ADJ TO ORIG R/W SR 80 (LE																	
2011 Values (Current)	2011 Taxes																
Improvement Value \$2,330	Ad Valorem \$3,511																
Land Value \$166,617	Non Ad Valorem \$151																
Total Market Value \$168,947	Total Tax \$3,662																
Assessed Value \$168,947	2012 Qualified Exemptions																
Exemption Amount 50	No Details Found																
Taxable Value \$168,947	Applicants																
All values are as of January 1st each year																	
Building Footprint (Building 1)	Subarea and Square Footage (Building 1)																
<div style="font-size: 24px; font-weight: bold; margin-bottom: 10px;">No Image Found</div> <div style="background-color: yellow; padding: 5px; display: inline-block; margin-bottom: 10px;">Zoned GC</div>																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">Description</th> <th style="width: 10%;">Area</th> <th style="width: 10%;">Sq. Footage</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="padding: 5px;">Extra Features</td> </tr> <tr> <td style="padding: 5px;">Description</td> <td colspan="2" style="padding: 5px;">Unit</td> </tr> <tr> <td style="padding: 5px;">Shed</td> <td colspan="2" style="padding: 5px;">256</td> </tr> <tr> <td colspan="3" style="padding: 5px; font-size: small;">Unit may represent the perimeter, square footage, linear footage, total number or other measurement</td> </tr> </tbody> </table>			Description	Area	Sq. Footage	Extra Features			Description	Unit		Shed	256		Unit may represent the perimeter, square footage, linear footage, total number or other measurement		
Description	Area	Sq. Footage															
Extra Features																	
Description	Unit																
Shed	256																
Unit may represent the perimeter, square footage, linear footage, total number or other measurement																	
Structural Details (Building 1)	Acres 0.85																
No Description	MAP																

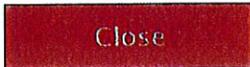
Owner: MORELLO GASPER PCN: 41414317018070070 1 of 1

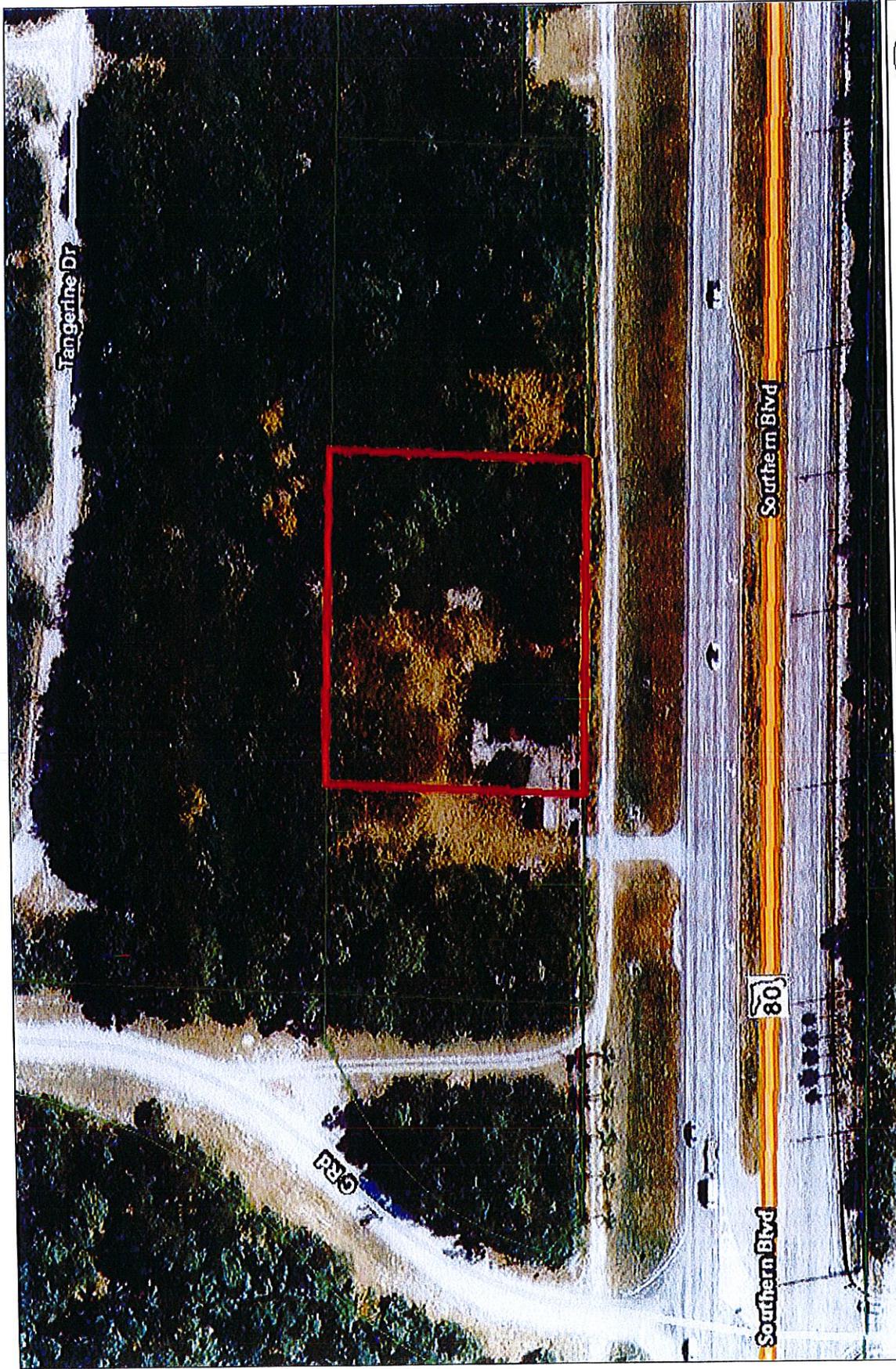
Legal Description for
41-41-43-17-01-807-0070

LOXAHATCHEE GROVES S 300 FT OF E 206.5 FT OF W 336.7
FT OF/TH PT OF TR 7/LYG N OF & ADJ TO ORIG R/W SR 80
(LESS S 120 FT ADDL R/W SR 80)BLK I

"Order of Taking"

Confirmed matching survey
legal description





41-41-43-17-01-807-0070

PROPERTY REPORT

Parcel #3

Property Detail
 Parcel Control Number: 41414317018070110 Location Address: SOUTHERN BLVD
 Owners: MORELLO GASPER
 Mailing Address: PO BOX 55, LOXAHATCHEE FL 33470 0055
 Last Sale: JUN-1986 Book/Page#: 04926 / 1915 Price: \$100
 Legal Description: LOXAHATCHEE GROVES S 300 FT OF E 193.38 FT OF W 530.08 FT OF TH PT OF TR 7 LYGN OF & ADJ TO ORIG R/W SR 80 (L)

2011 Values (Current)

Improvement Value	50
Land Value	\$156,816
Total Market Value	\$156,816
Assessed Value	\$156,816
Exemption Amount	50
Taxable Value	\$156,816

2011 Taxes

Ad Valorem	\$3,259
Non Ad Valorem	\$151
Total Tax	\$3,410

2012 Qualified Exemptions
 No Details Found
Applicants
 No Details Found

All values are as of January 1st each year

Building Footprint (Building 1)

No Image Found

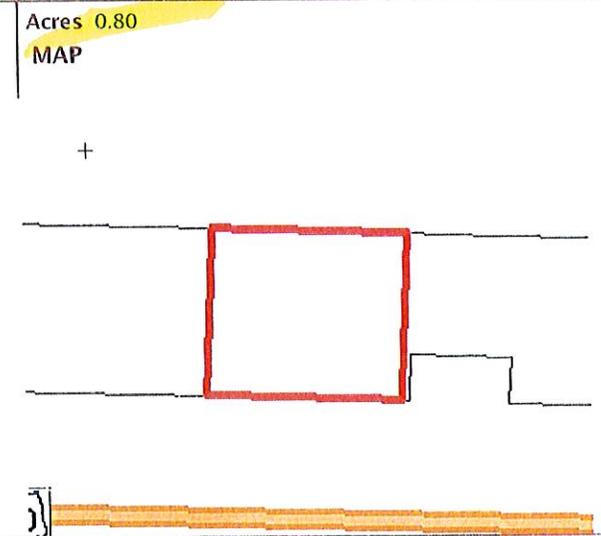
Zoned GC

Subarea and Square Footage (Building 1)

Description	Area	Sq. Footage
Extra Features		
Description	Unit	
No Extra Feature Available		

Structural Details (Building 1)

No Description



Owner: MORELLO GASPER PCN: 41414317018070110 1 of 1

Legal Description for
41-41-43-17-01-807-0110

LOXAHATCHEE GROVES S 300 FT OF E 193.38 FT OF W
530.08 FT OF TH PT OF TR 7 LYGN OF & ADJ TO ORIG R/W
SR 80 (LESS S 120 FT ADDL R/W SR 80)BLK I

*Confirmed matching
survey legal description.*

Order of Taking





41-41-43-17-01-807-0110

produced by: Papagis

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE REZONING OF LAND CONSISTING OF THREE ADJOINING PARCELS, TOTALING APPROXIMATELY 2.1879 ACRES, MORE OR LESS, LOCATED AT OR NEAR 15003 AND 14955 SOUTHERN BOULEVARD, EAST OF "C" ROAD, LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT "A" TO THIS ORDINANCE, FROM PALM BEACH COUNTY ZONING DESIGNATION COMMERCIAL GENERAL (CG) TO THE TOWN'S ZONING DESIGNATION COMMERCIAL LOW (CL); PROVIDING FOR THE APPROPRIATE REVISIONS OF THE ZONING DISTRICT MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 16, 2010, the Town adopted Ordinance 2010-009, which adopted the Town's Unified Land Development Code (ULDC), including the designation of zoning districts in the Town, consistent with the Town's Comprehensive Plan; and,

WHEREAS, Ordinance 2010-009, did not rezone properties in the Town to assign the Town's zoning designation; instead the Ordinance provided that properties would rezone at the time of development or redevelopment; and,

WHEREAS, the Property Owner (Gasper Morello) has consented to the proposed rezoning of certain property located on Southern Boulevard, east of "C" Road, at or near 15003 and 14955 Southern Boulevard, Loxahatchee Groves, Florida, totaling approximately 2.1879 acres, more or less, the legal description of which is set forth in Exhibit "A", attached hereto (the "Property"), from Palm Beach County zoning designation Commercial General (CG) to the Town's zoning designation of Commercial Low (CL), as a portion of the property is being considered for redevelopment for a retail sales operation of hay and related products of an agricultural nature; and,

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-07

WHEREAS, at its meeting of June 14, 2012, the Town’s Planning and Zoning Board, considered the request to rezone the Property, and recommended approval to the Town Council; and

WHEREAS, the notice and hearing requirements for adoption of rezoning ordinances contained in the Florida Statutes and the Town’s Code of Ordinances have been satisfied; and

WHEREAS, the Town Council of the Town of Loxahatchee Groves has conducted a quasi-judicial hearing and considered the petition for rezoning, the recommendation of the Planning and Zoning Board, and the comments from the public.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AS FOLLOWS:

Section 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct, and are hereby made a specific part of this Ordinance.

Section 2. The zoning of the property located on Southern Boulevard, east of “C” Road, at or near 15003 and 14955 Southern Boulevard, Loxahatchee Groves, Florida, totaling approximately 2.1879 acres, more or less, the legal description of which is set forth in Exhibit “A”, attached hereto, from Palm Beach County zoning designation Commercial General (CG) to the Town’s zoning designation of Commercial Low (CL) is hereby approved.

Section 3. The Town Administration is hereby authorized and directed to make appropriate changes on the zoning map of the Town, to effectuate the purpose of this ordinance.

Section 4. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-07

part or application shall be considered eliminated and so not affecting the validity of the remaining portion or applications remaining in full force and effect.

Section 5. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 6. This Ordinance shall take effect as provided by law.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS ___ DAY OF _____, 2012.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS ___ DAY OF _____, 2012.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor David Browning

TOWN CLERK

Vice Mayor Jim Rockett

Council Member

APPROVED AS TO LEGAL FORM:

Council Member

Office of the Town Attorney

Council Member

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-07

EXHIBIT A

LEGAL DESCRIPTION

A map of the parcel location is attached.

Morello Administrative Rezoning

Legal Description for 41-41-43-17-01-807-0120

LOXAHATCHEE GROVES W 130.20 FT OF TR 7 LYG N OF &
ADJ TO SR 80 R/W

Legal Description for 41-41-43-17-01-807-0070

LOXAHATCHEE GROVES S 300 FT OF E 206.5 FT OF W
336.7 FT OF TH PT OF TR 7 LYG N OF & ADJ TO ORIG R/W
SR 80 (LESS S 120 FT ADDL R/W SR 80)BLK I



Legal Description for 41-41-43-17-01-807-0110

LOXAHATCHEE GROVES S 300 FT OF E 193.38 FT OF W
530.08 FT OF TH PT OF TR 7 LYG N OF & ADJ TO ORIG R/W
SR 80 (LESS S 120 FT ADDL R/W SR 80)BLK I

TOWN OF LOXAHATCHEE GROVES

MEMORANDUM NO. 2012-07

TO: Mayor David Browning
Members of the Town Council

CC: Mark Kutney, Town Manager
Jim Fleischman, Town Consultant Planner

FROM: Michael D. Cirullo, Jr., Office of the Town Attorney *MDC*

DATE: June 5, 2012

RE: Town of Loxahatchee Groves ("Town")/Moratorium Ordinance

As explained in Memorandum 2012-03, at its April 17, 2012, meeting, the Town Council authorized a moratorium on the processing and review of Land Use Amendments and Text Amendments to the Town's Comprehensive Plan as of April 17, 2012. Pursuant to that direction, an ordinance to impose a moratorium on the processing and review of Land Use Amendments and Text Amendments to the Town's Comprehensive Plan was prepared by this office.

At its May 10, 2012, meeting, the Town's Planning and Zoning Board reviewed the ordinance and recommended approval of such by the Town Council. The ordinance will be considered by the Town Council in the same manner as a rezoning ordinance, pursuant to Section 166.041(3)(c), Florida Statutes, which requires two (2) noticed public hearings before the Town Council. The initial public hearing by the Town Council is scheduled for June 5, 2012.

The proposed ordinance imposes a moratorium on the Town's processing and review of Land Use Amendments and Text Amendments to the Town's Comprehensive Plan. It specifically exempts any such applications that were pending as of April 17, 2012, which are the applications for the property at the northwest corner of Southern Boulevard and "B" Road. It also exempts the Town-initiated amendments that are likely upon completion of the review of the Comprehensive Plan by the Town during the time of the moratorium.

The moratorium will not affect any applications other than Land Use Amendments and Text Amendments to the Comprehensive Plan, so the Town will continue to process other development applications, such as rezonings and site plans.

The ordinance provides that the moratorium will be in place until November 30, 2012. During this time, the Town will need to actively review the comprehensive plan and proceed with

Town of Loxahatchee Groves
Memorandum No. 2012-07
June 5, 2012
Page 2

amendments that are determined to be necessary. The moratorium can be modified only by ordinance.

Please contact me if you have any questions.

HA_GOV CLIENTS\LOX 1574\070240 GMMEMOS 2012\2012-07 Moratorium.docx

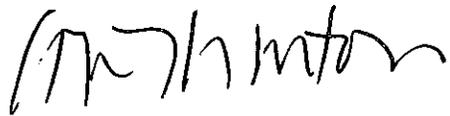
PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

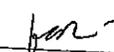
Before the undersigned authority personally appeared **Ellen Sanita**, who on oath says that she is **Call Center Revenue Manager** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter **Moratorium on Amendments** was published in said newspaper in the issues of **June 16, 2012**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.



Sworn to and subscribed before 18th day of June, A.D. 2012.
Who is personally known to me.



NOTARY PUBLIC-STATE OF FLORIDA
Karen M. McLinton
Commission # DD832672
Expires: NOV. 15, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

RECEIVED
JUN 21 2012
By 

NO. 6762977R
**NOTICE OF MORATORIUM
ON AMENDMENTS TO TOWN
OF LOXAHATCHEE GROVES
COMPREHENSIVE PLAN**

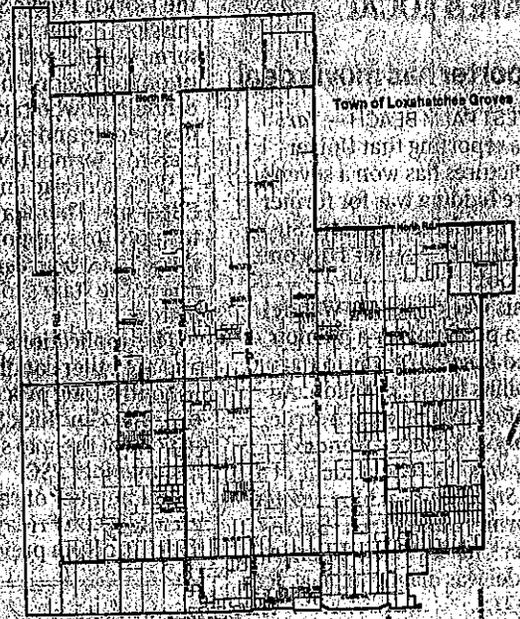
The Town Council for the Town of Loxahatchee Groves proposes to adopt the following Ordinance, No. 2012-06:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR A MORATORIUM UNTIL NOVEMBER 30, 2012, ON THE PROCESSING AND REVIEW OF APPLICATIONS FOR AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS AND TEXT AMENDMENTS WITHIN THE CORPORATE BOUNDARIES OF THE TOWN AS OF APRIL 17, 2012, PROVIDING FOR EXEMPTIONS, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Council of the Town of Loxahatchee Groves will conduct a public hearing on the ordinance on Tuesday, June 26, 2012, commencing at 7:00 p.m. The Public Hearing of the Town Council shall be held at the Loxahatchee Groves Water Control District meeting room 101, West Rd., Loxahatchee Groves, Florida 33470. The Town Council will consider approval of the ordinance on second reading.

All interested persons are invited to appear at the public hearing, which may be continued from time to time, and may be heard with respect to these matters. A copy of Ordinance 2012-06 is on file at the Town Management Office, 14579 Southern Boulevard, Suite 2, Loxahatchee Groves, Florida, 33470 for inspection by members of the public during normal business hours.

In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Town Management Office at (561) 793-2418 at least five days prior to the Public Hearing date.



PUB: The Palm Beach Post
June 16, 2012

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-06

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR A MORATORIUM UNTIL NOVEMBER 30, 2012, ON THE PROCESSING AND REVIEW OF APPLICATIONS FOR AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS AND TEXT AMENDMENTS, WITHIN THE CORPORATE BOUNDARIES OF THE TOWN AS OF APRIL 17, 2012; PROVIDING FOR EXEMPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the requirements of Chapter 2006-328, Laws of Florida the Town Charter of the Town of Loxahatchee Groves, on October 10, 2006, the voters within the area of unincorporated Palm Beach County known as Loxahatchee Groves voted to incorporate as the Town of Loxahatchee Groves (the "Town"); and,

WHEREAS, one of the primary motivations of incorporation was to preserve the rural nature of the area in which the Town is located; and,

WHEREAS, the Town initially adopted its Comprehensive Plan in 2009; and,

WHEREAS, after an administrative challenge to the Town's Comprehensive Plan was dismissed, the Town's Comprehensive Plan became effective in August, 2011; and,

WHEREAS, since the Town's Comprehensive Plan has come into effect, the Town has received and considered several applications for Land Use Amendments, as well as Text Amendments, to the Town's Comprehensive Plan; and,

WHEREAS, during the review of the Land Use Amendments and Text Amendments received and reviewed by the Town since the Town's Comprehensive Plan came into effect, issues

relating to consistency between language in the Comprehensive Plan and the preservation of the Town's rural character were identified by the Town Council and the Town's Planning and Zoning Board during the above referenced review; and,

WHEREAS, the Town expects continuing pressure to develop higher density residential, commercial, and industrial uses within the Town which threaten the Town's historical rural character and lifestyle; and,

WHEREAS, the adoption of a moratorium on the receipt and processing of applications for Land Use Applications and Text Amendments to the Town's Comprehensive Plan will provide the Town with time to review its Comprehensive Plan; and,

WHEREAS, the Town Council believes that it is in the best interest of the Town, and its residents, to review the Town's Comprehensive Plan given the issues that have arisen, and to consider the need for amendments to the Town's Comprehensive Plan that will enhance the Comprehensive Plan's consistency with the Town's historical conditions and vision of remaining a rural area; and,

WHEREAS, the Town's Planning and Zoning Board considered this Ordinance at its May 10, 2012, meeting and recommended that the Town Council approve the moratorium.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Moratorium Imposed. The Town Council of the Town of Loxahatchee Groves hereby declares a moratorium as of April 17, 2012, for the time period specified in Section

4, subject to certain exceptions delineated in Section 3 on the processing and review of Land Use Amendments and Text Amendments to the Town's Comprehensive Plan.

Section 3. Exceptions to Moratorium. The Town Council hereby declares that the following applications shall be exempt from the Moratorium:

- a. Although filed prior to April 17, 2012, this shall confirm that the pending applications for Land Use Amendment and Text Amendment for the real property located at the Northwest Corner of Southern Boulevard and "B" Road, filed by Atlantic Land Investments, LLC., and Palm Beach State College, which are the only applications for Land Use Amendment or Text Amendments pending with the Town as of April 17, 2012, are exempt from this moratorium;
- b. Amendments to the Town's Comprehensive Plan initiated by the Town.

Section 4. Period of Moratorium. The Town Council of the Town of Loxahatchee Groves hereby declares that the moratorium shall be effective for the period through November 30, 2012, unless otherwise modified by the Town Council by ordinance.

Section 5. All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of such conflict.

Section 6. If any Section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

[Remainder of page intentionally blank]

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS ___ DAY OF _____, 2012.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS ___ DAY OF _____, 2012.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor David Browning

TOWN CLERK

Vice Mayor Ryan Liang

APPROVED AS TO LEGAL FORM:

Council Member

Office of the Town Attorney

Council Member

Council Member



Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, June 26, 2012 at 7:00 p.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

6. RESOLUTIONS

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2012-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A BUDGET AMENDMENT FOR THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 166.241(4), Florida Statutes, the Town may amend its adopted budget for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012, at any time within a fiscal year, and

WHEREAS, the Town Management has concluded a review of the budget and expenditures during the Fiscal Year beginning October 1, 2011 and ending September 30, 2012, and is recommending amendments to the Town's budget as set forth in Exhibit A" hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA:

Section 1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

Section 2. The Town's adopted budget for the Fiscal Year beginning October 1, 2011, and ending September 30, 2012, is hereby amended as set forth in Exhibit "A", attached hereto and expressly made a part hereof.

Section 3. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby

repealed to the extent of such conflict.

Section 5. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS ___ DAY OF JUNE, 2012.

ATTEST:

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

TOWN CLERK

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Jim Rockett

Office of the Town Attorney

Council Member Tom Goltzene

Council Member Ron Jarriel

Council Member Ryan Liang

EXHIBIT "A"

**(BUDGET AMENDMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011
AND ENDING ON SEPTEMBER 30, 2012)**

**GENERAL FUND:
Fiscal Year 2011-12**

Account Number		FY11-12 ADOPTED BUDGET	FY11-12 CHANGE	FY11-12 AMENDED BUDGET
ESTIMATED REVENUES				
TAXES				
001-311-100-000	AD VALOREM TAXES @ 1.2000	210,000		210,000
001-314-100-000	ELECTRIC UTILITY TAX	196,000		196,000
001-314-510-000	COMMUNICATION SERVICES TAX	145,392		145,392
001-316-200-000	COUNTY OCCUPATIONAL LICENSES	5,000	100	5,100
001-323-100-000	FPL FRANCHISE FEE	200,000		200,000
001-323-300-000	PBC WATER UTILITY FRANCHISE FEE	12,000		12,000
	TOTAL TAXES	768,392	100	768,492
INTERGOVERNMENTAL REVENUES				
001-329-100-000	PLANNING & ZONING PERMIT FEES	20,000		20,000
001-335-120-000	STATE REVENUE SHARING	78,236		78,236
001-335-180-000	HALF CENT SALES TAX	207,222		207,222
001-341-000-000	GENERAL GOVERNMENT CHARGES	5,000	300	5,300
001-343-349-000	COST RECOVERY FEES	10,000	20,000	30,000
001-354-100-000	CODE ENFORCEMENT FINES	5,000	35,000	40,000
	TOTAL INTERGOVERNMENTAL	325,458	55,300	380,758
MISCELLANEOUS				
001-361-100-000	INTEREST	4,000	(3,400)	600
001-369-000-000	OTHER MISC INCOME	49,913	2,000	51,913
001-385-100-000	TRANSFER FROM SANITATION FUND	-	-	-
001-399-000-000	TRANSFER FROM FUND BALANCE	1,000,000		1,000,000
	TOTAL MISCELLANEOUS	1,053,913	(1,400)	1,052,513
	Total Estimated Revenue	2,147,763	54,000	2,201,763

**GENERAL FUND:
Fiscal Year 2011-12**

Account Number		FY11-12 ADOPTED BUDGET	FY11-12 CHANGE	FY11-12 AMENDED BUDGET
APPROPRIATIONS				
LEGISLATIVE				
001-511-400-000	TRAVEL	3,000	(1,000)	2,000
001-511-490-000	LEGAL ADVERTISING			-
001-511-492-000	OTHER OPERATING EXPENSES	1,000	3,000	4,000
001-511-500-000	EDUCATION AND TRAINING	1,000		1,000
001-511-510-000	OFFICE SUPPLIES	-	100	100
001-511-520-000	OPERATING SUPPLIES	-		-
001-511-540-000	BOOKS, PUBLICATIONS AND DUES	4,200	(3,000)	1,200
001-511-820-000	SPECIAL EVENTS/CONTRIBUTIONS	2,500	2,000	4,500
	TOTAL LEGISLATIVE	11,700	1,100	12,800
EXECUTIVE				
001-512-340-000	CONTRACTUAL-ADMINISTRATION	250,625		250,625
001-512-400-000	TRAVEL	500		500
001-512-410-000	COMMUNICATION SERVICES	6,000	(2,000)	4,000
001-512-420-000	POSTAGE & FREIGHT	2,000		2,000
001-512-492-000	OTHER OPERATING EXPENSES	4,000		4,000
001-512-510-000	OFFICE SUPPLIES	2,500	2,000	4,500
001-512-521-000	LOXAHATCHEE GROVES C.E.R.T. EX	2,000		2,000
001-512-540-000	BOOKS, PUBLICATIONS AND DUES	500		500
	TOTAL EXECUTIVE	268,125	-	268,125
FINANCIAL AND ADMINISTRATIVE				
001-513-320-000	ACCOUNTING AND AUDITING	18,000	1,500	19,500
001-513-470-000	PRINTING AND BINDING	5,000		5,000
001-513-490-000	LEGAL ADVERTISING	7,000		7,000
001-513-493-000	ELECTION EXPENSE	9,000	(1,500)	7,500
	TOWN FINANCIAL AND ADMINISTRATIVE	39,000	-	39,000
LEGAL COUNSEL				
001-514-310-000	PROFESSIONAL SERVICES	50,000		50,000
001-514-312-000	LEGAL -COMP PLAN	-	-	-
	TOTAL LEGAL SERVICES	50,000	-	50,000
PLANNING & ZONING				
001-515-310-000	PROFESSIONAL SERVICES	20,000	31,250	51,250
001-515-340-000	OTHER SERVICES		-	-
001-515-343-000	PLANNING & ZONING CONTRACT	10,000	-	10,000
001-515-347-000	COMPREHENSIVE PLAN	5,000	-	5,000
001-515-349-000	COST RECOVERY EXPENDITURES	10,000	20,000	30,000
001-515-990-000	P & Z CONTINGENCY	-	-	-
	TOTAL PLANNING AND ZONING	45,000	51,250	96,250

**GENERAL FUND:
Fiscal Year 2011-12**

Account Number		FY11-12 ADOPTED BUDGET	FY11-12 CHANGE	FY11-12 AMENDED BUDGET
OTHER GENERAL GOVERNMENT				
001-519-315-000	SPECIAL MAGISTRATE	3,000	17,000	20,000
001-519-354-000	CODE COMPLIANCE	45,000	-	45,000
001-519-410-000	COMMUNICATION SERVICES	500	-	500
001-519-440-000	RENTALS AND LEASES	14,000	-	14,000
001-519-450-000	INSURANCE	9,500	1,350	10,850
001-519-460-000	R & M BUILDINGS	250	5,100	5,350
001-519-470-000	PRINTING AND BINDING	4,000	-	4,000
001-519-480-000	PROMOTIONAL ACTIVITIES	-	-	-
001-519-490-000	COMPUTER REPAIR	2,000	22,000	24,000
001-519-494-000	INSPECTOR GENERAL OFFICE FEE	2,172	-	2,172
001-519-900-000	TRANSFER TO TRANSPORTATION FUND	48,913	-	48,913
001-519-910-000	TRANSFER TO SANITATION FUND	13,694	-	13,694
001-519-920-000	TRANSFER TO CAPITAL PROJECTS FUND	1,000,000	-	1,000,000
001-519-990-000	CONTINGENCY	312,124	(44,800)	267,324
	TOTAL GENERAL GOVERNMENT	1,455,153	650	1,455,803
LAW ENFORCEMENT				
001-521-341-000	PROFESSIONAL SERVICES-PBSO	274,785	-	274,785
001-521-342-000	CONTRACTUAL-ADDL PBSO	4,000	-	4,000
001-521-492-000	OTHER OPERATING EXPENSES	-	-	-
	TOTAL POLICE	278,785	-	278,785
PUBLIC WORKS				
001-539-340-000	OTHER CONTRACTUAL	-	500	500
001-539-310-000	PROFESSIONAL SERVICES	-	500	500
	TOTAL PUBLIC WORKS	-	1,000	1,000
	Total Appropriations	2,147,763	54,000	2,201,763

**Transportation Fund
Fiscal Year 2011-12**

Account Number		FY11-12 ADOPTED BUDGET	FY11-12 CHANGE	FY11-12 AMENDED BUDGET
----------------	--	------------------------------	-------------------	------------------------------

ESTIMATED REVENUES				
101-312-410-000	FIRST LOCAL OPTION FUEL TAX (6 CENT)	244,969		244,969
101-312-420-000	SECOND LOCAL OPTION FUEL (5 CENT)	113,480	-	113,480
101-363-990-000	CONTRIBUTION FROM GENERAL FUND	48,913		48,913
Total Estimated Revenue		407,362	-	407,362

APPROPRIATIONS				
Public Works				
101-541-468-000	NON-DISTRICT ROADS (6 CENT) MAINT.	94,969	(44,200)	50,769
101-541-469-000	DISTRICT ROADS (6 CENT) MAINT.	150,000		150,000
101-541-631-000	ROAD AND STREETS (5 CENT)	112,554	42,500	155,054
101-541-634-000	148th TERR BRIDGE(5)/CULVERT	49,839	1,700	51,539
Total Appropriations		407,362	-	407,362

CAPITAL IMPROVEMENT FUND

Fiscal Year 2011-12

Account Number		FY11-12 ADOPTED BUDGET	FY11-12 CHANGE	FY11-12 AMENDED BUDGET
----------------	--	------------------------------	-------------------	------------------------------

ESTIMATED REVENUES				
305-363-990-000	CONTRIBUTION FROM GENERAL FUND	1,000,000	-	1,000,000
Total Estimated Revenue		1,000,000	-	1,000,000

APPROPRIATIONS				
305-541-341-000	LINEAR PARK/GRANT MATCH	100,000	-	100,000
305-541-434-000	ROAD AND DRAINAGE IMPROVEMENTS	350,000	-	350,000
305-541-346-000	OGEM PAVING/COST SHARING	450,000	-	450,000
305-541-436-000	TRAFFIC LIGHT OKEECHOBEE BLVD	100,000	-	100,000
Total Appropriations		1,000,000	-	1,000,000

**Solid Waste Fund
Fiscal Year 2011-12**

		FY11-12 ADOPTED BUDGET	FY11-12 CHANGE	FY11-12 AMENDED BUDGET
Account Number				

ESTIMATED REVENUES				
405-323-125-000	HAULERS LICENSING FEE	2,000	-	2,000
405-325-205-000	SOLID WASTE ASSESSMENTS (1,260 units)	469,640	-	469,640
405-325-206-000	DISCOUNT FEES	(18,785)	-	(18,785)
405-343-120-000	SWA RECYCLING INCOME	7,000	-	7,000
405-363-990-000	CONTRIBUTION FROM GENERAL FUND	13,694	-	13,694
Total Estimated Revenue		473,549	-	473,549

APPROPRIATIONS				
405-534-345-000	CONTRACTUAL-WASTE OVERSIGHT	12,000	-	12,000
405-534-346-000	PBC ADMINISTRATION FEE 1%	4,710	-	4,710
405-534-420-000	POSTAGE	539	-	539
405-534-434-000	SOLID WASTE CONTRACTOR	452,300	-	452,300
405-534-436-000	OTHER SANITATION SERVICES	2,500	-	2,500
405-534-490-000	ADVERTISING	1,500	-	1,500
405-534-595-000	MANAGEMENT FEES		-	-
Total Appropriations		473,549	-	473,549

**All Funds
Fiscal Year 2011-12**

Fund #		FY11-12 ADOPTED BUDGET	FY11-12 CHANGE	FY11-12 AMENDED BUDGET
--------	--	------------------------------	-------------------	------------------------------

ESTIMATED REVENUES				
001	GENERAL FUND	2,147,763	54,000	2,201,763
101	TRANSPORTATION FUND	407,362	-	407,362
305	CAPITAL IMPROVEMENT FUND	1,000,000	-	1,000,000
405	SOLID WASTE FUND	473,549	-	473,549
	Total Estimated Revenue	4,028,674	54,000	4,082,674

APPROPRIATIONS				
001	GENERAL FUND	2,147,763	54,000	2,201,763
101	TRANSPORTATION FUND	407,362	-	407,362
305	CAPITAL IMPROVEMENT FUND	1,000,000	-	1,000,000
405	SOLID WASTE FUND	473,549	-	473,549
	Total Appropriations	4,028,674	54,000	4,082,674



Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, June 26, 2012 at 7:00 p.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

9. NEW BUSINESS

**ULDC Amendment – Hay Sales
RETGAC Hiatus**



TOWN OF LOXAHATCHEE GROVES
OFFICE OF THE TOWN MANAGER
AGENDA REPORT

TO: Mayor and Town Council

FROM: Mark A. Kutney, Town Manager, AICP, ICMA-CM

DATE: June 20, 2012

SUBJECT: Town Council Authorization To Prepare an Amendment to the Unified Land Development Code (ULDC) Regarding Retail Hay Sales

I. BACKGROUND/HISTORY

A Code Enforcement complaint was filed against several entities that alleged the improper retail sales of hay without appropriate approvals. The complaint was investigated by The Town's code enforcement staff and it was determined that the three entities were operating without the proper authority and approval. One of the respondents, Gerald & Janet Eick were cited with a Notice of Violation for the illegal business activity and directed to correct the violation by June 4, 2012 or be scheduled for a hearing before the Special Magistrate. The respondents engaged an attorney and also met with several members of Town Council. At the June 5, 2012 Town Council Meeting, the respondents appeared and requested some consideration for their current operations.

Town Council deliberated on the matter and directed Town Management Staff and the Town Attorney to review the matter and propose possible remedies that would address the issue. In March, 2012, Town Management Staff brought a similar request to the Town Council proposing an amendment be drafted to the ULDC that would cure the problem and protect the integrity of the Town's ULDC under a cost recovery format. The project did not proceed further due to the respondent (related to that effort) deciding to forego the cost recovery effort.

II. DISCUSSION

The Town Attorney and Town Management Staff have reviewed this item and discussed multiple directions for the treatment of this issue. At this point in time, the approach favored by Staff would be to permit limited sales of hay, bagged feed, bagged shavings, equine supplements and other equine/agricultural related products throughout the Town subject to a number of

developed criteria. These criteria would include but not be limited to: regulating the size of the operation to the residents that reside at the property; permitting the operation to conduct business by the resident owners such that the ability of the enterprise to operate is not vested with the land, but operators of the concern; requiring the acquisition of a valid business tax receipt; and other potential conditions that would ensure an amendment can be crafted that will comport with the purpose and intent of the ULDC relative to its application throughout the Town.

III. FISCAL IMPACT

The cost of the amendment will be incurred by the Town due to the project being sponsored and directed by Town Council. The Management Company will undertake this effort in concert with the work authorization attached to this report. Town Management believes the amendment can be drafted and taken through the adoption process at a cost of \$7,220.00. This quote does not include advertising costs and Town Attorney review fees.

IV. ATTACHMENTS

Work Authorization 12-01

V. RECOMMENDATION

In order to resolve the problem in question, Town Management Staff would recommend that Town Council authorize Town Management Staff to move forward with the amendment as articulated in this report and approve the work authorization regarding the same.



TOWN OF LOXAHATCHEE GROVES
OFFICE OF THE TOWN MANAGER
AGENDA REPORT

TO: Mayor and Town Council

FROM: Mark A. Kutney, Town Manager, AICP, ICMA-CM

DATE: June 20, 2012

SUBJECT: Request to Place the Roadway Equestrian Trails and Greenways Advisory Committee (RETGAC) on Hiatus for a Six Month Period

I. BACKGROUND/HISTORY

As the Town Council is aware, in late March of this year, the Management Company made application to the Florida Department of Environmental Protection for a Recreational Trails Program Grant. During the review of the various submitted grant requests, the Office of Greenways and Trails identified a serious problem with the Town's transmittal relating to Site Control. The Town Manager covered this issue in specific detail by virtue of an email issued to Town Council on May 18, 2012 (a copy is attached as back-up to this report). In short, the Town's inability to provide the State with the required Site Control documents or in lieu of these documents a Town Attorney's letter of legal opinion stating the document submitted was a legally binding site control document, necessitated the Town Manager to withdraw the Town's request (see attached May 24, 2012 letter). Based upon State requirements pertaining to these grants, it is highly unlikely that the Town will be able to meet these requirements in the short term.

II. DISCUSSION

Due to the above issues, The Town Management Company is concerned about the time committed with the grant effort and the present efforts devoted to the activities of the RETGAC. For the most part, this Committee has been diligent in concentrating on Equestrian Trails and grants related thereto. However, until the Town can successfully navigate through this issue and come up with a plan to successfully address this situation, Town Management believes its time and effort can better be utilized in other endeavors as well as cutting the cost associated with this committee at this time. In our opinion, there is not much the RETGAC can do until these issues

are resolved. Therefore, Town Management is requesting Town Council approval to place the RETGAC on hiatus for a six month period and reconvene the Committee in 2013. At that time, hopefully, the aforementioned issues will be resolved and the Committee will be in a better position to deal with the matters in question.

III. FISCAL IMPACT

The proposed hiatus will save time for the Management to address this and other pending matters, as well as save costs due to room rental.

IV. ATTACHMENTS

May 18, 2012 Email from Mark Kutney to Mayor and Town Council

May 24, 2012 Letter from Mark Kutney to Alexandra Weiss

V. RECOMMENDATION

For the reasons of efficiency, effectiveness and cost control, Town Management recommends that Town Council place the Roadway, Equestrian Trails and Greenways committee on a six (6) month hiatus.

Mark Kutney

From: Mark Kutney
Sent: Friday, May 18, 2012 3:38 PM
To: 'David Browning'; 'Jim Rockett'; 'Ron Jarriel'; 'Ryan Liang';
tgoltzene@loxahatcheegrovesfl.gov
Cc: 'Mike Cirullo'; 'William Underwood'; maakassociates@hotmail.com
Subject: Loxahatchee Groves Public Trailways & Greenways Recreational Trails Program Project
No T12007

Dear Mayor and Town Council:

It is with much regret that I inform you that the Town must withdraw the grant submitted relative to the program above. The reason for such action is that the Town cannot meet the grant requirements for site control due to the fact that the sites are not owned by the applicant or government. More specifically, on May 8, 2012 the Town received a letter from Alexandra Weiss of the Office of Greenways and Trails requesting additional information from the Town in order to move the Town's application forward for consideration under the State's evaluation process. The letter requested clarification or more information in seven areas. However, the most troubling was the first inquiry under site control. The letter requested : **" Site Control, Exhibit D, Provide actual site control documents (deeds, leases, easements). Concerned about the legality of handwritten document provided. If the handwritten document is considered site control, provide Town Attorney's letter of legal opinion stating it is a legally binding site control document."**

I provided the request to the Town Attorney and he and members of his firm reviewed the grant documents submitted and diligently attempted to ascertain if it was possible to provide the legal opinion letter. The Town Attorney also had a conversation with the State Grant Administrator and was advised that the site control document must demonstrate that the Town has control of the actual, specific trail locations. The hand written document attached to the Grant Application does not satisfy the requirements for site control. In essence, the trails are located on private easements and the Town Attorney and his firm cannot issue the requested opinion letter. The Town Attorney also provided copies of the Recreational Trails Program 62S-2 F.A.C. In this document , " Project Site" is defined as the specific land area as specifically identified by a survey and legal description, for which RTP funds are used.

Further, Section 62S-2.072(2) (b) indicates: The site of a proposed RTP project shall be on public lands. The site shall be owned by the applicant or government on or before the closing date of the application submission period. A site not owned by the applicant or government shall be under the applicant's or government's control by a 99-year lease or similar control, such that the applicant has the legal ability to dedicate and manage the site for public recreational trail use pursuant to subsections 62S-2.076 (1) and (2), F. A. C...." **This circumstance enforces the concern and opinion expressed by the Town Management Company that the Town basically has a system of private easements combined or cobbled together to form a means of ingress and egress for travel and drainage uses. Or, in other words, the Town has no ownership of the lands currently being utilized for travel purposes. Much to the same extent, the LGWCD is also in the same position except that it has deed of easement, but no ownership.**

Due to this issue impacting the application, this email is to advise you that I will be writing the Office of Greenways & Trails to notify them that the Town will be withdrawing its grant proposal for 2012. The State advised the Town Attorney that the Grant is awarded annually and a new ad will be published in January 2013. This will give the Town the time to work with the State and the Town Attorney's Office to determine potential solutions to the Site Control problem.

Should you have any questions or need further information, please do not hesitate to contact me.

Best regards,
Mark

Mark A. Kutney, AICP, ICMA-CM
Town Manager



TOWN OF LOXAHATCHEE GROVES

14579 Southern Blvd, Suite 2
Loxahatchee Groves, FL 33470
(561) 793-2418: Phone
(561) 793-2420: Fax
www.loxahatcheegroves.org

Note: Please direct all future correspondence to mkutney@loxahatcheegrovesfl.gov

Mark Kutney

From: Mark Kutney
Sent: Thursday, May 24, 2012 7:13 PM
To: 'alexandra.weiss@dep.state.fl.us'
Cc: 'William Underwood'
Subject: Loxahatchee Groves Recreational Trails Grant Application Withdrawal
Attachments: Recreational Trails Grant Withdrawal.pdf

Ms. Weiss:

In concert with my call Monday afternoon, please accept the attached letter as the Town's official withdrawal of the Grant application. Should you have any questions, please contact me.

Best regards,
Mark Kutney

Mark A. Kutney, AICP, ICMA-CM
Town Manager



TOWN OF LOXAHATCHEE GROVES

14579 Southern Blvd, Suite 2
Loxahatchee Groves, FL 33470
(561) 793-2418: Phone
(561) 793-2420: Fax
www.loxahatcheegroves.org

Note: Please direct all future correspondence to mkutney@loxahatcheegrovesfl.gov



Town of Loxahatchee Groves

14579 Southern Boulevard, Suite 2 ▪ Loxahatchee Groves, Florida 33470 ▪ (561) 793-2418 Phone ▪ (561) 793-2420 Fax ▪ clerk@loxahatcheegroves.org

May 24, 2012

Ms. Alexandra H. Weiss, CPM
Office of Greenways & Trails
Department of Environmental Protection
Mail Station # 795
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

RE: Loxahatchee Groves Public Trailways & Greenways
Recreational Trails Program Project No. T12007

Dear Ms. Weiss:

Please allow this letter to confirm in writing the voice message I left you on Monday May 21, 2012. It is with regret and disappointment that the Town of Loxahatchee Groves must withdraw its grant application due to the Town's inability to satisfactorily address your agency's concern relative to site control and the required site control documents. You have advised our Town Attorney, Mike Cirullo, that this grant is awarded annually and a new ad will be published in January 2013. This will give the Town time to work with your agency and the Town Attorney's Office to determine potential solutions to the Site Control problem.

Therefore, the Town would like to maintain its viability with your agency in the future submittal of grant requests. Thank you for your time and attention to our request as well as the time that you gave our Town Attorney as he tried to determine if a legal opinion regarding site control was a possibility.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Mark A. Kutney, AICP, ICMA-CM
Town Manager