



TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING AGENDA
TUESDAY, MAY 7, 2013

Mayor David Browning (Seat 4)

Vice Mayor Ron Jarriel (Seat 1)

Councilman Tom Goltzené (Seat 5)

Councilman Ryan Liang (Seat 3)

Councilman Jim Rockett (Seat 2)

TOWN OF LOXAHATCHEE GROVES
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Town of Loxahatchee Groves

Town Council Meeting

Tuesday, May 7, 2013 at 7:00 p.m.

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

Mayor David Browning (Seat 4)
Vice Mayor Ronald D. Jarriel (Seat 1)
Councilman Tom Goltzené (Seat 5)
Councilman Ryan Liang (Seat 3)
Councilman Jim Rockett (Seat 2)

Town Manager Mark Kutney
Town Clerk Susan A. Eichhorn
Town Attorney Michael D. Cirullo, Jr.

PUBLIC NOTICE/AGENDA

Tentative
Subject to Revision

1. OPENING

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

2. CONSENT AGENDA

- a. Invoice from Goren, Cherof, Doody & Ezrol, P.A.

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- b. Minutes for Approval: March 19, 2013; April 2, 2013, April 16, 2013

- c. Amended Administrative Policy 3-13 - Rules of Procedure for Town Council Meetings (Approved through Resolution No. 2013-03, and amended at Town Council Meeting of April 2, 2013).

3. PUBLIC COMMENT

4. PRESENTATIONS

- a. Presentation by Loxahatchee Groves Elementary School (*Liz McKean. PTO representative*)

- b. Comprehensive Annual Financial Report (CAFR) (*Terry L. Morton, Jr., CPA, Nowlen, Holt & Miner, P.A.*) **Please Note: Because of a scheduling conflict, Mr. Morton's presentation will be heard at an appropriate juncture in the meeting.**

5. COMMITTEE REPORTS

- a. Finance Advisory & Audit Committee (FAAC) Report and Approval of the February 2013 Financial Reports – *Committee Member Virginia Standish*

6. PUBLIC HEARINGS (Ordinances 2nd Reading) – *None*

7. ORDINANCES (1st Reading)

- a. Public Hearing: - *None*

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8. RESOLUTIONS -None

9. ADMINISTRATIVE UPDATE – *Town Manager Kutney*

10. OLD BUSINESS

- a. Discussion regarding speed humps (*Councilman Rockett*)
- b. Discussion Regarding Cleaning Compton Road Drainage Ditch Prior to Road Being Re-surfaced (*Vice Mayor Jarriel*)
- c. Discussion Regarding Cost To Micro-Resurface Bryan Road, Compton Road, and Marcella Blvd. (*Vice Mayor Jarriel*)

11. NEW BUSINESS

- a. Invitation To Bid (ITB) No. 2013-001: Gravel Road Grading, Mowing, and Vegetative Removal Services

12. CLOSING COMMENTS

- a. Public
- b. Town Attorney
- c. Town Council Members

13. ADJOURNMENT

The next Town Council Meeting is scheduled for Tuesday, May 21, 2013 at 7:00 p.m.

Comment 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.



2.a. Invoice from Goren, Cherof, Doody & Ezrol, P.A.

GOREN, CHEROF, DOODY & EZROL, P.A.
 Attorneys at Law
 3099 East Commercial Boulevard
 Suite 200
 Fort Lauderdale, Florida 33308
 Telephone (954) 771-4500

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TOWN OF LOXAHATCHEE GROVES
 14579 Southern Blvd., Ste 2
 Loxahatchee Groves FL 33470

ACCOUNT NO: 1574-1107570R
 STATEMENT NO: 1

adv. McLendon, Todd

MDC

HOURS

04/04/2013			
MDC	Review correspondence from clerk of court, review Petition; update Council on status.	0.50	
04/05/2013			
MDC	Review Petition, research procedure; prepare memo to Council.	0.70	
SHB	Meeting with Michael D. Cirullo regarding lawsuit matters.	0.60	
04/26/2013			
MDC	Review Order to Show Casue, update Council.	0.40	
04/29/2013			
MDC	Review cases on mandamus, documents attached to Petition.	0.50	
SRW	Research and review case law re: mandamus elements, mootness, issues of law.	2.30	
	FOR CURRENT SERVICES RENDERED	5.00	925.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	2.10	\$185.00	\$388.50
SHANA H. BRIDGEMAN	0.60	185.00	111.00
STACEY R WEINGER	2.30	185.00	425.50

COPYING COST	51.45
TOTAL EXPENSES	51.45
TOTAL CURRENT WORK	976.45
BALANCE DUE	\$976.45

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TOWN OF LOXAHATCHEE GROVES
 Att: Mark Kutney, Town Manager
 14579 Southern Blvd., Ste 2
 Loxahatchee Groves FL 33470

ACCOUNT NO: 1574-1107564R
 STATEMENT NO: 5

Wellington Edge Code Matter

MDC

HOURS

04/29/2013			
MDC	Review Notice of Appeal, prepare memo to Town advising of case.	0.50	
	FOR CURRENT SERVICES RENDERED	0.50	92.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	0.50	\$185.00	\$92.50

TOTAL CURRENT WORK 92.50

BALANCE DUE \$92.50

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE.

Please note that this matter has been assigned a new number. Please reference this number when making inquiries or payments and contact Trish Piro at 954-771-4500 with any questions.

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TOWN OF LOXAHATCHEE GROVES
 Att: Mark Kutney, Town Manager
 14579 Southern Blvd., Ste 2
 Loxahatchee Groves FL 33470

ACCOUNT NO: 1574-1107562R
 STATEMENT NO: 10

adv. Day, Willie and Frankie

MDC

HOURS

04/18/2013				
MDC	Review status of case, telephone conference with MB on discovery.		0.50	
04/22/2013				
MDC	Review discovery issues, status of case.		1.00	
04/25/2013				
MDC	Review status of case, telephone conference with M. Burke; prepare memo to Town Council.		0.80	
	FOR CURRENT SERVICES RENDERED		2.30	425.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	2.30	\$185.00	\$425.50
TOTAL CURRENT WORK			425.50
BALANCE DUE			<u>\$425.50</u>

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE.

Please note that this matter has been assigned a new number. Please reference this number when making inquiries or payments and contact Trish Piro at 954-771-4500 with any questions.

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TOWN OF LOXAHATCHEE GROVES
 Att: Mark Kutney, Town Manager
 14579 Southern Blvd., Ste 2
 Loxahatchee Groves FL 33470

ACCOUNT NO: 1574-1107560R
 STATEMENT NO: 7

Water Control District Matters

mpc

		HOURS	
04/02/2013	MDC Conference call with MV, JW on district road issues.	1.00	
04/05/2013	MDC Telephone conference with MV on status of review, issues for 4/08/13 meeting	0.80	
04/08/2013	DJD Conference regarding roads.	0.50	
04/17/2013	DJD Conference with Mike Cirullo on roads.	0.40	
04/19/2013	DJD Review letter to Southern States Land & Timber.	0.20	
04/22/2013	DJD Review caselaw regarding public access roads.	0.50	
04/26/2013	MDC Review status of road transfer; prepare memo to Town Council.	1.00	
FOR CURRENT SERVICES RENDERED		4.40	814.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D.J. DOODY	1.60	\$185.00	\$296.00
MICHAEL D. CIRULLO	2.80	185.00	518.00

TOTAL CURRENT WORK 814.00

BALANCE DUE \$814.00

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TOWN OF LOXAHATCHEE GROVES
Att: Mark Kutney, Town Manager
14579 Southern Blvd., Ste 2
Loxahatchee Groves FL 33470

ACCOUNT NO: 1574-1107568R
STATEMENT NO: 4

adv. Day, Willie and Frankie (Bert J. Harris Claim

		HOURS	
04/17/2013			
MDC	Review correspondence, materials for BJH claim.	0.40	
	FOR CURRENT SERVICES RENDERED	0.40	74.00

RECAPITULATION			
<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	0.40	\$185.00	\$74.00

TOTAL CURRENT WORK 74.00

BALANCE DUE \$74.00

MDC

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE.

Please note that this matter has been assigned a new number. Please reference this number when making inquiries or payments and contact Trish Piro at 954-771-4500 with any questions.

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TOWN OF LOXAHATCHEE GROVES

Att: Mayor Dave Browning
 14579 Southern Boulevard
 Suite 2
 Loxahatchee FL 33470

ACCOUNT NO: 1574-0702400R
 STATEMENT NO: 78

General Matters

MDC

HOURS

04/02/2013		
MDC	Miscellaneous telephone calls with Councilmembers, review materials; prepare for and attend Council meeting.	7.80
04/03/2013		
MDC	Miscellaneous telephone calls re: 4/02/13 meeting followup, MK, Council.	0.50
04/05/2013		
MDC	Review materials re: roadways; review correspondence on code matters.	0.80
BJS	Legal Research re: Non District Road Matters.	2.80
04/08/2013		
MDC	Review correspondence on pending matters for 4/16/13 workshop special meeting.	0.50
04/09/2013		
MDC	Phone conference with MK on procurement, review miscellaneous road issues for 4/16/13 meeting.	0.50
BJS	Continued Research re: Road Mileage, t/c with Steve Carrier, t/c with Marlene Everett.	0.50
04/10/2013		
BJS	Continued Research and t/c with Palm Beach County Staff re: Non District Road Matters.	0.50
04/11/2013		
MDC	Phone conference with MK on roads, agenda for 4/16/13 meeting.	0.40
BJS	Continued follow-up re: Non-District Road Matters.	0.20
04/12/2013		
MDC	Review agenda materials for 4/16/13 meeting.	0.50

General Matters

HOURS

04/15/2013			
	BJJ	Continued Research re: Road Matters for 4/16 meeting per MDC.	0.60
	MDC	Miscellaneous telephone calls, review issues for 4/16/13 meeting.	0.50
04/16/2013			
	MDC	Miscellaneous telephone calls, review materials; meet with BU, MK; prepare for and attend special Council meeting on roads.	6.50
04/17/2013			
	MDC	Miscellaneous telephone calls, review items for 4/16/13 meeting.	0.70
04/18/2013			
	MDC	Miscellaneous telephone calls on issues from 4/16/13 meeting; review status of comp plan amendments.	0.80
04/22/2013			
	MDC	Review issues for agenda, budget, review comp plan issues with MK, JF.	1.20
04/24/2013			
	MDC	Review correspondence on pending matters.	0.50
04/25/2013			
	MDC	Review budget schedule, provide comments; review status of legislation/bills that could affect the Town, update Council.	0.80
04/26/2013			
	MDC	Phone conference with MK on 5/07/13 agenda items, budget schedule.	0.50
		FOR CURRENT SERVICES RENDERED	27.10
			5,013.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	22.50	\$185.00	\$4,162.50
BRIAN J. SHERMAN	4.60	185.00	851.00

COPYING COST	22.75
TOTAL EXPENSES	22.75
TOTAL CURRENT WORK	5,036.25

BALANCE DUE

\$5,036.25



2.b. Minutes for Approval; March 19, 2013; April 2, 2013; April 16, 2013

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, MARCH 19, 2013



Town of Loxahatchee Groves

Town Council Meeting

Tuesday, March 19, 2013 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.

MINUTES

1. OPENING

a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:00 p.m. Present were Mayor David Browning, Vice Mayor Rockett, and Council Members Tom Goltzené, Ronald D. Jarriel and Ryan Liang. Also present were Town Manager Mark Kutney, Town Clerk Susan Eichhorn, Town Attorney Michael D. Cirullo, Jr., Town Planning Consultant Jim Fleishman, and Town Planning Technician Braeden Garrett.

b. Pledge of Allegiance & Invocation – Mayor Browning

c. Approval of Agenda

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Motion: The Agenda was approved through motion of Council Member Liang, seconded by Vice Mayor Rockett. The motion passed 5/0.

d. Swearing in of Council Members Jim Rockett Seats 2 and David Browning Seat 4.

Town Clerk Eichhorn administered the oath of office to Council Members Jim Rockett and David Browning.

*******Cake will be presented for public consumption after the swearing in ceremony*****
*****Short Recess will be taken*******

2. CONSENT AGENDA

3. PRESENTATIONS

4. COMMITTEE REPORTS – None

5. PUBLIC HEARINGS (Ordinances 2nd Reading) –

6. ORDINANCES (1st Reading) -

a. Public Hearing:

ORDINANCE NO. 2013-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING PART III, ENTITLED “SUPPLEMENTAL REGULATIONS,” ARTICLE 80, ENTITLED

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“CONDITIONAL USES,” SECTION 80-020, ENTITLED “RESIDENTIAL ENTERPRISE,” OF THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE TO PERMIT A LIMITED NUMBER OF CUSTOMERS TO TRANSACT BUSINESS AT THE LOCATION OF A RESIDENTIAL ENTERPRISE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Town Attorney Cirullo read Ordinance No. 2013-02 by title, as printed above.

Town Manager Kutney provided a brief history regarding the ordinance, noting the recommendation to deny the ordinance made by the Local Planning Agency, and their reasons for doing so.

Discussion took place regarding the size of the properties addressed in the ordinance, businesses that had been in operation for a long time, and delivery issues.

Town Attorney Cirullo stated that the only direction that was given was to change the code to allow customers. He noted that in the future the ordinance would need to be reviewed again as part of the Unified Land Development Code Review Committee (ULDCRC) process.

Mayor Browning explained that there was a citizen who had a business selling firearms out of his home for over 27 years. The ATF looked at the Town code and said that in-home business were not allowed to have walk up traffic, and the change in the code was to allow him to stay in business.

Motion: Councilman Goltzené made a motion to eliminate parts B, G and I, and amend part H of Section 2. of the Ordinance as presented tonight. The motion was seconded by Councilman Jarriel.

Public Comments:

Dennis Lipp, 13402 North Rd.: Commented regarding allowing retail to occur as part of a residential enterprise use and suggested that a home occupation use would allow customers in the home.

Howard Voren, 1538 E Rd.: Commented that the five acre requirement was ridiculous.

John Ryan, 3508 A Rd.: Commented that the portion of the code dealing with walk-up traffic could be amended, and that may resolve the issue.

TOWN OF LOXAHATCHEE GROVES
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Town Manager Kutney noted that staff had discussed the definition section of the Code regarding home based use, and the definition was very specific.

The motion to eliminate parts B, G, and I and amend part H of Section 2. of Ordinance No. 2013-02 carried 4/1, with Vice Mayor Rockett opposed.

Town Attorney Cirullo read the amended title of Ordinance No. 2013-02 into the record as follows:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING PART III, ENTITLED "SUPPLEMENTAL REGULATIONS," ARTICLE 80, ENTITLED "CONDITIONAL USES," SECTION 80-020, ENTITLED "RESIDENTIAL ENTERPRISE," OF THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE TO DELETE THE PROPERTY SIZE REQUIREMENTS, THE REGULATIONS RELATING TO NUMBER OF EMPLOYEES AND DELIVERY OF MERCHANDISE; TO PERMIT A LIMITED NUMBER OF CUSTOMERS TO TRANSACT BUSINESS AT THE LOCATION OF A RESIDENTIAL ENTERPRISE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Motion: Councilman Jarriel made a motion to approve Ordinance No. 2013-02, as amended on first reading. The motion was seconded by Councilman Goltzené. The motion carried 5/0.

7. RESOLUTIONS

8. ADMINISTRATIVE UPDATE – Town Manager Kutney

Town Manager Kutney reported that he had attended an Florida Department of Transportation (FDOT) teleconference regarding widening of Southern Blvd., and pond siting. He noted that future pond siting meetings would take place, that would also be available via teleconference, and that information would be added to the Town website.

TOWN OF LOXAHATCHEE GROVES
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9. OLD BUSINESS

a. Initiative Petition Certificate of Insufficiency

Town Clerk Susan Eichhorn reported regarding the Certificate of Insufficiency regarding the Initiative Petition to repeal ordinances 2012-04 and 2012-05.

Public Comment:

Todd McLendon, 3481 D Rd.: Commented as a member of the Initiative Committee and addressed the insufficiency certificate. He maintained that the Town Charter said that the full text of the ordinance had to be attached when the petition was circulated, not when the petition was turned in.

Dennis Lipp, 13402 North Rd.: Commented regarding going ahead with a referendum.

Marsha Newell, 3508 C Rd.: Commented as a member of the Initiative Committee that people should be allowed to vote.

Howard Voren, 1538 E Rd.: Commented regarding the petition and the residents voting.

Ken Johnson, Collecting Canal: Commented that the college would be the best fit for the property.

John Ryan, 3508 A Rd.: Commented that the petition was asking the Town to violate two State Statutes.

Ann Parker, 15565 Collecting Canal: Commented that someone asked her to sign the petition, and there was nothing attached to it – it was just the petition. At the Landowners meeting the petition was presented and it was just the one sheet with signatures on it.

Grace Joyce, 3886 147th Ave. N.: Commented that she commended the town in the process that was gone through regarding the college, and the transparency, and that the Town Attorney, Town Clerk, and others should be recognized for following the process.

Vice Mayor Rockett pointed out that this discussion was only about whether the petition was sufficient or insufficient. The point of the insufficiency was that the petition did not include the full text of the ordinance, and the petition was received by the Town Clerk that way. He stated

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that it was hard to imagine that someone went to the trouble of removing the full text of the ordinance before submitting the petition. He also noted that Mr. McLendon had submitted an affidavit stating that the petition did have the full text of the ordinance to it when it was signed. Mr. Rockett presented an affidavit signed by six people who had signed the petition, stating that the petition did not have the full text of the ordinance attached to it when they signed. He then read a letter into the record from Ms. Lacey Hancotte which stated that she was tricked into signing the petition. He suggested to the Town Council that, in fact, the petition went forward without the full text of the ordinance attached, and thus did not follow the Town charter; it was very simple for the Town Council to support the Town Clerk that the petition was not sufficient.

Councilman Goltzené commented that it would be a disservice to the people of the town to have this be the end of this matter, since there may be a greater deal of dissension and bad will if people cannot vote on the matter.

Councilman Jarriel commented that people had told him that the full text of the ordinance was not there, and some had requested that their names be removed from the petition.

Motion: Councilman Jarriel made a motion to accept the Town Clerk's finding of insufficiency as to both determinations as to each petition. The motion was seconded by Vice Mayor Rockett.

Councilman Liang commented both Councilman Goltzené and Vice Mayor Rockett had brought up some very good points, and that the Town must follow its own rules.

The motion to accept the Town Clerk's finding of insufficiency as to both determinations as to each petition carried 4/1, with Councilman Goltzene opposed.

Town Attorney Cirullo noted that this was the final word on the determination of insufficiency.

b. Discussion of Comprehensive Plan Amendments

Town Manager Kutney reported that a moratorium had been passed in June 2012, and the ordinance would expire as of March 30, 2013. Tonight staff had a presentation and proposal relative to an approach for both Okeechobee Blvd. and Southern Blvd. One of the goals was that the proposal would be adequate so that zoning in progress could be declared, rather than continuing the moratorium. After the Town Council saw the presentation and heard the proposal, staff would go back and start to put together a package of amendments for the Town Council to review and adopt.

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Town Planning Consultant Fleischmann and Town Manager Kutney reported regarding the controlling of development, permitting development on a time frame; concepts for Okeechobee Blvd.; an Okeechobee Blvd. master plan to be developed by 2018; implementing certain controls into the Comprehensive Plan now; sunset provisions for certain development approvals; adding requirements to the future land use application; more stringent requirements for buffering and screening for non-residential uses; rural vista guideline specifics to be added to the Comprehensive Plan.

Town Manager Kutney summarized that staff was trying to protect the Town from a community standpoint, while also recognizing the individual property rights on Okeechobee Blvd. and Southern Blvd. He requested support to move forward with this program so that zoning in progress could be declared.

Councilman Goltzene commented that it was a good framework to move forward with. Councilman Liang agreed that it was a good framework, and that the Local Planning Agency (LPA) input would be desired; Vice Mayor Rockett addressed the vision of Okeechobee Blvd., a horse trail network along Okeechobee Blvd., and that it was a good framework to move forward with. Councilman Jarriel commented regarding commercial along Okeechobee Blvd., and concentrating on Southern Blvd. for commercial activity. Mayor Browning commented that the Town would need to be very careful with development on Okeechobee Blvd.

Town Manager Kutney advised that the comments heard tonight would give staff what was needed to move forward to transition from a moratorium to a zoning in progress and he believed a motion was necessary.

Town Attorney Cirullo stated that a motion to direct staff to proceed along the lines of your comments and their proposal tonight would allow staff to move forward

Motion: Councilman Goltzene made a motion, seconded by Councilman Liang to direct staff to proceed along the lines of the Town Council comments, and the proposal presented tonight.

Bill Louda, 1300 E Rd.: Commented regarding the development of Okeechobee Blvd., and the neighborhood plan concept. He stated that he would like to see additional workshops held to receive public input.

Ken Johnson, Collecting Canal Rd.: Commented regarding keeping Okeechobee as a two lane road, with turn lanes; roundabouts at each end of Okeechobee, traffic lights at B and D Roads,

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and lowering the speed limits. He requested that the Town Council provide any influence they could to the County in this regard.

Marsha Newell, 3508 C Rd.: Commented regarding the statement that had been made regarding everyone knowing about the Palm Beach State College, and noted that she did not read the newspaper and knew absolutely nothing about the Palm Beach State College, and had never heard of a workshop regarding the college.

Mayor Browning commented that he was looking for a better way to get information out to all people.

The motion to direct staff to proceed along the lines of the Town Council comments, and the proposal presented tonight carried 5/0.

10. NEW BUSINESS

a. Administrative Policy 2-13 – Ethics Training

Town Manger Kutney presented the policy regarding Ethics Training, and requested that the training be completed by any Town Council Member who had not yet done so.

Motion: Councilman Liang made a motion to approve Policy 2-13 – Ethics Training. The motion was seconded by Councilman Goltzene. The motion carried 5/0.

Councilman Goltzene commented that the training video could be shown with the Town Council members and all members of the other boards/committees present.

11. CLOSING COMMENTS

a. Public

Robert Hall, 15531 42nd Rd. N.: Commented regarding the Wellington horse manure dumping in Loxahatchee Groves, and read a letter, addressed to Mayor Browning into the record, including signatures of homeowners affected by the problem.

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Virginia Standish, 15410 North Rd.: Commented that she has lived across from the property in question and has taken videos and built a history of what is going on, and that there were multiple issues with the manure dumping permit issued.

Bill Louda, 1300 E Rd.: Commented that he has done two studies on phosphorous in the waterways and horse manure, and that he had to dilute the sample five times to get it on scale for high range phosphorous. He suggested that citizens attend the FDOT siting meetings, and request that there be two ponds on both sides of Loxahatchee Ave. He asked Town Manager Kutney to add the road plans that were passed at the Roadway, Equestrian Trails and Greenway Advisory Committee (RETGAC) meeting on the Town Council agenda for the next meeting. He added that he had some handouts for a community garage sale.

Marge Herzog, A Rd.: Commented that the Loxahatchee Groves Landowners meeting would be held on Thursday, with Lt. Combs talking about the dirt bike issues, and Grace Joyce talking about the Palm Beach State College issue.

Grace Joyce, 147th Ave. N.: Commented that she was representing the Town's Local Planning Agency (LPA), and was concerned that the recommendations of the LPA were not considered in regard to the residential enterprise ordinance. She respectfully requested that the Town Council consider the recommendations made by the LPA.

Ken Johnson, Collecting Canal Rd.: Commented regarding the manure dumping trucks.

Virginia Standish, 15410 North Rd.: Commented that the issue was not with the dumping of manure, but with the ag classification, and that she did not support fronting as a banana tree farm when it was really an illegal waste site.

Nina Corning, 2834 E Rd.: Commented regarding the RETGAC road recommendations, noting that the Committee had allowed Town Manager Kutney to present it to the Town Council.

b. Town Attorney

Town Attorney Cirullo had nothing to report.

c. Town Council Members

Councilman Goltzene: Good Night.

Councilman Jarriel: Requested that Town staff issue a stop and decess until the manure dumping could be investigated, and suggested that staff needed to be given some direction

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tonight. Town Manager Kutney responded that the property in question did show the document for bona fide ag, and he suggested that staff could discuss the matter and consider pulling the permit. Mr. Kutney also noted that five responses had been received on the ITB issued for road grading and other road services.

Councilman Liang: Congratulated Dave Browning and Jim Rockett.

Vice Mayor Rockett: Questioned if a complaint was necessary in order for staff to pull the manure dumping permit. Town Manager Kutney noted that staff had submitted a policy on code enforcement that was approved, and then the Town Council had rescinded the policy. A complaint was not needed in order for the permit to be pulled. He noted that the manure ordinance needed to be re-visited and discussed on April 2, 2013.

Mayor Browning: Commented regarding communicating with the public.

12. ADJOURNMENT

There being no further business, the Town Council meeting of March 19, 2013, was adjourned at 10:00 p.m.

**These minutes were approved by the Town Council
on Tuesday, May 7, 2013**

Susan Eichhorn, Town Clerk

David Browning, Mayor

(SEAL)

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 2, 2013



Town of Loxahatchee Groves

Town Council Meeting

Tuesday, April 2, 2013 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.

MINUTES

1. OPENING

- a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:00 p.m. Present were Mayor David Browning, Vice Mayor Jim Rockett, and Council Members Tom Goltzené, Ronald D. Jarriel and Ryan Liang. Also present were Town Manager Mark Kutney, Town Clerk Susan Eichhorn, Town Attorney Michael D. Cirullo, Jr., Town Planning Consultant Jim Fleishman, and Town Planning Technician Braeden Garrett.

- b. Pledge of Allegiance & Invocation – Mayor Browning

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 2, 2013**

c. Approval of Agenda

The Agenda was approved by motion of Councilman Liang, seconded by Vice Mayor Rockett. The motion carried 5/0.

d. Appointments:

1. Mayor

Councilman Jarriel nominated David Browning for Mayor. The motion was seconded by Councilman Liang. The motion passed 5/0.

2. Vice Mayor

Councilman Liang nominated Ronald Jarriel for Vice Mayor. The motion was seconded by current Vice Mayor Jim Rockett. The motion passed 5/0.

2. CONSENT AGENDA

a. Invoice from Goren, Cherof, Doody & Ezrol, P.A.

Town Attorney Cirullo announced that one of the invoices from his law firm had not been provided with the invoices submitted to the Town Council, through a bookkeeping error in his office. He provided the statement, and requested approval.

b. Minutes for Approval: March 5, 2013

The Consent Agenda was approved by motion of Councilman Rockett, seconded by Councilman Liang. The motion carried 5/0.

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TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 2, 2013

3. PRESENTATIONS

- a. FPL Presentation Regarding Current Initiatives/Community Involvement – *Max Macon, Area Manager, External Affairs*

Max Macon addressed the Town Council, stating that he was asked to come and provide a presentation to the Town Council. He provided his background, and described the activities and operation of FPL. He responded to questions and comments from the Town Council and from the public.

- b. Jeff Brophy and Lauree Simmons regarding: Big Dog Ranch and Proposed ULDC Text Amendment

Jeff Brophy, Landscape Architect with Land Design South, addressed the Town Council on behalf of Big Dog Ranch. He advised that Lauree Simmons was also present with Big Dog Ranch. He thanked the Town Council for the great staff in the Town that had worked with them as they pursued their goal. The reason for the presentation this evening was to provide the Town Council information regarding Big Dog Ranch within Loxahatchee Groves.

Lauree Simmons addressed the Town Council, describing how the Big Dog Ranch operates. She advised that the current property being utilized by Big Dog Ranch was laid out for wildlife, but not for an animal shelter, and was not designed for an animal rescue location. They needed 15 acres to start from scratch and build a new facility, and she requested that the Town consider allowing their facility to operate in Loxahatchee Groves. She provided a video presentation of the Big Dog Ranch facility.

Jeff Brophy stated that the facility is looking to move as quickly as possible. The principle use was a use already allowed in Loxahatchee Groves, and it was the accessory uses that would require zoning approval.

Town Council comments were heard. Councilman Rockett noted that there may be some major hurdles from people that live on Bryan Rd., and suggested that public workshops be held so that concerns could be addressed,

Public Comments:

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André LaCroix, 13000 Bryan Rd: Commented that although he was a dog lover, he was concerned with the proposed location on Bryan and Folsom Roads, and that a commercial site may be better. He mentioned that there would be no tax revenue, and may be increased noise levels.

Dan Vinayi, 13157 Bryan Rd.: Commented that a restraint on growth had been promised when the Town was started, and he thought the organization was fantastic and there was a need for it, but not in a residential neighborhood. He said that he had spoken with everyone on Bryan Road and none were in favor of this.

Jerry Perkins, 12970 Bryan Rd: Commented that he did not believe that a facility of this size belonged in a residential area.

Ann Parker, 15565 Collecting Canal Rd: Commented that she has been to that facility a few times and it was one of the cleanest ones that she has ever seen. She hoped that they could find someplace in our Town that would accept them.

Dennis Lipp, 13402 North Rd.: Commented that he was familiar with the facility, and it was a good one. He noted that commercial kennels were not permitted in the AR Zoning District and rescue animals were permitted with special exception.

Grace Joyce, 147th Ave. N,: Commented that she was not sure exactly what the presenters were hoping to accomplish tonight; the fact of the matter was the use must be consistent with the Comprehensive Plan; that she felt that this was an inappropriate forum to discuss this and that perhaps the Town could come up with a different policy so that folks who wanted to test the ULDC could come to a community forum, rather than the Town Council meeting.

Jeff Brophy replied that this was a regular process, and that these matters are addressed at staff level, then at the Town Council level, so that it is known exactly what is planned.

Brian Tuttle, Developer, commented that there would be no traffic on Bryan Rd. The location was being considered in several locations, and once a property is located, neighborhood meetings would take place. He noted that by Code, the facility was allowed, but without the commercial boarding and the commercial kennel.

Town Manager Kutney advised that it was the intention for a text amendment to be filed and an application to be filed, and this was an opportunity for them to explain in public what they envisioned and to respond to any questions.

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- c. American Cancer Society Relay for Life Presentation by Valerie Shaughnessy, Team Chair – *Councilman Ron Jarriel*

Valerie Shaughnessy addressed the Town Council explaining the Relay for Life, and requesting that the Town become an event sponsor.

Vice Mayor Jarriel said that he had asked them to come here and speak, and made a motion to donate \$500 to the American Cancer Society. The motion was seconded by Councilman Liang.

Councilman Rockett said that he would contribute his \$500 Town Council paycheck for this month too.

Mayor Browning commented that he had an inherent problem with the Town donating – the donation fund was set up for local people, and that he had a problem with donating tax money for this type of thing.

Councilman Goltzené said that we are deciding how to spend the money appropriately and the money is in the budget.

Todd McLendon, 3481 D Rd.,: Commented that he agreed with Mayor Browning that tax money should not be donated.

The motion to approve donating \$500 to the American Cancer Society carried 4/1 with Mayor Browning dissenting.

4. COMMITTEE REPORTS

- a. Finance Advisory & Audit Committee (FAAC) Report and Approval of the February 2013 Financial Reports – *Committee Member Virginia Standish*

FAAC Committee Member Standish presented the FAAC Report.

The FAAC report and 2013 Financial Reports were approved through motion of Councilman Rockett, seconded by Councilman Liang. The motion carried 5/0.

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 2, 2013

******A five minute break was taken at 8:20 p.m.******

5. PUBLIC HEARINGS (Ordinances 2nd Reading) –

a. ORDINANCE NO. 2013-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING PART III, ENTITLED “SUPPLEMENTAL REGULATIONS,” ARTICLE 80, ENTITLED “CONDITIONAL USES,” SECTION 80-020, ENTITLED “RESIDENTIAL ENTERPRISE,” OF THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE TO DELETE THE PROPERTY SIZE REQUIREMENTS, THE REGULATIONS RELATING TO NUMBER OF EMPLOYEES AND DELIVERY OF MERCHANDISE; TO PERMIT A LIMITED NUMBER OF CUSTOMERS TO TRANSACT BUSINESS AT THE LOCATION OF A RESIDENTIAL ENTERPRISE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Town Attorney Cirullo read Ordinance No. 2013-02 by title, as printed above.

Town Attorney Cirullo noted that at the last meeting the ordinance was presented at first reading, and it was amended to delete the requirements regarding size of property, employees and contractors and delivery.

Mayor Browning commented that several people had contacted him that believed it might be good to table this ordinance. Zoning in Progress was in place and people could continue to operate for right now.

Town Manager Kutney addressed the concerns of the Mayor. He noted that he had sent a memorandum, dated April 1, 2013, to the Town Council as he had been asked to provide some additional thoughts. He said that he agreed with the analysis of the LPA, and noted that staff was trying to address uses that had existed in the Town for some time, and then also address new uses. The use of residential enterprise and home office uses do not allow traffic or customers to come to the property. Staff believed that the uses could be reviewed based

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upon the impacts. That is one alternative – to table the ordinance tonight and allow staff to address the two issues. The other option is to change item H, where it talks about allowing up to three customers at one time, to change that to do it by appointment – drop the numbers and just say by appointment. Those were two ways it could be addressed, with the third way being to adopt it tonight.

Town Attorney Cirullo advised that it was really a policy decision on how the Town Council wanted to proceed. Because of the unique situation of gun sales, staff was prohibited by Statute from doing a subject specific ordinance on that.

Vice Mayor Jarriel suggested that the number of customers be eliminated, and that the ordinance is finalized.

Town Manager Kutney commented that it troubles him when an ordinance change is made to affect one property owner's situation, because it will also affect anyone else who has a residential enterprise.

Public Comment:

Grace Joyce, 3886 147th Ave. N.: Commented that the second whereas clause in the proposed ordinance was incorrect, because the P & Z board did not recommend approval. There was no evidence that this change was consistent with the Comprehensive Plan. The land use category of the Comprehensive Plan says that the Town will restrict and protect the surrounding areas from the impact of home occupancy. The changes that are proposed are just the opposite. Florida has a building code. Most communities have home occupations take place in the primary structure and you can have folks come to your home, because that is something you would find in a residential neighborhood. Residential enterprise is somewhat unusual. You are now taking an accessory structure and by allowing the public to come in, you have changed the occupancy of that residential accessory structure. The instant you think about changing the occupancy of a building you must file for a permit and provide for everything that would pertain to a commercial building, which would now apply to this residential structure. Staff should analyze the situation and try to help the gentleman, and figure out a way to help him without unintended consequences that would affect everybody. She cautioned the Town Council not to move forward with this and to ask staff to come up with a solution.

Dennis Lipp: 13402 North Rd.: The ADA is separated into four different areas – when a place of public accommodation is located in a home the portions of the home used for such are considered to be Title 3, which states that you have to have an awful lot of things done.

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Once this policy is made, building codes come in, then zoning codes, and a whole plethora of things. Your job is to set policy for the whole town, not just one voter. The ordinance should be left as it originally was.

Ann Parker, 15565 Collecting Canal Rd.: The revision to the ordinance upset her because to her it looked like they were opening a commercial sized can of worms. If you go through with this as is, commercial will be all over and she hoped they table it tonight.

John Ryan, 3508 A Rd.: This ordinance has been discussed for two or three meetings. He listened to the audio of the last meeting, and he maintained that there was discussion back and forth of Councilman Goltzene's three points. With regard to the number of customers there was concern with the Planning and Zoning Board advice to the Town Council. The Mayor said that he was looking for a simple solution in maybe eliminating H, which would do the job. After discussion, it was turned over to Town Attorney Cirullo to bring things together, and the vote was taken. I think that there was real confusion in getting to the changes in the ordinance for consideration tonight. Grace Joyce highlighted some very relevant concerns. Suggests staff take those concerns to heart, and he hopes the Town Council will rely on the ULDC Review Committee to look at how to deal with historic businesses in a simplified special exception use basis. That is how the staff could work with Mr. Kline – with special exception wording. Table this and let staff consider how to deal with Mr. Kline's issues.

Howard Voren, 1538 E Rd.: We seem to be going on in circles. I agree with everything John Ryan said. I understand everything Grace Joyce brought up. We are never given solutions to the problems.

Councilman Goltzené commented that it was interesting to hear the connection between this and commercial, because if we take that argument we are essentially saying that you cannot be residential enterprise, you must be commercial. The other part is that if you look at the scale and scope of the residential enterprise, also, if you get a gun from him maybe it is because you may want to talk to Bill. I think we ought to make an effort to help folks out. I am talking about how we can enable these small businessmen to continue to operate. We have to look out for these folks. We have to find a way to look after the little guy.

Bill Kline, E Rd.: Commented that he wants to make it clear that his records are opened to everyone and anybody. No one has mentioned the farmers and the ranchers. They keep the crows and blackbirds out of the corn with what I supply. I work out of my barn, not out of the house, and I only have from 6-10 people a year.

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Mayor Browning asked if it would harm his business if he took customers by appointment.

Mr. Kline replied that was not a problem. Gun shows were where the problem is.

Grace Joyce, 3886 147th Ave. N.: Commented that the simple solution is to recognize that Mr. Kline has a legal nonconforming use. Right now, with zoning in progress, he is in. It is so simple to create this category of legal nonconforming. We cannot say by appointment only – as soon as you open up a building for public access, you are opening up other issues.

Town Manager Kutney stated that he agreed with Ms. Joyce in regard to nonconforming uses. One piece of information she did not have is that Mr. Kline came in the Town offices in 2012 for residential enterprise.

Town Attorney Cirullo stated that the Town Code already has a provision to recognize legal nonconforming uses. The issue is it has to be demonstrated that it was legal with the County Code and that it existed as of October 1, 2006. If it cannot be established that it was legal and existing on October 1, 2006, then it would not be possible to be included as a legal nonconforming use. If we can table this tonight, staff can spend time to verify this situation. If the use cannot be demonstrated we would have to progress at the policy level. If we can sit down with this gentleman and verify he was legal as of 2006 it would take care of this in the short term.

Public Comment:

Howard Voren, 1538 E Rd.: Referred to a 180 day period referred to by Town Attorney Cirullo. Town Attorney Cirullo clarified that if you are legal nonconforming there is no time issue. The 180 days was for folks that could not demonstrate that they were legal ever. For legal nonconforming use there was not a 180 day period.

John Ryan, 3508 A Rd.: Commented that the ULDC Review Committee is considering simplifying the special exception process for people who have historically been operating businesses.

Thias Gonzalez, 13090 Raymond Dr.: Commented regarding a special policy and a change in an ordinance.

Councilman Rockett made a motion to table Ordinance No. 2013-02. The motion was seconded by Councilman Liang for discussion. (The motion required four votes to

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TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 2, 2013

pass.) Mayor Browning and Councilman Rockett voted aye. Vice Mayor Jarriel, Councilman Goltzene and Councilman Liang voted nay. The motion failed.

Councilman Liang made a motion to approve Ordinance No. 2013-02, with amendment to add appoint only language. The motion was seconded by Councilman Goltzené.

Town Attorney Cirullo advised that if the Town Council were to go back and undo the deletions that were approved on first reading, there would need to be another first reading of this ordinance. If Mr. Kline could come to the town offices and demonstrate that he was legal nonconforming, he would conform to the Code.

The motion made by Councilman Liang to approve Ordinance No. 2013-02, with amendment failed (The motion required four votes to pass.) Councilman Liang, Vice Mayor Jarriel and Councilman Goltzené voted aye; Mayor Browning and Councilman Rockett voted nay.

6. ORDINANCES (1st Reading)

a. Public Hearing: - None

7. RESOLUTIONS

a. Resolution No. 2013-03

Accepting Administrative Policy 3-13

Town Manager Kutney reported that a policy had been drafted in response to concerns expressed regarding procedures at Town Council meetings.

Motion: Councilman Goltzené made a motion to accept Administrative Policy 3-13, with the following amendments:

- **3 minute time limit for public comment;**
- **That there be no question/answering period conducted with the Town Council when people are making their public comment;**

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- **Public Comment will be allowed after Town Council deliberation and prior to the vote, with a 3 minute time limit and no questions.**

The motion was seconded by Vice Mayor Jarriel.

Town Attorney Cirullo read Resolution No. 2013-03 by title:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING AND ADOPTING ADMINISTRATIVE POLICY 3-13, RULES OF PROCEDURE FOR TOWN COUNCIL MEETINGS; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Councilman Rockett commented that he would like to recognize that any board/committee member speaking at public comment may have more time than three minutes, because they are providing information to the Town Council. After Town Council discussion, it was pointed out that the Mayor had that discretion.

Town Manager Kutney explained that if a board/committee member is speaking on behalf of themselves that is fine. If they are making representation on behalf of the committee, that needs to be clarified when they speak.

Public Comment:

Nina Corning, 2834 E Rd.: Commented that public comment input was needed at the Town Council meetings, and commented on No. 8 and No. 10 of the procedure being accepted.

Howard Voren, 1538 E Rd.: Suggested making sure that the public comment section was written in a way to recognize that the members of the Town Council do have the right to ask a question and the policy should reflect that.

Frank Schiola, 13434 Marcella Blvd.: Commented regarding the procedure being accepted, and the conduct going on during the Town Council meetings.

The motion to accept Resolution No. 2013-03, as amended, passed 5/0.

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 2, 2013**

8. ADMINISTRATIVE UPDATE – Town Manager Kutney

Town Manager Kutney reported on the following:

- He had sent an email with all of the information relating to the pond siting process that FDOT was conducting. The next meeting was April 4, 2013 in Ft. Lauderdale, and he encouraged the members of the Town Council to participate, either by attending the meeting, or via teleconference. He advised that he would continue to update the Town Council in this regard.
- Major Smith of The Palm Beach County Sheriff's office has indicated that they will need to do a 2% increase in the contract with the Town, so in the next budget year the Town would be looking at a \$5,000 increase.
- The Comprehensive Annual Financial Report (CAFR) was transmitted to the Government Finance Officers Association (GFOA).
- On March 22, 2013, there had been 10 responses to the RFQ for engineering services submitted. It is handled through the CCNA process, and recommendations would be made after review of the proposals and presentations.
- Intergovernmental Coordination (IGC) meetings have been reconstituted. The next meeting was set for April 26, 2013.

9. OLD BUSINESS

a. Discussion of Manure Ordinance

Town Manager Kutney explained that there had been feedback regarding the new ordinance, and that staff was willing and able to make any adjustments, and needed some general direction.

Discussion took place regarding what had recently been done in Wellington regarding the handling of manure, how PBSO may assist the Town in enforcement of illegal manure dumping, stopping deliveries from Wellington into Loxahatchee Groves during Polo Season, manure that is produced and used within the Town; signs or stickers that can be put on

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official hauling trucks; testing of the local water for contamination; and the discretion of the Town manager to grant permits.

Town Manager Kutney stated that there was some enforcement available, and there was probably some additional information that would need to be written into the Code. Staff would review all of the items discussed tonight, including discussing enforcement with Lt. Combs, and how that could be accomplished.

Public Comment:

John Ryan, 3508 A Road: Commented that Lt. Combs said that the Town Code relies on the Town code enforcement with the manure ordinance, and said that basically our ordinance is an enforcement nightmare. The simple solution is to make it a misdemeanor. The process now is not enforceable.

Nina Corning, 2834 E Rd.: Commented regarding horse shows, seasonal delivery time limits, manure rationing for larger and smaller properties.

Virginia Standish, 15410 North Rd: Suggested that the Town website list authorized manure haulers, and that code enforcement document the manure needs on properties.

Frank Schiola, 13434 Marcella Blvd.: Commented regarding enforcement, water quality affected by manure, and classifying illegal manure dumping as a hazardous waste.

Howard Voren, 1538 E Rd.: Commented regarding enforcement, and the Town issuing licenses that can be displayed on the side of trucks.

b. Roadway Issues – *Councilman Tom Goltzené*

Councilman Goltzené requested that the Town Council have a special meeting on April 16, 2013, to discuss issues relative to the Town road system: what to do with the Town roads – getting them regularized in some way, gas tax issues, Compton road issues, etc.

Town Manager Kutney advised that it will be advertised as a Special Town Council Meeting

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 2, 2013**

10. NEW BUSINESS - *None*

11. CLOSING COMMENTS

a. Public

Henry Noyes and Robin Sheehan, 14345 Tripp Rd.: Commented regarding another extreme noise nuisance generated by dirt bikes next their house. These activities were preventing them from enjoying their property and turning people away from Mrs. Noyes' business. There are also issues with the drainage as a result of the dirt bike issue.

Town Manager Kutney noted that there has been a complaint filed, and staff has been working the case. Our code officer has been out to take noise readings. There have been other people who complained verbally. He offered to try to mediate the situation, if the Town Council was interested in doing that.

Keith Harris, 2580 C Rd: Commented that he was speaking as a private citizen and referred to a letter that he had forwarded to the Town Manager, Town Council, Planning and Zoning Board, ULDC Review Committee, and Roadway Equestrian Trails and Greenway Advisory Committee, regarding his commercial stables permit. He stated that he was presenting this as a citizen needing some relief from the ULDC, and he was asking the Town to reconsider the requirement of a special exception use regarding commercial equestrian cooperation and make it an accessory use.

Frank Schiola, 13434 Marcella Blvd.: Commented regarding the conduct at Town Council meetings, and asked that it not be tolerated by the Town Council.

Howard Voren, 1538 E Rd.: Commented regarding the special exception process and the situation of Mr. Harris.

Virginia Standish, 15410 North Rd: Comment regarding Town Council input to the ULDC Review Committee and commented regarding the noise issue.

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b. Town Attorney

In response to Councilman Rockett regarding the transfer of roads, Town Attorney Cirullo said that the District was looking for a form for the quit claim deed. There was nothing from the District yet regarding Compton and Marcella, and the letter roads that were in the Special Act were being evaluated. He said that he hoped to have more to put in a memo in the middle of April.

Councilman Rockett commented that this was a high, high priority and if Town Attorney Cirullo needed more assistance, he needed to request that from the Town Council.

c. Town Council Members

Councilman Rockett: We had a real good turnout. The addition of having comments at the front end of the meeting might help people that don't have time to stay.

Councilman Liang: Good Night.

Vice Mayor Jarriel: Thanks for coming. We have roads needing work. The worst is Bryan Rd. Those roads are existing and need to be resurfaced. We will need permission from the people on Collecting Canal to finish the roads. Residents on Bryan Rd. need help.

Councilman Goltzené: Congratulated the Mayor and Vice Mayor. One little problem that is becoming a bigger problem was the poaching of wild hogs in Loxahatchee Groves. Also, addressed the Tent City behind the A & G store. Town Manager Kutney responded that the property where the Tent City was located was owned by Mr. Yee, and staff had notified Mr. Yee, who needed to be the person who called the Sheriff to get the people off of the property.

Mayor Browning: Thanked everyone

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 2, 2013**

12. ADJOURNMENT

There being no further business, the Town Council Meeting of April 2, 2013, was adjourned at 11:25 P.M.

**These minutes were approved by the Town Council on
Tuesday, May 7, 2013**

Susan Eichhorn, Town Clerk

David Browning, Mayor

(SEAL)

TOWN OF LOXAHATCHEE GROVES
SPECIAL TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 16, 2013



Town of Loxahatchee Groves

Special Town Council Meeting

Tuesday, April 16, 2013 at 7:00 p.m.

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

Mayor David Browning (Seat 4)
Vice Mayor Ron Jarriel (Seat 1)
Councilman Tom Goltzené (Seat 5)
Councilman Ryan Liang (Seat 3)
Councilman Jim Rockett (Seat 2)

Town Manager Mark Kutney
Town Clerk Susan A. Eichhorn
Town Attorney Michael D. Cirullo, Jr.

MINUTES

1. OPENING

a. Call to Order & Roll Call

Vice Mayor Jarriel called the meeting to order at 7:00 p.m. Present were Councilmen Tom Goltzené, Ryan Liang and Jim Rockett. Councilman Goltzené left the meeting at 7:30 p.m. Mayor Browning was not in attendance. Also present were Bill Underwood, Managing Partner of Underwood Management Services Group (UMSG), Town Manager Mark Kutney, Town Clerk Susan Eichhorn, Town Attorney Michael D. Cirullo, Jr., Town Planning Consultant Jim Fleishman, and Town Planning Technician Braeden Garrett.

**TOWN OF LOXAHATCHEE GROVES
SPECIAL TOWN COUNCIL MEETING MINUTES, TUESDAY, APRIL 16, 2013**

- b. Pledge of Allegiance & Invocation – Vice Mayor Jarriel
- c. Approval of Agenda

Motion: Councilman Goltzene requested reversal in the order of Items 2.a.1 and 2.a.2., and made a motion to approve the Agenda, as amended. The motion was seconded by Councilman Liang. The motion passed 4/0.

Clerk's Note: Please note that these meeting minutes reflect the actual order that agenda items were discussed during the meeting, and may differ from the agenda outline.

2. TOPIC TO BE DISCUSSED

a. Roadway Issues

- 1. Getting Roads “regularized” in Some Way (listed as 2.a.2. on the Agenda)
 - a. Fee simple ownership
 - b. What Degree of Public Use is Needed Relative to Ownership

Town Manager Kutney addressed the Town Council, stating that this issue was brought up at the last meeting, and most Town roads were easements cobbled together to form a road system, not in the ownership of the Town. The issues were how the Town would acquire the rights of way and/or if there was some other degree of public use that would be appropriate to make future public improvement on the roads.

In response to Councilman Rockett, Town Attorney Cirullo explained that the form developed for Bryan Road could be used for any road that the Town wanted to start working on. He explained that Compton and Marcella were dedicated and it was accepted by the LGWCD on behalf of the public. The implementation of that form takes time and money to get individual surveys. The initial step from would be to get in the process of selecting some roads and see how that system works. The form is a useful tool to start putting the documentation in place. With the obligation to maintain the roads, it also becomes the obligation to those who have property on those roads to have them become

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public roads. Over the course of time, the Town could do a survey and record a map as to the location of the roads.

Town Manager Kutney commented that one of the concerns is whether the roads are really public roads that should be treated as such by a municipality, since they are mainly easements that have been cobbled together.

Councilman Rockett commented that maintaining all of the roads in the Town was being accomplished as best as could be done, and that he thought Compton, Marcella and Bryan were different and that the Town should move ahead with those. He also stated that the Mayor should be party to any kind of statement of where we are going.

Bill Underwood, Underwood Management stated the following: In my professional opinion and my years of experience, as I stated a year ago plus, I have significant concerns contrary to the opinion that the Town Attorney has provided. The issue is the expenditure of public funds for these items. I have expressed a concern, and I stand by those concerns, and that is where I am at.

Town Attorney Cirullo stated that the LGWCD was going to give the Town a quit claim – which is whatever they have they are giving to the Town. They have eighty years of documents where the roads were cobbled together.

Vice Mayor Jarriel stated that the Florida League of Cities had told the Town what had to be done in order to receive gas tax funds, and they have not had a problem with the Town. He referred to language in the Florida Statutes that addressed the length of time required for a road to be deemed public. He stated that the legal advice is that the funds can be used, and management says they are not sure of it, and that he was trying to get the residents of Loxahatchee Groves some type of road service.

Councilman Goltzene explained that reference was being made to F.S. 95.361, and that would involve an entity claiming ownership of land. He added that he was leaving the meeting at this time, and that he supported the management team.

Public Comment:

Ken Johnson, Collecting Canal Rd.: Commented with questions related to the criteria for what roads should be public and what roads should not be public.

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Bill Louda, 1300 E Rd.: Commented regarding the motion made at the RETGAC meeting of January 31, 2013. and said they got worried that they were collecting gas tax and then spending that on roads that were not really owned, or were deeded private property and wanted the Town to somehow get the correct legal right to maintain those roads.

Todd McLendon, 3481 D Rd.: Commented regarding the requirements for collection of gas tax money.

John Ryan, 3508 A Road: Commented regarding State of Florida requirements for rural local roads, and the method of qualifying for gas tax money.

Frank Schiola, 13434 Marcella Blvd.: Commented regarding the procedure that took place with Bryan Road and Marcella Blvd., and that the Town could follow that example.

Marge Herzog, 966 A Rd: Commented that the people on Bryan Road had been paying the full assessment to the LGWCD for all these years that their OGEM has been down, and that they should be entitled to have the road re-surfaced. She also commented that the Census Map had identified every road with at least two residences on it, and that the Town should be getting gas tax for every road that is used.

Councilman Liang commented that he was open to any process as to how to adopt or claim the roads as Town roads, and that the correct legal descriptions needed to be obtained.

Town Attorney Cirullo stated that there are definitions of public roads and private roadways, and he read a definition of a public road from federal rules. He noted that roads that are on the gas tax map, but have signs or gates on them was something that needed discussion.

2. The “Town Road System” (How to Develop) (listed as item 2.a.1. on the Agenda)
 - a. Process
 - b. Timeline
 - c. Policy for Road Network Prioritization

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Town Manager Kutney advised that a process needs to be developed, as well as how the roads would be prioritized. He requested direction to the staff as to how to develop this road system.

Howard Voren, 1538 E Rd.: Commented that people who have put up signs to indicate that their road is private should be told they need to remove them, and requested that one of the Town Council members ask the Town Attorney if this was necessary to discuss.

Town Attorney Cirullo stated that it depended on each road. The concept was that because of the way that the road rights have developed, the Town does not have title to those roads just yet and is maintaining them with the anticipation they will receive that dedication. The Town would need to work with those people who had signs or gates up to compel them to remove the signs, and to come to an understanding of what comes along with privatizing a road.

Motion: Councilman Rockett made a motion to move forward with a policy that would include having a Public Works official talk to those with gates on their roads, and an informal letter from the Town Manager. If there was not resolution, then a formal letter from the Town Attorney would be issued. If the matter still was not resolved at that point, the road would be considered a private road. The motion was seconded by Councilman Liang, and passed 3/0.

Town Attorney Cirullo stated that a Comprehensive Plan provides for five year improvements and it is updated on an annual basis. The initial language in the Comprehensive Plan should include the initial five year plan and provide for annual updates. The Town Council needed to provide a mechanism for that in the Town's Comprehensive Plan.

Motion: Councilman Rockett made a motion to generate an RFP which would include Marcella Blvd., Compton Rd., Bryan Rd., the unsurfaced area of Collecting Canal segments and resurfacing F Road. The work would not be done until proper title was transferred to the Town. The motion was seconded by Councilman Liang. The motion passed 3/0.

Public Comments:

Phil Liu, 148th Terrace N.: Commented that 148th Terrace north was a legal Town road, and requested that it be paved first.

Howard Voren, 1538 E Rd.: Requested clarification by what exactly is meant by resurfacing. He noted that he had talked to experts and was told that OGEM could not be installed on top of OGEM – it could only be re-sealed.

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Councilman Rockett replied that he thought the Town had a quote for F Road. It was a sealing or re-sealing. We would certainly have to define what improvements would be needed on the other roads.

Virginia, 15410 North Rd.: Commented that the language should be consistent when using terms such as maintenance maps and surveys. It was maintenance maps that were being discussed. On F Road, or any project, the Town should not bear the cost of development infrastructure. Proper surveys had never been done and she suggested that an engineering firm could provide the cost of doing a survey of the Town.

Bill Louda, 1300 E Rd.: Commented that the Town would need to be sure that it obtains correct ownership rights for whatever is done.

Town Attorney Cirullo noted that when calculating acreage, there was a ULDC provision that any property dedicated to the Town would be included in that calculation.

Marge Herzog, 966 A Rd.: Commented regarding surplus land that the County had offered to the Town, and that the Landowners Association will be having the surveyor that has been working in Loxahatchee Groves since the 1980's as their speaker.

Councilman Jarriel requested that the Management meet with Ms. Herzog to obtain the information regarding the surplus land.

Lung Chiu, 3270 B Rd.: Commented regarding the Town Council holding the Town Management accountable for implementing the capital improvement plan; any amendments to the plan should have sufficient input from all residents.

John Ryan, 3508 A Rd.: Commented that the resurfacing of the OGEM roads basically needs to patch pot holes, re-seal, and rebuild the humps as necessary and to use some fill to level the road edges. The focus ought to be on public use easements.

Jorge Perez, 1544 B Rd.: Commented that complaints should be the highest priority, and that if the Town was going to get easements, the easements should be more than just the road, because roadways are more than just the road and drainage was needed on both sides of the road. He noted that there were other types of road re-surfacing, such as micro chipping, which was cost effective.

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3. Gas Taxes
 - a. Town Council Approval of Gas Tax Maps
 - b. Management Comment

Town Manager Kutney reviewed the information provided in the Agenda Packet. He advised that the Town needed to provide a response to Palm Beach County with a calculation of the municipally maintained lane-miles for distribution of gasoline taxes to each municipality. That data would then be forwarded to the State. He referred to some questionable roads in the Town, which were included in a hand out that Planning Technician Garrett had provided. He explained that if roads are gated and not used as a public roadway they need to come off the map. The roadways in question totaled about two miles in roadway miles.

Discussion took place regarding receipt of the document requesting the gas tax map, and the deadline for turning in the information. Town Manager Kutney said that he would look into an extension of the deadline, and that staff had taken it upon themselves to identify roadways that were not eligible for gas tax. He noted that Town Management has been concerned all along about roads that were basically easements cobbled together.

Motion: Councilman Rockett made a motion to adopt the town road miles, less those items identified as questionable and instruct Town Management to work to resolve as many as they can resolve before the deadline, and the Mayor will sign the letter and those miles will be included back in if those items were resolved. The motion was seconded by Councilman Liang. The motion passed 3/0.

***** A five minute break was taken at 9:15 p.m. The meeting resumed at 9:22 p.m. *****

Bill Underwood, Underwood Management Services Group, addressed the Town Council and provided information regarding the comment in the Management Letter, stating the recommendation that the Town obtain guidance from their Attorney or the State on the allowable uses of gas tax funds and then take appropriate action on past and future expenditures. A test of expenditures in last year's audit had found a large check that had been written using gas tax money for the North Road project, and management would respond that it would address this with the Town Attorney and eliminate this problem for the future. The issue was that the Town did not have title or ownership or easement

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relative to that road. He advised that management may come back and request direction from the Town Council about possibly reimbursing the gas tax from the general fund for that expenditure.

Town Attorney Cirullo said that North Road was a district road and it would be put on the list to discuss with the LGWCD.. It sounded like it could be resolved by asking LGWCD to put North Road on the list of roads for which they are getting quit claims.

Motion: Councilman Rockett made a motion to authorize Town Attorney Cirullo to work with the LGWCD counsel to add North Road to the list and to request that LGWCD do the same thing. The motion was seconded by Councilman Liang. The motion passed 3/0.

4. Progress and Next Steps Related to the LGWCD Road Transfers

Town Attorney Cirullo commented that it was expected to get quit claim deeds fairly soon, and that he had explained that the Town was ready to go with Compton and Marcella but that it needed LGWCD to reciprocate, so that both entities could work together on it. The list is growing, but the manner in which we are solving it is the same. Also, he understood that Southern Land and Timber is being spoken to about whatever rights they have. A more tangible memo would be provided within the next few weeks.

John Ryan, 3508 A Rd.: Commented regarding the letter going to Southern States from LGWCD requesting a quit claim deed.

5. Compton Road

- a. Surfacing
- b. Drainage Ditch

Vice Mayor Jarriel stated that he would like to get a bid on cleaning out the drainage ditch on Compton Rd.

Town Manager Kutney advised that issue could be discussed once the Town had the Town Engineer on board.

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Councilman Liang commented that before he would approve working on these drainage issues, he would want an easement that allowed that work. That way there is no question about spending funds on private property. He recalled that the folks on Compton Rd were more than willing to grant the Town an easement.

6. Bryan Road

Councilman Rockett stated that Bryan Road had been discussed earlier, and the form was available; the next step was to get in touch with the property owners and have a surveyor identify the road.

7. Red Light at Southern Blvd. and “D” Road

Councilman Jarriel advised that he had requested the inclusion of this item because of the recent FDOT pond siting meetings. He explained that he had mentioned it to the FDOT officials, and that the Town needed to get involved right now in pushing for a red light at the dangerous intersection at Southern Blvd. and “D” Road.

Town Manager Kutney advised that he had established a good working relationship with the FDOT people who were doing the project on the pond siting, and that he would contact them to let them know that the Town is looking at this seriously. The next FDOT pond siting meeting was scheduled for April 23, 2013.

Town Attorney Cirullo stated that the Town Council always has the prerogative to express its preference to other agencies by Resolution. That could be done, and the Council could provide that direction in the future after the preliminary pond siting is done.

Town Manager Kutney responded that he would bring the issue forward at the April pond siting meeting, and then report back; at that point the Town Council could decide on a Resolution.

Motion: Councilman Rockett made a motion to direct Town Manager Kutney to speak with the FDOT head engineer and see what kind of guidance he can give relative to the intersection at “D” Road and Southern Blvd.; a Resolution would then be prepared for the first meeting in May if it was so deemed appropriate. The motion was seconded by Councilman Liang.

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Public Comments:

Ken Johnson, Collecting Canal Rd.: - Commented regarding support for a stop light at Southern Blvd. and "D" Road, and also recommended warning blinking lights that alert drivers that the light ahead will be turning red.

Howard Voren, 1538 E Rd.: Commented regarding publicizing a traffic study when the Department of Transportation reviews its plans for Southern Blvd.

Bill Louda, 1300 E Rd.: Commented regarding access points to Southern Blvd. being cut off when it was widened, and that a light at Southern Blvd. and "D" was necessary.

Councilman Rockett commented that a light was also needed at "D" Rd. and Okeechobee.

The motion passed 3/0.

8. 24th Court North

Vice Mayor Jarriel explained that there were two streets involved, and the Fire Department maps indicate that one was a court and one was a circle, which was different than what the road signs indicated.

Public Comment:

Pat McCauley, 14900 24th Circle North: Commented that he had surveys dating back to the 1960's and it indicated a circle, and he explained the survey history of the location.

In response to Vice Mayor Jarriel, Town Manager Kutney advised that as soon as a Town engineer was on board, 24th Court north would be a project to review.

Ms. Lorenz, 14925 24th Circle North: Commented regarding the properties located on 24th Circle, and said that Mr. Yohe of the LGWCD was working with the residents regarding the surveys.

Ken Johnson, Collecting Canal Rd.: Commented that he had surveyed and driven every road in Loxahatchee Groves and made a listing of them. The location being discussed was definitely a problem that needs to be resolved.

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Marge Herzog 966 A Rd.: Commented regarding the flooding that occurs in the 24th Circle North area..

Vice Mayor Jarriel commented that he had been out to the property to look at the situation, and he would like to see direction tonight to have a simple fix done right now to take two loads of road rock material to put on the corner easement and make that road wider, as well as clearing the drainage area.

Town Manager Kutney advised that relative to a fence being constructed in the area that would prevent access, staff had been trying to make contact regarding a permit. If Council could give direction to start code enforcement, staff could go out there and look into the permit situation.

Barbara Lorenz, 24th Circle: Commented that the fence is not there, but instead of the fence trees had been used. She stated that she would provide the phone number of the property owner to the Town.

Town Manager Kutney stated that staff will try to contact the property owner, however, if the property owner ignores that, he would need the Town Council to provide direction to go ahead and start code enforcement.

Public Comment:

Frank Schiola, 13434 Marcella Blvd.: Commented that the mower that does all of the hedging is down with transmission problems. Another resource may be needed if it was necessary to clear that area.

Discussion took place, and Town Manager Kutney indicated that the road rock was not an issue, and that he could have the LGWCD do the road rock, however, the other work would require further review and an estimate.

Vice Mayor Jarriel clarified that he understood that the LGWCD would do the work for free, just to solve the problem, and he requested that Mr. Kutney clarify that with the LGWCD they were going to do it for free and there would be no cost to the resident.

Councilman Rockett stated that we would not want to have a situation where an emergency vehicle could not get down that road.

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Motion: Councilman Rockett made a motion to provide road rock, as well as clearing the debris out of the drainage ditch when the bush hog was available, and get the road widened. The motion was seconded by Councilman Liang. The motion passed 3/0.

9. Speed Humps

Councilman Rockett advised that he would prefer to discuss this matter when a full Council was present, in order to discuss frequency of speed humps and to set a standard for speed hump design. He requested that it be added to the May 7, 2013, Town Council meeting agenda.

5. CLOSING COMMENTS

a. Public

Frank Schiola, 13434 Marcella Blvd.: Commented regarding turning the non-district road easements over to the Town to relieve the legal liability for all residents on a road.

b. Town Attorney

In response to Councilman Rockett, Town Attorney Cirullo explained that the easement statement document drafted for Bryan Road did not address the issue of acreage calculations when roadway easements were assigned. He advised that the ULDC Review Committee would be addressing that issue.

c. Town Council Members

Councilman Liang: None.

Vice Mayor Jarriel: Thanked everyone for their patience and for attending.

**TOWN OF LOXAHATCHEE GROVES
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6. ADJOURNMENT

There being no further business, the Town Council meeting of April 16, 2013, was adjourned at 10:50 p.m.

Susan Eichhorn
Town Clerk

David Browning
Mayor

**These minutes were approved by the Town Council
On Tuesday, May 7, 2013**



2.c. Amended Administrative Policy 3-13

LOXAHATCHEE GROVES

TOWN OF LOXAHATCHEE GROVES ADMINISTRATIVE POLICY 3-13

SUBJECT: Administrative Policy 3-13 Rules of Procedure for Town Council Meetings

PURPOSE: In order to promote efficient and effective procedures and practices during Town Council Meetings it is necessary to establish Rules of Procedure for all Town Council Meetings, Special Meetings and workshops

BACKGROUND: The Town currently has no specific policy that addresses, in a comprehensive fashion, a set of rules and procedures for the implementation of the agenda and conduct of Town Council Meetings. This policy, 3-13, will provide the Rules of Procedure for agenda preparation and conduct of meetings

POLICY:

1. All meetings of the Town Council whether such meetings are regular, special meetings or workshops shall be governed by the Rules of Procedure set forth herein, where applicable.
2. Any Councilmember desiring to speak must be recognized by the Mayor or Acting Chair by raising his or her hand. The Mayor or Acting Chair shall announce the order in which the hands were raised, and grant the floor in the order the hands were raised. If the Mayor or Acting Chair desires to participate in a discussion, he or she shall do so only when all members of the Council have spoken at least once (if so desired). No member of the Council shall interrupt another member of the Council who has been recognized by the Mayor or Acting Chair and no member shall dominate the floor in excess of five minutes without offering to yield to other members of Council.
3. The Mayor or Acting Chair shall not use that position to dominate debate or discussion, nor unreasonably cut short or prolong any debate, discussion or taking of any vote.

TOWN OF LOXAHATCHEE GROVES ADMINISTRATIVE POLICY 3-13

4. Any matters not specifically addressed by this policy, will be governed by Robert's Rules of Order to the extent possible.
5. Except when abstaining from voting in accordance with Florida Statutes, each Council member who is present at a meeting must vote on each decision, ruling or other official act. A roll call vote shall be recorded for each Councilmember present. The order of each Councilmember vote will rotate after each roll call vote.
6. Public comments shall be placed on the Agenda at the beginning of the meeting (following the consent agenda) and at the end of meeting. Public comments will also be entertained ~~at the start of~~ **for** each agenda item. ~~However, once public comments are completed at the start of an agenda item and Town Council deliberations have started, no further public comments will be entertained.~~ **Public Comment will be allowed after Town Council deliberation and prior to the vote on any item. Public Comment is an opportunity for members of the public to make comment, and shall not be a question/answer period conducted with the Town Council. All public comments shall be limited to a three minute time period.** Public comment during Public Hearings and Quasi-Judicial matters will occur after comment/testimony has been provided by the principals related to the matter.
7. There shall be a consent agenda during each regular Town Council meeting. The Consent Agenda shall contain matters that can be handled and implemented without necessity of comments. Notwithstanding the foregoing, any item placed on the Consent Agenda may be removed from the Consent Agenda by any Councilmember and discussed and deliberated by the Town Council.
8. Any Councilmember, the Town Manager or Town Staff may place items on the Town Council Agenda for a regular meeting

TOWN OF LOXAHATCHEE GROVES ADMINISTRATIVE POLICY 3-13

for discussion, review or consideration of any action, and must be submitted by a written request referencing the business item, stating the purpose of the item/action, the major points to be covered, the reasons for the action and the action requested by The Town Council. All appropriate background material shall accompany the signed written request. Items must be approved by the Town Manager before placement on the Agenda. The deadline for such submission shall be noon on the Tuesday prior to the scheduled Council meeting (i.e. one week prior). Failure to adhere strictly to this schedule shall result in the requested item being scheduled for the next available meeting. A waiver may be granted for an exigent circumstance, however, such waiver must be approved by the Town Manager and the Mayor.

9. Once an item has been placed on the Agenda in accordance with the terms and conditions of this policy, it may be only removed by the person who originally placed it on the agenda.
10. For the presentation/explanation of Agenda items the Mayor shall call on the Town Manager or a designated spokesperson for a brief explanation of the item under consideration. Upon completion of the presentation/explanation the item shall be opened for public hearing or Town Council discussion as necessitated by requirements of the Agenda item.
11. All items on the Agenda shall be listed in the following order: Opening; Consent Agenda; Public Comment; Presentations; Committee Reports; Public Hearings; Ordinances; Resolutions; Administrative Update; Old Business; New Business; Closing Comments; and Adjournment.

Please Note:

Underlined = added language

~~Strike-through~~ = deleted language



4.a. Presentation by Loxahatchee Groves Elementary School (*Liz McKean, PTO Representative*)

LOXAHATCHEE GROVES

Mr.Kutney,

We appreciate your consideration with our request and would like you to know that Liz McKean will be representing our PTO at your May 7th meeting. Below is the information we are sending out.

Thank you,

Lisa Zuver

**LOXAHATCHEE GROVES ELEMENTARY SCHOOL'S
ANNUAL PTO CARNIVAL & SILENT AUCTION**

Loxahatchee Groves Elementary School is located at: 16020 Okeechobee Blvd. & 162nd Drive – turn south or left at the light - in Loxahatchee Groves.

Our Carnival is Saturday, May 18th, from 11:00 a.m. to 6:00 p.m.

NO ADMISSION CHARGE! Tickets or wristbands are needed for rides, games and food. They can be purchased before the Carnival at a discount and at regular price during the carnival.

This event is a family activity that brings everyone from the school and community together for a day of fun. Activities planned are: inflatables, waterslides, bungee trampoline, rock climbing wall, dunk tank, obstacle course, plant sale, entertainment, local vendors and lots of food.

The PTO would like community businesses to sponsor the above activities. Sponsorships range from \$250 - \$900. All sponsors will be recognized in our Carnival brochure, have a sign by each activity sponsored, a beautiful plaque and allowed to hand out flyers and business cards at the Carnival. The PTO estimates 1,000 – 1,500 people attend our Carnival each year.

We will have a Silent Auction which features items and services from local businesses. Donations are needed. Anyone who donates an item or a service will be recognized in our Carnival brochure. Silent Auction donations must be made by May 10th. The PTO can also arrange to pick up items.

All donations are tax deductible.

WE NEED VENDORS! \$50.00 per space - bring your own table, tent, chairs etc. Sorry no electricity available.

For more information on ticket sales, vendor applications, Silent Auction donations or to be one of our entertainers or sponsors, call Lisa Zuver, PTO President, at 561- 904-9238 (please leave a message if no one answers).

Everyone is welcome to come and join the fun!

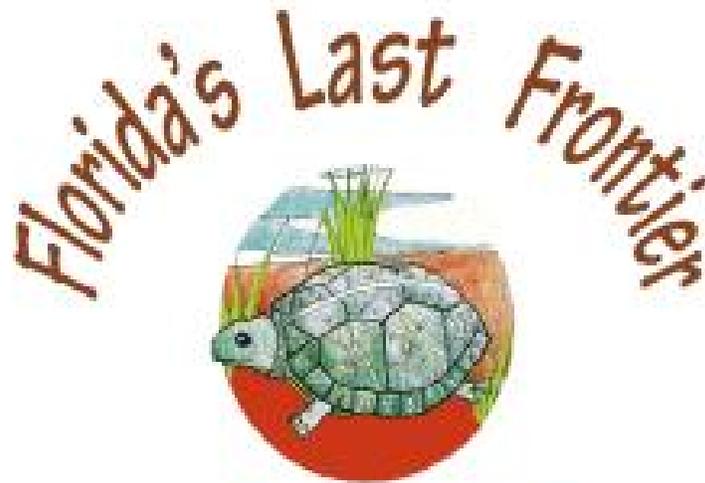
All proceeds go directly to our children, teachers and school to provide resources and materials that are needed in the classroom.



4.b. CAFR (Terry L. Morton, Jr., CPA. Nowlen, Holt & Miner)

LOXAHATCHEE GROVES

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**



Town of
LOXAHATCHEE GROVES

COMPREHENSIVE ANNUAL FINANCIAL REPORT

FOR THE FISCAL YEAR ENDED

SEPTEMBER 30, 2012

TOWN OF LOXAHATCHEE GROVES, FLORIDA
COMPREHENSIVE ANNUAL FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2012

PREPARED BY:
THE TOWN OF LOXAHATCHEE GROVES
UNDERWOOD MANAGEMENT SERVICES GROUP, LLC

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INTRODUCTORY SECTION



Town of Loxahatchee Groves

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

March 29, 2013

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, 2012, 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, 2012, 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, 2011. 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 legal level of control (level of which expenditures may not exceed the budget) is at the department level for the General Fund and at the fund level for the Transportation Fund.

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, 2012. 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, 2011. 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, 2011

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.



Christopher P. Moynell

President

Jeffrey R. Emswiler

Executive Director

TOWN OF LOXAHATCHEE GROVES

List of Elected Town Officials

September 30, 2012

Council-Manager Form of Government

TOWN COUNCIL

David W. Browning, Mayor

James Rockett, Vice Mayor

Tom Goltzene, Councilmember

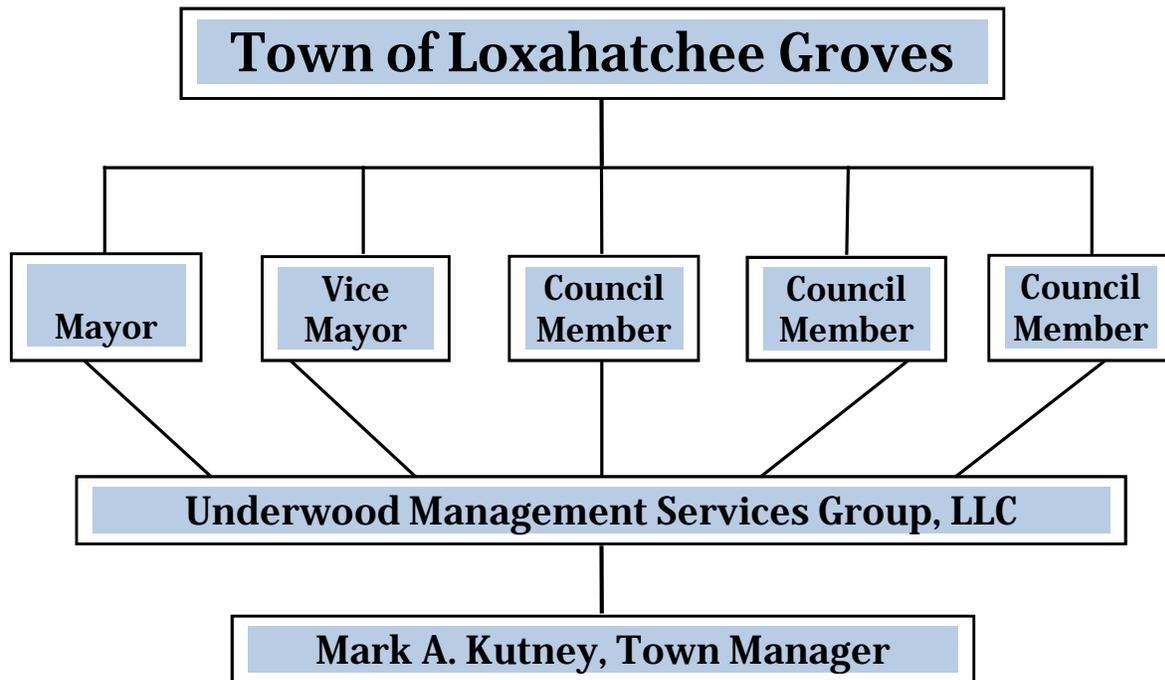
Ronald D. Jarriel, Councilmember

Ryan Liang, Councilmember

Prepared by:

Underwood Management Services Group, LLC

Town of Loxahatchee Groves Organizational Chart



FINANCIAL SECTION

INDEPENDENT AUDITOR'S 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.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, CFE, CPA
EDWARD T. HOLT, JR., CPA
BRIAN J. BRESCIA, CFP®, CPA

KATHLEEN A. MINER, CPA
J. MICHAEL STEVENS, CPA
KARA D. PETERSON, CFE, CPA
MARK J. BYMASTER, CPA
PUI K. LAI, CPA
RYAN M. SHORE, CPA

INDEPENDENT AUDITOR’S 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, 2012, 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, 2012, and the respective changes in financial position, and, where applicable, cash flows, 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 March 29, 2013, on our consideration of the Town of Loxahatchee Groves, Florida's internal control over financial reporting and on 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 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 31 through 33 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.

Nowlen, Holt & Mimer, P.A.

West Palm Beach, Florida
March 29, 2013

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, 2012. 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 2012

- Ø At September 30, 2012, the assets of the Town of Loxahatchee Groves exceeded its liabilities by \$3,064,310 of which \$55,475 was invested in capital assets and \$642,359 was restricted by law or agreements. The Town had \$2,366,476 (*unrestricted net assets*) which may be used to meet the Town’s ongoing obligations to citizens and creditors.
- Ø During the fiscal year 2012, net assets increased by \$395,382. The increase is attributable to excess revenues over expenses.
- Ø At September 30, 2012, the Town of Loxahatchee Grove’s General Fund reported an ending fund balance of \$1,334,787, a decrease of \$710,348 as compared with the prior year. Of the total fund balance, \$1,311,888 or 98% of this total amount is available for spending at the government’s discretion (*unreserved fund balance*). The unreserved fund balance represents 153% 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.

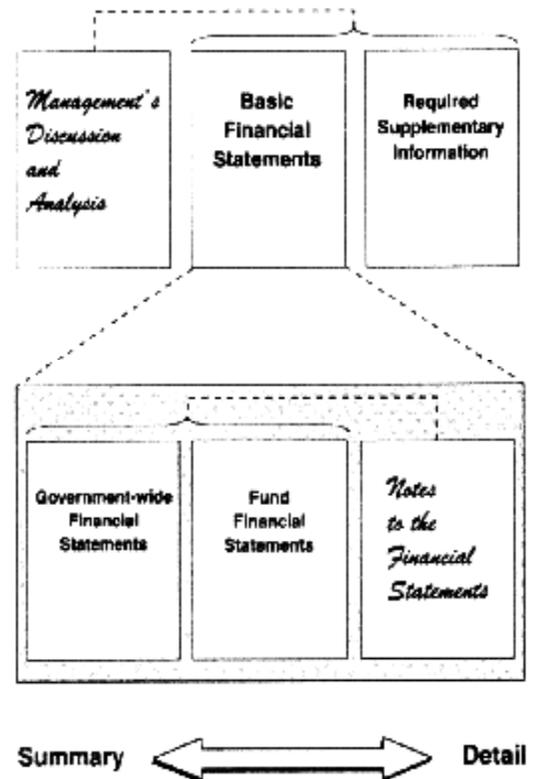
The financial statements also include *notes* that explain some of the information in the financial statements and provide more detailed data. The statements are followed by a section of *required supplementary information* which further explains and supports the information in the financial statements. 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.

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).

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



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 three governmental funds; the General Fund, the Transportation Fund and the Capital Improvement 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 30 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 \$3,032,621. Business-type activity liabilities exceeded assets by \$31,689. The Town-wide total net assets were \$3,064,310 at the close of the fiscal year ended September 30, 2012. 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 \$55,475 or 1.8% of total net assets at September 30, 2012. 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 \$642,359 or 21% represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net assets \$2,334,787 or 76% 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	
	2012	2011	2012	2011	2012	2011
Assets:						
Current and other assets	\$ 3,008,829	\$ 2,692,194	\$ 31,689	\$ 33,533	\$ 3,040,518	\$ 2,725,727
Capital assets	55,475	7,600	-	-	55,475	7,600
Total assets	<u>3,064,304</u>	<u>2,699,794</u>	<u>31,689</u>	<u>33,533</u>	<u>3,095,993</u>	<u>2,733,327</u>
Liabilities:						
Other liabilities	31,683	26,764	-	37,635	31,683	64,399
Total liabilities	<u>31,683</u>	<u>26,764</u>	<u>-</u>	<u>37,635</u>	<u>31,683</u>	<u>64,399</u>
Net assets:						
Invested in capital assets	55,475	7,600	-	-	55,475	7,600
Restricted	642,359	620,295	-	-	642,359	620,295
Unrestricted	2,334,787	2,045,135	31,689	(4,102)	2,366,476	2,041,033
Total net assets	<u>\$ 3,032,621</u>	<u>\$ 2,673,030</u>	<u>\$ 31,689</u>	<u>\$ (4,102)</u>	<u>\$ 3,064,310</u>	<u>\$ 2,668,928</u>

Governmental Activities.

- Ø During the fiscal year 2012, the Town's assets increased by \$316,635 or 11.8%. The increase is mainly due to increases in cash as a result of the current year's operations.
- Ø Capital assets increased primarily due to construction of a right-of-way crossing at 148th Terrace.

Business Activities.

- Ø The funding for the operation is derived from an assessment placed up residential properties within the Town's jurisdiction.
- Ø The Town assesses 1,260 residential properties \$372.73 per year for both the collection and disposal of solid waste.
- Ø 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.
- Ø 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, 2012 and 2011: 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	
	2012	2011	2012	2011	2012	2011
Revenues:						
Program revenues:						
Charges for services	\$ 107,895	\$ 11,948	\$ 464,987	\$ 464,023	\$ 572,882	\$ 475,971
Capital grants and contributions	49,813	-	-	-	49,813	-
General revenues:						
Property taxes	214,645	263,170	-	-	214,645	263,170
Franchise fees	193,270	207,153	-	-	193,270	207,153
Utility taxes	341,596	345,155	-	-	341,596	345,155
Intergovernmental	648,838	635,918	-	-	648,838	635,918
Investment/other income	1,191	20,064	-	1,636	1,191	21,700
Total revenues	<u>1,557,248</u>	<u>1,483,408</u>	<u>464,987</u>	<u>465,659</u>	<u>2,022,235</u>	<u>1,949,067</u>
Expenses:						
General Government	580,508	477,173	-	-	580,508	477,173
Public safety	274,911	274,785	-	-	274,911	274,785
Physical environment	342,238	182,996	-	-	342,238	182,996
Sanitation			429,196	469,761	429,196	469,761
Total expenses	<u>1,197,657</u>	<u>934,954</u>	<u>429,196</u>	<u>469,761</u>	<u>1,626,853</u>	<u>1,404,715</u>
Increase (decrease) in net assets	359,591	548,454	35,791	(4,102)	395,382	544,352
Net assets, beginning	<u>2,673,030</u>	<u>2,124,576</u>	<u>(4,102)</u>	<u>-</u>	<u>2,668,928</u>	<u>2,124,576</u>
Net assets, ending	<u>\$ 3,032,621</u>	<u>\$ 2,673,030</u>	<u>\$ 31,689</u>	<u>\$ (4,102)</u>	<u>\$ 3,064,310</u>	<u>\$ 2,668,928</u>

Governmental Activities.

For fiscal year 2012, total revenues increased by \$73,840. Property tax revenues decreased \$48,525 or 18% as a direct result of the housing market crisis and the downturn in the economy. Investment and other income decreased \$18,873 or 94% due to a cost sharing arrangement with a special district in the Town. Charges for services increased \$95,947 or 803% due to improved assessment and collection of cost recovery fees for development projects within the Town. Unrestricted intergovernmental revenues increased \$12,920 or 2%, franchise fee revenue decreased by \$13,883 or 6.7%, and utility tax revenue decreased by \$3,559 or 1%. The decrease in utility tax revenue was primarily due to the continued recession affecting all operations within the Town.

Total expenses increased by \$262,703 or 28% primarily due to contracted increases in municipal services and improvements in physical assets.

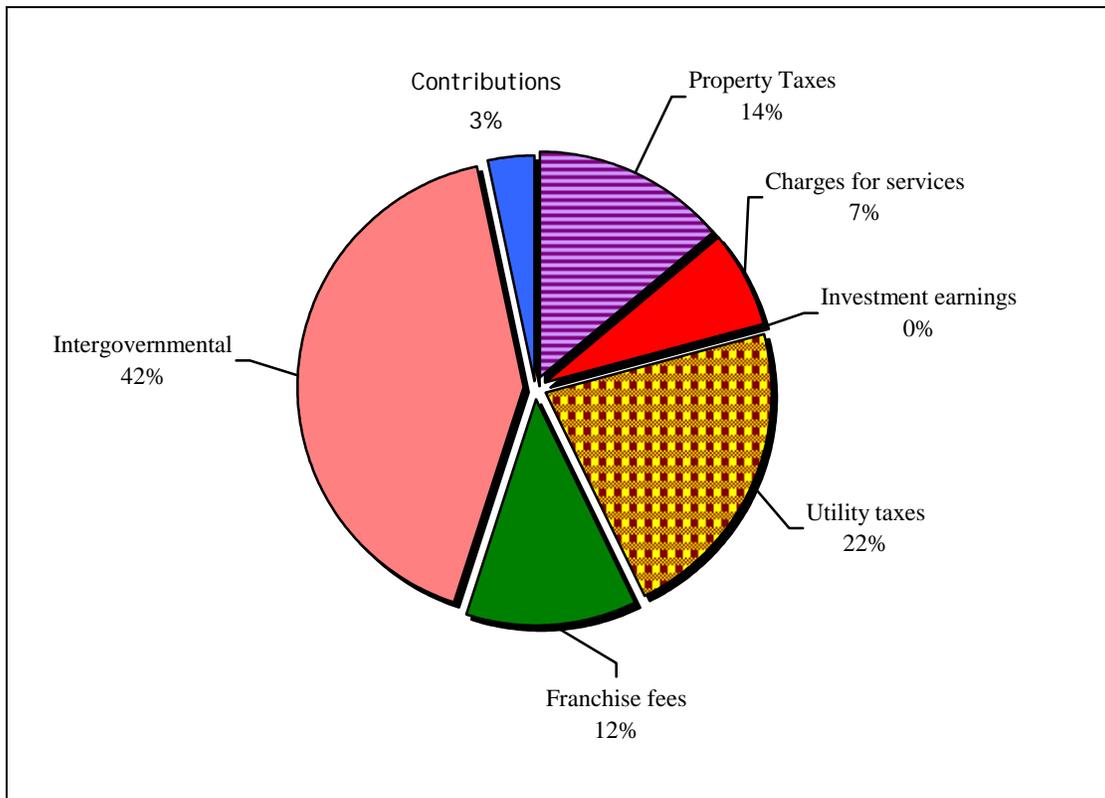
Business Activities.

Fiscal year 2012 is the second year the Town operated 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, \$464,987. This figure represents the fees assessed for the City's enterprise fund, Solid Waste. Operating revenues decreased by \$964 or 0.2% from a year ago for the Solid Waste Fund.

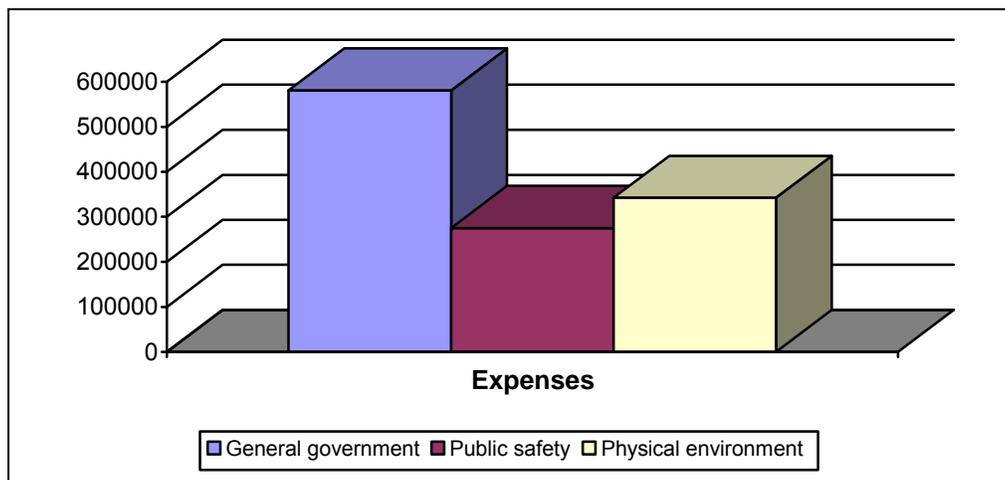
For business-type expenses, the \$429,196 represents Solid Waste expenses. The decrease of \$40,565 in total expense was the result of the decreases in costs of solid waste operations. As the Town controlled costs substantially during the year, the Town was able to increase its net assets by \$359,591 for the governmental activities and ended its second year of solid waste operations with net income of \$35,791 for the business-type activities.

Figure A-1

**Town of Loxahatchee Groves
Revenues by Source – Governmental Activities
For the Fiscal Year Ended September 30, 2012**



**Figure A-2
Town of Loxahatchee Groves
Expenses – Governmental Activities
For the Fiscal Year Ended September 30, 2012**



Financial Analysis of the Government's Funds

The Town maintains three governmental funds; the General Fund, the Transportation Fund and the Capital Improvement Fund.

The Town adopts an annual appropriated budget for both the General Fund and the Transportation Fund. The General Fund provides revenues and resources for basic governmental services. Whereas the Transportation Fund is funded through a dedicated local option gas tax and can only be used for transportation related expenses such as road, street maintenance, and construction.

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 \$1,334,787 a decrease of \$710,348 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, 2012 and 2011 is shown below:

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

	2012	2011	Change	% Change
Total assets	<u>\$ 1,410,139</u>	<u>\$ 2,068,451</u>	<u>(\$658,312)</u>	(32)%
Total liabilities	75,352	23,316	52,036	223%
Nonspendable fund balance	22,899	28,437	(5,538)	(19)%
Assigned fund balance		1,000,000	(1,000,000)	(100)%
Unassigned fund balance	<u>1,311,888</u>	<u>1,016,698</u>	<u>295,190</u>	29%
Total fund balance	<u>1,334,787</u>	<u>2,045,135</u>	<u>(710,348)</u>	(35)%
Total liabilities and fund balance	<u>\$ 1,410,139</u>	<u>\$ 2,068,451</u>	<u>(\$658,312)</u>	(32)%

During the fiscal year 2012, the General Fund assets decreased by \$658,312 or 32%. The decrease is mainly due to decreases in cash as a result of the current year's operations. Liabilities increased by \$52,036 or 223% mainly due to an increase in due to other funds. Total fund balance decreased by \$710,348 or 35% due to expenditures exceeding revenues. Unassigned fund balance increased by \$295,190 or 29% and assigned fund balance decreased by \$1,000,000 due to the budgeted transfer in 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

	2012	2011	Change	% Change
Total revenues	\$ 1,194,310	\$ 1,129,436	\$ 64,874	6%
Total expenditures	855,745	755,856	99,889	13%
Excess of revenues over expenditures	338,565	373,580	(35,015)	(9)%
Other financing uses	(1,048,913)		(1,048,913)	
Change in fund balance	(710,348)	373,580	(1,083,928)	(290)%
Fund balance, beginning	2,045,135	1,671,555	373,580	22%
Fund balance ending	\$ 1,334,787	\$ 2,045,135	(\$710,348)	(35)%

The Town of Loxahatchee Groves General Fund revenues increased \$64,874 or 6%. Although property tax revenues decreased \$48,525, investment income decreased \$20,509; however, these decreases were offset by increases in charges for services of \$96,911 due to improvements in the economy and the assessment and collection of cost recovery fees.

Total expenditures increased \$99,889 or 13% due to the Town increasing services necessary to meet the demands of a new government.

A net reduction in General Fund fund balance of \$710,348 is the result of a transfer to the Capital Improvement Fund of \$1,000,000, and Transportation Fund of \$48,913 less excess revenue of \$338,565. As a result, the Capital Improvement Fund fund balance increased to \$1,000,000, the Transportation Fund fund balance increased due to the transfer from General Fund to \$642,359.

In the Town's enterprise fund, Solid Waste, operations provided \$35,791 improvement moving the Net Assets from \$(4,102) to \$31,689.

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 intra-department level budget transfers between expenditure categories without Council approval; however, inter-department and fund total changes require Council-approved budget amendments adopted by resolution.

The estimated revenues are lagging \$31,937 or 3% behind the estimated revenue caused primarily by a reduction in citizen usage of electric, and water consumption and an assumed increase in intergovernmental revenues. However, the unanticipated drop in revenue was somewhat mitigated by a \$17,141 favorable variance in expenditures below appropriations. The most significant saving occurred within the planning and zoning function of the Town where \$11,477 or 12% 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 2012 budget was \$1.2 million. Revenues failed to meet budgeted amounts by approximately \$32 thousand and expenses were approximately \$18 thousand below budgeted amounts. General government, \$17 thousand, was the most significant contributor to this variance.

Budget versus actual schedules are presented on page 31 for the General Fund.

Transportation Special Revenue Fund

The fund balance of the Transportation Special Revenue Fund increased by \$22,064, which was close to the budgeted surplus of \$17,651.

Capital Improvement Fund

The Capital Improvement Fund had an ending fund balance of \$1,000,000 due to a transfer from the General Fund for future projects. The Town Council is still in the process of identifying and prioritizing projects to be funded.

Capital Assets and Long Term Debt

As of September 30, 2012, the Town's investment in capital assets amounted to \$55,475 (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

- Ø In setting its fiscal 2012-2013 budget, the Town adopted a millage rate of 1.20.
- Ø The Town of Loxahatchee Groves anticipates that the total assessed property value will increase 1.0% for 2013. Accordingly, the Town's reserves that have been built up will secure the Town's income flow for the upcoming fiscal years.

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.

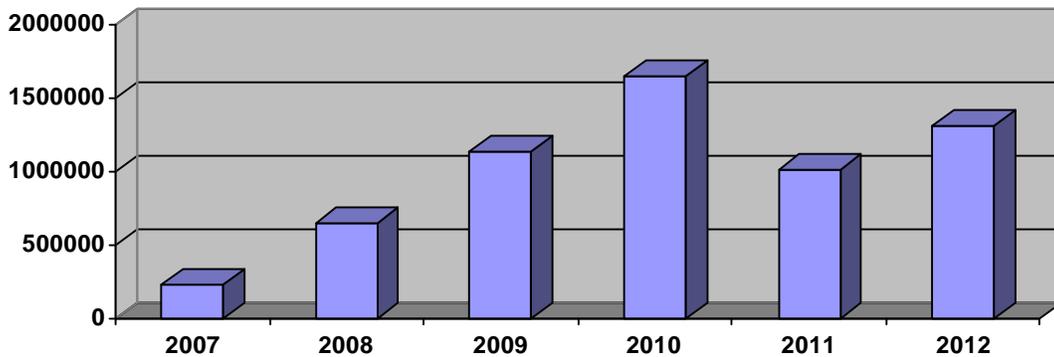
On January 29, 2008 the Florida electorate approved an amendment to the Florida Constitution relative to property taxation. This amendment (referred to as Amendment 1) was placed on the ballot by the Florida Legislature at a special session held in October 2007. With respect to homestead property, Amendment 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.

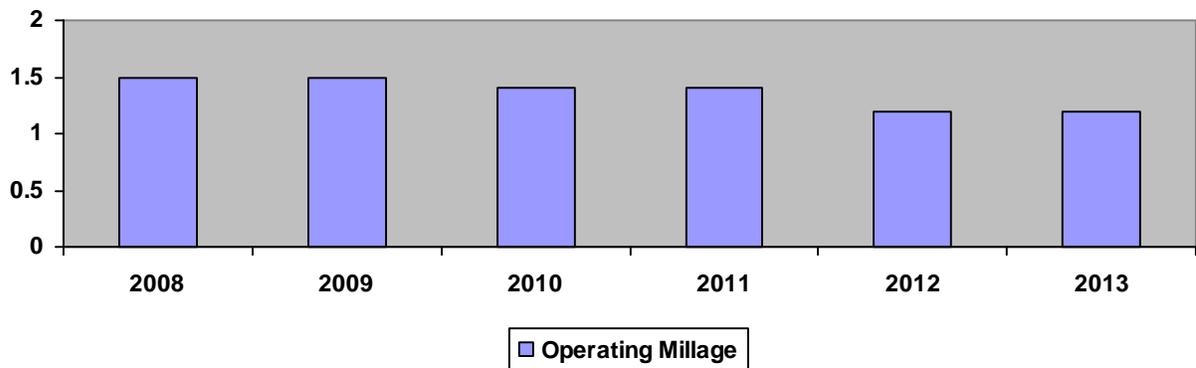
Revenues in the FY 2013 adopted General Fund budget are \$1.53 million, an increase of approximately 28% from the FY 2012 actual revenues of \$1.19 million. Fiscal year 2013 budgeted expenditures are expected to be consistent with actual expenses of \$1.25 million for fiscal year 2012.

**General Fund Unassigned Surplus
For the Fiscal Years ended September 30, 2007-2012**



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, 2008-2013**



The operating millage rate for tax year 2012, which is collected in fiscal year 2013, is 1.2 or \$1.20 per thousand dollars of taxable value. Under current legislation, the Town was required to rollback its millage rate to the rollback rate less 5%. The 2013 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, 2012

	Primary Government		
	Governmental Activities	Business-type Activities	Total
ASSETS			
Cash and cash equivalents	\$ 2,840,454	\$ 31,689	\$ 2,872,143
Receivables			
Planning and zoning	16,549		16,549
Franchise and utility taxes	56,963		56,963
Due from other governments	71,964		71,964
Prepaid items	22,899		22,899
Capital assets			
Non-depreciable	3,932		3,932
Depreciable (net of depreciation)	51,543		51,543
Total assets	<u>3,064,304</u>	<u>31,689</u>	<u>3,095,993</u>
LIABILITIES AND NET ASSETS			
Accounts payable	14,090		14,090
Deposits for planning and zoning	17,593		17,593
Total liabilities	<u>31,683</u>		<u>31,683</u>
Net Assets			
Invested in capital assets	55,475		55,475
Restricted for:			
Transportation	642,359		642,359
Unrestricted	2,334,787	31,689	2,366,476
Total net assets	<u>\$ 3,032,621</u>	<u>\$ 31,689</u>	<u>\$ 3,064,310</u>

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Activities
For the Year Ended September 30, 2012

Function / Program Activities	Expenses	Program Revenues			Net (Expenses) Revenues and Changes in Net assets		
		Charges For Services	Operating Grants and Contributions	Capital Grants and Contributions	Primary Government		Total
					Governmental Activities	Business-type Activities	
Governmental activities							
General government	\$ 580,508	\$ 107,895	\$	\$	\$ (472,613)	\$	\$ (472,613)
Public safety	274,911				(274,911)		(274,911)
Physical environment	342,238			49,813	(292,425)		(292,425)
Total governmental activities	<u>1,197,657</u>	<u>107,895</u>		<u>49,813</u>	<u>(1,039,949)</u>		<u>(1,039,949)</u>
Business-type activities							
Sanitation	429,196	464,987				35,791	35,791
Total	<u>\$ 1,626,853</u>	<u>\$ 572,882</u>	<u>\$</u>	<u>\$ 49,813</u>	<u>(1,039,949)</u>	<u>35,791</u>	<u>(1,004,158)</u>
		General revenues					
		Property taxes			214,645		214,645
		Franchise taxes			193,270		193,270
		Utility taxes			341,596		341,596
		Intergovernmental (unrestricted)			648,838		648,838
		Interest and other			1,191		1,191
		Total general revenues			<u>1,399,540</u>		<u>1,399,540</u>
		Change in net assets			359,591	35,791	395,382
		Net assets, beginning of year			<u>2,673,030</u>	<u>(4,102)</u>	<u>2,668,928</u>
		Net assets, end of year			<u>\$ 3,032,621</u>	<u>\$ 31,689</u>	<u>\$ 3,064,310</u>

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Balance Sheet
Governmental Funds
September 30, 2012

	Major Funds			Total
	General	Transportation Special Revenue	Capital Improvement	
ASSETS				
Cash and cash equivalents	\$ 1,269,799	\$ 570,655	\$ 1,000,000	\$ 2,840,454
Receivables				
Planing and zoning	16,549			16,549
Franchise and utility taxes	56,963			56,963
Due from other governments	43,929	28,035		71,964
Due from other funds		48,913		48,913
Prepaid items	22,899			22,899
Total assets	<u>\$ 1,410,139</u>	<u>\$ 647,603</u>	<u>\$ 1,000,000</u>	<u>\$ 3,057,742</u>
LIABILITIES AND FUND BALANCE				
Liabilities				
Accounts payable	\$ 8,846	\$ 5,244	\$	\$ 14,090
Deposits for planning and zoning	17,593			17,593
Due to other funds	48,913			48,913
Total liabilities	<u>75,352</u>	<u>5,244</u>		<u>80,596</u>
Fund balances				
Nonspendable:				
Prepaid items	22,899			22,899
Restricted for:				
Transportation		642,359		642,359
Assigned for capital projects			1,000,000	1,000,000
Unassigned	1,311,888			1,311,888
Total fund balances	<u>1,334,787</u>	<u>642,359</u>	<u>1,000,000</u>	<u>2,977,146</u>
Total liabilities and fund balances	<u>\$ 1,410,139</u>	<u>\$ 647,603</u>	<u>\$ 1,000,000</u>	<u>\$ 3,057,742</u>

Reconciliation to the Statement of Net Assets

Fund balances - governmental fund	\$ 2,977,146
Capital assets used in governmental activities are not financial resources and therefore are not reported in the governmental funds:	<u>55,475</u>
Net assets of governmental activities	<u>\$ 3,032,621</u>

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Revenues, Expenditures, and Changes
in Fund Balances - Governmental Funds
For the Year Ended September 30, 2012

	Major Funds			Total
	General	Transportation Special Revenue	Capital Improvement	
Revenues				
Property taxes	\$ 214,645	\$	\$	\$ 214,645
Franchise taxes	193,270			193,270
Utility service taxes	341,596			341,596
Intergovernmental revenues	285,900	362,938		648,838
Licenses and permits	10,518			10,518
Charges for services	61,650			61,650
Fines and forfeitures	35,727			35,727
Contributions from private sources	49,813			49,813
Interest and other	1,191			1,191
Total revenues	<u>1,194,310</u>	<u>362,938</u>		<u>1,557,248</u>
Expenditures				
Current				
General government	578,987			578,987
Public safety	274,911			274,911
Physical environment	1,847	339,124		340,971
Capital outlay		50,663		50,663
Total expenditures	<u>855,745</u>	<u>389,787</u>		<u>1,245,532</u>
Excess (deficiency) of revenues over (under) expenditures	<u>338,565</u>	<u>(26,849)</u>		<u>311,716</u>
Other financing sources				
Transfers in		48,913	1,000,000	1,048,913
Transfers out	(1,048,913)			(1,048,913)
Total other financing sources	<u>(1,048,913)</u>	<u>48,913</u>	<u>1,000,000</u>	
Net change in fund balance	<u>(710,348)</u>	<u>22,064</u>	<u>1,000,000</u>	<u>311,716</u>
Fund balances, beginning of year	<u>2,045,135</u>	<u>620,295</u>		<u>2,665,430</u>
Fund balances, end of year	<u>\$ 1,334,787</u>	<u>\$ 642,359</u>	<u>\$ 1,000,000</u>	<u>\$ 2,977,146</u>

Reconciliation to the Statement of Activities

\$ 311,716

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	\$ 50,663
Less: current year depreciation	<u>(2,788)</u>
	<u>\$ 359,591</u>

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Net Assets
Proprietary Fund
September 30, 2012

	Sanitation Fund
ASSETS	
Cash and cash equivalents	\$ 31,689
Total assets	31,689
LIABILITIES AND FUND BALANCE	
Net Assets	
Unrestricted	\$ 31,689

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Revenues, Expenses, and Changes
in Fund Net Assets
Proprietary Fund
For the Year Ended September 30, 2012

	Sanitation Fund
Operating revenues	
Charges for services	\$ 464,987
Operating expenses	
Solid waste contractor	413,998
Contractual waste oversight	9,500
Other expenses	5,698
Total operating expenses	429,196
Change in net assets	35,791
Net assets, beginning of year	(4,102)
Net assets, end of year	\$ 31,689

See notes to the financial statements

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Statement of Cash Flows
Proprietary Fund
For the Year Ended September 30, 2012

	<u>Sanitation Fund</u>
Cash flows from operating activities:	
Receipts from customers and users	\$ 464,987
Payments to suppliers	<u>(466,831)</u>
Net cash used by operating activities	<u>(1,844)</u>
Net decrease in cash and cash equivalents	(1,844)
Cash and cash equivalents, beginning of year	<u>33,533</u>
Cash and cash equivalents, end of year	<u><u>\$ 31,689</u></u>
Cash flows from operating activities	
Operating income	\$ 35,791
Adjustments to reconcile operating income to net cash provided by operating activities:	
Decrease in accounts payable	<u>(37,635)</u>
Net cash used by operating activities	<u><u>\$ (1,844)</u></u>

See notes to the financial statements

NOTES TO BASIC FINANCIAL STATEMENTS

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2012

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 government 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, 2012

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, 2012

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 primarily State shared revenues that are restricted for transportation related expenditures.

The Capital Improvement Fund is a capital projects fund to account for long term capital projects of the Town.

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.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2012

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 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 if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

As of September 30, 2012 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
Improvements	20 to 30 years

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2012

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 pursuant to constraints imposed by Town Council by the adoption of an ordinance, the Town's highest level of decision making authority. Those committed amounts cannot be used for any other purpose unless the Town removes or changes the specified use by the adoption of an ordinance.
- 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, 2012

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 budgets for the General Fund and Transportation 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. The legal level of control (level of which expenditures may not exceed the budget) is at the department level for the General Fund and at the fund level for the Transportation Fund.
5. Appropriations along with encumbrances lapse on September 30.
6. During the fiscal year ended September 30, 2012, there were five supplemental appropriations.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2012

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, 2012, was 1.200 mills (\$1.200 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, 2012

NOTE 3 - CASH AND INVESTMENTS

Deposits

As of September 30, 2012, the carrying amounts of the Town's deposits were \$2,872,143 and the bank balances totaled \$2,892,308. 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 \$2,892,308 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, 2012

NOTE 4 – CAPITAL ASSETS

Capital asset activity for the year ended September 30, 2012, 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	8,753			8,753
Improvements		50,663		50,663
Less accumulated depreciation	(5,085)	(2,788)		(7,873)
Governmental activities capital assets, net	<u>\$ 7,600</u>	<u>\$ 47,875</u>	<u>\$</u>	<u>\$ 55,475</u>

Depreciation expense of \$1,521 was charged to the general government function and \$1,267 was charged to the physical environment functions 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.

Florida Statutes limit the Town's maximum loss for most liability claims to \$200,000 per person and \$300,000 per occurrence under the Doctrine of Sovereign Immunity. However, under certain circumstances, a plaintiff can seek to recover damages in excess of statutory limits by introducing a claims bill to the Florida Legislature. The limits addressed in Florida Statutes do not apply to claims filed in Federal courts. 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, 2012

NOTE 6 – COMMITMENTS

Professional Services Agreement- Management Services

The Town has entered into a professional service agreement for the positions of Town Manager, Town Clerk and financial reporting services. The current contract started on October 1, 2011, and expires on September 30, 2014, and calls for monthly payments of \$20,885. The contract was amended to include additional services for a total monthly payment of \$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. 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 three addendums to the agreement to amend the term and payments. The agreement currently expires on September 30, 2013, 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. The monthly rate for October 1, 2012, was \$37,626.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2012

NOTE 7 – NEW ACCOUNTING STANDARDS

Below is a brief description and effective date of new accounting standards that could have a significant impact on the Town.

In November 2010, the Governmental Accounting Standards Board (GASB) issued Statement No. 61, *The Financial Reporting Entity: Omnibus an amendment of GASB Statements No. 14 and No. 34*. GASB 61 provides additional criteria for classifying entities as component units to better assess the accountability of elected officials by ensuring that the financial reporting entity includes organizations for which the elected officials are financially accountable or that are determined by the government to be misleading to exclude. This statement is effective for the fiscal year ending September 30, 2013. Management is currently evaluating the impact of the adoption of this statement on the Town's financial statements.

In December 2010, the Governmental Accounting Standards Board (GASB) issued Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. GASB 62 directly incorporates the applicable guidance from FASB and AICPA pronouncements into the state and local government accounting and financial reporting standards, with provisions modified, as appropriate, to recognize the effects of the governmental environment and the needs of governmental financial statement users without affecting the substance of the applicable guidance. This statement is effective for the fiscal year ending September 30, 2013. Management is currently evaluating the impact of the adoption of this statement on the Town's financial statements.

In June 2011, the Governmental Accounting Standards Board (GASB) issued Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. GASB 63 will improve financial reporting by standardizing the presentation of deferred outflows of resources and deferred inflows of resources and their effects on a government's net position. It alleviates uncertainty about reporting those financial statement elements by providing guidance where none previously existed. This statement is effective for the fiscal year ending September 30, 2013. Management is currently evaluating the impact of the adoption of this statement on the Town's financial statements.

In March 2012, the GASB issued Statement No. 65, *Items Previously Reported as Assets and Liabilities*. GASB 65 establishes accounting and financial reporting standards that reclassify, as deferred outflows of resources or deferred inflows of resources, certain items that were previously reported as assets and liabilities. This statement is effective for the fiscal year ending September 30, 2014. Management is currently evaluating the impact of the adoption of this statement on the Town's financial statements.

TOWN OF LOXAHATCHEE GROVES, FLORIDA
Notes to the Financial Statements
September 30, 2012

NOTE 7 – NEW ACCOUNTING STANDARDS (Continued)

In March 2012, the GASB issued Statement No. 66, *Technical Corrections – 2012 – an amendment of GASB Statements No. 10 and No. 62*. GASB 66 improves accounting and financial reporting for a governmental reporting entity by resolving conflicting guidance that resulted from the issuance of two pronouncements, Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* and Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. This statement is effective for the fiscal year ending September 30, 2014. Management is currently evaluating the impact of the adoption of this statement on the Town's financial statements.

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, 2012

	Budget Amounts		Actual Amounts	Variance
	Original	Final Revised		
Revenues				
Property taxes	\$ 210,000	\$ 214,645	\$ 214,645	\$
Franchise taxes	212,000	206,000	193,270	(12,730)
Utility service taxes	341,392	347,392	341,596	(5,796)
Intergovernmental revenues	285,458	294,558	285,900	(8,658)
Licenses and permits	25,000	10,519	10,518	(1)
Charges for services	5,000	66,400	61,650	(4,750)
Fines and forfeitures	5,000	35,728	35,727	(1)
Contributions from private sources			49,813	49,813
Interest and other	5,000	51,005	1,191	(49,814)
Total revenues	<u>1,088,850</u>	<u>1,226,247</u>	<u>1,194,310</u>	<u>(31,937)</u>
Expenditures				
General government				
Legislative	11,700	12,800	9,923	2,877
Executive	268,125	272,088	270,261	1,827
Financial and administrative	39,000	32,718	33,372	(654)
Legal	50,000	67,500	67,402	98
Planning and zoning	35,000	96,250	84,773	11,477
Other general government	392,546	114,772	113,256	1,516
Total general government	<u>796,371</u>	<u>596,128</u>	<u>578,987</u>	<u>17,141</u>
Public safety				
Police	<u>278,785</u>	<u>275,285</u>	<u>274,911</u>	<u>374</u>
Physical environment				
Sanitation		<u>2,000</u>	<u>1,847</u>	<u>153</u>
Total expenditures	<u>1,075,156</u>	<u>873,413</u>	<u>855,745</u>	<u>17,668</u>
Excess (deficiency) of revenues over (under) expenditures	<u>13,694</u>	<u>352,834</u>	<u>338,565</u>	<u>14,269</u>
Other financing sources				
Transfers out	(1,013,694)	(1,048,913)	(1,048,913)	
Appropriation of fund balance	1,000,000	696,079		(696,079)
Total other financing sources	<u>(13,694)</u>	<u>(352,834)</u>	<u>(1,048,913)</u>	<u>(696,079)</u>
Net change in fund balance	<u>\$</u>	<u>\$</u>	(710,348)	<u>\$ (681,810)</u>
Fund balance, beginning of year			<u>2,045,135</u>	
Fund balance, end of year			<u>\$ 1,334,787</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, 2012

	Budget Amounts		Actual Amounts	Variance
	Original	Final Revised		
Revenues				
Intergovernmental revenues	\$ 358,449	\$ 362,179	\$ 362,938	\$ 759
Total revenues	<u>358,449</u>	<u>362,179</u>	<u>362,938</u>	<u>759</u>
Expenditures				
Physical environment				
Roads and streets	<u>358,449</u>	<u>393,441</u>	<u>389,787</u>	<u>3,654</u>
Total expenditures	<u>358,449</u>	<u>393,441</u>	<u>389,787</u>	<u>3,654</u>
Excess (deficiency) of revenues over (under) expenditures		<u>(31,262)</u>	<u>(26,849)</u>	<u>(4,413)</u>
Other financing sources				
Transfers in		48,913	48,913	
Transfer to fund balance		<u>(17,651)</u>		<u>17,651</u>
Total other financing sources		<u>31,262</u>	<u>48,913</u>	<u>17,651</u>
Net change in fund balance	<u>\$</u>	<u>\$</u>	22,064	<u>\$ 13,238</u>
Fund balance, beginning of year			<u>620,295</u>	
Fund balance, end of year			<u>\$ 642,359</u>	

TOWN OF LOXAHATCHEE GROVES, FLORIDA

Notes to the Required Supplementary Information (RSI)

September 30, 2012

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 department level for the General Fund and at the fund level for the Transportation Fund. Expenditures may not legally exceed budgeted appropriations at that level. For the year ended September 30, 2012, the following departments or funds had an excess of expenditures over appropriations.

General Fund

Financial and administrative	\$	654
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STATISTICAL SECTION

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	34
Changes in Net Assets	35
Fund Balances of Governmental Funds	36
Changes in Fund Balances of Governmental Funds	37
General Governmental Revenues by Source	38-39
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	40-41
Property Tax Rates Direct and Overlapping Governments	42-43
Principal Property Tax Payers	44
Property Tax Levies and Collections	45
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	46
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	47
Principal Employers-Palm Beach County	48
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	49
Operating Indicators by Function	50
<i>Sources: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year.</i>	

TOWN OF LOXAHATCHEE GROVES, FLORIDA

Net Assets By Component
Last Ten Fiscal Years (1)
(accrual basis of accounting)

	2007	2008	2009	2010	2011
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>\$ 232,610</u>	<u>\$ 679,217</u>	<u>\$ 1,454,286</u>	<u>\$ 2,124,576</u>	<u>\$ 2,673,030</u>
Business-type activities					
Unrestricted	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$ (4,102)</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>\$ 232,610</u>	<u>\$ 656,904</u>	<u>\$ 1,454,286</u>	<u>\$ 2,124,576</u>	<u>\$ 2,668,928</u>
	<u>2012</u>				
Governmental activities:					
Invested in capital assets (net of depreciation)	\$ 55,475				
Restricted	642,359				
Unrestricted	2,334,787				
Total governmental activities net assets	<u>\$ 3,032,621</u>				
Business-type activities					
Unrestricted	<u>\$ 31,689</u>				
Primary government:					
Invested in capital assets (net of depreciation)	\$ 55,475				
Restricted	642,359				
Unrestricted	2,366,476				
Total primary government net assets	<u>\$ 3,064,310</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	2012
EXPENSES						
Governmental activities:						
General government	\$ 113,836	\$ 581,459	\$ 558,728	\$ 451,305	\$ 477,173	\$ 580,508
Public safety	-	241,921	280,295	272,064	274,785	274,911
Physical environment	-	383,508	480,523	716,178	182,996	342,238
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>	<u>1,197,657</u>
Business-type activities:						
Sanitation	-	-	-	-	469,761	429,196
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>	<u>1,626,853</u>
PROGRAM REVENUES						
Governmental activities:						
Charges for services:						
General government	14	8,119	12,496	12,743	11,948	107,895
Public safety	-	1,500	-	-	-	-
Physical environment	-	330,238	500,260	445,368	-	-
Operating grants and contributions	-	-	-	-	-	-
Capital grants and contributions	-	-	-	-	453	49,813
Total governmental activities program revenues	<u>14</u>	<u>339,857</u>	<u>512,756</u>	<u>458,111</u>	<u>12,401</u>	<u>157,708</u>
Business-type activities:						
Charges for services-Sanitation	-	-	-	-	464,023	464,987
Total primary government program revenues	<u>14</u>	<u>339,857</u>	<u>512,756</u>	<u>458,111</u>	<u>476,424</u>	<u>622,695</u>
Net (expense) revenue						
Governmental activities	(113,822)	(867,031)	(806,790)	(981,436)	(922,553)	(1,039,949)
Business-type activities	-	-	-	-	(5,738)	35,791
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>	<u>(1,004,158)</u>
General revenues and Other Changes in Net Assets:						
Governmental activities:						
Property taxes	-	508,845	446,294	321,912	263,170	214,645
Utility taxes	154,857	205,802	268,748	481,710	345,155	341,596
Franchise fees based on gross receipts	65,729	218,236	232,172	208,158	207,153	193,270
Unrestricted intergovernmental revenue	124,459	361,896	625,617	633,171	635,465	648,838
Interest and other	1,387	18,859	9,028	6,775	20,064	1,191
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>	<u>1,399,540</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>	<u>1,399,540</u>
Change in Net Assets						
Governmental activities	232,610	446,607	775,069	670,290	548,454	359,591
Business-type activities	-	-	-	-	(4,102)	35,791
Total primary government	<u>\$ 232,610</u>	<u>\$ 446,607</u>	<u>\$ 775,069</u>	<u>\$ 670,290</u>	<u>\$ 544,352</u>	<u>\$ 395,382</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
Assigned for capital projects					
Total all other governmental funds	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$ 449,365</u>	<u>\$ 620,295</u>
	<u>2012</u>				
General Fund					
Nonspendable-prepays	\$ 22,899				
Reserved for transportation					
Assigned for capital projects					
Unassigned	<u>1,311,888</u>				
Total general fund	<u>\$ 1,334,787</u>				
All other governmental funds					
Reserved for transportation	\$ 642,359				
Assigned for capital projects	<u>1,000,000</u>				
Total all other governmental funds	<u>\$ 1,642,359</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	-	-	-
Contributions from private sources	-	-	-	-	-
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
Physical environment	-	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>

	<u>2012</u>
REVENUES	
Property taxes	\$ 214,645
Utility taxes	341,596
Franchise fees	193,270
Intergovernmental revenue	648,838
Charge for services	61,650
Licenses and permits	10,518
Fines and forfeitures	35,727
Contributions from private sources	49,813
Interest and other	1,191
Total revenues	<u>1,557,248</u>
EXPENDITURES	
Current:	
General government	578,987
Public safety	274,911
Physical environment	340,971
Capital outlay	50,663
Total expenditures	<u>1,245,532</u>
Net change in fund balances	<u>\$ 311,716</u>
Debt service as a percentage of noncapital expenditures	<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)

Fiscal Year	Ad-Valorem Taxes General Purpose	Utility Tax	Intergovernmental	Franchise Tax	Charges for Service (2)
2007	\$ -	\$ 154,857	\$ 124,459	\$ 65,729	\$ -
2008	508,845	187,584	361,896	218,236	330,238
2009	446,294	268,748	625,617	232,172	502,035
2010	321,912	481,710	633,171	208,158	444,379
2011	263,170	345,155	635,465	207,153	2,352
2012	214,645	341,596	648,838	193,270	61,650

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

(2) Starting in 2011 sanitation revenue is recorded in the Sanitation Fund.

License and Permits	Fines and Forfeitures	Contributions from Private Sources	Interest	Total
\$ -	\$ 14	\$ -	\$ 1,387	\$ 346,446
8,119	1,500	-	18,859	1,635,277
10,721	12	-	9,016	2,094,615
10,732	-	-	6,775	2,106,837
9,596	-	-	20,064	1,482,955
10,518	35,727	49,813	1,191	1,557,248

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
2012	140,860,901	13,939,039	61,640,848		12,048,183	228,488,971

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%
1.2000	313,377,456	72.91%

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

Fiscal Year	Town Total Direct Millage	OVERLAPPING RATES			
		Palm Beach County School District	Palm Beach County	County Palm Beach 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	1.200	8.010	8.450	1.150	0.610
2012	1.200	7.778	8.789	1.220	0.605

(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

		Special Districts		
South Florida		Florida		
Water	Children's	Inland		
Management	Services	Navigation		Total Direct and
District	Council	District		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		20.823
0.620	0.730	0.035		20.977

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

2012				2003(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>
R BROKE NOW LLC	\$ 2,233,874	1	0.98				
ZDARSKY CONSTANTINE	1,836,893	2	0.81				
YEES CORP	1,776,904	3	0.78				
EVERGLADES FARM EQUIP CO	1,619,907	4	0.71				
SOUTHERN MANAGEMENT CORP	1,438,694	5	0.63				
SUNSPORT GARDENS	1,142,175	6	0.50				
GROVES MEDICAL PLAZA LLC	1,015,384	8	0.45				
JACA BUSINESS CORP	933,180	7	0.41				
ROYALS OK LUNCH INC	922,569	9	0.41				
ACKERMAN LORI &	373,158	10	0.16				
	<u>\$ 13,292,738</u>		<u>5.84</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	441,450	94.73%
2010	319,175	307,800	96.44%	n/a	307,800	96.44%
2011	263,434	261,597	99.30%	n/a	261,597	99.30%
2012	219,578	214,645	97.75%	n/a	214,645	97.75%

- (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, 2012

<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	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%
2012	3,173	n/a	n/a	8.20%

(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	2012			2003(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	21,718	1	37.18%			
Palm Beach County	11,381	2	19.48%			
Tenet Healthcare Corp.	5,127	3	8.78%			
Hospital Corporation of America	4,150	4	7.10%			
Florida Power & Light	3,658	5	6.26%			
Wackenhut Corporation	3,000	6	5.14%			
Florida Atlantic University	2,776	7	4.75%			
Bethesda Memorial Hospital	2,300	8	3.94%			
Veterans Health Administration	2,205	9	3.77%			
Boca Raton Community Hospital	2,100	10	3.59%			
	<u>58,415</u>		<u>99.99%</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	2012
Public Safety						
Police:						
Number of emergency calls for service	(2)	(2)	(2)	(2)	(2)	(2)
Number of non-emergency calls for service	(2)	(2)	(2)	(2)	(2)	(2)
Number of arrests	(2)	(2)	(2)	(2)	(2)	(2)
Number of uniformed officers	(2)	(2)	(2)	(2)	(2)	(2)
Building and Zoning:						
Number of building permits issued	(2)	(2)	(2)	(2)	(2)	(2)
Number of certificates of use issued	(2)	(2)	(2)	(2)	(2)	(2)
Number of occupational licenses issued	(2)	(2)	(2)	(2)	(2)	(2)
Culture and Recreation						
Number of parks	(3)	(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

COMPLIANCE SECTION



NOWLEN, HOLT & MINER, P.A.

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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*

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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, 2012, which collectively comprise the Town's basic financial statements and have issued our report thereon dated March 29, 2013. 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

Management of Town of Loxahatchee Groves, Florida, is responsible for establishing and maintaining effective 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 March 29, 2013.

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.

Nowlen Holt & Mims, P.A.

West Palm Beach, Florida
March 29, 2013



NOWLEN, HOLT & MINER, P.A.

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MANAGEMENT LETTER IN ACCORDANCE WITH THE RULES OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

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

We have audited the financial statements of the Town of Loxahatchee Groves, Florida as of and for the year ended September 30, 2012, and have issued our report thereon dated March 29, 2013.

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 March 29, 2013, 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

Recommendations to Improve Financial Management

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, 2012, we have the following recommendation:

2012-1 Gas Tax Proceeds

County and municipal governments may use the 1 to 6 Cents Local Option Fuel Tax proceeds for transportation expenditures as defined in Section 336.025(7), Florida Statutes. Management informed us that they were unable to determine if all such proceeds expended during the fiscal year met these requirements.

We recommend that the Town obtain guidance from their Attorney or the State on the allowable uses of the funds and then take appropriate action on past and future expenditures

Management's Response: Management concurs with the comment and the City Attorney recommends that the Town work with the Loxahatchee Groves Water Control District to transfer through a quit claim deed or similar methodology that portion of North Road upon which the Town expended the 1 to 6 Cents Local Option Fuel Tax which will allow the Town to place the questionable expenditure and respective road into the Town's assets for capitalization purposes. The Town will replenish the 1 to 6 Cents Local Option Fuel Tax into the special revenue fund for Transportation in an equivalent amount from unassigned General Fund fund balance during the current period if the asset transfer is not accomplished prior to the fiscal year end.

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, 2012, the results of our procedures did not disclose any instances of noncompliance with Section 218.415, Florida Statutes.

Violations of Provisions of Contracts or Grant Agreements, Fraud, Illegal Acts, or Abuse

Rules of the Auditor General require that we address violations of provisions of contracts or grant agreements, fraud, illegal acts, 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, 2012, we did not have any such findings.

Matters Inconsequential to the Financial Statements

Rules of the Auditor General provide that the auditor may, based on professional judgment, report the following matters that have an inconsequential effect 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, 2012, 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, 2012.

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, 2012 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, 2012. 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, 2012.

2012-2 Excess of Expenditures Over Appropriations

The financial and administrative department in the General Fund had expenditures in excess of appropriations.

Management's Response: Management concurs with the comment, to avoid this in the future we will review last minute work and associated invoices to assure that all invoices and payments are recorded prior to any end-of-year budget amendments.

The Town of Loxahatchee Groves, Florida's responses the findings identified in our audit are listed above. We did not audit the Town of Loxahatchee Groves, Florida's responses and, accordingly, we express no opinion on them.

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.

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, management, the audit committee, and the Town Council, and is not intended to be and should not be used by anyone other than these specified parties.

Nowlen, Holt & Mimer, P.A.

West Palm Beach, Florida
March 29, 2013



NOWLEN, HOLT & MINER, P.A.

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March 29, 2013

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

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We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Town of Loxahatchee Groves for the year ended September 30, 2012. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated October 1, 2012. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Town of Loxahatchee Groves are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during September 30, 2012. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the Government Wide financial statements was:

Management's estimate of the depreciation expense is calculated on a straight line basis. We evaluated the key factors and assumptions used to develop the depreciation expense in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management is agreement with our proposed adjustments and they are listed on the attached Schedule I.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated March 29, 2013, which is presented in Appendix II.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

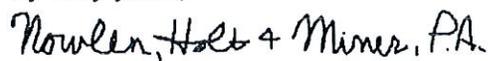
Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition of our retention.

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 opinion 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, our audit procedures would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However we noted certain items which are reported in our Management Letter dated March 29, 2013.

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

Very truly yours,



Nowlen, Holt & Miner, P.A.

Schedule I

Prepared by _____

**Loxahatchee Groves
Adjusting Journal Entries**

Reviewed by _____

Reference	Type	Date Account Number	Description	Debit	Credit	Net Income Effect
AJE01	Adjusting	09/30/12				
		001-223-101	CR-Land Design South-Simon LG ⁺		793.00	
		001-223-102	CR-Lox EQ PTRS Solar SPT ODe		793.00	
		001-323-100	FPL Franchise Fee	19,832.00		
		001-271-000	Fund Balance		18,246.00	
						(19,832.00)
			To record p/y ajes not posted			
AJE02	Adjusting	09/30/12				
		001-323-100	FPL Franchise Fee		19,687.00	
		001-314-100	Electric Utility Tax		17,111.00	
		001-115-000	Accounts Receivable	30,414.00		
		001-335-120	State Revenue Sharing	6,384.00		
						30,414.00
			To adjust client a/r entry to for 12 months of revenue			
AJE03	Adjusting	09/30/12				
		101-312-410	1st Local Option Fuel Tax (6 c		10,142.00	
		101-312-420	2nd Local Option Fuel Tax (5 c	10,142.00		
						0.00
			To adjust for client mispost			
AJE04	Adjusting	09/30/12				
		001-514-310	Professional Services	8,568.00		
		001-202-000	Accounts Payable		8,568.00	
		101-541-468	Non-District Roads (6 ct) Main	5,244.00		
		101-202-100	Accounts Payable		5,244.00	
						(13,812.00)
			To record a/p at 9/30/12			
AJE05	Adjusting	09/30/12				
		001-519-450	Insurance	5,538.00		
		001-155-000	Prepaid Items		5,538.00	
						(5,538.00)
			To adjust prepaid at 9/30/12			
		TOTAL		<u>86,122.00</u>	<u>86,122.00</u>	<u>(8,768.00)</u>

Schedule II



Town of Loxahatchee Groves

14579 Southern Blvd, Suite 2, Loxahatchee Groves, Florida 33470 (561) 793-2418 ax (561) 793-2420 clerk@loxahatcheegroves.org

March 29, 2013

Nowlen, Holt & Miner, P.A.
 Certified Public Accountants
 215 Fifth Street, Suite 200
 West Palm Beach, FL 33401

We are providing this letter in connection with your audit of the financial statements of the Town of Loxahatchee Groves, Florida as of September 30, 2012, and for the year then ended for the purpose of expressing opinions as to whether the financial statements 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 and the respective changes in financial position and, where applicable, cash flows thereof in conformity with U.S. generally accepted accounting principles. We confirm that we are responsible for the fair presentation of the previously mentioned financial statements in conformity with U.S. generally accepted accounting principles. We are also responsible for adopting sound accounting policies, establishing and maintaining effective internal control over financial reporting, and preventing and detecting fraud.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of March 29, 2013, the following representations made to you during your audit.

- 1) The financial statements referred to above are fairly presented in conformity with U.S. generally accepted accounting principles and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
- 2) We have made available to you all—
 - a) Financial records and related data.
 - b) Minutes of the meetings of the Town Council or summaries of actions of recent meetings for which minutes have not yet been prepared.
- 3) There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
- 4) Except for any adjustments that may be required due to possible noncompliance as detailed in your finding *2012-1 Gas Tax Proceeds*, there are no material transactions that have not been properly recorded in the accounting records underlying the financial statements.
- 5) We acknowledge our responsibility for the design and implementation of programs and controls to prevent and detect fraud.
- 6) We have no knowledge of any fraud or suspected fraud affecting the entity involving:
 - a) Management,
 - b) Employees who have significant roles in internal control, or
 - c) Others where the fraud could have a material effect on the financial statements.

- 7) We have no knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, analysts, regulators, or others.
- 8) We have a process to track the status of audit findings and recommendations.
- 9) We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
- 10) We have provided our views on reported findings, conclusions, and recommendations, as well as our planned corrective actions, for the report.
- 11) The Town of Loxahatchee Groves, Florida has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.
- 12) The following, if any, have been properly recorded or disclosed in the financial statements:
 - a) Related party transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties.
 - b) Guarantees, whether written or oral, under which the Town of Loxahatchee Groves, Florida is contingently liable.
 - c) All accounting estimates that could be material to the financial statements, including the key factors and significant assumptions underlying those estimates and measurements. We believe the estimates and measurements are reasonable in the circumstances.
- 13) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts; and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives, including legal and contractual provisions for reporting specific activities in separate funds.
- 14) There are no—
 - a) Violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance, except for any adjustments that may be required due to possible noncompliance as detailed in your finding *2012-1 Gas Tax Proceeds*,
 - b) Unasserted claims or assessments that our lawyer has advised us are probable of assertion and must be disclosed in accordance with generally accepted accounting principles.
 - c) Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by generally accepted accounting principles.
- 15) As part of your audit, you assisted with preparation of the financial statements and related notes. We have designated an individual with suitable skill, knowledge, or experience to oversee your services and have made all management decisions and performed all management functions. We have reviewed, approved, and accepted responsibility for those financial statements and related notes.
- 16) You have proposed adjusting journal entries. We are in agreement with those adjustments and they will be posted.
- 17) The Town of Loxahatchee Groves, Florida has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- 18) The Town of Loxahatchee Groves, Florida has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- 19) We have followed all applicable laws and regulations in adopting, approving, and amending budgets.
- 20) Except for any adjustments that may be required due to possible noncompliance as detailed in your finding *2012-1 Gas Tax Proceeds*, the financial statements properly classify all funds and activities.

- 21) All funds that meet the quantitative criteria in GASB Statement Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
- 22) Except for any adjustments that may be required due to possible noncompliance as detailed in your finding *2012-1 Gas Tax Proceeds*, components of net assets (invested in capital assets, net of related debt; restricted; and unrestricted) and equity amounts are properly classified and, if applicable, approved.
- 23) Provisions for uncollectible receivables have been properly identified and recorded.
- 24) Except for any adjustments that may be required due to possible noncompliance as detailed in your finding *2012-1 Gas Tax Proceeds*, expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- 25) Revenues are appropriately classified in the statement of activities within program revenues and general revenues.
- 26) Except for any adjustments that may be required due to possible noncompliance as detailed in your finding *2012-1 Gas Tax Proceeds*, interfund activity and balances have been appropriately classified and reported.
- 27) Deposits and investment securities are properly classified as to risk, and investments are properly valued.
- 28) We have appropriately disclosed the Town of Loxahatchee Groves, Florida's policy to first apply restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available and have determined that net assets were properly recognized under the policy.
- 29) We have appropriately disclosed the Town of Loxahatchee Groves, Florida's policy regarding classifying fund balance amounts and have determined that fund balances and changes in fund balance classifications were properly recognized under the policy, except for any adjustments that may be required due to possible noncompliance as detailed in your finding *2012-1 Gas Tax Proceeds*.
- 30) Except for any adjustments that may be required due to possible noncompliance as detailed in your finding *2012-1 Gas Tax Proceeds*, capital assets, including infrastructure assets, are properly capitalized, reported, and, if applicable, depreciated.
- 31) We understand that it is management's responsibility to monitor the Town's financial condition, and that your financial condition assessment was based in part on representations made by management and the review of financial information provided by management.
- 32) During the fiscal year ended September 30, 2012, the Town has not met any of the following financial emergency conditions specified in Section 218.503(1), Florida Statutes:
 - a) Failure within the same fiscal year in which due to pay short-term loans or failure to make bond debt service or other long-term debt payments when due, as a result of a lack of funds.
 - b) Failure to pay uncontested claims from creditors within 90 days after the claim is presented, as a result of a lack of funds.
- 33) During the fiscal year ended September 30, 2012, the Town of Loxahatchee Groves, Florida has not adopted an impact fee by ordinance or resolution.
- 34) We have evaluated the Town of Loxahatchee Groves, Florida's ability to continue as a going concern and have included appropriate disclosures, as necessary, in the financial statements.
- 35) We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.
- 36) We have evaluated and classified any subsequent events as recognized or nonrecognized through the date of this letter. To the best of our knowledge and belief, no events, including instances of

noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements.

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

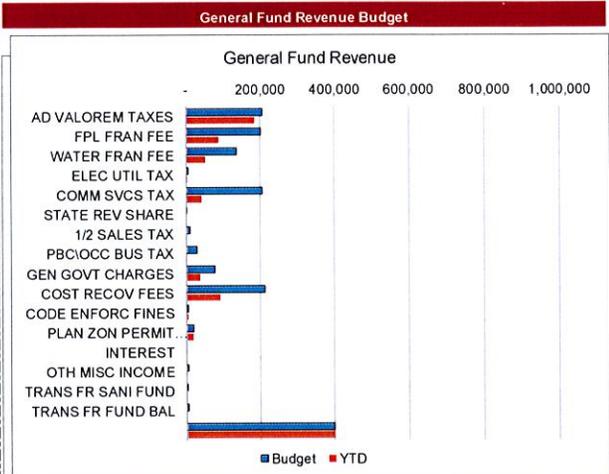


5.a. FAAC Report

LOXAHATCHEE GROVES



Town of Loxahatchee Groves
Financial Activity Report as of March 31, 2013
 (50% of year elapsed)



General Fund Revenues			
Revenues	Budget	Year-to-Date	%
AD VALOREM TAXES @ 1.2000	206,025	184,430	89.5%
ELECTRIC UTILITY TAX	202,000	88,380	43.8%
COMMUNICATION SERVICES TAX	136,726	53,151	38.9%
COUNTY OCCUPATIONAL LICENSES	5,000	3,657	73.1%
FPL FRANCHISE FEE	206,000	43,385	21.1%
HAULER LICENSE FEE	2,000	2,000	100.0%
PBC WATER UTILITY FRANCHISE	10,500	3,017	28.7%
PLANNING & ZONING PERMIT FEES	30,000	76	0.3%
STATE REVENUE SHARING	77,873	38,303	49.2%
HALF CENT SALES TAX	212,024	91,684	43.2%
GENERAL GOVERNMENT CHARGES	5,000	5,551	111.0%
COST RECOVERY FEES	20,000	18,653	93.3%
COURT FINES	-	1,390	-
CODE ENFORCEMENT FINES	5,000	300	6%
INTEREST	3,600	129	3.6%
OTHER MISC. INCOME	5,000	-	0
TRANSFER FROM FUND BALANCE*	400,000	400,000	100.0%
Total Revenues	1,526,748	934,105	61.2%

General Fund Expenditures			
Expenditures	Budget	Year-to-Date	%
LEGISLATIVE	39,235	8,687	22.1%
EXECUTIVE	275,259	139,028	50.5%
FINANCIAL AND ADMINISTRATIVE	23,750	2,306	9.7%
LEGAL COUNSEL	60,000	40,009	66.7%
COMPREHENSIVE PLANNING & ZONING	148,700	82,071	55.2%
OTHER GENERAL GOVERNMENT	695,519	579,736	83.4%
LAW ENFORCEMENT	275,285	137,393	49.9%
PUBLIC WORKS	9,000	1,704	18.9%
Total Expenditures	1,526,748	990,932	64.9%
Excess(deficiency)	-	(56,827)	-

YTD Total Funds Expen. Budget			
Expenditures	Budget	Year-to-Date	%
Total Townwide Budget	3,675,754	1,239,922	33.7%

Selected Other Funds			
Transportation Fund	Budget	Year-to-Date	%
FIRST LOCAL OPTION FUEL TAX (6 CENT)	249,245	99,764	40.0%
SECOND LOCAL OPTION FUEL (5 CENT)	117,326	46,375	39.5%
CONTRIBUTION FROM GENERAL FUND	-	-	-
TRANSFER FROM FUND BALANCE	-	-	-
Total Revenues	366,571	146,139	39.9%
TRAFFIC CONTROL SIGNS (6 CT) MAINT.	9,245	12,246	132.5%
NON-DISTRICT ROADS (6 CT) MAINT.	40,000	5,477	13.7%
DISTRICT ROADS (6 CT) MAINT.	-	-	-
ROADS AND STREETS (5 CT)	150,000	-	-
SPECIAL PROJECTS (6 CT)	50,000	-	-
148th TERR BRIDGE(S)/CULVERT	-	-	-
CONSTRUCTION TOWN RDS & STREETS	-	-	-
TRANSFER TO FUND BALANCE	117,326	-	-
Total Expenses	366,571	17,724	4.8%
Excess(deficiency)	-	128,415	-

Solid Waste Fund			
Budget	Year-to-Date	%	
SOLID WASTE ASSESSMENTS	346,361	272,737	78.7%
DISCOUNT FEES	(10,392)	(9,760)	93.9%
SWA RECYCLING INCOME	8,000	4,507	56.3%
CONTRIBUTION FROM GENERAL FUND	126,000	126,000.00	100.0%
Total Revenues	469,969	393,483	83.7%
CONTRACTUAL-WASTE OVERSIGHT	12,000	3,063	25.5%
PBC ADMINISTRATION FEE 1%	3,463	2,386.39	68.9%
POSTAGE & FREIGHT	500	-	-
SOLID WASTE CONTRACTOR	451,634	225,817	50.0%
OTHER SANITATION SERVICES	1,500	-	0.0%
LEGAL ADVERTISING	872	-	0.0%
MANAGEMENT FEES	-	-	-
Total Expenses	469,969	231,266	49.2%
Excess(deficiency)	-	162,217	-

Capital Improvement Program (CIP) Fund			
Budget	Year-to-Date	%	
CONTRIBUTION FROM GENERAL FUND	400,000	-	0.0%
TRANSFER FROM FUND BALANCE	912,466	400,000	43.8%
Total Revenues	1,312,466	400,000	30.5%
DEVELOP TOWN HALL ALTERNATIVES	500,000	-	-
TRAILS	200,000	-	-
OGEM PAVING/COST SHARING	-	-	-
ROAD & DRAINAGE IMPROVEMENT	362,466	-	-
TRAFFIC LIGHT OKEECHOBEE	250,000	-	-
Total Expenses	1,312,466	-	0.0%
Excess(deficiency)	-	400,000	-

Contract Services Expenditures			
Expenditures	Budget	Year-to-Date	%
Waste Pro	451,634	225,817.20	50.0%
Palm Beach County Sheriff	275,285	137,392.50	49.9%
Underwood Management Services Group	330,835	166,573.50	50.3%
Goren, Cherof, Doody, Ezrol	60,000	51,027.30	85.0%
Tew & Associates	35,000	19,645.60	56.1%
Land Research Management	-	14,321.84	-
Calvin Giodomo	-	507.50	-
Frank Schiola	25,000	8,024.96	32.1%
YEE's Corporation	10,800	5,400.00	50.0%
Loxahatchee Water Control District	150,000	7,420.78	4.9%
Total Expenses	1,338,554	636,131.18	47.6%

* Funds provided from unassigned fund balance not a true revenue by definition



BUDGET VS ACTUAL
as of March 31, 2013
 50% 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	15,228.12	184,430.30	-	206,025.00	(21,594.70)	89.5%
	Ad Valorem Taxes Subtotal	15,228.12	184,430.30		206,025.00	(21,594.70)	
001-314-100-000	Electric Utility Tax	14,999.15	88,379.71	-	202,000.00	(113,620.29)	43.8%
001-315-100-000	Communications Services	9,272.39	53,150.79	-	136,726.00	(83,575.21)	38.9%
001-316-200-000	County Occupational License	165.93	3,657.21	-	5,000.00	(1,342.79)	73.1%
	Local Taxes Subtotal	24,437.47	145,187.71		343,726.00	(198,538.29)	
001-323-100-000	FPL Franchise Fee	-	43,384.77	-	206,000.00	(162,615.23)	21.1%
001-323-125-000	Haulers License Fee	500.00	2,000.00	-	2,000.00	-	100.0%
001-323-300-000	PBC Water Utility Franchise	449.97	3,017.37	-	10,500.00	(7,482.63)	28.7%
001-329-100-000	Planning & Zoning Permit	-	76.00	-	30,000.00	(29,924.00)	0.3%
	Permits, Franchise Fees & Special Subtotal	949.97	48,478.14		248,500.00	(200,021.86)	
001-335-120-000	State Revenue Sharing	6,383.99	38,302.74	-	77,873.00	(39,570.26)	49.2%
001-335-180-000	Half Cent Sales Tax	19,024.61	91,684.09	-	212,024.00	(120,339.91)	43.2%
	Intergovernmental Revenue Subtotal	25,408.60	129,986.83		289,897.00	(159,910.17)	44.8%
001-341-000-000	General Government Charges	1,832.95	5,550.50	-	5,000.00	550.50	111.0%
001-343-349-000	Cost Recovery Fees	2,953.78	18,652.68	-	20,000.00	(1,347.32)	93.3%
	Charges for Services Subtotal	4,786.73	24,203.18		25,000.00	(796.82)	
001-351-100-000	Court Fines	149.57	1,389.67	-	-	1,389.67	6.0%
001-354-100-000	Code Enforcement Fines	-	300.00	-	5,000.00	(4,700.00)	
	Code Enforcement Fines Subtotal	149.57	1,689.67		5,000.00	(3,310.33)	
001-361-100-000	Interest	10.33	129.10	-	3,600.00	(3,470.90)	3.6%
001-369-000-000	Other Misc Income	-	-	-	5,000.00	(5,000.00)	0.0%
	Other Misc Revenue Subtotal	10.33	129.10		8,600.00	(8,470.90)	
001-399-000-000	Transfer from Fund Balance*	400,000.00	400,000.00	-	400,000.00	(400,000.00)	100.0%
	Other Non-operating Sources Subtotal	400,000.00	400,000.00		400,000.00	(400,000.00)	
	Grand Total Revenue	470,970.79	934,104.93		1,526,748.00	(992,643.07)	61.2%

* Funds provided from unassigned fund balance not a true revenue by definition

TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
 as of March 31, 2013
 50% Elapsed
 General Fund
 Expenditures



Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-511-310-000	Professional Services	-	-	-	20,000.00	20,000.00	0.0%
001-511-400-000	Travel	-	92.00	-	3,000.00	2,908.00	3.1%
001-511-492-000	Other Operating Expenses	-	1,084.00	-	1,500.00	416.00	72.3%
001-511-499-000	Other Current Charges - Council Reimbursement	2,500.00	2,500.00	-	-	(2,500.00)	-
001-511-500-000	Education & Training	-	-	-	1,000.00	1,000.00	0.0%
001-511-510-000	Office Supplies	-	11.20	-	300.00	288.80	3.7%
001-511-520-000	Operating Supplies	-	-	-	300.00	300.00	0.0%
001-511-540-000	Books, Publications & Subscriptions	-	3,714.00	-	7,785.00	4,071.00	47.7%
001-511-820-000	Special Events/Contributions	-	1,286.18	-	5,350.00	4,063.82	24.0%
	Legislative Total	2,500.00	8,687.38	-	39,235.00	30,547.62	22.1%
001-512-340-000	Other Services	22,815.68	128,206.92	-	254,635.00	126,428.08	50.4%
001-512-400-000	Travel	67.57	691.21	-	1,000.00	308.79	69.1%
001-512-410-000	Communication Services	-	130.00	-	-	(130.00)	-
001-512-420-000	Postage & Freight - NEW	228.48	419.53	-	1,000.00	580.47	42.0%
001-512-490-000	Legal Advertising	380.56	817.44	-	500.00	(317.44)	163.5%
001-512-492-000	Other Operating Expenses	5.00	100.19	-	944.00	843.81	10.6%
001-512-493-000	Election Expense	2,657.75	3,410.63	-	8,010.00	4,599.37	42.6%
001-512-510-000	Office Supplies	1,272.25	3,964.46	-	8,600.00	4,635.54	46.1%
001-512-521-000	Loxahatchee Groves CERT - MOVED	137.49	1,287.16	-	-	(1,287.16)	-
001-512-540-000	Books, Publications & Subscriptions	-	-	-	570.00	570.00	0.0%
	Executive Total	27,564.78	139,027.54	-	275,259.00	136,231.46	50.5%
001-513-320-000	Accounting and Auditing	-	-	-	18,000.00	18,000.00	0.0%
001-513-470-000	Printing and Binding	508.00	1,395.85	-	4,750.00	3,354.15	29.4%
001-513-490-000	Legal Advertising	-	910.00	-	1,000.00	90.00	91.0%
001-513-493-000	Election Expense (moved)	-	-	-	-	-	0.0%
	Financial & Administrative Total	508.00	2,305.85	-	23,750.00	21,444.15	9.7%
001-514-310-000	Professional Services	10,249.85	40,008.90	-	60,000.00	19,991.10	66.7%
	Legal Total	10,249.85	40,008.90	-	60,000.00	19,991.10	66.7%

**TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF MARCH 31, 2013**

50% 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	5,058.16	25,394.41	-	40,000.00	14,605.59	63.5%
001-515-340-000	Other Services	6,827.72	34,314.08	-	76,200.00	41,885.92	45.0%
001-515-343-000	Planning & Zoning Contract	-	-	-	-	-	0.0%
001-515-347-000	Comprehensive Plan	-	-	-	5,000.00	5,000.00	0.0%
001-515-349-000	Cost Recovery Expenditure	2,953.78	18,679.68	-	25,000.00	6,320.32	74.7%
001-515-490-000	Legal Advertising - NEW	144.48	3,682.48	-	2,500.00	(1,182.48)	147.3%
	Comprehensive Planning & Zoning Total	14,984.14	82,070.65		148,700.00	66,629.35	55.2%
001-519-315-000	Special Magistrate	2,821.50	7,111.50	-	16,000.00	8,888.50	44.5%
001-519-354-000	Code Compliance	2,918.50	14,514.00	-	41,000.00	26,486.00	35.4%
001-519-410-000	Communications Services	468.87	2,667.25	-	5,100.00	2,432.75	52.3%
001-519-440-000	Rentals and Leases	1,432.36	9,054.88	-	16,305.00	7,250.12	55.5%
001-519-450-000	Insurance	10,707.00	17,485.00	-	16,500.00	(985.00)	106.0%
001-519-460-000	Repair & Maint - Building	200.00	1,200.00	-	2,126.00	926.00	56.4%
001-519-470-000	Printing and Binding	-	-	-	-	-	0.0%
001-519-480-000	Promotional Activities	-	-	-	-	-	0.0%
001-519-490-000	Computer Repair	74.19	708.84	-	4,500.00	3,791.16	15.8%
001-519-491-000	Computer Services	280.00	994.25	-	11,131.00	10,136.75	8.9%
001-519-494-000	Inspector General Office	-	-	-	5,280.00	5,280.00	0.0%
001-519-820-000	Loxahatchee Groves CERT	-	-	-	2,000.00	2,000.00	0.0%
001-519-900-000	Transfer to Transportation Fund	-	-	-	-	-	0.0%
001-519-910-000	Transfer to Sanitation Fund	-	126,000.00	-	126,000.00	-	100.0%
001-519-920-000	Transfer to Capital Projects	-	400,000.00	-	400,000.00	-	100.0%
001-519-990-000	Contingency	-	-	-	49,577.00	49,577.00	0.0%
	Other Governmental Services Total	18,902.42	579,735.72		695,519.00	115,783.28	83.4%
001-521-341-000	Professional Services-PBSO	22,898.75	137,392.50	-	274,785.00	137,392.50	50.0%
001-521-342-000	Contractual-ADDL PBSO	-	-	-	500.00	500.00	0.0%
	Law Enforcement Total	22,898.75	137,392.50		275,285.00	137,892.50	49.9%
001-539-310-000	Other Services	-	-	-	-	-	0.0%
001-539-340-000	Professional Services	920.58	1,704.04	-	9,000.00	7,295.96	18.9%
	Public Works Total	920.58	1,704.04		9,000.00	7,295.96	18.9%
	Grand Total Expenditure	98,528.52	990,932.58		1,526,748.00	535,815.42	64.9%
	Net Revenue	372,442.27	(56,827.65)				

**TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF MARCH 31, 2013**

50% 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	19,813.33	99,763.91	-	249,245.00	(149,481.09)	40.0%
101-312-420-000	2nd Local Option Fuel Tax	9,266.91	46,375.15	-	117,326.00	(70,950.85)	39.5%
101-363-990-000	Contribution from General Fund	-	-	-	-	-	0.0%
101-399-000-000	Transfer from Fund Balance	-	-	-	-	-	0.0%
	Total Revenue	29,080.24	146,139.06		366,571.00		39.9%

Transportation Fund
Expenditures

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
101-541-467-000	Traffic Control Signs (6 ct) Maint.	2,657.48	12,246.48	-	9,245.00	(3,001.48)	132.5%
101-541-468-000	Non-District Roads (6 ct) Maint.	241.17	5,477.11	-	40,000.00	34,522.89	13.7%
101-541-469-000	District Roads (6 ct) Maint.	-	-	-	-	-	0.0%
101-541-631-000	Road and Streets (5 cent)	-	-	-	150,000.00	150,000.00	0.0%
101-541-632-000	Special Projects (6 cent)	-	-	-	50,000.00	50,000.00	0.0%
101-541-634-000	148th Terr Bridge (5)/Culvert	-	-	-	-	-	0.0%
101-541-636-000	Construct Town Rds & Sts	-	-	-	-	-	0.0%
101-541-990-000	Transfer to Fund Balance	-	-	-	117,326.00	117,326.00	0.0%
	Total Expenditure	2,898.65	17,723.59		366,571.00		4.8%

Net Revenue

26,181.59 128,415.47



Town of
LOXAHATCHEE GROVES

TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF MARCH 31, 2013
 50% Elapsed
 Capital Improvement Program



Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
305-363-990-000	Contributions from General Fund	-	-	-	400,000.00	(400,000.00)	0.0%
305-399-000-000	Transfer from Fund Balance	-	400,000.00	-	912,466.00	(512,466.00)	43.8%
	Total Revenue	-	400,000.00	-	1,312,466.00	(912,466.00)	30.5%

Capital Improvement Program Expenditures							
Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
305-519-600-000	Develop Town Hall Alternatives	-	-	-	500,000.00	500,000.00	0.0%
305-541-341-000	Trails (changed from Linear Park/Grant Match)	-	-	-	200,000.00	200,000.00	0.0%
305-541-346-000	OGEM Paving/Cost Sharing	-	-	-	-	-	0.0%
305-541-434-000	Road & Drainage Improvement	-	-	-	362,466.00	362,466.00	0.0%
305-541-436-000	Traffic Light Okeechobee	-	-	-	250,000.00	250,000.00	0.0%
	Total Expenditure	-	-	-	1,312,466.00	1,312,466.00	0.0%
	Net Revenue	-	400,000.00	-	-	400,000.00	

TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF MARCH 31, 2013

50% 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 - MOVED TO GF	-	-	-	-	-	0.0%
405-325-205-000	Solid Waste Assessments	27,214.11	272,737.00	-	346,361.00	(73,624.00)	78.7%
405-325-206-000	Discount Fees	(367.83)	(9,760.21)	-	(10,392.00)	631.79	93.9%
405-343-120-000	SWA Recycling Income	-	4,506.50	-	8,000.00	(3,493.50)	56.3%
405-363-990-000	Contributions from General Fund	-	126,000.00	-	126,000.00	-	100.0%
	Total Revenue	26,846.28	393,483.29	-	469,969.00	(76,485.71)	83.7%

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
405-534-345-000	Contractual - Waste Over	318.00	3,062.50	-	12,000.00	8,937.50	25.5%
405-534-346-000	PBC Administration Fee 1	268.46	2,386.39	-	3,463.00	1,076.61	68.9%
405-534-420-000	Postage & Freight	-	-	-	500.00	500.00	0.0%
405-534-434-000	Solid Waste Contractor	37,636.20	225,817.20	-	451,634.00	225,816.80	50.0%
405-534-436-000	Other Sanitation Service	-	-	-	1,500.00	1,500.00	0.0%
405-534-490-000	Legal Advertising	-	-	-	872.00	872.00	0.0%
405-534-595-000	TOLG Management Fee	-	-	-	-	-	0.0%
	Total Expenditure	38,222.66	231,266.09	-	469,969.00	238,702.91	49.2%
	Net Revenue	(11,376.38)	162,217.20	-	-	-	-



10.a. Discussion Regarding Speed Humps (*Councilman Rockett*)
(back-up not provided)





10.b. Discussion Regarding Cleaning Compton Road Drainage Ditch
Prior to Road Being Re-surfaced (*Vice Mayor Jarriel*)

(back-up not provided)



10.c. Discussion Regarding Cost To Micro-Resurface Bryan Road, Compton Road, and Marcella Blvd. *(Vice Mayor Jarriel)*

(back-up not provided)



11.a. Invitation to Bid (ITB) No. 2013-001: Gravel Road Grading,
Mowing, and Vegetative Removal Services

LOXAHATCHEE GROVES



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: May 2, 2013

SUBJECT: Bid No. 2013-001 Gravel Road Grading, Mowing and Vegetation Removal Services Bid Awards

I. BACKGROUND/HISTORY

Historically, the Town and the Loxahatchee Groves Water Control District (LGWCD) had entered into an Interlocal Agreement (ILA) for the grading of Town Roads. The ILA covered the grading of roads and Town Management Staff interpreted the agreement to cover the provision of fill for the purposes of accomplishing necessary road grading. The ILA did not cover any of the other services such as mowing of right-of ways, watering, or hedging of vegetative overgrowth on the roadways. In 2012, the Town and LGWCD were not able to agree on a new ILA. This was in part due to the LGWCD having problems and concerns dealing with the provision of actual costs as required by Town requirements and previous Attorney General Opinions (AGO). After much discussion by both elected bodies and respective staffs, the ideas of an RFP or Invitations to Bid (ITB) were discussed as an alternative to remedy the situation and continue the provision of services. It was decided by the Town Council and Town Management Staff to issue an ITB for Gravel Road Grading, Mowing and Vegetative Removal Services.

II. DISCUSSION

The aforementioned ITB was prepared and noticed on the Town's web site on January 17, 2013 and published in the Palm Beach Post on January 20 and January 24, 2013. The ITB was also available at the Onvia website. The due date for bidders to submit their bid transmittals was March 15, 2013 at 2:30 p.m. On March 15th, the Town received 5 bid transmittals. Attached is a copy of the Town Bid Summary Sheet. In order to assist Town Management in the review of the bid submittals, a working group was convened to review the bid submissions and rank them accordingly. The working group consisted of Virginia Standish, a member of the Town Finance

Advisory and Audit Committee; Keith Harris, a member of the Town Planning and Zoning Board, Perla Underwood of UMSG and the Town Manager. The working group had an initial meeting to receive materials on March 27, 2013 and a meeting to review the bid submissions on April 9, 2013. Town Management Staff also reviewed the bid with the FAAC as a courtesy on April 23, 2013.

Attached is a copy of the bid ranking sheet as well as other pertinent information relative to the bids. It is the position of the working group that the Road Grading and Rock Material bids be grouped and awarded to the LGWCD, the road grading low bidder;* the mowing and Vegetative Removal/Dumping Fees be grouped and awarded to C&C Loader the low bidder; Road Repairs to LGWCD, the low bidder and Emergency Call outs to LGWCD the low bidder.

NOTE* The LGWCD was not the low bidder on Rock material. However, it made sense to the working group that since both services were linked and grouped together as indicated above and the LGWCD bid on grading was much lower than Rio BAK, it was more advantageous to go with LGWCD as the low bidder.

III. FISCAL IMPACT

Dependent upon the volume of work awarded and projects undertaken

IV. ATTACHMENTS

Town Bid Summary Sheet

Town Bid Ranking Sheet

Town of Loxahatchee Groves Request for Sealed Bids (ITB)

Addenda related to questions submitted by prospective bidders

V. REQUIRED ACTION

Award the grouped services and separate services to the low bidders and authorize the Town Manager and Town Attorney to draft a contract for Town Council Approval

Town of Loxahatchee Groves Bid Ranking Sheet

Ranking Working Group:
 Keith Harris, Planning & Zoning Board
 Mark A. Kutney, Town Manager
 Virginia Standish, FAAC
 Perla D. Underwood, UMSG

Bid No. 2013-001 – Gravel Road Grading, Mowing and Vegetative Removal Services Date: March 15, 2013 No. of Bids Received: 5

Ranking	Road Grading	Rock Material	Mowing	Vegetative Removal & Dumping Fees	Road Repairs	Emergency Call Outs
No. 1	LGWCD	LGWCD	C& C Loader	C& C Loader	LGWCD	LGCWD
No. 2	C&C Loader	C&C Loader	Sirdar Trucking	Sirdar Trucking	Sirdar Trucking	C& C Loader
No. 3	Sirdar Trucking	Sidar Trucking	WBI Contracting	WBI Contracting	WBI Contracting	WBI Contracting
No. 4	Rio Bak	Rio Bak	LGWCD	LGWCD	Rio Bak	Sirdar Trucking
No. 5	N/A	N/A	Rio Bak	Rio Bak	C&C Loader	Rio Bak

Town of Loxahatchee Groves Bid Summary Sheet

		Bid No. 2013-001 – Gravel Road Grading, Mowing and Vegetative Removal Services					Date: March 15, 2013		No. of Bids Received: 5
Vendor	Road Grading – Per Mile Unit Cost	Base rock/57 mix – Per Ton Unit Cost	Base rock/1” Minus - Per Ton Unit Cost	Mowing	Veg. Removal- Per Cu. Yard	Veg. Dumping Fees– Per Cu. Yard	Road Repairs- Hourly Rate	Emergency Call Outs- Hourly Rate	
Sirdar Trucking, Inc	\$183.00	\$17.30	\$17.30	\$45.00	\$16.00	\$18.00	\$190.00	\$245.00	
Rio Bak	\$300.00	\$14.25	\$11.05	\$80.00	\$275.00	\$7.50	\$295.00	\$375.00	
WBI Contracting	-	-	-	-	\$48.00	\$17.00	\$235.00	\$209.00	
C & C Loader	\$157.00	\$27.50	\$27.50	\$40.00	\$3.50	\$3.50	\$350.00	\$75.00	
LGWCD	\$110.00	\$14.00	\$12.00	\$54.00	\$50.00	\$70.00	\$50.00	\$50.00	

**ADDENDUM #3
BID PROPOSAL FORM
BID NO. 2013-01**

Gravel Road Grading, Mowing, and Vegetative Removal Services

TO: Town Manager
Town of Loxahatchee Groves
14579 Southern Boulevard, Suite 2
Loxahatchee Groves, FL 33470

The undersigned, as bidder, does hereby declare that he/she has read the Introduction, Procedures, General Requirements, Insurance Requirements, General Specification, Bid Form, and any other documentation for

Gravel Road Grading, Mowing, and Vegetative Removal Services – Annual

and further agrees to furnish all items listed below in accordance with the Unit Price(s) submitted. The above-specified documents are herein incorporated into the Bid Form and shall be defined as the contract documents.

Description	Units	Unit Cost
Gravel Road Grading	Mile 1	\$ 183.00
Rock Material		
Base rock /57Mix or equivalent	Ton	\$ 17.30
Base rock "1 Minus	Ton	\$ 17.30
Mowing	Hourly	\$ 45.00
Vegetative Removal	Cubic Yard	\$ 16.00
Vegetative Removal Dumping Fees	Cubic Yard	\$ 18.00
Road Repair	Hourly	\$ 190.00
Emergency Call Outs	Hourly	\$ 245.00

Notice Needed Prior to Commencement: 30 calendar days.

NOTE: Town of Loxahatchee Groves official bid openings are open to the public. Citizens and submitting bidders are encouraged to attend. However, if you are unable to attend but wish to obtain the unofficial bid results, you may do so by visiting our website at www.loxahatcheegrovesfl.gov under Bids. No information regarding the submittal will be divulged over the telephone.

Name of Bidder: SIRDAR TRUCKING, INC.

Addendum #3
Created 03/08/2013

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1c

**ADDENDUM #3
 BID PROPOSAL FORM
 BID NO. 2013-01**

Gravel Road Grading, Mowing, and Vegetative Removal Services

TO: Town Manager
 Town of Loxahatchee Groves
 14579 Southern Boulevard, Suite 2
 Loxahatchee Groves, FL 33470

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Gravel Road Grading, Mowing, and Vegetative Removal Services – Annual

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Description	Units	Unit Cost
Gravel Road Grading	Mile	\$300.00
Rock Material		
Base rock /57Mix or equivalent	Ton	\$14.25
Base rock "1 Minus	Ton	\$11.05
Mowing	Hourly	\$80.00
Vegetative Removal	Cubic Yard	\$275.00
Vegetative Removal Dumping Fees	Cubic Yard	\$7.50
Road Repair	Hourly	\$295.00
Emergency Call Outs	Hourly	\$375.00

Notice Needed Prior to Commencement: 1 calendar days.

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Name of Bidder: RIO-BAK CORPORATION

Addendum #3
 Created 03/08/2013

Replacement Page of Bid Packet Page 15 of 27

**ADDENDUM #3
 BID PROPOSAL FORM
 BID NO. 2013-01**

Gravel Road Grading, Mowing, and Vegetative Removal Services

TO: Town Manager
 Town of Loxahatchee Groves
 14579 Southern Boulevard, Suite 2
 Loxahatchee Groves, FL 33470

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Gravel Road Grading, Mowing, and Vegetative Removal Services – Annual

and further agrees to furnish all items listed below in accordance with the Unit Price(s) submitted. The above-specified documents are herein incorporated into the Bid Form and shall be defined as the contract documents.

Description	Units	Unit Cost
Gravel Road Grading	Mile	\$ _____
Rock Material		
Base rock /57Mix or equivalent	Ton	\$ _____
Base rock "1 Minus	Ton	\$ _____
Mowing	Hourly	\$ _____
Vegetative Removal	Cubic Yard	\$ 48.00
Vegetative Removal Dumping Fees	Cubic Yard	\$ 17.00
Road Repair	Hourly	\$ 235.00
Emergency Call Outs	Hourly	\$ 209.00

Notice Needed Prior to Commencement: 1 calendar days.

NOTE: Town of Loxahatchee Groves official bid openings are open to the public. Citizens and submitting bidders are encouraged to attend. However, if you are unable to attend but wish to obtain the unofficial bid results, you may do so by visiting our website at www.loxahatcheegrovesfl.gov under Bids. No information regarding the submittal will be divulged over the telephone.

Name of Bidder: WBI Contracting of Palm Beach, Inc.

Addendum #3
 Created 03/08/2013

**ADDENDUM #3
 BID PROPOSAL FORM
 BID NO. 2013-01**

Gravel Road Grading, Mowing, and Vegetative Removal Services

TO: Town Manager
 Town of Loxahatchee Groves
 14579 Southern Boulevard, Suite 2
 Loxahatchee Groves, FL 33470

The undersigned, as bidder, does hereby declare that he/she has read the Introduction, Procedures, General Requirements, Insurance Requirements, General Specification, Bid Form, and any other documentation for

Gravel Road Grading, Mowing, and Vegetative Removal Services – Annual

and further agrees to furnish all items listed below in accordance with the Unit Price(s) submitted. The above-specified documents are herein incorporated into the Bid Form and shall be defined as the contract documents.

Description	Units	Unit Cost
Gravel Road Grading	Mile	\$ 157. ⁰⁰
Rock Material		
Base rock /57Mix or equivalent	Ton	\$ 27.50
Base rock "1 Minus	Ton	\$ 27.50
Mowing	Hourly	\$ 40. ⁰⁰
Vegetative Removal	Cubic Yard	\$ 3.50
Vegetative Removal Dumping Fees	Cubic Yard	\$ 3.50
Road Repair	Hourly	\$ 350. ⁰⁰
Emergency Call Outs	Hourly	\$75. ⁰⁰ - Supervisor

Notice Needed Prior to Commencement: 5 calendar days.

NOTE: Town of Loxahatchee Groves official bid openings are open to the public. Citizens and submitting bidders are encouraged to attend. However, if you are unable to attend but wish to obtain the unofficial bid results, you may do so by visiting our website at www.loxahatcheegrovesfl.gov under Bids. No information regarding the submittal will be divulged over the telephone.

Name of Bidder: C: C Loader Service, Inc.

**ADDENDUM #3
 BID PROPOSAL FORM
 BID NO. 2013-01**

Gravel Road Grading, Mowing, and Vegetative Removal Services

TO: Town Manager
 Town of Loxahatchee Groves
 14579 Southern Boulevard, Suite 2
 Loxahatchee Groves, FL 33470

The undersigned, as bidder, does hereby declare that he/she has read the Introduction, Procedures, General Requirements, Insurance Requirements, General Specification, Bid Form, and any other documentation for

Gravel Road Grading, Mowing, and Vegetative Removal Services – Annual

and further agrees to furnish all items listed below in accordance with the Unit Price(s) submitted. The above-specified documents are herein incorporated into the Bid Form and shall be defined as the contract documents.

Description	Units	Unit Cost
Gravel Road Grading	Mile	\$ 110.00
Rock Material		
Base rock /57Mix or equivalent	Ton	\$ 14.00
Base rock "1 Minus	Ton	\$ 12.00
Mowing	Hourly	\$ 54.00
Vegetative Removal	Cubic Yard	\$ 50.00
Vegetative Removal Dumping Fees	Cubic Yard	\$ 70.00
Road Repair	Hourly	\$ 50.00
Emergency Call Outs	Hourly	\$ 50.00

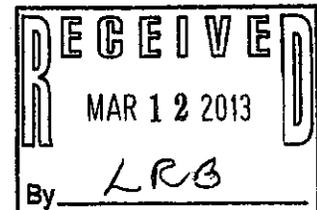
Notice Needed Prior to Commencement: 3 calendar days.

NOTE: Town of Loxahatchee Groves official bid openings are open to the public. Citizens and submitting bidders are encouraged to attend. However, if you are unable to attend but wish to obtain the unofficial bid results, you may do so by visiting our website at www.loxahatcheegrovesfl.gov under Bids. No information regarding the submittal will be divulged over the telephone.

Name of Bidder: Loxahatchee Groves Water Control District

Addendum #3
 Created 03/08/2013

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REQUEST FOR BID PROPOSAL
Gravel Road Grading, Mowing, and Vegetative Removal Services

Addendum # 3

DATE: March 8, 2013

BID No. 2013-001

The Town Manager has directed that Addendum #3 be issued to address additions to the Invitation to Bid.

Pursuant to Section **1.5 Request for Additional Information/Clarification** (Bid Packet page 3 of 27) of the Gravel Road Grading, Mowing, and Vegetative Removal Services Bid No. 2013-001, the Town deems it necessary to issue an amendment in written addenda to include an additional item to

BID PROPOSAL FORM

Bid Proposal Form is hereby amended to include the following change to the Bid Proposal Form as follows:

Description	Units	Unit Cost
Vegetative Removal	Cubic Yard	\$
Vegetative Removal Dumping Fees	Cubic Yard	\$

Proposers should not rely on any representations, statements or explanations other than those made in this Bid Proposal or in any written addendum to this Bid Proposal. Where there appears to be conflict between the Bid Proposal and any addenda issued, the last addendum issued shall prevail. Any dispute regarding the timeliness of a submittal shall be resolved against the proposer.

REMINDER: Sealed Bids, including information in response to this Addendum #3 must be received and time stamped by the Town Clerk's Office, either by mail or hand delivery, no later than 2:30 p.m. local time on **March 15, 2013**. Any Responses received after 2:30 p.m. local time on said date will not be accepted under any circumstances. Any uncertainty regarding the time a Response is received will be resolved against the Offeror.

**ADDENDUM #3
BID PROPOSAL FORM
BID NO. 2013-01**

Gravel Road Grading, Mowing, and Vegetative Removal Services

TO: Town Manager
Town of Loxahatchee Groves
14579 Southern Boulevard, Suite 2
Loxahatchee Groves, FL 33470

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Gravel Road Grading, Mowing, and Vegetative Removal Services – Annual

and further agrees to furnish all items listed below in accordance with the Unit Price(s) submitted. The above-specified documents are herein incorporated into the Bid Form and shall be defined as the contract documents.

Description	Units	Unit Cost
Gravel Road Grading	Mile	\$
Rock Material		
Base rock /57Mix or equivalent	Ton	\$
Base rock "1 Minus	Ton	\$
Mowing	Hourly	\$
Vegetative Removal	Cubic Yard	\$
Vegetative Removal Dumping Fees	Cubic Yard	\$
Road Repair	Hourly	\$
Emergency Call Outs	Hourly	\$

Notice Needed Prior to Commencement: _____ calendar days.

NOTE: Town of Loxahatchee Groves official bid openings are open to the public. Citizens and submitting bidders are encouraged to attend. However, if you are unable to attend but wish to obtain the unofficial bid results, you may do so by visiting our website at www.loxahatcheegrovesfl.gov under Bids. No information regarding the submittal will be divulged over the telephone.

Name of Bidder: _____

Addendum # 2

REQUEST FOR BID PROPOSAL Gravel Road Grading, Mowing, and Vegetative Removal Services

DATE: February 15, 2013

BID NO. 2013-001

The Town Manager has directed that Addendum #2 be issued to address inquiries, suggestions or requests concerning interpretation, clarification or additional information submitted by potential Respondents written questions.

Pursuant to Section **1.5 Request for Additional Information/Clarification** (Bid Packet page 3 of 27) of the Gravel Road Grading, Mowing, and Vegetative Removal Services Bid No. 2013-001, the Town deems it necessary to issue responses to inquiries and any other corrections or amendments in written addenda.

Proposers should not rely on any representations, statements or explanations other than those made in this Bid Proposal or in any written addendum to this Bid Proposal. Where there appears to be conflict between the Bid Proposal and any addenda issued, the last addendum issued shall prevail. Any dispute regarding the timeliness of a submittal shall be resolved against the proposer.

The following is the Town's responses to inquiries submitted to the Town Manager from vendors by February 5, 2013.

1. As indicated in 2.0 Procedures, 2.1, please explain what happens to rates effective May 1, 2014?
 - A. It is up to the Proposer to determine and state whether the rates quoted for all road segments shall remain the same, provide for escalation, or renegotiate through the balance of the Contract in their bid response as reflected in 1.0 Introduction, 1.7 Instructions (second paragraph).
2. Will the Town Manager direct all grading operations for Town Roads as indicated in 3.0 General Requirements, 3.3?
 - A. Yes.
3. Please confirm that Gravel Road Grading should be bid as a full service hourly unit?
 - A. No, the Gravel Road Grading will be bid on a per mile unit cost, pursuant to Town Council direction on September 18, 2013.
4. Please confirm Commercial General Liability coverage for public entity bidders will be based on liability limits governed by Florida State Statutes 768.28?
 - A. No, insurance requirements as specified in the Bid Proposal must apply to all prospective bidders.
5. Is there exclusion to 2.0 Procedures, 2.4 Evaluation Criteria, Item 4, "Ability to provide 24-hour emergency services"?
 - A. No, Item 4 is just one factor in the evaluation criteria.

6. Should the per ton cost of Rock Material be included in 2.0 Procedures, 2.4 Evaluation Criteria?
- A. 2.4 Evaluation Criteria is hereby amended by eliminating 2.4.1 and 2.4.2 as follows:
1. Per Mile Rates of road segments for gravel road grading;
 2. Per hour rates of mowing, and vegetative removal services of road segments;
- And by adding a new item to 2.4 as 2.4.1 as follows:
1. Responses to Bid Proposal Form are incorporated therein.
7. Will Rock Material to be used be material currently used on Town Roads?
- A. General Specifications (Bid Packet 10 of 27) and Bid Proposal Form for Rock Material specifications and costs is hereby amended and attached to include current Town gradation requirements and Unit Cost for base rock/ 57 mix or equivalent and for base rock 1” minus.
8. Can invoices be received on the 15th of each month for the previous month’s work?
- A. No. Section entitled *** Billing***, No. 2 (Bid Packet 18 Of 27) states that invoices must be received on the 5th of each month for the previous month’s work.
9. Please explain bolded language included in the Municipal Proposal Form?
- A. A new Municipal Proposal Form is hereby attached that eliminates the bolded language of the Form as the Bid Proposal includes a Non-Collusive Affidavit.
10. Is a prospective bid intended to be included in the definition of a pending application or petition with respect to the Town’s Ordinance 2009-01?
- A. Yes.
11. Can the Certificate of Authority be waived for a public entity?
- A. A new Certificate of Authority is included and attached to the Addendum for use by entities that are not Corporations, Joint Ventures, or Partnerships.
12. Can requirement for submission of business license be waived for a public entity?
- A. No waiver is necessary as the Proposal states that a copy of license must accompany bid, **if applicable**. See Bid Packet page 27 of 27 entitled Check List, Business License.
13. Please clarify all registration documents that may be required as reflected in 3.0 General Requirements, 3.1 ?
- A. It is dependent on the Contractor to ensure that equipment used for this work is properly registered as required by law.
14. The Town Roads Lists (bid packet 11-13 of 27) includes a Unit Cost and Mileage extension that may be confusing to bidders?

- A. The Unit Cost and Mileage Extension Column included in the Town Roads List was provided for illustrative purposes only. The Town Roads List is hereby amended in order to eliminate confusion as follows: Unit Cost and Mileage Extension columns are eliminated from Roads List, and a new Town Roads List is attached.
15. Why is there no qualification of bidders as required for all public contracts under Florida Statute 287.017?
- A. SWORN STATEMENT UNDER SECTION 287.133(3)(A), FLORIDA STATUTES, ON THE PUBLIC ENTITY CRIMES is hereby added to the Bid Proposal as Section 5.0. It will also be included in the Check List for documents that must be submitted with Bid Proposal.
16. Who will be supplying and purchasing necessary materials to repair potholes, patchwork and material for the OGEM Roads (Marcella, Compton, and Bryan)?
- A. The Contractor will be required to supply and purchase necessary materials for all Road Repairs and Emergency call out services as noted in General Specifications under “Additional Services Provided” (Bid Packet 10 of 27) states that the cost of needed materials to complete necessary repairs will be reimbursed under a separate work authorization.
17. Who will be supplying and purchasing any necessary rock materials?
- A. The Contractor will be responsible for supplying and purchasing necessary rock materials as noted in General Specification, Rock Material (Bid Packet 10 of 27), and Bid Proposal Form (Bid Packet 15 of 27).
20. Who will cover cost of any dump fees for vegetation removal?
- A. The Contractor will cover cost of any dump fees for the vegetation removal. Bid Proposal Form will change to reflect Vegetative Removal Dumping Fees, and the unit cost for vegetation removal and disposal will be calculated on a per yard basis.
21. Who will be supplying and purchasing any necessary material for any Road repairs?
- A. See answer to Question No. 16.
22. How can an hourly rate be determined and submitted with the bid for Emergency call outs if this type of service will be performed under a separate work authorization?
- A. As stated in the General Specifications, road repairs and emergency call outs will be performed on an hourly rate basis if applicable. The work authorization process for these services allows for the inclusion of Contractor’s costs for the needed materials to complete the necessary repair or emergency service (Bid Packet 10 of 27).

REMINDER: Sealed Bids, including information in response to this Addendum #2 must be received and time stamped by the Town Clerk’s Office, either by mail or hand delivery, no later than 2:30 p.m. local time on **March 15, 2013**. Any Responses received after 2:30 p.m. local time on said date will not be accepted under any circumstances. Any uncertainty regarding the time a Response is received will be resolved against the Offeror.

Addendum #2

2.0 PROCEDURES

Submittal Requirements

Contractors must submit the following:

2.1 Bid Proposal Form - Keeping in mind the following:

Rates quoted for all road segments on the Bid proposal shall be valid until May 1, 2014. Bid Proposal pricing must be inclusive; that is, cost for use of equipment, all labor costs, fuel, equipment maintenance, equipment delivery charges, fuel surcharges, and any other charges.

Please include with your bid proposal a list of equipment (make, model, size, number of units, etc.) to be used for the TOWN'S gravel road grading, mowing, and road vegetative removal operations.

2.2 All drivers must be properly licensed operators.

The Contractor is responsible for updating operator information as necessary. The TOWN reserves the right to verify this information at any time before contract award or any time throughout the duration of the contract. Any Contractor who fails to supply photocopies of the operator licenses if requested will be subject to disqualification.

2.3 Proof of Insurance as specified under "Insurance Requirements".

Contractor may submit such additional information as it deems necessary or helpful to the Town's evaluation process.

2.4 Evaluation Criteria: Bid Proposals will be evaluated using the following criteria:

1. Unit Costs included in Bid Proposal Form;
2. Contractor's willingness to commit to timely service; and
3. Ability to provide 24-hour emergency service;
4. Submission of all required information with proposal.

2.5 Rejection or Disqualification: Proposals may be rejected:

1. If the bid proposal is on a form other than that furnished by the TOWN;
2. If there are unauthorized additions, conditions or irregularities which may make the bid proposal incomplete, indefinite or ambiguous as to its meaning;
3. If more than one bid proposal for the same work from an individual, firm, or corporation under the same or different name;
4. If there is evidence of collusion among bidders;
5. Failure to submit all required information.

Addendum #2 General Specifications Purpose

The purpose of this bid is to establish a contract by means of a sealed bid to provide for the gravel road grading, mowing, and vegetative removal services for the "Town Roads" located within the Town of Loxahatchee Groves on an as-needed and when-needed basis as specified herein.

The Town Roads are organized into 100 identified road segments comprising more than 29.5 miles. Attached to and a made a part of this Bid Proposal is Exhibit "A" which identifies all Town Roads along with mileage calculation for each segment, and the Town's Boundary Map that identifies all the road segments.

Gravel Road Grading:

The Town expects all road segments to be graded at least twice per month if needed. The Town also expects that the successful Bidder will perform gravel road grading service on an as-needed basis in addition to the frequency herein enumerated. Additionally, the Town may require road repairs to be provided such as pothole repair, patch work on existing OGEM roads (Marcella, Compton, Bryan Roads), etc.

Rock Material:

Base rock will be placed with the successful bidder on an as-needed when-needed basis to meet the Town's **current gradation requirements as attached for base rock 57 mix or equivalent, and base rock 1" minus.** Town seeks a source of supply that will provide accurate and timely deliveries. All bid prices for rock material must be FOB destination; freight prepaid Loxahatchee Groves, FL with delivery/unloading to the location specified at time of order

Mowing:

Mowing maintenance will be performed of the road segments no less than eight (8) times per year.

Vegetation Removal Services:

Trimming and/or removing trees and shrubbery that create a hazard to roadway users will be performed on all the road segments on an as-needed when-needed basis.

Additional Services Provided:

Road Repair and Emergency call out services will be performed on an hourly rate basis if applicable. These type services will be performed under separate work authorization that will allow inclusion of needed materials to complete the necessary repair.

Palm Beach Aggregates - Coarse Worksheet

21025 SR.80 LOX., FL. FM 1-T 011, FM 1-T 027

SIEVE SIZE	CUMM WEIGHT	%CUMML. RETAINED	%PASSING	ASTM SPEC.
1.5"	0.00		100.00	100.00
1IN.	154.8	1.11	98.89	95-100
3/4IN.	2236.9	15.98	84.02	80-95
1/2IN.	4521.0	32.30	67.70	65-80
3/8IN.	4895.6	34.98	65.02	
#4	6600.5	47.16	52.84	50-65
#8	9832.8	70.25	29.75	n/a
#10	11056.3	78.99	21.01	n/a
	13165.3	96.00	4.00	< 8
TOTAL WT	13996.6			

F.M.= 5.69

DATE

MATERIAL TYPE: 57/ mix base rock

SAMPLED BY:

TESTED BY:

SAMPLE TIME:

SAMPLE #:

-200
 SAMPLE WEIGHT = 13996.60
 DRY WEIGHT = 13165.30
 LOSS OF MATERIAL = 831.30
 PAN WEIGHT =
 % OF -200 = 5.94

Palm Beach Aggregates - Coarse Worksheet

21025 SR.80 LOX., FL. FM 1-T 011, FM 1-T 027

SIEVE SIZE	CUMM WEIGHT	%CUMML. RETAINED	%PASSING ASTM SPEC.
1.5"	0.00		100.00
1IN.	0.0	0.00	100.00
3/4IN.	143.5	1.25	98.75
1/2IN.	3285.7	28.71	71.29
3/8IN.	4258.6	37.22	62.78
#4	5236.3	45.76	54.24
#8	5968.4	52.16	47.84
#10	7937.3	69.36	30.64
	10985.6	96.00	4.00
TOTAL WT	11443.0		

F.M.= 5.36

DATE

MATERIAL TYPE: 1" minus

SAMPLED BY:

TESTED BY:

SAMPLE TIME:

SAMPLE #:

-200
 SAMPLE WEIGHT = 11443.00
 DRY WEIGHT = 10985.60
 LOSS OF MATERIAL = 457.40
 PAN WEIGHT =
 % OF -200 = 4.00

**ADDENDUM #2
BID PROPOSAL FORM
BID NO. 2013-01**

Gravel Road Grading, Mowing, and Vegetative Removal Services

TO: Town Manager
Town of Loxahatchee Groves
14579 Southern Boulevard, Suite 2
Loxahatchee Groves, FL 33470

The undersigned, as bidder, does hereby declare that he/she has read the Introduction, Procedures, General Requirements, Insurance Requirements, General Specification, Bid Form, and any other documentation for

Gravel Road Grading, Mowing, and Vegetative Removal Services – Annual

and further agrees to furnish all items listed below in accordance with the Unit Price(s) submitted. The above-specified documents are herein incorporated into the Bid Form and shall be defined as the contract documents.

Description	Units	Unit Cost
Gravel Road Grading	Mile	\$
Rock Material		
Base rock /57Mix or equivalent	Ton	\$
Base rock "1 Minus	Ton	\$
Mowing	Hourly	\$
Vegetative Removal	Ton	\$
Vegetative Removal Dumping Fees	Ton	\$
Road Repair	Hourly	\$
Emergency Call Outs	Hourly	\$

Notice Needed Prior to Commencement: _____ calendar days.

NOTE: Town of Loxahatchee Groves official bid openings are open to the public. Citizens and submitting bidders are encouraged to attend. However, if you are unable to attend but wish to obtain the unofficial bid results, you may do so by visiting our website at www.loxahatcheegrovesfl.gov under Bids. No information regarding the submittal will be divulged over the telephone.

Name of Bidder: _____

**Addendum #2
MUNICIPAL PROPOSAL FORM**

The undersigned agrees that he/she has read the proposal documents including the Procedure, General Requirements, and Insurance Requirements and General Specifications, and agrees to the terms and conditions set forth therein. Proposer specifically understands that the Town reserves the right to contract with as many vendors as it deems necessary for the safe, efficient, and timely gravel road grading, mowing, and vegetative removal services.

Proposer further agrees that this bid proposal is not made jointly or in conjunction, cooperation or collusion with any person, firm, corporation or other legal entity.

Submitted by Authorized Agent:

Signature

Print Name & Title

ADDENDUM #2**Town Roads List**

TOWN ROAD NAME	PLAT DESIGNATION	MILEAGE
10TH PLACE NORTH	BLOCK B	0.081
11TH LANE NORTH	BLOCK F	0.351
11TH TERRACE	BLOCK C	0.244
12TH PLACE NORTH	BLOCK E	0.197
131ST TERRACE NORTH	BLOCK F	0.147
13TH PLACE NORTH	BLOCK F (FOLSOM)	0.282
13TH PLACE NORTH	BLOCK F (F ROAD)	0.166
140TH STREET NORTH	CUT-THRU / SUNSPORT	0.100
145TH AVENUE NORTH	T: 43S / R: 41E	0.457
147TH AVENUE NORTH	BLOCK C	0.126
147TH DRIVE NORTH	BLOCK C	0.115
148TH TERRACE NORTH	T: 43S / R: 41E	0.339
149TH AVENUE NORTH	BLOCK I	0.126
14TH PLACE NORTH	BLOCK E	0.257
152ND WAY NORTH	BLOCK B	0.068
160TH STREET NORTH	T: 43S / R: 41E	0.394
161ST TERRACE NORTH	T: 43S / R: 40E	2.014
17TH ROAD NORTH	BLOCK B	0.076
21ST ROAD NORTH	BLOCK C	0.126
22ND COURT NORTH	BLOCK F	0.292
22ND ROAD NORTH	BLOCK C (C ROAD)	0.248
22ND ROAD NORTH	BLOCK E (E ROAD)	0.156
22ND ROAD NORTH	BLOCK F (F ROAD)	0.210
23RD COURT NORTH	BLOCK E	0.189
24TH CIRCLE NORTH	BLOCK C	0.177
24TH COURT NORTH	BLOCK C (C ROAD)	0.282
24TH COURT NORTH	BLOCK D (E ROAD)	0.194
24TH COURT NORTH	BLOCK E (WEST F)	0.250
24TH COURT NORTH	BLOCK F (EAST F)	0.406
25TH PLACE NORTH	BLOCK B (C ROAD)	0.136
27TH LANE NORTH	BLOCK C	0.135
30TH COURT NORTH	BLOCK B (C ROAD)	0.141
30TH COURT NORTH	BLOCK D (D ROAD)	0.132
34TH PLACE NORTH	BLOCK C	0.135

ADDENDUM #2**Town Roads List**

TOWN ROAD NAME	PLAT DESIGNATION	MILEAGE
35TH PLACE NORTH	BLOCK D	0.127
41ST ROAD NORTH	T: 43S / R: 41E	0.068
42ND ROAD NORTH	T: 43S / R: 41E	0.153
42ND STREET NORTH	T: 43S / R: 41E (OFF 160TH)	0.234
43RD ROAD NORTH	T: 43S / R: 41E (GLOBAL)	0.194
43RD ROAD NORTH	T: 43S / R: 41E (140TH)	0.394
44TH STREET NORTH	T: 43S / R: 41E (OFF 160TH)	0.235
8TH PLACE NORTH	BLOCK C	0.319
APRIL DRIVE	BLOCK C	0.164
BIDDIX ROAD	BLOCK D	0.191
BRYAN ROAD	BLOCK F	0.749
BUNNY LANE	BLOCK C	0.244
CANAL MAINTENANCE RD	T: 43S / R: 41E (40TH ST N)	1.462
(WILSON) CASEY ROAD	BLOCK F	0.748
CITRUS DRIVE	BLOCK K	0.243
COMPTON ROAD	BLOCK F	0.748
EAST CITRUS DRIVE	BLOCK K	0.501
EDITH ROAD	BLOCK E	0.197
FARLEY ROAD	BLOCK E	0.197
FERRIS LANE	BLOCK A	0.194
FLAMINGO DRIVE	BLOCK C	0.186
FOREST LANE	BLOCK B	0.188
FORTNER DRIVE	BLOCK B (B ROAD)	0.126
FORTNER DRIVE	BLOCK B (C ROAD)	0.135
FOX TRAIL	BLOCK E	0.204
GLOBAL TRAIL	T: 43S / R: 41E	0.519
GREAT DANE LANE	BLOCK F	0.130
GRUBER LANE	BLOCK C	0.489
HYDE PARK ROAD	BLOCK E	0.518
IAN TRAIL	T: 43S / R: 41E	0.384
JEWEL LANE	BLOCK B	0.103
KAZEE ROAD	BLOCK G	0.432
KERRY LANE	BLOCK E	0.260
LOS ANGELES DRIVE	BLOCK B	0.244

ADDENDUM #2**Town Roads List**

TOWN ROAD NAME	PLAT DESIGNATION	MILEAGE
LOXAHATCHEE AVENUE	BLOCK K	0.180
MARCELLA BOULEVARD	BLOCK F	0.749
MARCH CIRCLE	BLOCK F	0.174
MORROW COURT	BLOCK B	0.180
ORANGE AVENUE	BLOCK K	0.075
PARADISE TRAIL	BLOCK C	0.186
PERKINS DRIVE	BLOCK F	0.336
PINEAPPLE DRIVE	BLOCK I	0.434
QUAIL ROAD	BLOCK F	0.135
RACKLEY ROAD	BLOCK F	0.146
RAYMOND DRIVE	BLOCK F	0.337
ROBERTS WAY	BLOCK B	0.229
SALLY'S ALLEY	BLOCK B	0.244
SAN DIEGO DRIVE	BLOCK B	0.244
SCOTTS PLACE	BLOCK B	0.213
SHAMROCK DRIVE	BLOCK B	0.244
SIXTH COURT NORTH	BLOCK I (WEST D)	0.177
SIXTH COURT NORTH	BLOCK K (EAST D)	1.733
SNAIL TRAIL	BLOCK C	0.244
TANGERINE DRIVE	BLOCK K	0.510
TEMPLE DRIVE	BLOCK I	0.100
TIMBERLANE PLACE	BLOCK B	0.219
TRIPP ROAD	BLOCK D	0.242
VALENCIA DRIVE	BLOCK K	0.136
WEST "B" ROAD	BLOCK A	0.340
WEST "C" ROAD	BLOCK B	0.623
WEST "D" ROAD	BLOCK I (SOUTH C.C.)	0.314
WEST 'D' ROAD	BLOCK C (NORTH C.C.)	0.388
WEST 'F' ROAD	BLOCK E	0.198
WILLIAMS DRIVE	BLOCK B	0.193
	MONTHLY MILEAGE =	29.552

Addendum #2
Billing, Contract, Proposal Verification, Signature Page
BID NO. 2013-01
Gravel Road Grading, Mowing, and Vegetative Removal Services

***** Billing *****

1. The contractor shall provide invoices to the Town of Loxahatchee Groves monthly in a timely manner.
2. Those invoices must be received on the 5th of each month for the previous month's work performed.
3. An invoice must have a Purchase/Work Authorization number issued by the TOWN before it will be considered for payment
4. The invoice must provide sufficient detail reflecting roads graded, repaired, areas mowed, and vegetative removal performed. If Work Authorization issued for emergency call outs and repairs detail of work performed along with breakdown for additional charges if any must be included.

***** Contract *****

1. The contract starting date, the contract term and the contract renewal details for the service(s) will be negotiated with the awarded contractor(s).
2. The agreement may be terminated by either party given a 90 day written notice upon the other parties failure to timely perform its responsibilities under this agreement.
3. The contractor may provide additional bid proposals and processes. The Town of Loxahatchee Groves reserves the right to consider or dismiss any bid proposal or additional bid proposal.

NUMBER OF PROPOSALS SUBMITTED: The undersigned office of the company submitting the Bid Proposal has submitted responses to the following specific Road Maintenance work.

- Gravel Road Grading
- Rock Materials
- Mowing of Town Property
- Vegetative Removal Services
- Vegetative Removal Dumping Fees
- Road Repair
- Emergency Call Out/Repairs

Signature of Officer

Printed Name of Officer and Title

Date

Addendum #2

Certification Form (Page 4 of 4)

CERTIFICATE OF AUTHORITY

(OTHER)

STATE OF _____)

COUNTY OF _____)

I _____, _____ of _____
(Signer's Name) (Title)

(Name of Entity)

An entity lawfully organized and existing under the laws of the State of _____, the following Resolution was duly passed and adopted on _____ day of _____, 2013.

"RESOLVED, that, _____, as _____ of _____
(Signer's Name) (Title)

(Name of Entity)

In accordance with all of its documents of governance and management and the laws of the State of

_____ is empowered and authorized on behalf of _____
(Name of Entity)

to execute the Bid Proposal dated, _____, 20____, to the Town of Loxahatchee Groves and

_____ and that their execution
(Name of Entity)

thereof, attested by the Secretary of the _____
(Name of Entity)

,and with the Official Seal affixed, shall be the official act and deed _____
(Name of Entity)

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of

_____, this _____, day of _____, 2013.
(Name of Entity)

Secretary: _____

(SEAL)

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM MAY DISQUALIFY RESPONSE.

Addendum #2

5.0 SWORN STATEMENT UNDER SECTION 287.133(3)(A), FLORIDA STATUTES, ON THE PUBLIC ENTITY CRIMES

(To be signed in the presence Of a notary public or other officer authorized to administer oaths.)

STATE OF _____ COUNTY

Before me, the undersigned authority, personally appeared, who, being by me first duly sworn, made the following statement:

Name of Proposer _____

Business address _____

I understand that a public entity crime as defined in Section 287.133 of the Florida Statutes includes a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity in Florida or with an agency or political subdivision of any other state or with the agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or any such agency or political subdivision and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

I understand that “convicted” or “conviction” is defined by the statute to mean a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

I understand that “affiliate” is defined by the statute to mean (1) a predecessor or successor of a person or a corporation convicted of a public entity crime, or (2) and entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime, or (3) those officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of an affiliate, or (4) a person or corporation who knowingly entered into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months.

Please mark the appropriate paragraph below:

_____ Neither the proposer, contractor, nor any officer, director, executive, partner, shareholder, employee member or agent who is active in the management of the proposer or contractor nor any affiliate of the proposer or contractor has been convicted of a public entity crime subsequent to July 1, 1989.

_____ There has been a conviction of a public entity crime by the proposer or contractor, or an officer, director, executive, partner, shareholder, employee, member or agent of the proposer or contractor who is active in the management of the proposer or contractor or an affiliate of the proposer or contractor. A determination has been made pursuant to Section 287.133(3) by order of the Division of Administrative Hearings that it is not in the public interest for the name of the convicted person or affiliate to appear on the convicted vendor list. The name of the convicted person or affiliate is _____.

A copy of the order of the Division of Administrative Hearings is attached to this statement

Proposer's Signature

Sworn to and subscribed before me on this _____ day of _____, 20__

(affix seal)

Notary Public Signature

Addendum #2

Check List

Submitted with Proposal

Bid Acknowledgement Cover Page	
This form must be completed, signed and returned with Proposal	YES_____
Bid Proposal Form	
This form must be completed, signed and returned with Proposal	YES_____
Municipal Proposal Form	
This form must be signed and returned with Proposal	YES_____
Proposal Verification Form	
This form must be completed, signed and returned with Proposal	YES_____
Equipment Listing Form	
This form must be completed and returned with Proposal	YES_____
Certificate of Authority	
This form must be completed, signed, and returned with Proposal	YES_____
Sworn Statement of Public Entity Crimes	
This form must be completed, signed, notarized, and returned with Proposal.	YES_____
Insurance Requirements	
Acknowledgement of receipt of information on the insurance for this Request for Bid must be signed and returned with Proposal	YES_____
Affirmative Action Policy for Equal Employment Opportunity	
Submit Sample	YES_____
Non Collusive Affidavit	
This form must be completed, signed and returned with Proposal	YES_____
Business License	
All responses shall be accompanied by a copy of your current License(s), if applicable	YES_____
Complete Bid Proposal with all required forms and attachments.	YES_____

REQUEST FOR BID PROPOSAL
Gravel Road Grading, Mowing, and Vegetative Removal Services

Addendum # 1

DATE: February 10, 2013

BID No. 2013-001

The Town Manager has directed that Addendum #1 be issued to address additions to the Invitation to Bid.

Pursuant to Section **1.5 Request for Additional Information/Clarification** (Bid Packet page 3 of 27) of the Gravel Road Grading, Mowing, and Vegetative Removal Services Bid No. 2013-001, the Town deems it necessary to issue an amendment in written addenda to include an additional item to

3.0 GENERAL REQUIREMENTS,

3.8 BIDDER is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this Invitation to Bid, and in furtherance thereof may demand and obtain records and testimony from the BIDDER and its subcontractors and lower tier subcontractors. BIDDER understands and agrees that in addition to all other remedies and consequences provided by law, failure of the BIDDER or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested will be deemed to be a breach of this contract. BIDDER shall be responsible for all costs incurred by it or the TOWN as a result of any investigation by the Inspector General which results in an adverse determination caused by BIDDER, its subcontractors or lower tier subcontractors.

Proposers should not rely on any representations, statements or explanations other than those made in this Bid Proposal or in any written addendum to this Bid Proposal. Where there appears to be conflict between the Bid Proposal and any addenda issued, the last addendum issued shall prevail. Any dispute regarding the timeliness of a submittal shall be resolved against the proposer.

REMINDER: Sealed Bids, including information in response to this Addendum #1 must be received and time stamped by the Town Clerk's Office, either by mail or hand delivery, no later than 2:30 p.m. local time on **March 15, 2013**. Any Responses received after 2:30 p.m. local time on said date will not be accepted under any circumstances. Any uncertainty regarding the time a Response is received will be resolved against the Offeror.

**Town of Loxahatchee Groves
Request for Sealed Bids**

Mark A. Kutney, Town Manager
14579 Southern Boulevard, Suite 2
Loxahatchee Groves, Florida 33470

Web Site Address: <http://loxahatcheegrovesfl.gov/>

Bid Proposal Data

Bid Number: 2013-001

Bid Title: GRAVEL ROAD GRADING, MOWING, AND VEGETATIVE
REMOVAL SERVICES

Type of Purchase: TWO (2) YEARS WITH OPTION FOR TWO (2) ADDITIONAL
TWO (2) YEAR PERIODS

Contact Person: Dennise Rodriguez, Office Coordinator

Phone: 561-793-2418

E-Mail Address: drodriguez@loxahatcheegrovesfl.gov

Issue Date: January 15, 2013

Bid Submission Deadline

Date: March 15, 2013

Location/Mail Address: Town of Loxahatchee Groves
Office of the Town Clerk
14579 Southern Boulevard, Suite 2
Loxahatchee Groves, Florida 33470

Sealed written Bids must be received by the Town of Loxahatchee Groves; Town Clerk's Office, no later than the date, time and at the location indicated above for the Bid Submission. Submittal of Response by fax is not acceptable. One (1) electronic (DVD) copy and Five (5) copies of your Bid Proposal and response forms must be returned to the Town or your Bid may be disqualified.

NOTE: This Bid does not constitute an order for the goods or services specified. The number of copies requested in this Bid together with completed Response Forms must be returned.

INTRODUCTION TO REQUEST FOR PROPOSALS Continued

Bid Request and any Addenda issued, the last Addendum issued shall prevail. Any dispute regarding the timeliness of a submittal shall be resolved against the Bidder.

1.6. Contract Execution

Contract will be negotiated and executed between the Successful Bidder (firm, joint venture, partnership or other legal entity) and the TOWN.

1.7. Instructions

Careful attention must be given to all requested items contained in this Request for Bid. Bidders are invited to submit proposals in accordance with the requirements of this Bid Request. Please read the entire solicitation before submitting a Bid Proposal. Bidders shall make the necessary entry in all blanks provided for the responses.

The entire set of documents constitutes the Bid Request. The Bidder must return these documents with all information necessary for the TOWN to properly analyze Bidder's response in total and in the same order in which it was issued. Bidder's notes, exceptions, and comments may be rendered on an attachment, provided the same format of this Bid Request text is followed. All Bid Proposals shall be returned in a sealed envelope with the Bid number and opening date clearly stated on the outside of the envelope.

Bidders must provide a response to each requirement of the Bid Request. Proposals should be prepared in a concise manner with an emphasis on completeness and clarity.

1.8. Changes / Alterations

Bidder may change or withdraw a Bid proposal at any time prior to the Bid Submission Deadline; however, no oral modifications will be allowed.

1.9. Discrepancies, Errors, and Omissions

Any discrepancies, errors, ambiguities, or any terms of the Bid Request to which Bidder could not satisfy or comply if selected, in the Bid Request or Addenda (if any) must be reported in writing to the Town Manager no later than February 5, 2012.

1.10. Disqualification

The TOWN reserves the right to disqualify Bid Proposals before or after the submission date, upon evidence of collusion with intent to defraud or other illegal practices on the part of the Bidder. It also reserves the right to waive any immaterial defect or informality in any Bid Proposals; to reject any or all Bid Proposals in whole or in part, or to reissue a Request for Bids.

1.11. Proposal Receipt

Sealed Bid Proposals will be accepted in accordance with the instructions detailed on the cover of this Bid Request. After that date and time, Bid Proposals will no longer be accepted. The Bidder shall file all documents necessary to support its Bid Proposal and shall include them with its Bid Proposal. Bidders shall be responsible for the actual delivery of Bid Proposals during business

INTRODUCTION TO REQUEST FOR PROPOSALS Continued

hours to the exact address indicated on the cover and in the Bid Request. Bid Proposals that are not received in the Town Clerk's Office by the deadline established in the Bid Request shall **not** be accepted or considered by the Town.

1.12. Lobbying Activities

Any bidder submitting a response to this solicitation must comply, if applicable, with Town of Loxahatchee Groves Ordinance No. 2009-01. Copy of Ordinance No.2009-01 may be obtained from the Town Clerk's Office, 14579 Southern Boulevard, Suite 2, Loxahatchee Groves, Florida 33470.

1.13. Bid Request Process Timeline

The anticipated timeline for this Bid Request and subsequent Contract is as follows.

All dates are tentative and subject to change.

- | | |
|--|-----------------------------|
| • Bid Request Available for Distribution | January 18, 2013 |
| • Last Day for Submittal of Questions | February 5, 2013, 3:00 p.m. |
| • Addendum Issued (if necessary) | February 19, 2013 |
| • Proposal Due Date | March 15, 2013, 2:30 p.m. |
| • Evaluation of Proposals | March 29, 2013, 2:00 p.m. |
| • Anticipated Town Commission Approval | April 16, 2013, 7:00 p.m. |

General Specifications

Purpose

The purpose of this bid is to establish a contract by means of a sealed bid to provide for the gravel road grading, mowing, and vegetative removal services for the "Town Roads" located within the Town of Loxahatchee Groves on an as-needed and when-needed basis as specified herein.

The Town Roads are organized into 100 identified road segments comprising more than 29.5 miles. Attached to and a made a part of this Bid Proposal is Exhibit "A" which identifies all Town Roads along with mileage calculation for each segment, and the Town's Boundary Map that identifies all the road segments.

Gravel Road Grading:

The Town expects all road segments to be graded at least twice per month if needed. The Town also expects that the successful Bidder will perform gravel road grading service on an as-needed basis in addition to the frequency herein enumerated. Additionally, the Town may require road repairs to be provided such as pothole repair, patch work on existing OGEM roads (Marcella, Compton, Bryan Roads), etc.

Rock Material:

Base rock will be placed with the successful bidder on an as-needed when-needed basis to meet the Town's usage requirements. Town seeks a source of supply that will provide accurate and timely deliveries. All bid prices for rock material must be FOB destination; freight prepaid Loxahatchee Groves, FL with delivery/unloading to the location specified at time of order

Mowing:

Mowing maintenance will be performed of the road segments no less than eight (8) times per year.

Vegetation Removal Services:

Trimming and/or removing trees and shrubbery that create a hazard to roadway users will be performed on all the road segments on an as-needed when-needed basis.

Additional Services Provided:

Road Repair and Emergency call out services will be performed on an hourly rate basis if applicable. These type services will be performed under separate work authorization that will allow inclusion of needed materials to complete the necessary repair.

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT
TOWN ROAD MAINTENANCE LOG**

JANUARY 2012						
TOWN ROAD NAME	PLAT DESIGNATION	MILEAGE	GRADES	UNIT COST	Cost Per Millage	EXTENDED
10TH PLACE NORTH	BLOCK B	0.081		160.00	12.96	0.00
11TH LANE NORTH	BLOCK F	0.351		160.00	56.16	0.00
11TH TERRACE	BLOCK C	0.244		160.00	39.04	0.00
12TH PLACE NORTH	BLOCK E	0.197		160.00	31.52	0.00
131ST TERRACE NORTH	BLOCK F	0.147		160.00	23.52	0.00
13TH PLACE NORTH	BLOCK F (FOLSOM)	0.282		160.00	45.12	0.00
13TH PLACE NORTH	BLOCK F (F ROAD)	0.166		160.00	26.56	0.00
140TH STREET NORTH	CUT-THRU / SUNSPORT	0.100		160.00	16.00	0.00
145TH AVENUE NORTH	T: 43S / R: 41E	0.457		160.00	73.12	0.00
147TH AVENUE NORTH	BLOCK C	0.126		160.00	20.16	0.00
147TH DRIVE NORTH	BLOCK C	0.115		160.00	18.40	0.00
148TH TERRACE NORTH	T: 43S / R: 41E	0.339		160.00	54.24	0.00
149TH AVENUE NORTH	BLOCK I	0.126		160.00	20.16	0.00
14TH PLACE NORTH	BLOCK E	0.257		160.00	41.12	0.00
152ND WAY NORTH	BLOCK B	0.068		160.00	10.88	0.00
160TH STREET NORTH	T: 43S / R: 41E	0.394		160.00	63.04	0.00
161ST TERRACE NORTH	T: 43S / R: 40E	2.014		160.00	322.24	0.00
17TH ROAD NORTH	BLOCK B	0.076		160.00	12.16	0.00
21ST ROAD NORTH	BLOCK C	0.126		160.00	20.16	0.00
22ND COURT NORTH	BLOCK F	0.292		160.00	46.72	0.00
22ND ROAD NORTH	BLOCK C (C ROAD)	0.248		160.00	39.68	0.00
22ND ROAD NORTH	BLOCK E (E ROAD)	0.156		160.00	24.96	0.00
22ND ROAD NORTH	BLOCK F (F ROAD)	0.210		160.00	33.60	0.00
23RD COURT NORTH	BLOCK E	0.189		160.00	30.24	0.00
24TH CIRCLE NORTH	BLOCK C	0.177		160.00	28.32	0.00
24TH COURT NORTH	BLOCK C (C ROAD)	0.282		160.00	45.12	0.00
24TH COURT NORTH	BLOCK D (E ROAD)	0.194		160.00	31.04	0.00
24TH COURT NORTH	BLOCK E (WEST F)	0.250		160.00	40.00	0.00
24TH COURT NORTH	BLOCK F (EAST F)	0.406		160.00	64.96	0.00
25TH PLACE NORTH	BLOCK B (C ROAD)	0.136		160.00	21.76	0.00

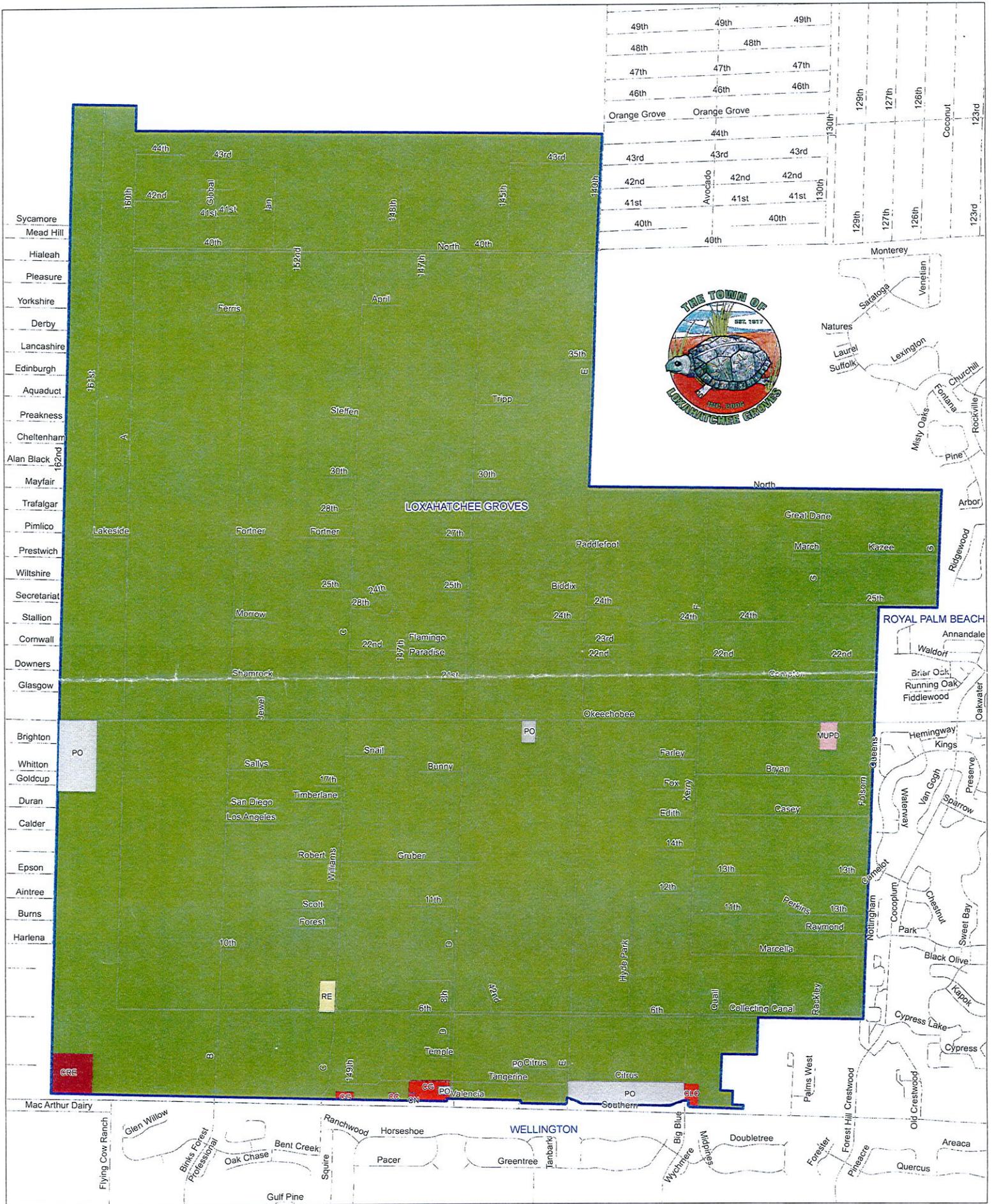
LOXAHATCHEE GROVES WATER CONTROL DISTRICT
TOWN ROAD MAINTENANCE LOG

JANUARY 2012						
TOWN ROAD NAME	PLAT DESIGNATION	MILEAGE	GRADES	UNIT COST	Cost Per Millage	EXTENDED
TOWN ROAD NAME	PLAT DESIGNATION	MILEAGE	GRADES	UNIT COST	Cost Per Millage	EXTENDED
27TH LANE NORTH	BLOCK C	0.135		160.00	21.60	0.00
30TH COURT NORTH	BLOCK B (C ROAD)	0.141		160.00	22.56	0.00
30TH COURT NORTH	BLOCK D (D ROAD)	0.132		160.00	21.12	0.00
34TH PLACE NORTH	BLOCK C	0.135		160.00	21.60	0.00
35TH PLACE NORTH	BLOCK D	0.127		160.00	20.32	0.00
41ST ROAD NORTH	T: 43S / R: 41E	0.068		160.00	10.88	0.00
42ND ROAD NORTH	T: 43S / R: 41E	0.153		160.00	24.48	0.00
42ND STREET NORTH	T: 43S / R: 41E (OFF 160TH)	0.234		160.00	37.44	0.00
43RD ROAD NORTH	T: 43S / R: 41E (GLOBAL)	0.194		160.00	31.04	0.00
43RD ROAD NORTH	T: 43S / R: 41E (140TH)	0.394		160.00	63.04	0.00
44TH STREET NORTH	T: 43S / R: 41E (OFF 160TH)	0.235		160.00	37.60	0.00
8TH PLACE NORTH	BLOCK C	0.319		160.00	51.04	0.00
APRIL DRIVE	BLOCK C	0.164		160.00	26.24	0.00
BIDDIX ROAD	BLOCK D	0.191		160.00	30.56	0.00
BRYAN ROAD	BLOCK F	0.749		160.00	119.84	0.00
BUNNY LANE	BLOCK C	0.244		160.00	39.04	0.00
CANAL MAINTENANCE RD	T: 43S / R: 41E (40TH ST N)	1.462		160.00	233.92	0.00
(WILSON) CASEY ROAD	BLOCK F	0.748		160.00	119.68	0.00
CITRUS DRIVE	BLOCK K	0.243		160.00	38.88	0.00
COMPTON ROAD	BLOCK F	0.748		160.00	119.68	0.00
EAST CITRUS DRIVE	BLOCK K	0.501		160.00	80.16	0.00
EDITH ROAD	BLOCK E	0.197		160.00	31.52	0.00
FARLEY ROAD	BLOCK E	0.197		160.00	31.52	0.00
FERRIS LANE	BLOCK A	0.194		160.00	31.04	0.00
FLAMINGO DRIVE	BLOCK C	0.186		160.00	29.76	0.00
FOREST LANE	BLOCK B	0.188		160.00	30.08	0.00
FORTNER DRIVE	BLOCK B (B ROAD)	0.126		160.00	20.16	0.00
FORTNER DRIVE	BLOCK B (C ROAD)	0.135		160.00	21.60	0.00
FOX TRAIL	BLOCK E	0.204		160.00	32.64	0.00
GLOBAL TRAIL	T: 43S / R: 41E	0.519		160.00	83.04	0.00
GREAT DANE LANE	BLOCK F	0.130		160.00	20.80	0.00
GRUBER LANE	BLOCK C	0.489		160.00	78.24	0.00
HYDE PARK ROAD	BLOCK E	0.518		160.00	82.88	0.00
IAN TRAIL	T: 43S / R: 41E	0.384		160.00	61.44	0.00
JEWEL LANE	BLOCK B	0.103		160.00	16.48	0.00
KAZEE ROAD	BLOCK G	0.432		160.00	69.12	0.00
KERRY LANE	BLOCK E	0.260		160.00	41.60	0.00
LOS ANGELES DRIVE	BLOCK B	0.244		160.00	39.04	0.00
LOXAHATCHEE AVENUE	BLOCK K	0.180		160.00	28.80	0.00
MARCELLA BOULEVARD	BLOCK F	0.749		160.00	119.84	0.00
MARCH CIRCLE	BLOCK F	0.174		160.00	27.84	0.00
MORROW COURT	BLOCK B	0.180		160.00	28.80	0.00
ORANGE AVENUE	BLOCK K	0.075		160.00	12.00	0.00

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT
TOWN ROAD MAINTENANCE LOG**

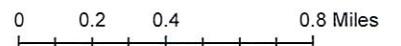
JANUARY 2012						
TOWN ROAD NAME	PLAT DESIGNATION	MILEAGE	GRADES	UNIT COST	Cost Per Millage	EXTENDED
TOWN ROAD NAME	PLAT DESIGNATION	MILEAGE	GRADES	UNIT COST	Cost Per Millage	EXTENDED
PARADISE TRAIL	BLOCK C	0.186		160.00	29.76	0.00
PERKINS DRIVE	BLOCK F	0.336		160.00	53.76	0.00
PINEAPPLE DRIVE	BLOCK I	0.434		160.00	69.44	0.00
QUAIL ROAD	BLOCK F	0.135		160.00	21.60	0.00
RACKLEY ROAD	BLOCK F	0.146		160.00	23.36	0.00
RAYMOND DRIVE	BLOCK F	0.337		160.00	53.92	0.00
ROBERTS WAY	BLOCK B	0.229		160.00	36.64	0.00
SALLY'S ALLEY	BLOCK B	0.244		160.00	39.04	0.00
SAN DIEGO DRIVE	BLOCK B	0.244		160.00	39.04	0.00
SCOTTS PLACE	BLOCK B	0.213		160.00	34.08	0.00
SHAMROCK DRIVE	BLOCK B	0.244		160.00	39.04	0.00
SIXTH COURT NORTH	BLOCK I (WEST D)	0.177		160.00	28.32	0.00
SIXTH COURT NORTH	BLOCK K (EAST D)	1.733		160.00	277.28	0.00
SNAIL TRAIL	BLOCK C	0.244		160.00	39.04	0.00
TANGERINE DRIVE	BLOCK K	0.510		160.00	81.60	0.00
TEMPLE DRIVE	BLOCK I	0.100		160.00	16.00	0.00
TIMBERLANE PLACE	BLOCK B	0.219		160.00	35.04	0.00
TRIPP ROAD	BLOCK D	0.242		160.00	38.72	0.00
VALENCIA DRIVE	BLOCK K	0.136		160.00	21.76	0.00
WEST "B" ROAD	BLOCK A	0.340		160.00	54.40	0.00
WEST "C" ROAD	BLOCK B	0.623		160.00	99.68	0.00
WEST "D" ROAD	BLOCK I (SOUTH C.C.)	0.314		160.00	50.24	0.00
WEST 'D' ROAD	BLOCK C (NORTH C.C.)	0.388		160.00	62.08	0.00
WEST 'F' ROAD	BLOCK E	0.198		160.00	31.68	0.00
WILLIAMS DRIVE	BLOCK B	0.193		160.00	30.88	0.00
	MONTHLY MILEAGE =	29.552		TOTAL MONTHLY COST =	4,728.32	0.00

LOXAHATCHEE GROVES OFFICIAL ZONING MAP



Legend

- Municipal Boundary
- Roads
- RE - Residential Estate
- AR - Agricultural Residential
- CC - Community Commercial
- CG - General Commercial
- CLO - Limited Office Commercial
- CN - Neighborhood Commercial
- CRE - Commercial Recreation
- MUPD - Multiple Use Planned Development District
- PO - Public Ownership



BID PROPOSAL FORM**BID NO. 2013-01****Gravel Road Grading, Mowing, and Vegetative Removal Services**

TO: Town Manager
 Town of Loxahatchee Groves
 14579 Southern Boulevard, Suite 2
 Loxahatchee Groves, FL 33470

The undersigned, as bidder, does hereby declare that he/she has read the Introduction, Procedures, General Requirements, Insurance Requirements, General Specification, Bid Form, and any other documentation for

Gravel Road Grading, Mowing, and Vegetative Removal Services – Annual

and further agrees to furnish all items listed below in accordance with the Unit Price(s) submitted. The above-specified documents are herein incorporated into the Bid Form and shall be defined as the contract documents.

Description	Units	Unit Cost
Gravel Road Grading	Mile	\$
Rock Material	Ton	\$
Mowing	Hourly	\$
Vegetative Removal	Hourly	\$
Road Repair	Hourly	\$
Emergency Call Outs	Hourly	\$

Notice Needed Prior to Commencement: _____ calendar days.

NOTE: Town of Loxahatchee Groves official bid openings are open to the public. Citizens and submitting bidders are encouraged to attend. However, if you are unable to attend but wish to obtain the unofficial bid results, you may do so by visiting our website at www.loxahatcheegrovesfl.gov under Bids. No information regarding the submittal will be divulged over the telephone.

Name of Bidder: _____

Signature & Title: _____

(This form to be returned)

MUNICIPAL PROPOSAL FORM

The undersigned agrees that he/she has read the proposal documents including the Procedure, General Requirements, and Insurance Requirements and General Specifications, and agrees to the terms and conditions set forth therein. Proposer specifically understands that the Town reserves the right to contract with as many vendors as it deems necessary for the safe, efficient, and timely gravel road grading, mowing, and vegetative removal services.

Proposer further agrees that this bid proposal is not made jointly or in conjunction, cooperation or collusion with any person, firm, corporation or other legal entity.

Proposer agrees no officer, agent or employee of the Town of Loxahatchee Groves is directly or indirectly interested in this proposal.

Submitted by Authorized Agent:

Signature

Print Name & Title

Billing, Contract, Proposal Verification, Signature Page
BID NO. 2013-01
Gravel Road Grading, Mowing, and Vegetative Removal Services

***** Billing *****

1. The contractor shall provide invoices to the Town of Loxahatchee Groves monthly in a timely manner.
2. Those invoices must be received on the 5th of each month for the previous month's work performed.
3. An invoice must have a Purchase/Work Authorization number issued by the TOWN before it will be considered for payment
4. The invoice must provide sufficient detail reflecting roads graded, repaired, areas mowed, and vegetative removal performed. If Work Authorization issued for emergency call outs and repairs detail of work performed along with breakdown for additional charges if any must be included.

***** Contract *****

1. The contract starting date, the contract term and the contract renewal details for the service(s) will be negotiated with the awarded contractor(s).
2. The agreement may be terminated by either party given a 90 day written notice upon the other parties failure to timely perform its responsibilities under this agreement.
3. The contractor may provide additional bid proposals and processes. The Town of Loxahatchee Groves reserves the right to consider or dismiss any bid proposal or additional bid proposal.

NUMBER OF PROPOSALS SUBMITTED: The undersigned office of the company submitting the Bid Proposal has submitted responses to the following specific Road Maintenance work.

- Gravel Road Grading
- Mowing of Town Property
- Vegetative Removal Services
- Road Repair
- Emergency Call Out/Repairs

Signature of Officer

Printed Name of Officer and Title

Date

Equipment Listing

BID NO. 2013-01

Gravel Road Grading, Mowing, and Vegetative Removal Services

A. What equipment will you use?

B. Age of Equipment

C. Equipment Hours

D. How many workers would be used to complete work on Town Roads? _____

Certification Form (Page 1 of 3)

CERTIFICATE OF AUTHORITY
(IF CORPORATION)

STATE OF _____)
) SS:
COUNTY OF _____)

I HEREBY CERTIFY that a meeting of the Board of Directors of the _____

a corporation existing under the laws of the State of _____, held on _____, 20____, the following resolution was duly passed and adopted:

"RESOLVED, that, as President of the Corporation, be and is hereby authorized to execute the Proposal dated, _____, 20____, to the Town of Loxahatchee Groves and this corporation and that their execution thereof, attested by the Secretary of the Corporation, and with the Corporate Seal affixed, shall be the official act and deed of this Corporation."

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the corporation this _____, day of _____, 20____.

Secretary: _____

(SEAL)

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM MAY DISQUALIFY RESPONSE.

Certification Form (Page 2 of 3)

CERTIFICATE OF AUTHORITY
(IF PARTNERSHIP)

STATE OF)
) SS:
COUNTY OF)

I HEREBY CERTIFY that a meeting of the Partners of the _____

_____ organized and existing under the laws of the State of _____ , held on _____ , 20 _____ , the following resolution was duly passed and adopted:

"RESOLVED, that, _____ , as _____ of the Partnership, be and is hereby authorized to execute the Proposal dated, _____ 20 _____ , to the Town of Loxahatchee Groves and this partnership and that their execution thereof, attested by the _____ shall be the official act and deed of this Partnership."

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ , day of _____ , 20 _____ .

Secretary: _____

(SEAL)

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM MAY DISQUALIFY RESPONSE.

Certification Form (Page 3 of 3)

CERTIFICATE OF AUTHORITY
(IF JOINT VENTURE)

STATE OF _____)
) SS:
COUNTY OF _____)

I HEREBY CERTIFY that a meeting of the Principals of the _____

organized and existing under the laws of the State of _____, held on _____, 20_____, the following resolution was duly passed and adopted:

"RESOLVED, that, _____ as _____ of the Joint Venture be and is hereby authorized to execute the Proposal dated, _____ 20_____, to the Town of Loxahatchee Groves and this Joint Venture and that their execution thereof, attested by the _____ shall be the official act and deed of this Joint Venture."

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this _____, day of _____, 20_____.

Secretary: _____

(SEAL)

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM MAY DISQUALIFY RESPONSE.

6.3. Indemnification and Insurance

INDEMNIFICATION

Successful Proposer shall indemnify, defend and hold harmless the Town and its officials, employees and agents (collectively referred to as “Indemnities”) and each of them from and against all loss, cost, penalties, fines, damages, claims, expenses (including attorney’s fees) or liabilities (collectively referred to as “Liabilities”) by reason of any injury to or death of any person or damage to or destruction or loss of any property arising out of, resulting from, or in connection with (i) the performance or non-performance of the services contemplated by the Contract which is or is alleged to be directly or indirectly caused, in whole or in part, by any act, omission, default or negligence (whether active or passive) of Successful Proposer or its employees, agents, or subcontractors (collectively referred to as “Proposer”), regardless of whether it is, or is alleged to be, caused in whole or part (whether joint, concurrent, or contributing) by any act, omission, default or negligence (whether active or passive) of the Indemnities, or any of them or (ii) the failure of the Successful Proposer to comply with any of the provisions in the Contract or the failure of the Successful Proposer to conform to statutes, ordinances or other regulations or requirements of any governmental authority, federal or state, in connection with the performance of the Contract. Successful Proposer expressly agrees to indemnify and hold harmless the Indemnities, or any of them, from and against all liabilities which may be asserted by an employee or former employee of Proposer, or any of its subcontractors, as provided above, for which the Successful Proposer’s liability to such employee or former employee would otherwise be limited to payments under state Workers’ Compensation or similar laws.

Successful Proposer further agrees to indemnify, defend and hold harmless the Indemnities from and against (i) any and all Liabilities imposed on account of the violation of any law, ordinance, order, rule, regulation, condition, or requirement, in any way related, directly or indirectly, to Successful Proposer’s performance under the Contract, compliance with which is left by the Contract to the Proposer, and (ii) any and all claims, and/or suits for labor and materials furnished by the Successful Proposer or utilized in the performance of the Contract or otherwise.

Where not specifically prohibited by law, Successful Proposer further specifically agrees to indemnify, defend and hold harmless the Indemnities from all claims and suits for any liability, including, but not limited to, injury, death, or damage to any person or property whatsoever, caused by, arising from, incident to, connected with or growing out of the performance or non-performance of the Contract which is, or is alleged to be, caused in part (whether joint, concurrent or contributing) or in whole by any act, omission, default, or negligence (whether active or passive) of the Indemnities. The foregoing indemnity shall also include liability imposed by any doctrine of strict liability.

The Successful Proposer shall furnish to Town of Loxahatchee Groves, c/o Town Manager, 14579 Southern Boulevard, Suite 2, Loxahatchee Groves, Florida 33470, Certificate(s) of Insurance prior to contract execution which indicate that insurance coverage has been obtained which meets the requirements as outlined below:

- A. Workers’ Compensation Insurance for all employees of the Proposer as required by Florida Statute 440.
- B. Public Liability Insurance on a comprehensive basis in an amount not less than \$1,000,000.00 combined single limit per occurrence for bodily injury and property damage. Town must be shown as an additional insured with respect to this coverage.
- C. Automobile Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the work in an amount not less than statutory combined single limit per occurrence for bodily injury and property damage.

The insurance coverage required shall include those classifications, as listed in standard liability insurance manuals, which most nearly reflect the operations of the Successful Proposer.

Indemnification and Insurance (cont.)

All insurance policies required above shall be issued by companies authorized to do business under the laws of the State of Florida, with the following qualifications:

The Company must be rated no less than "A" as to management, and no less than "Class X" as to financial strength, by the latest edition of Best's Key Rating Insurance Guide or acceptance of insurance company which holds a valid Florida Certificate of Authority issued by the State of Florida, Department of Insurance, and are members of the Florida Guarantee Fund.

Certificates will indicate no modification or change in insurance shall be made without thirty (30) days written advance notice to the certificate holder.

Compliance with the foregoing requirements shall not relieve the Successful Proposer of his liability and obligation under this section or under any other section of this Agreement.

The Successful Proposer shall be responsible for assuring that the insurance certificates required in conjunction with this Section remain in force for the duration of the contractual period; including any and all option terms that may be granted to the Successful Proposer.

--If insurance certificates are scheduled to expire during the contractual period, the Successful Proposer shall be responsible for submitting new or renewed insurance certificates to the Town at a minimum of ten (10) calendar days in advance of such expiration.

--In the event that expired certificates are not replaced with new or renewed certificates which cover the contractual period, the Town shall:

- A) Suspend the Contract until such time as the new or renewed certificates are received by the Town in the manner prescribed in the RFP.
- B) The Town may, at its sole discretion, terminate the Contract for cause and seek re-procurement damages from the Successful Proposer in conjunction with the violation of the terms and conditions of the Contract.

The undersigned Proposer acknowledges that (s)he has read the above information and agrees to comply with all the above Town requirements.

Proposer: _____ Signature: _____
(Company name)

Date: _____ Print Name: _____

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM MAY DISQUALIFY YOUR RESPONSE

Sample Affirmative Action Policy *For Equal Employment Opportunity*

AFFIRMATIVE ACTION/ EQUAL EMPLOYMENT OPPORTUNITY - POLICY STATEMENT

It is the policy of **(Company Name)** to base its hiring and promotions on merit, qualifications and competency and that its personnel practices will not be influenced by an applicant's or employee's race, color, place of birth, religion, national origin, sex, age, marital status, veteran and handicapped status.

One of the management duties of all principals at **(Company Name)** is to ensure that the following personnel practices are being satisfied:

1. Take every necessary affirmative action to attract and retain qualified employees, regardless of race, color, place of birth, religion, national origin, sex, age, marital status, veteran and handicapped status.
2. Maintain equitable principles in the recruitment, hiring, training, compensation and promotion of employees.
3. Monitor and review personnel practices to guarantee that equal opportunities are being provided to all employees, regardless of race, color, place of birth, religion, national origin, sex, age, marital status, veteran and handicapped status.

(Company Name) is committed to take affirmative action and aggressively pursue activities that will serve to enable all employees and applicants opportunities available throughout this organization.

Clearly, the above actions cannot be accomplished as a secondary duty for any individual, despite the full support of management. And so, to monitor our efforts, **(Company Name)** has assigned one of its principals as the Affirmative Action Director to monitor all activities of this program.

Employees may contact (Name of assigned principal) at (telephone number) regarding this Affirmative Action Policy.

DATE: _____

(SIGNATURE/TITLE): _____

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM MAY DISQUALIFY YOUR RESPONSE.

Non-Collusive Affidavit

State of _____) County of _____)

_____ being first duly sworn, deposes and says that:

(1) He/she is the _____ of
(Owner, Partner, Officer, Representative or Agent)

the Proposer that has submitted the attached proposal;

He/she is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;

Such proposal is genuine and is not a collusive or sham proposal;

Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Proposer, firm, or person to submit a collusive or sham proposal in connection with the work for which the attached proposal has been submitted; or to refrain from bidding in connection with such work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with and Proposer, firm or person to fix the price or prices in the attached proposal or of any other Proposer, or to fix an overhead, profit, or cost elements of the proposal price or the proposal price of any other Proposer, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed work;

The price or prices quoted in the attached proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Proposer or any other

of its agents, representatives, owners, employees or parties in interest, including this affiant.

Signed, sealed and delivered

In the presence of:

By:

(printed name and title)

State of

County of

The foregoing instrument was acknowledged before me this _____ day of _____

20__ , by _____ , who is personally known to me or who has produced _____ As identification and who did (did not) take an oath.

WITNESS my hand and official seal

Notary Public

(Name of Notary Public: Print/Stamp)

Check List

Submitted with Proposal

<p>Bid Acknowledgement Cover Page</p> <p>This form must be completed, signed and returned with Proposal</p>	<p>YES_____</p>
<p>Bid Proposal Form</p> <p>This form must be completed, signed and returned with Proposal</p>	<p>YES_____</p>
<p>Municipal Proposal Form</p> <p>This form must be signed and returned with Proposal</p>	<p>YES_____</p>
<p>Proposal Verification Form</p> <p>This form must be completed, signed and returned with Proposal</p>	<p>YES_____</p>
<p>Equipment Listing Form</p> <p>This form must be completed and returned with Proposal</p>	<p>YES_____</p>
<p>Certificate of Authority</p> <p>This form must be completed, signed, and returned with Proposal</p>	<p>YES_____</p>
<p>Insurance Requirements</p> <p>Acknowledgement of receipt of information on the insurance for this Request for Bid must be signed and returned with Proposal</p>	<p>YES_____</p>
<p>Affirmative Action Policy for Equal Employment Opportunity</p> <p>Submit Sample</p>	<p>YES_____</p>
<p>Non Collusive Affidavit</p> <p>This form must be completed, signed and returned with Proposal</p>	<p>YES_____</p>
<p>Business License</p> <p>All responses shall be accompanied by a copy of your current License(s), if applicable</p>	<p>YES_____</p>
<p>Complete Bid Proposal with all required forms and attachments.</p>	<p>YES_____</p>



Town of Loxahatchee Groves May 2013 Meeting Schedule

LOXAHATCHEE GROVES



MAY 2013 TOWN MEETING SCHEDULES

Town Council Meeting

May 7, 2013- 7:00 PM
LGWCD Offices
101 West D Road

Town Council Meeting

May 21, 2013- 7:00 PM
LGWCD Offices
101 West D Road

Selection Committee Meeting Re: RFQ 2013-001 Professional Engineering Services

May 9, 2013 - 9:00 am - 5:00 pm
Central Palm Beach County Chamber of
Commerce West Office
13901 Southern Boulevard

RETGA Committee Meeting

May 22, 2013 - 7:00 PM
Central Palm Beach County Chamber of
Commerce-West Office
13901 Southern Boulevards

Planning & Zoning Board Hearing

May 9, 2013 - 7:00 PM
Central Palm Beach County Chamber of
Commerce-West Office
13901 Southern Boulevard

IGC Meeting

May 24, 2013 - 3:00 PM
LGWCD Offices
101 West D Road

CERT Table Top Exercise Meeting

May 10, 2013 - 2:00 PM
LGWCD Offices
101 West D Road

FAAC Meeting

May 28 2013 - 7:00 PM
Central Palm Beach County Chamber of
Commerce-West Office
13901 Southern Boulevards

Special Magistrate Hearing

May 15, 2013 - 10:00 AM
Central Palm Beach County Chamber of
Commerce-West Of
13901 Southern Boulevards

ULDC Review Committee Hearing

May 16, 2013 - 5:00 PM
Chamber of Commerce-West Office
13901 Southern Boulevard