



TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING AGENDA
TUESDAY, JUNE 4, 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
Town Council Meeting
Tuesday, June 4, 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.

Town Council Agenda
06/04/2013

- b. Minutes for Approval: May 21, 2013; Special Town Council Meeting May 21, 2013
- c. Administrative Policy 3-13

3. PUBLIC COMMENT

4. PRESENTATIONS

- a. Legislative Update by Florida House Representative Mark S. Pafford

5. COMMITTEE REPORTS

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

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

7. ORDINANCES (1st Reading)

a. Public Hearing:

Ordinance No. 2013-03

AN ORDINANCE OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE (ULDC), TO AMEND ARTICLE 20, ENTITLED “RESIDENTIAL ZONING DISTRICTS,” SECTION 20-015, ENTITLED “PERMITTED USES” TO ADD “RESCUED ANIMAL CARE” AS A PERMITTED PRINCIPAL USE SUBJECT TO ARTICLE 80 AND TO A SPECIAL EXCEPTION IN THE AGRICULTURAL RESIDENTIAL (AR) ZONING CATEGORY; AMENDING ARTICLE 80, ENTITLED “CONDITIONAL USES” TO CREATE A NEW SECTION 80-060, ENTITLED “RESCUED ANIMAL CARE,” TO PROVIDE FOR REGULATIONS RELATING TO RESCUED ANIMAL CARE; PROVIDING FOR

CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTIONS

a. Resolution No. 2013-03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ACCEPTING THE QUIT CLAIM DEEDS FROM THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT FOR COMPTON ROAD AND MARCELLA BOULEVARD; PROVIDING FOR THE RECORDING OF THE QUIT CLAIM DEEDS AND AUTHORIZATION TO TAKE STEPS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

b. Resolution No. 2013-04

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOAHATCHEE GROVES, FLORIDA, ADOPTING A BUDGET AMENDMENT FOR THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

9. ADMINISTRATIVE UPDATE – *Town Manager Kutney*

10. OLD BUSINESS

- a. Contracts for ITB 2013-001 (Gravel Road Grading, Mowing, and Vegetative Removal Services) – [*Contracts are currently being negotiated and due to time*]

constraints may not be included as part of this Agenda Packet, but will be included as addenda to the Agenda Packet]

- b. Speed Humps (*Councilman Rockett and Vice Mayor Jarriel*)

11. NEW BUSINESS

12. CLOSING COMMENTS

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

13. ADJOURNMENT

The next Town Council Meeting is scheduled for Tuesday, June 18, 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.



ITEM 2.a. Cirullo Invoices

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

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

Page: 1
 05/24/2013
 ACCOUNT NO: 1574-1107570R
 STATEMENT NO: 4

MDC

adv. McLendon, Todd

		HOURS
04/30/2013	MDC	
	Review cases, status of legislation to begin preparing Response to Order to Show Cause.	0.30
05/01/2013	MDC	
	Review petition, cases; miscellaneous research.	0.40
05/02/2013	MDC	
	Miscellaneous telephone calls on status of legislation re: referenda; research issues with mandamus.	1.00
05/03/2013	MDC	
	Begin preparing Response to Order to Show Cause.	1.00
05/07/2013	MDC	
	Continue preparing Response to Order to Show Cause.	4.00
05/08/2013	MDC	
	Continue preparing Response to Order to Show Cause.	2.10
05/10/2013	MDC	
	Continue preparing Response to Order to Show Cause.	1.50
05/11/2013	MDC	
	Review materials, continue preparing Response to Order to Show Cause.	3.10
05/13/2013	SRW	
	Review/revise response to Order to Show Cause.	1.50
	MDC	
	Continue preparing Response to Order to Show Cause, review documents to be attached as exhibits.	2.50
05/14/2013	MDC	
	Finalize Response, review exhibits, coordinate filing and service of Response per court order.	0.70

adv. McLendon, Todd

	HOURS	
FOR CURRENT SERVICES RENDERED	18.10	3,348.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	16.60	\$185.00	\$3,071.00
STACEY R WEINGER	1.50	185.00	277.50

COPYING COST	33.25
MESSENGER SERVICE	103.44
TOTAL EXPENSES	<u>136.69</u>
 TOTAL CURRENT WORK	 3,485.19
 BALANCE DUE	 <u>\$3,485.19</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.

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

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

Page: 1
 05/24/2013
 ACCOUNT NO: 1574-1107562R
 STATEMENT NO: 13

adv. Day, Willie and Frankie

MDC

		HOURS		
05/06/2013	MDC Review correspondence, telephone conference with MB on status of case, discovery.	0.60		
05/07/2013	MDC Review materials for 5/08/13 deposition; telephone conference with MB.	0.50		
05/08/2013	MDC Meeting with DB, MB; prepare for and attend deposition of Mayor Browning.	4.00		
05/09/2013	MDC Phone conference with MB on status of case, discovery.	0.40		
05/20/2013	MDC Phone conference with MB on status of case, prepare for 5/21/13 shade session.	0.50		
05/21/2013	MDC Phone conference with MB, review materials; prepare for and attend shade meeting with Council.	2.30		
	FOR CURRENT SERVICES RENDERED	8.30	1,535.50	

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	8.30	\$185.00	\$1,535.50
TOTAL CURRENT WORK			1,535.50
BALANCE DUE			<u>\$1,535.50</u>

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

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

Page: 1
 05/24/2013
 ACCOUNT NO: 1574-1107571R
 STATEMENT NO: 1

adv. Todd McLendon (Code Enforcement Violation)

MDC

		HOURS
05/06/2013	SRW Review motion for reconsideration/rehearing. Review case law re: same	1.00
05/07/2013	MDC Review Motion for Rehearing, jurisdictional issues.	0.70
	SRW Meet with MDC re: case and response to Motion for Reconsideration	0.50
05/09/2013	SRW Review letter from McLendon's counsel. Miscellaneous research on Motion for Re-hearing. Review code enforcement materials from City.	2.00
	MDC Review correspondence from McLendon's counsel.	0.30
05/10/2013	SRW Draft memo in opposition to Motion for Reconsideration and Rehearing. T/c/c with Town re: code enforcement hearing.	4.00
	MDC Review Motion for Reconsideration; attend conference call with MK, BT, BG, SW on responding to motion.	1.00
05/13/2013	SRW Revisions to Memorandum in Opposition. Research re: requirement for rehearing.	0.50
	MDC Review correspondence on scheduling, responses to Motion for Reconsideration; review draft Response to Motion for Rehearing.	0.70
05/14/2013	SRW Compile case law. Additional research re: Motion for Rehearing.	1.00
05/15/2013	MDC Meet with SW, review status of Response to Motion for Rehearing.	0.50

adv. Todd McLendon (Code Enforcement Violation)

HOURS

SRW	Meet w/ MDC re: response to Motion for Rehearing. Revisions to same.	0.50	
05/17/2013			
SRW	Meet w/ MDC. Revise/finalize memorandum in opposition.	0.60	
MDC	Review and finalize response to Response to Motion for Rehearing, coordinate filing with Town Clerk, update Town Council.	0.50	
	FOR CURRENT SERVICES RENDERED	13.80	2,553.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	3.70	\$185.00	\$684.50
STACEY R WEINGER	10.10	185.00	1,868.50

TOTAL CURRENT WORK 2,553.00

BALANCE DUE \$2,553.00

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.

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

Page: 1

05/24/2013

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

ACCOUNT NO: 1574-1107560R
 STATEMENT NO: 10

Water Control District Matters

MDC

HOURS

05/01/2013			
MDC	Review materials, prepare for and attend conference call with WCD counsel and DJD re: quit claim deed and related district road issues.	0.50	
DJD	Prepare for and participate in conference call with counsel for Loxahatchee Groves Water Control District , review proposed Quit Claim Deed.	1.10	
05/07/2013			
DJD	Review revised Quit Claim Deed.	0.40	
05/09/2013			
DJD	Review revised Quit Claim Deed; telephone conference with counsel for District.	0.70	
MDC	Review Quit Claim Deed, telephone conference with John Weig on issues with road transfers.	0.50	
05/13/2013			
MDC	Phone conference with MV re: Board meeting, status of Quit Claim Deed.	0.20	
DJD	Review and revise public road Right of Way Easement ; review Florida case law.	1.50	
05/14/2013			
DJD	Review revised Quit Claim Deed and revisions to Right of Way dedication.	0.40	
	FOR CURRENT SERVICES RENDERED	5.30	980.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D.J. DOODY	4.10	\$185.00	\$758.50
MICHAEL D. CIRULLO	1.20	185.00	222.00

Water Control District Matters

TOTAL CURRENT WORK

980.50

BALANCE DUE

\$980.50

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.

TOWN OF LOXAHATCHEE GROVES

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

ACCOUNT NO: 1574-0702400R
 STATEMENT NO: 81

General Matters

MDC

		HOURS
04/30/2013		
MDC	Review agenda items, status of pending items	0.30
05/01/2013		
MDC	Phone conference with MK on agenda items, review pending matters.	0.60
05/02/2013		
MDC	Miscellaneous telephone calls with MK on agenda, review correspondence on code cases, potential appeals.	0.80
05/03/2013		
MDC	Review agenda materials for 5/07/13 meeting; telephone conference with MK.	1.50
05/07/2013		
MDC	Review materials, miscellaneous telephone calls with MK, SE, Council members; prepare for and attend Council meeting.	4.70
05/08/2013		
MDC	Review items from 5/07/13 meeting.	0.30
05/09/2013		
MDC	Miscellaneous telephone calls on pending matters, review correspondence on planning.	0.50
BAM	Conference with MDC re: responses to three requests for proposals and agreements necessary to begin negotiating with vendors.	0.40
05/10/2013		
MDC	Review code issues with MK, BV; review status of contracts with LGWCD and C&C Loader.	0.60
BAM	Phone call with Mark Kutney re: contracts for road paving and vegetation; Conference with MDC re: contract issues; review correspondence from Denise Rodriguez re: contract	

General Matters

HOURS

	information; telephone call with DR re: requesting bid packet; draft correspondence to DR re: requesting same by Monday to commence drafting agreements.	0.60
05/13/2013		
MDC	Review correspondence on contracts for roadwork, review draft agreement for C&C.	0.60
BAM	Review all responses to bid proposals and agenda packet re: contracts for road repair, emergency calls, road grading/base rock, and mowing and vegetative removal; Draft agreements for same between Town and Loxahatchee Water Control District for road repair, emergency calls, and road grading/base rock, and between Town and C&C Loader Services, Inc. for mowing and vegetative removal.	5.50
05/14/2013		
MDC	Review drafts of contracts for C&C and LGWCD.	0.40
BAM	Conference with MDC re: revisions to vendor agreements; Review and revise proposed agreements between Town and C&C Loader, Inc. and Loxahatchee Groves Water Control District for mowing/vegetation removal, road grading, road repair, and emergency call outs.	2.50
05/15/2013		
MDC	Review and revise LGWCD Agreements, finalize C&C Agreement; review agenda, telephone conference with MK; review Bryan Road paperwork.	1.90
BAM	Conference with MDC re: final revisions to vendor agreements; Telephone conference with MDC and Mark Kutney re: proposed "Attachment" included with Water District's response to bid and other ancillary contractual issues including new vendor agreements pending.	0.60
05/16/2013		
MDC	Review correspondence for 5/21/13 meeting; telephone conference with JF on zoning interpretation issues.	0.50
05/20/2013		
MDC	Review agenda materials for 5/21/13 meeting.	0.60
05/21/2013		
MDC	Miscellaneous review of agenda items, telephone calls; prepare for and attend Council meeting.	5.60
05/22/2013		
MDC	Review materials from 5/21/13 meeting, review correspondence on pending items.	0.40
BAM	Conference with MDC re: contractual issues stemming from RFP and bid process for mowing services; review Town's agenda report/RFP to determine if language involving mowing schedule was definitive or subject to	

General Matters

HOURS

change; conference re: findings, draft short memorandum
re: same. 0.70

05/23/2013

MDC Review zoning correspondence; telephone conference with
MK, PU on revisions to contracts. 0.80

BAM Conference call with MDC and Mark Kutney re: previously
drafted service agreements and ability to change scope of
services based on RFP terms, discussing terms of
engineer agreements, and other Town matters; legal
research re: whether negotiations after the awarding of a
contract pursuant to a competitive bid process is exempt
from Ch. 119 and 286; draft memo to MDC re: findings. 1.00

FOR CURRENT SERVICES RENDERED 31.40 5,809.00

RECAPITULATION

TIMEKEEPER	HOURS	HOURLY RATE	TOTAL
MICHAEL D. CIRULLO	20.10	\$185.00	\$3,718.50
BRAM A. MARAVENT	11.30	185.00	2,090.50

COPYING COST 86.80

TOTAL EXPENSES 86.80

TOTAL CURRENT WORK 5,895.80

BALANCE DUE \$5,895.80

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.



ITEM 2.b. Minutes

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, MAY 21, 2013



Town of Loxahatchee Groves

Town Council Meeting

Tuesday, May 21, 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.

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 Ronald D. Jarriel, and Councilmen Tom Goltzené, Ryan Liang, and Jim Rockett. Also present were Town Manager Mark Kutney, Town Clerk Susan Eichhorn, Town Attorney Michael D. Cirullo, Jr.

b. Pledge of Allegiance & Invocation – Mayor Browning

c. Approval of Agenda

Motion: The Agenda was approved by motion made by Councilman Rockett, seconded by Vice Mayor Jarriel. The motion passed 5/0.

2. CONSENT AGENDA

a. Minutes for Approval: May 7, 2013

Motion: Vice Mayor Jarriel made a motion to approve the Consent Agenda. The motion was seconded by Councilman Liang. The motion passed 5/0.

3. PUBLIC COMMENT

There was none at this time.

4. PRESENTATIONS - None

5. COMMITTEE REPORTS - None

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

7. ORDINANCES (1st Reading)

a. Public Hearing: - None

8. RESOLUTIONS -None

9. ADMINISTRATIVE UPDATE – *Town Manager Kutney*

- Town Manager Kutney recalled that discussion had taken place at the last Town Council meeting regarding scheduling a pre-season vegetative pick up. He noted that the agreement between the Town and C & C Loaders did not have a termination date, and it appeared that a date could be scheduled for late May or early June to do a postcard and let folks know that a pick up will take place on a date determined by the Town Council.

Motion: Councilman Rockett made a motion to send a postcard out immediately for the date of the second or third Saturday in June, with the budget being no more than was spent the last time the notice was sent out. The motion was seconded by Vice Mayor Jarriel. The motion passed 5/0.

After further discussion, Town Attorney Cirullo clarified that the budget would be a not to exceed amount from last time the pick-up was done. If additional funds were needed, that request would be made at the June 4, 2013 Town Council meeting.

Town Manager Kutney advised that he would coordinate with the regular garbage pick-up entity.

Marge Herzog, 966 A Rd.: Commented that using mailing zones rather than residents' names would be more efficient. The Town office could check with Don Williams to see how he does that. It would save time and money.

Councilman Rockett replied that the Town could work with the same person that staff had worked with in the past.

- Town Manager Kutney reported that the Intergovernmental Coordination Committee (IGC) had heard information regarding the Wellington manure program. It would be discussed again at the upcoming IGC meeting. He would return in June with a recommendation as to whether to schedule a workshop between the Town and the Loxahatchee Groves Water Control District (LGWCD).
- Town Manager reported on the County properties on Raymond Dr., 24 Ct. N, and 147th Ave. N., that could be acquired by the Town. He noted that there were some costs and back taxes that we due, and staff was prepared to move forward if so directed.

Councilman Rockett noted that the Town Management firm in place several years ago had been directed to move forward on those parcels. He read excerpts from the Town Council minutes of December 7, 2010, which also included property on 131st St.

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, MAY 21, 2013

Town Attorney Cirullo advised that the Town Council could reconfirm that direction.

Motion: Vice Mayor Jarriel made a motion to direct staff to accept the parcels that were available from Palm Beach County. The motion was seconded by Councilman Rockett. The motion passed 5/0.

Councilman Rockett discussed the Unified Land Development Code Review Committee (ULDCRC) meeting, wherein discussion had taken place regarding the noise code, and that he recalled that was not something the Committee had been directed to address; that the Committee was given specific areas that needed to be addressed.

Town Manager Kutney replied that the Town Council had determined that staff was directed as to items to be addressed by the ULDCRC, however, discussion had also taken place regarding other items that needed to be addressed and that they would be brought up for discussion. After brief discussion of the noise code at the ULDCRC meeting, the Committee merely indicated that the noise code should be reviewed. It was not incumbent upon the Committee to come up with a solution, but to make a determination as to whether the code language needed to be amended, deleted, etc.

Councilman Rockett responded that if the Town Council has given direction on what they should focus on, the Committee should focus on that item, conclude it, and bring it back to the Town Council. If Town Manager Kutney, or the Committee, wanted to address something else, that should come back to the Town Council for direction.

Town Manager Kutney advised that he was planning on providing a report in June on everything that the ULDCRC had accomplished.

Councilman Goltzené commented that the Town Manager needed the flexibility to work with the ULDCRC, in order for them to provide the Town Council with a report with items of concern.

Public Comment:

Todd McLendon, 3481 D Rd.: Commented regarding the ULDCRC meeting discussion regarding noise, and stated that a noise expert had indicated that the noise code was problematic. He stated that the Town Manager knew what topics are of importance to discuss, and it starts to get very political when the Town Council is telling him how to do things.

Councilman Rockett replied that we don't know that we have a problem with the noise code, and that statement is just false.

10. OLD BUSINESS

a. Pond Siting Update (*Town Manager Kutney*)

Town Manager Kutney provided a brief update on the pond siting issue with the Florida Department of Transportation (FDOT). He presented a pond siting matrix and maps of the potential sites as provided by the FDOT.

In response to Mayor Browning regarding the joint usage issue, Mr. Kutney explained that the FDOT had been asked to provide information, and basically they would give the entire pond property to the Town, with appropriate easements provided, and with FDOT having the ability to do whatever they needed to do to maintain the pond.

Vice Mayor Jarriel commented regarding his disappointment with FDOT in working with the Town of Loxahatchee Groves, citing their consideration of using commercial property as pond siting areas, rather than using the backside of properties not facing Southern Blvd.

Councilman Goltzené commented that he had attended pond siting meetings, and it had seemed like the FDOT wanted to work with the Town of Loxahatchee Groves, but in the end the matrix was pretty much fixed toward their construction costs.

Public Comment:

Bill Louda, 1300 E Rd: Commented regarding the pond siting locations.

b. Discussion regarding speed humps(*Councilman Rockett*)

Councilman Rockett suggested that the speed hump issue will be discussed at the June town Council meeting. Town Manager Kutney advised that he had received additional information

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, MAY 21, 2013

regarding the speed humps designed on Sycamore Drive, in the Acreage. Further discussion would take place at the June 4, 2013, Town Council meeting.

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

Town Manager Kutney explained that there were four contracts on the Agenda for review of the Town Council. He stated that he had spoken with the Loxahatchee Groves Water Control District and C & C Loader, and both were reviewing the contract and will provide any comments before the week is out.

Town Attorney Cirullo advised that there were four contracts provided in the Agenda. The Town Council could approve the contracts tonight, however, if there were any substantive changes, the contracts would need to be brought back for approval.

Discussion took place regarding the roadways being turned over to the Town. Town Attorney Cirullo provided an update on the process and noted that once all documents were in place and authorized to be delivered to the Town, a Resolution would be prepared for the Town to accept the deeds.

Public Comment:

John Ryan, 3508 A Rd: Commented that the LGWCD attorneys were reviewing the paperwork, and that discussion had taken place regarding the District providing a quit claim deed that would be delivered to the Town.

Town Attorney Cirullo advised that he would contact the LGWCD attorney and that further information would be provided on the June 4, 2013, Town Council Agenda.

d. Discussion Regarding Town Newsletter (*Town Manager Mark Kutney*)

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, MAY 21, 2013

Town Manager Kutney addressed the issue of the possibility of doing a joint newsletter with the LGWCD.

Discussion took place regarding putting the newsletter on the Town website on a scheduled basis, possibly putting it in the Town Crier newspaper, doing a mailing, and leaving it up to Town Management to look at all options. **It was the consensus of the Town Council not to do a combined newsletter with the LGWCD.**

Town Manager Kutney advised that feedback from the residents would be gathered from the postcards that would be sent out to residents, as discussed at the last Town Council meeting, asking them what type of newsletter they would prefer.

e. *Administrative Policy 3-13 (Councilman Jim Rockett)*

Councilman Rockett addressed Administrative Policy 3-13, and suggested some amendments concerning Policy No. 2, No. 5, and No. 8. Discussion took place, and Administrative Policy 3-13 would be amended to include

- Removing the requirement for a roll call vote on every matter. Roll call vote will be taken on formal matters; a voice vote will be taken on all other matters, with the voice vote results announced by the presiding chairman of the meeting.
- Removing the language that "Items must be approved by the Town Manager before placement on the agenda," and add the language that "Items so provided will be placed on the agenda." It was explained that as long as the requirements for placing items on the agenda were met, they would be placed on the agenda. If the requirements were not met, then the Town Manager would not be able to add any requested items to the agenda, barring any exigent circumstance.
- Addition of language that would allow items to be added after the deadline for submissions to the agenda, as addenda items. The Town Council would then approve the addition to the agenda of any such items at the Town Council meeting.
- Addition of language that would schedule the distribution/posting of the agenda at the end of the business hours on Wednesdays, if possible, and any addenda to the agenda would be distributed/posted no later than the end of business hours on Monday.

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, MAY 21, 2013

Motion: Councilman Rockett made a motion to amend Administrative Policy 3-13 with the removals/additions discussed. The motion was seconded by Vice Mayor Jarriel. Upon roll call vote, the motion passed 5/0.

Councilman Rockett suggested that if the cut off for getting an agenda item in was on Tuesday before noon, the agenda could be published by Wednesday at noon.

f. Traffic light at D Road and Okeechobee Blvd. *(Councilman Jim Rockett)*

Town Manager Kutney reported that there were two issues of concern regarding a traffic signal at D Road and Okeechobee Blvd.: procurement and site improvements. In terms of procurement the County had indicated that is really up to the Town as to how to procure the item. As soon as the traffic engineering firm was on board, staff would move forward with estimates regarding the signal.

Discussion took place regarding the type of signal; mast arm or cable. **It was the consensus of the Town Council that further information, along with cost estimates, would be discussed when the traffic engineer was on board.**

g. Traffic light at D Road and Southern Blvd. *(Vice Mayor Ron Jarriel)*

Vice Mayor Jarriel explained that he and the Town Manager had spoken with FDOT as to justification for a traffic light at D Road and Southern Blvd., and suggested that the State should have to pay for any traffic study necessary. He suggested that letters to the FDOT from the Fire Department, Sheriff's Office, and any emergency responders may be necessary, along with a petition from residents.

Town Manager Kutney noted that he would attempt to get FDOT to define more specifically what they would need for justification for a traffic signal at D Road and Southern Blvd.

After further discussion, it was the consensus of the Town Council that the issue would be brought up to Representative Mark Pafford, who would be present at the June 4, 2013, Town Council Meeting.

Bill Louda, 1300 E Rd.: Commented regarding the need for a traffic light at D Road and Southern Blvd. Suggested that additional traffic signals were needed north of Southern Blvd., and that perhaps FDOT would accept the request better if OGEM or paving was done from SR 80 to Collecting Canal.

11. NEW BUSINESS

- a. ITB 2013-001 Gravel Road Grading, Mowing, and Vegetative Removal Services – Contract Approvals (three) for Loxahatchee Groves Water Control District (LGWCD):
1. Road Grading and Rock Material
 2. Road Repairs
 3. Emergency Call Out

Town Manager Kutney advised that the contracts were currently being reviewed by the LGWCD.

Town Attorney Cirullo advised that the Town Council could approve the contracts tonight, subject to any non-substantive changes. If any substantive changes were made by either party, the contracts would need to come back for approval. The contracts would all be brought back to the Town Council prior to being signed.

Road Grading and Rock Material:

Councilman Rockett suggested the following changes:

- Item 2.1, in the third line: Substitute “town” for word “parties” (this would apply to all of the contracts associated with ITB 3013-001).
- Section 2.3.: After first sentence ending in Town Manager – add “or designee”, and then the language “using a Request for Service form with a work order number assigned”. The work order would include scope and time of completion.

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, MAY 21, 2013

Discussion took place regarding including language in the contract that would require that a request for service/work authorization form will be used that would include scope and time of completion.

Councilman Goltzené commented that the Town Manager needed flexibility to identify work that needed to be done and write work authorizations for roads to be done on a scheduled basis.

Motion: Councilman Rockett made a motion to approve the Road Grading and Rock Material contract with LGWCD, with the amended language in Sections 2.1 and 2.3 as discussed; any non-substantive changes could be made by staff. The motion was seconded by Councilman Goltzené. The motion passed 5/0.

Public Comment:

John Ryan, 3508 A Rd; just going through these contracts I have not seen an item concerning the contract incorporating all original ITB documents and provisions in those documents unless they were specifically amended prior to the submittal date. It is a comfort in the document.

Amended Motion: Motion amended by Councilman Rockett to add that the ITB 2013-001, and all addenda thereto, and the responses, are part of the contract documents. Councilman Goltzené agreed with the amendment to the motion.

Road Repairs:

Discussion took place regarding the Road Repair contract and it was the consensus of the Town Council to amend the language in the contract under Sections 2.1 (in the third line, change “parties” to “town”) and Section 2.4 (request for service/work authorization form) to be consistent with the changes made in the Road Grading/Rock Material contract.

Motion: Councilman Rockett made a motion to approve the Road Repair contract with LGWCD, with the amended language in Sections 2.1 and 2.4, and to include that ITB 2013-001, all addenda thereto, and the responses, are part of the contract documents. Any non-substantive changes could be made by staff. The motion was seconded by Vice Mayor Jarriel. The motion passed 5/0.

Emergency Call Out:

Councilman Rockett suggested the change in Section 2.1 from “parties” to “town.”

Regarding Section 2.3, Town Attorney Cirullo explained that the work authorization form requirement would be different in this case, since this contract was for emergency repairs. It would not be timely to wait for paperwork. Discussion took place and it was determined that verbal authorization could be given, and the work authorization paperwork could be required after the fact. The verbal authorization would be followed by a written work authorization form afterwards.

Motion: Councilman Rockett made a motion to approve the Emergency Call Out contract with Section 2.1 in the third line, wording change from the word “parties” to “town;” the following language added to the last line in Section 2.3: “...and a formal documentation, in the form of a work authorization form will be completed subsequently, to confirm the work.” Also, to amend Section 7.13 to include that ITB 2013-001, all addenda thereto, and the responses, are part of the contract documents. Any non-substantive changes could be made by staff. The motion was seconded by Councilman Goltzené. The motion passed 5/0.

- b. ITB 2013-001 Gravel Road Grading, Mowing, and Vegetative Removal Services – Contract Approval for C & C Loader:
 - 1. Mowing, Vegetative Removal and Dumping Fees

Town Manager Kutney advised that John Choquette and his attorney were reviewing the contract.

Discussion took place regarding Section 2.3 and the mowing maintenance schedule.

The other change would be that we look at the 7.13 the same way. I guess you would introduce the Request for Service form.

Motion: Councilman Rockett made a motion to approve the Mowing, Vegetative Removal and Dumping Fees contract with the amendment to add a request for service/work authorization form; to delete the language “no less than eight (8) times per year” in Section 2.3; to amend Section 7.13 to include that ITB 2013-001, all addenda thereto, and

the responses, are part of the contract documents. Any non-substantive changes could be made by staff. The motion was seconded by Vice Mayor Jarriel. The motion passed 3/2, with Mayor Browning and Councilman Goltzené casting dissenting votes.

- c. RFQ 2013-001 Professional Engineering Services – Ratification of Selected Respondents [General Engineering: Keshavarz & Associates; Land Surveying: A & B Engineering, Inc. Traffic Engineering: Simmons & White, Inc.]

Town Manager Kutney reviewed his staff report.

Public Comment:

Bill Louda, 1300 E Rd.: Commented as a member of the Working Group/Selection Committee that all portfolios were reviewed and each firm was ranked after their presentations.

Councilman Rockett made a motion to ratify the selections made by the Working Group/Selection Committee. The motion was seconded by Vice Mayor Jarriel. The motion passed 5/0.

Town Attorney Cirullo advised that the contracts would be negotiated and it may not be possible to have them back on the June 4, 2013, Town Council Agenda.

12. CLOSING COMMENTS

- a. Public

Bill Louda, 1300 Rd.: Commented regarding the ULDCRC having flexibility in considering items, obtaining legal access for roads for which the Town expends gas tax money, the speaker that would be presented at the Loxahatchee Groves Homeowners Association. He responded to questions regarding canal pollution.

Maziar Keshavarz, Principal in Charge, Keshavarz & Associates, addressed the Town Council thanking them for their vote of confidence, and that the firm felt very honored to be selected. He noted that the selection committee had done an excellent job in their deliberations, and that they had been very inquisitive and detailed. It is for us to earn your respect and trust.

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, MAY 21, 2013**

b. Town Attorney

No report.

c. Town Council Members

Councilman Rockett: Thanked everyone for coming.

Councilman Liang: Thanked everyone for coming.

Vice Mayor Jarriel: Commented that petitions to politicians may have some influence on the FDOT pond siting. Requested an estimate on the cleaning of the drainage ditch on Compton Road. Town Attorney Cirullo replied that staff would do everything that could be accomplished between now and the next meeting.

Councilman Goltzené: Thanked everyone for coming.

Mayor Browning: Thanked everyone for coming. Noted that prior to getting any of our OGEM contractors here to do work, 24th Court still needs a culvert under the road.

13. ADJOURNMENT

There being no further business, the Town Council Meeting of May 21, 2013 was adjourned at 10:20 p.m.

Susan Eichhorn
Town Clerk

David Browning
Mayor

(SEAL)



Town of Loxahatchee Groves

Special Town Council Meeting

Tuesday, May 21, 2012 at 5:30 p.m.

Town of Loxahatchee Groves Town Offices, 14579 Southern Blvd., Suite 2,
Loxahatchee Groves, Florida 33470

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

Minutes

1. OPENING OF PUBLIC MEETING- Town of Loxahatchee Groves Offices

a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 5:30 p.m. Present were Mayor David Browning, Vice Mayor Ronald D. Jarriel, and Councilmen Tom Goltzené, Ryan Liang, and Jim Rockett. Also present were Town Manager Mark Kutney, Town Clerk Susan Eichhorn, Town Attorney Michael D. Cirullo, Jr., and Court Reporter.

b. Approval of Agenda

The Agenda was approved as written.

2. WILLIE H. DAY AND FRANKIE J. DAY v. TOWN OF LOXAHATCHEE GROVES, IN THE 15th JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA, Case No. 50 2012CA 014543XXXXMB.

F. S. 286.011(8) Allows the Mayor, Town Council, and the Town Manager to Meet in a Closed-Door Attorney/Client Session for the Purpose of Discussing Strategy Related to Litigation.

The Town Council Mayor Shall Announce:

a.) The Attorney/Client Closed-Door Session

b.) The estimated time is thirty minutes

c.) The names of the persons attending:

David Browning, Mayor

Ronald D.Jarriel, Vice Mayor

Tom Goltzené, Council Member

Ryan Liang, Council Member

Jim Rockett, Council Member

Michael D. Cirullo, Jr., Town Attorney

Michael T. Burke, Attorney for Town of Loxahatchee Groves

Mark Kutney, Town Manager

Court Reporter

d.) The Special Town Council Meeting will adjourn and the persons listed above will enter into the Closed-Door Attorney/Client Session.

The above announcements were made. The Special Town Council Meeting adjourned at 5:32 p.m.

3. CONVENE ATTORNEY-CLIENT SESSION

The Attorney-Client Session began at 5:33 p.m.

4. RE-OPENING OF PUBLIC MEETING AND ANNOUNCEMENT OF TERMINATION OF ATTORNEY-CLIENT SESSION

a.) Call to Order

The Special Town Council meeting was called to order at 6:29 p.m. Present were Mayor David Browning, Vice Mayor Ronald D. Jarriel, and Councilmen Tom Goltzené, Ryan Liang, and Jim Rockett. Also present were Town Manager Mark Kutney, Town Clerk Susan Eichhorn, Town Attorney Michael D. Cirullo, Jr., and Court Reporter.

b.) Town Council Mayor to Announce the Termination of the Attorney-Client Session

It was announced that the Attorney-Client Session was concluded at 6:28 p.m.

c.) Possible Direction from Town Council

There was none.

5. ADJOURNMENT

There being no further business, the Special Town Council meeting was adjourned at 6:30 p.m.

Susan Eichhorn, Town Clerk

David Browning, Mayor

(SEAL)



ITEM 2.c. Administrative Policy

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 done for all resolutions and ordinances, or for any matter for which the Council deems a roll call vote is appropriate; otherwise all other votes may be done by voice vote recorded for each Councilmember present. For roll call votes, tThe order of each Councilmember vote will rotate after each roll call vote. The Mayor or Acting Chair shall announce the results after each 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 **for** each agenda item. **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 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. Items so provided to the Town Manager shall be placed 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). If an item is requested by a Councilmember after the deadline, an addendum shall be provided to the Town Council and considered as an amendment to the agenda at the meeting. ~~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.

TOWN OF LOXAHATCHEE GROVES ADMINISTRATIVE POLICY 3-13

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.

12. Where possible, agenda materials shall be delivered to the Town Council no later than the end of business on Wednesday prior to the meeting, and any addenda to the agenda shall be delivered to members of the Town Council no later than the close of business on Monday prior to the meeting.

H:_GOV CLIENTS\LOX 1574_070240 GM\MISC\Administrative Policy 3-13 Rules of Procedure for Town Council Meetings.docx

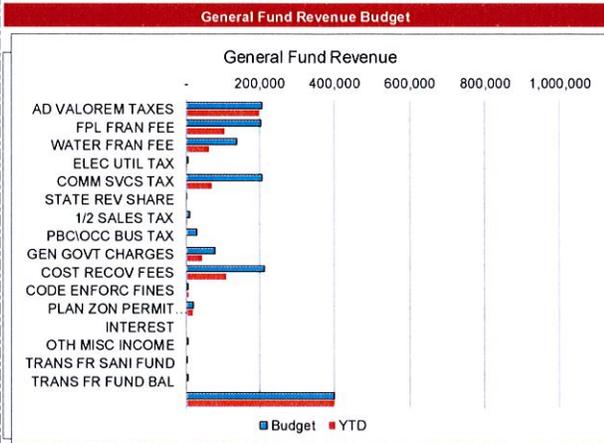
Please Note: Underlined = added language
 ~~Strike through~~ = deleted language



ITEM 5.a. FAAC Report



Town of Loxahatchee Groves
Financial Activity Report as of April 30, 2013
 (58% of year elapsed)



General Fund Revenues			
Revenues	Budget	Year-to-Date	%
AD VALOREM TAXES @ 1.2000	206,025	197,952	96.1%
ELECTRIC UTILITY TAX	202,000	105,228	52.1%
COMMUNICATION SERVICES TAX	136,726	62,024	45.4%
COUNTY OCCUPATIONAL LICENSES	5,000	3,796	75.9%
FPL FRANCHISE FEE	206,000	69,826	33.9%
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	44,687	57.4%
HALF CENT SALES TAX	212,024	110,141	51.9%
GENERAL GOVERNMENT CHARGES	5,000	6,377	127.5%
COST RECOVERY FEES	20,000	18,912	94.6%
COURT FINES	-	1,390	-
CODE ENFORCEMENT FINES	5,000	300	6%
INTEREST	3,600	144	4.0%
OTHER MISC. INCOME	5,000	204	4.1%
TRANSFER FROM FUND BALANCE*	400,000	400,000	100.0%
Total Revenues	1,526,748	1,026,072	67.2%

General Fund Expenditures			
Expenditures	Budget	Year-to-Date	%
LEGISLATIVE	39,235	12,187	31.1%
EXECUTIVE	275,259	171,423	62.3%
FINANCIAL AND ADMINISTRATIVE	23,750	15,191	64.0%
LEGAL COUNSEL	60,000	49,376	82.3%
COMPREHENSIVE PLANNING & ZONING	148,700	91,267	61.4%
OTHER GENERAL GOVERNMENT	695,519	591,925	85.1%
LAW ENFORCEMENT	275,285	160,291	58.2%
PUBLIC WORKS	9,000	1,810	20.1%
Total Expenditures	1,526,748	1,093,472	71.6%
Excess(deficiency)	-	(67,399)	-

YTD Total Funds Expen. Budget			
Expenditures	Budget	Year-to-Date	%
Total Townwide Budget	3,675,754	1,382,281	37.6%

Selected Other Funds			
Transportation Fund	Budget	Year-to-Date	%
FIRST LOCAL OPTION FUEL TAX (6 CENT)	249,245	120,235	48.2%
SECOND LOCAL OPTION FUEL (5 CENT)	117,326	55,945	47.7%
CONTRIBUTION FROM GENERAL FUND	-	-	-
TRANSFER FROM FUND BALANCE	-	-	-
Total Revenues	366,571	176,180	48.1%
TRAFFIC CONTROL SIGNS (6 CT) MAINT.	9,245	13,428	145.3%
NON-DISTRICT ROADS (6 CT) MAINT.	40,000	5,368	13.4%
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	18,796	5.1%
Excess(deficiency)	-	157,384	-

Solid Waste Fund			
	Budget	Year-to-Date	%
SOLID WASTE ASSESSMENTS	346,361	295,223	85.2%
DISCOUNT FEES	(10,392)	(9,832)	94.6%
SWA RECYCLING INCOME	8,000	4,507	56.3%
CONTRIBUTION FROM GENERAL FUND	126,000	126,000.00	100.0%
Total Revenues	469,969	415,898	88.5%
CONTRACTUAL-WASTE OVERSIGHT	12,000	3,672	30.6%
PBC ADMINISTRATION FEE 1%	3,463	2,610.54	75.4%
POSTAGE & FREIGHT	500	28.00	-
SOLID WASTE CONTRACTOR	451,634	263,453	58.3%
OTHER SANITATION SERVICES	1,500	250	16.7%
LEGAL ADVERTISING	872	-	0.0%
MANAGEMENT FEES	-	-	-
Total Expenses	469,969	270,014	57.5%
Excess(deficiency)	-	145,884	-

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	-	-
OCEAN PAVING/COST SHARING	-	-	-
ROAD & DRAINAGE IMPROVEMENT	362,466	-	-
TRAFFIC LIGHT OKEECHOBEE	250,000	-	-
Total Expenses	1,312,466	400,000	0.0%
Excess(deficiency)	-	400,000	-

Contract Services Expenditures			
Expenditures	Budget	Year-to-Date	%
Waste Pro	451,634	263,453.40	58.3%
Palm Beach County Sheriff	275,285	160,291.25	58.2%
Underwood Management Services Group	330,835	194,335.75	58.7%
Goren, Cherof, Doody, Ezrol	60,000	60,653.60	101.1%
Tew & Associates	35,000	23,841.85	68.1%
Land Research Management	-	18,345.36	-
Calvin Giodomo	-	507.50	-
Frank Schiola	25,000	9,747.55	39.0%
YEE's Corporation	10,800	7,200.00	66.7%
Loxahatchee Water Control District	150,000	7,420.78	4.9%
Total Expenses	1,338,554	745,797.04	-

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



BUDGET VS ACTUAL
as of APRIL 31, 2013
 58% Elapsed
 General Fund Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-311-100-000	Ad Valorem Taxes	13,521.63	197,951.93	-	206,025.00	(8,073.07)	96.1%
	Ad Valorem Taxes Subtotal	13,521.63	197,951.93		206,025.00	(8,073.07)	
001-314-100-000	Electric Utility Tax	16,848.24	105,227.95	-	202,000.00	(96,772.05)	52.1%
001-315-100-000	Communications Services	8,872.98	62,023.77	-	136,726.00	(74,702.23)	45.4%
001-316-200-000	County Occupational License	138.36	3,795.57	-	5,000.00	(1,204.43)	75.9%
	Local Taxes Subtotal	25,859.58	171,047.29		343,726.00	(172,678.71)	
001-323-100-000	FPL Franchise Fee	26,441.12	69,825.89	-	206,000.00	(136,174.11)	33.9%
001-323-125-000	Haulers License Fee	-	2,000.00	-	2,000.00	-	100.0%
001-323-300-000	PBC Water Utility Franchise	-	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	26,441.12	74,919.26		248,500.00	(173,580.74)	
001-335-120-000	State Revenue Sharing	6,383.98	44,686.72	-	77,873.00	(33,186.28)	57.4%
001-335-180-000	Half Cent Sales Tax	18,457.17	110,141.26	-	212,024.00	(101,882.74)	52.0%
	Intergovernmental Revenue Subtotal	24,841.15	154,827.98		289,897.00	(135,069.02)	53.4%
001-341-000-000	General Government Charges	826.17	6,376.67	-	5,000.00	1,376.67	127.5%
001-343-349-000	Cost Recovery Fees	259.00	18,911.68	-	20,000.00	(1,088.32)	94.6%
	Charges for Services Subtotal	1,085.17	25,288.35		25,000.00	288.35	
001-351-100-000	Court Fines	-	1,389.67	-	-	1,389.67	
001-354-100-000	Code Enforcement Fines	-	300.00	-	5,000.00	(4,700.00)	6.0%
	Code Enforcement Fines Subtotal	-	1,689.67		5,000.00	(3,310.33)	
001-361-100-000	Interest	15.34	144.44	-	3,600.00	(3,455.56)	4.0%
001-369-000-000	Other Misc Income	203.50	203.50	-	5,000.00	(4,796.50)	4.1%
	Other Misc Revenue Subtotal	218.84	347.94		8,600.00	(8,252.06)	
001-399-000-000	Transfer from Fund Balance*	-	400,000.00	-	400,000.00	-	100.0%
	Other Non-operating Sources Subtotal	-	400,000.00		400,000.00	-	
	Grand Total Revenue	91,967.49	1,026,072.42	-	1,526,748.00	(500,675.58)	67.2%

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



LOXAHATCHEE GROVES
Town of

TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
as of APRIL 31, 2013
58% 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	5,000.00	-	-	(5,000.00)	-
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	1,000.00	2,286.18	-	5,350.00	3,063.82	42.7%
	Legislative Total	3,500.00	12,187.38	-	39,235.00	27,047.62	31.1%
001-512-340-000	Other Services	27,762.25	155,969.17	-	254,635.00	98,665.83	61.3%
001-512-400-000	Travel	100.08	791.29	-	1,000.00	208.71	79.1%
001-512-410-000	Communication Services	-	130.00	-	-	(130.00)	-
001-512-420-000	Postage & Freight - NEW	639.84	1,059.37	-	1,000.00	(59.37)	105.9%
001-512-490-000	Legal Advertising	-	817.44	-	500.00	(317.44)	163.5%
001-512-492-000	Other Operating Expenses	5.00	105.19	-	944.00	838.81	11.1%
001-512-493-000	Election Expense	3,335.94	6,746.57	-	8,010.00	1,263.43	84.2%
001-512-510-000	Office Supplies	552.42	4,516.88	-	8,600.00	4,083.12	52.5%
001-512-521-000	Loxahatchee Groves CERT - MOVED	-	1,287.16	-	-	(1,287.16)	-
001-512-540-000	Books, Publications & Subscriptions	-	-	-	570.00	570.00	0.0%
	Executive Total	32,395.53	171,423.07	-	275,259.00	103,835.93	62.3%
001-513-320-000	Accounting and Auditing	12,400.00	12,400.00	-	18,000.00	5,600.00	68.9%
001-513-470-000	Printing and Binding	484.91	1,880.76	-	4,750.00	2,869.24	39.6%
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	12,884.91	15,190.76	-	23,750.00	8,559.24	64.0%
001-514-310-000	Professional Services	9,367.30	49,376.20	-	60,000.00	10,623.80	82.3%
	Legal Total	9,367.30	49,376.20	-	60,000.00	10,623.80	82.3%



Town of
LOXAHATCHEE GROVES

TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2013
58% Elapsed
General Fund
Expenditures

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-515-310-000	Professional Services	-	25,394.41	-	40,000.00	14,605.59	63.5%
001-515-340-000	Other Services	4,665.00	38,979.08	-	76,200.00	37,220.92	51.2%
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	4,280.52	22,960.20	-	25,000.00	2,039.80	91.8%
001-515-490-000	Legal Advertising - NEW	251.12	3,933.60	-	2,500.00	(1,433.60)	157.3%
	Comprehensive Planning & Zoning Total	9,196.64	91,267.29	-	148,700.00	57,432.71	61.4%
001-519-315-000	Special Magistrate	6,322.84	13,434.34	-	16,000.00	2,565.66	84.0%
001-519-354-000	Code Compliance	2,638.75	17,152.75	-	41,000.00	23,847.25	41.8%
001-519-410-000	Communications Services	491.32	3,158.57	-	5,100.00	1,941.43	61.9%
001-519-440-000	Rentals and Leases	2,351.02	11,405.90	-	16,305.00	4,899.10	70.0%
001-519-450-000	Insurance	-	17,485.00	-	16,500.00	(985.00)	106.0%
001-519-460-000	Repair & Maint - Building	200.00	1,400.00	-	2,126.00	726.00	65.9%
001-519-470-000	Printing and Binding	-	-	-	-	-	0.0%
001-519-480-000	Promotional Activities	-	-	-	-	-	0.0%
001-519-490-000	Computer Repair	90.00	798.84	-	4,500.00	3,701.16	17.8%
001-519-491-000	Computer Services	95.81	1,090.06	-	11,131.00	10,040.94	9.8%
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	12,189.74	591,925.46	-	695,519.00	103,593.54	85.1%
001-521-341-000	Professional Services-PBSO	22,898.75	160,291.25	-	274,785.00	114,493.75	58.3%
001-521-342-000	Contractual-ADDL PBSO	-	-	-	500.00	500.00	0.0%
	Law Enforcement Total	22,898.75	160,291.25	-	275,285.00	114,993.75	58.2%
001-539-310-000	Other Services	-	-	-	-	-	0.0%
001-539-340-000	Professional Services	106.09	1,810.13	-	9,000.00	7,189.87	20.1%
	Public Works Total	106.09	1,810.13	-	9,000.00	7,189.87	20.1%
	Grand Total Expenditure	102,538.96	1,093,471.54	-	1,526,748.00	433,276.46	71.6%
	Net Revenue	(10,571.47)	(67,399.12)	-	-	-	-



Town of
LOXAHATCHEE GROVES

TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2013

58% Elapsed
Transportation Fund

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
101-312-410-000	1st Local Option Fuel Tax	20,471.05	120,234.96	-	249,245.00	(129,010.04)	48.2%
101-312-420-000	2nd Local Option Fuel Tax	9,569.98	55,945.13	-	117,326.00	(61,380.87)	47.7%
101-363-990-000	Contribution from General Fund	-	-	-	-	-	0.0%
101-399-000-000	Transfer from Fund Balance	-	-	-	-	-	0.0%
	Total Revenue	30,041.03	176,180.09		366,571.00		48.1%

Transportation Fund

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.	1,181.94	13,428.42	-	9,245.00	(4,183.42)	145.3%
101-541-468-000	Non-District Roads (6 ct) Maint.	(109.52)	5,367.59	-	40,000.00	34,632.41	13.4%
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 & Sis	-	-	-	-	-	0.0%
101-541-990-000	Transfer to Fund Balance	-	-	-	117,326.00	117,326.00	0.0%
	Total Expenditure	1,072.42	18,796.01		366,571.00		5.1%
	Net Revenue	28,968.61	157,384.08		-	-	-



TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2013
 58% Elapsed
 Capital Improvement Program
 Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
305-363-990-000	Contributions from General Fund	-	400,000.00	-	400,000.00	-	100.0%
305-399-000-000	Transfer from Fund Balance	-	-	-	912,466.00	(912,466.00)	0.0%
	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

TOWN OF LOXAHATCHEE GROVES
BUDGET VS ACTUAL
AS OF APRIL 30, 2013

58% Elapsed
Solid Waste Fund
Revenues

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
405-323-125-000	Haulers Licensing Fee - MOVED TO GF	-	-	-	-	-	0.0%
405-325-205-000	Solid Waste Assessments	22,486.12	295,223.12	-	346,361.00	(51,137.88)	85.2%
405-325-206-000	Discount Fees	(71.46)	(9,831.67)	-	(10,392.00)	560.33	94.6%
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	22,414.66	415,897.95	-	469,969.00	(54,071.05)	88.5%

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
405-534-345-000	Contractual - Waste Over	609.50	3,672.00	-	12,000.00	8,328.00	30.6%
405-534-346-000	PBC Administration Fee 1	224.15	2,610.54	-	3,463.00	852.46	75.4%
405-534-420-000	Postage & Freight	28.00	28.00	-	500.00	472.00	5.6%
405-534-434-000	Solid Waste Contractor	37,636.20	263,453.40	-	451,634.00	188,180.60	58.3%
405-534-436-000	Other Sanitation Service	250.00	250.00	-	1,500.00	1,250.00	16.7%
405-534-490-000	Legal Advertising	-	-	-	872.00	872.00	0.0%
405-534-595-000	TOLG Management Fee	-	-	-	-	-	0.0%
	Total Expenditure	38,747.85	270,013.94	-	469,969.00	199,955.06	57.5%
	Net Revenue	(16,333.19)	145,884.01				



ITEM 7.a. Ordinance No. 2013-03

TO: Mark Kutney, Town Manager
FROM: Jim Fleischmann, Town Planning Consultant
RE: Proposed ULDC text amendment; Article 20-015 – Permitted Accessory Uses (Agricultural Residential zoning district).
DATE: May 29, 2013.

I. BACKGROUND INFORMATION

Per Section 05-070, the Town Council may amend the Unified Land Development Code (ULDC) for the purposes of public necessity, convenience, general welfare, or good planning and zoning practice. Any amendment to the ULDC requires a super majority of the Council.

Big Dog Ranch Rescue, Inc. has filed an application requesting the Town Council to amend Section 20-015 of the ULDC. “*Permitted uses*” to include veterinarian services and dog boarding as permitted accessory uses.

Big Dog Ranch Rescue, Inc., an active Florida Non-Profit Corporation, is an existing animal rescue shelter located within unincorporated Palm Beach County. The corporation is currently investigating the potential to relocate its operations to an, as yet, undetermined location in Loxahatchee Groves.

II. GENERAL INFORMATION

A. APPLICANT: Big Dog Ranch Rescue, Inc. (Big Dog Ranch), an animal rescue center. Under the Town’s ULDC, the operation is termed a “Rescued Animal Care” facility.

B. PURPOSE: “Rescued Animal Care” is currently a permitted principal use, subject to Special Exception approval by the Town Council, in the Agricultural Residential (AR) zoning district. A Rescued Animal Care designation is appropriate for Big Dog Ranch; however, the ULDC is unclear as to the various accessory facilities and services that can be provided.

In order to clarify this issue, Big Dog Ranch has requested that the Town Council amend the ULDC to include veterinary services and dog boarding as accessory uses in the AR zoning district.

III. REQUESTED ULDC TEXT AMENDMENT

The applicant proposes to incorporate revisions to Section 20-015. *Permitted uses* of the Town's ULDC. A copy of the proposed ULDC amendment is included in Attachment A. As proposed by the applicant, the amendment will revise Section 20-015 to include veterinary services and dog boarding as permitted accessory uses in the Town's Agricultural Residential (AR) zoning district.

IV. STAFF ANALYSIS

The proposed text amendment will allow veterinary services and dog boarding as permitted accessory uses in the Agricultural Residential (AR) zoning district. The amendment will allow any permitted principal use in the AR district to claim that veterinary services and/or dog boarding facilities are appropriate accessory uses. The Town does not currently have specific criteria within the ULDC to determine the appropriateness of such claims.

Staff supports the reasoning behind the application and the appropriate nature of the relationship between a principal Rescued Animal Care use (permitted subject to Special Exception approval by the Town) and accessory veterinary and dog boarding uses. However, by linking accessory veterinary and dog boarding uses directly to principal Rescued Animal Care uses, the potential for permitting such accessory uses in inappropriate locations is eliminated.

As a result of the above analysis, staff has offered an alternative amendment which, in its opinion, clarifies where accessory veterinary and dog boarding uses are permitted, as well as establishing operating conditions oriented to insuring compatibility with applicable codes and neighboring land uses. The alternative Staff proposal is included in Attachment B.

The following paragraphs are oriented to evaluating the staff alternative proposal, as presented in Attachment B.

A. REASON AND/OR NEED FOR THE PROPOSED TEXT CHANGE:

The basic purpose of the proposed text amendment is to allow veterinary services and dog boarding as accessory uses in the Agricultural Residential (AR) zoning district. The alternative staff proposal requires that such accessory uses be linked to the principal use of Rescued Animal care; an appropriate association.

B. REASON THE PRESENT TEXT IS INVALID OR INAPPROPRIATE:

The current text of the ULDC is not necessarily invalid or inappropriate; however, the current language does not specifically allow the proposed accessory uses, nor does it include language to insure that the proposed uses are operated in a manner consistent with existing law and compatible with neighboring land uses. The alternative staff proposal will insure that these considerations are appropriately addressed.

C. HOW DOES THE PROPOSED TEXT AMENDMENT FURTHER THE PURPOSES OF THE COMPREHENSIVE PLAN OR OTHER TOWN CODES, REGULATIONS OR PLANS DESIGNED TO IMPLEMENT THE COMPREHENSIVE PLAN:

The text amendment proposed by the applicant is a simple addition of two permitted accessory uses (Veterinarian and Dog Boarding) to the AR zoning district with no related conditions or specifications. The Comprehensive Plan does not specifically address these uses. The following general Future Land Use Element Comprehensive Plan directives are supportive of the alternative staff proposal, including:

1. Policies 1.1.4(b) and (j) direct the Town to adopt land development regulations to assure that development is compatible with adjacent land uses, provide for open spaces, and buffer residential from non-residential uses.
2. Policy 1.1.5 requires the Town, when reviewing development permit applications, to consider compatibility with adjacent uses and zoning districts.
3. Policy 1.1.9 directs the Town to define accessory uses and to minimize the potential adverse impacts upon neighboring properties.
4. Policy 1.3.1 directs the Town to adopt regulations for non-residential development that reflect the Rural Vista Guidelines.
5. Objective 1.15 allows the Town to impose conditions of approval on potential developments.

The following additional policies in the Transportation (TRANS), Recreation and Open Space (ROS) and Conservation (CONS) elements of the Comprehensive Plan are supportive of the proposed PUD ordinance:

1. Policy 5A.4.1 (ROS) directs the Town to require the provision of natural areas, land buffers, or trails in non-residential developments.
2. Policy 4.6.4 (CONS) states that the Town shall encourage buffering mechanisms to promote and enhance the rural, natural environment.

D. IS THERE AN ERROR OR AMBIGUITY TO BE CORECTED: The ULDC is generally not clear as it relates to accessory uses; where, when and under what circumstances such uses are permitted. The staff alternative proposed text amendment will insure that these concerns are addressed in a clear concise manner.

V. PLANNING AND ZONING BOARD ACTION: The Planning and Zoning Board (PZB), at its May 23, 2013 meeting, recommended approval of the alternative text amendment, as proposed by staff by an 5 to 0 vote subject to incorporating the following revisions to Sections 80-60(A) and (B):

- (A) *Minimum plot size requirements.* ~~No rescued~~ Rescued animal care operations shall may be permitted on properties exceeding of less than five ten acres in size.
- (B) *Accessory uses.* Veterinary services and/or dog boarding may be permitted as accessory uses. As follows: (1) Veterinary services provided by a licensed veterinarian for the care of animals and/or dog boarding services for animals currently kept in the rescued animal care facility, or previously adopted, may be offered; and (2) Veterinary services provided by a licensed veterinarian for the care of animals and/or dog boarding services may also be offered to the public- provided that the rescued animal care operation is located on a property that fronts, and has access to, a Town designated Urban Collector or Arterial roadway.

V. STAFF FINDINGS: Planning staff finds the alternative text amendment proposed by staff, amended by the Planning and Zoning Board, to be generally consistent with the intent and direction of the Loxahatchee Groves Comprehensive Plan and the review criteria for a text amendment listed in Section 160-020 of the ULDC. Staff further finds that the text amendment proposed by the applicant is not inconsistent with the Comprehensive Plan and ULDC text amendment review criteria.

VI. STAFF RECOMMENDATION: Staff recommends approval of alternative text amendment, as amended by the Planning and Zoning Board. However, staff can also support the applicant's proposed text amendment, as presented in Attachment A subject to the following revision:

Accessory Uses	Agricultural Residential (AR)
<u>Veterinarian Services</u>	<u>Permitted as accessory to Rescued Animal Care</u>
<u>Dog Boarding</u>	<u>Permitted as accessory to Rescued Animal Care</u>

VIII. TOWN COUNCIL ACTION: to be included at a later date.

ATTACHMENT A
Big Dog Ranch Rescue, Inc. Applicant's Proposal

Section 20.015. *Permitted Uses*
(Underlined text is to be added)

(Ref: Following Page)

Section 20-015. Permitted uses.

Plots located in the Agricultural Residential (AR) zoning districts may be used for the following specified uses.

Principal Uses	Agricultural Residential (AR)
Single Family Dwelling	Permitted
Mobile Home	Permitted w/Special Exception
Public Schools	Permitted
Congregate Living Facility, Type I	Permitted
Non-Profit Community Recreational Facilities	Permitted w/Special Exception
Essential Services	Permitted
Commercial Equestrian Operations	Permitted w/Special Exception
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception
Aviculture	Permitted subject to Article 80
Commercial Kennels	Not Permitted
Chipping and Mulching	Permitted subject to Article 80
Feed Lots	Not Permitted
Commercial Animal Manure Management	Not Permitted
Commercial Chipping and Mulching	Permitted subject to Article 80
Rescued Animal Care	Permitted w/Special Exception
Outdoor Events	Permitted w/Special Exception
Agriculture	Permitted
Bona Fide Agriculture	Permitted
Wireless Communication Facilities	Permitted w/Special Exception

Accessory Uses*	Agricultural Residential (AR)
Accessory Dwelling	Permitted
Groom's Quarter	Permitted
Caretaker's Quarter	Permitted
Home Offices	Permitted subject to Article 80
Residential Enterprise	Permitted subject to Article 80
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception
U-Pick Farms	Permitted w/Special Exception
Private Kennels	Permitted
Private Stables	Permitted
Yard Sales	Permitted subject to Article 80
Veterinarian Services	Permitted
Dog Boarding	Permitted

*NOTE: Definition of Accessory Use. Uses naturally and customarily incidental, subordinate, and subservient to the principal use of the premises, and located on the same plot as the principal use. The area of an accessory use shall be subordinate to that of the principal use.

ATTACHMENT B – Staff Alternate Proposal

**Accessory Veterinary and Dog Boarding Uses
(Underlined text is to be added)**

(Ref: Following Page)

Section 20-015. Permitted uses.

Plots located in the Agricultural Residential (AR) zoning districts may be used for the following specified uses.

Principal Uses	Agricultural Residential (AR)
Single Family Dwelling	Permitted
Mobile Home	Permitted w/Special Exception
Public Schools	Permitted
Congregate Living Facility, Type I	Permitted
Non-Profit Community Recreational Facilities	Permitted w/Special Exception
Essential Services	Permitted
Commercial Equestrian Operations	Permitted w/Special Exception
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception
Aviculture	Permitted subject to Article 80
Commercial Kennels	Not Permitted
Chipping and Mulching	Permitted subject to Article 80
Feed Lots	Not Permitted
Commercial Animal Manure Management	Not Permitted
Commercial Chipping and Mulching	Permitted subject to Article 80
Rescued Animal Care	Permitted <u>subject to Article 80 and to a</u> w/Special Exception
Outdoor Events	Permitted w/Special Exception
Agriculture	Permitted
Bona Fide Agriculture	Permitted
Wireless Communication Facilities	Permitted w/Special Exception

Accessory Uses*	Agricultural Residential (AR)
Accessory Dwelling	Permitted
Groom's Quarter	Permitted
Caretaker's Quarter	Permitted
Home Offices	Permitted subject to Article 80
Residential Enterprise	Permitted subject to Article 80
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception
U-Pick Farms	Permitted w/Special Exception
Private Kennels	Permitted
Private Stables	Permitted
Yard Sales	Permitted subject to Article 80

*NOTE: Definition of Accessory Use. Uses naturally and customarily incidental, subordinate, and subservient to the principal use of the premises, and located on the same plot as the principal use. The area of an accessory use shall be subordinate to that of the principal use.

Section 80-060. Rescued Animal Care.

A rescued animal care facility is defined as a not for profit institutional establishment or private animal non-profit organization that is used for the protection of unwanted or abandoned domesticated animals, the use of which may include sheltering, adoption, fostering, providing rescue or old age homes, medical or behavioral rehabilitation.

Permits for rescued animal care operations shall be subject to the granting of a Special Exception and the following limitations:

- (C) Minimum plot size requirements. Rescued animal care operations may be permitted on properties exceeding ten acres in size.
- (D) Accessory uses. Veterinary services and/or dog boarding may be permitted as accessory uses as follows: (1) Veterinary services provided by a licensed veterinarian for the care of animals and/or dog boarding services for animals currently kept in the rescued animal care facility, or previously adopted, may be offered; and (2) Veterinary services provided by a licensed veterinarian for the care of animals and/or dog boarding services may be offered to the public provided that the rescued animal care operation is located on a property that fronts, and has access to, a Town designated Urban Collector or Arterial Highway.
- (E) Accessory residential use. A rescued animal care facility may include an accessory single-family dwelling to be used as a Caretaker's Quarter.
- (F) Waste disposal. A rescued animal care operation shall comply with each of the following standards:
 - (1) Palm Beach County Environmental Control Rule (ECR) 1: On-site Sewage Treatment and Disposal and ECR 2: Drinking Water Supply systems;
 - (2) All applicable rules and regulations of the Florida Department of Environmental Protection (FDEP);
 - (3) All applicable rules and regulations of the Palm Beach County Health Department;

- (4) All applicable rules and regulations of the Palm Beach County Solid Waste Authority.
- (G) Number of animals: The number of animals permitted, including the number of animals boarded, shall be based upon the square footage of the facility pursuant to Palm Beach County Animal Control Center (PBCACC) limitations and requirements and so indicated as a condition of the Special Exception approval.
- (H) Outdoor runs: Outdoor runs or animal exercise areas may be used. If used, such facilities shall be located a minimum of 200 feet from a directly abutting residential zoning district, be hard surfaced or grassed with drains provided every ten feet and be connected to a central or individual sanitary facility approved by the Palm Beach County Health Department. A minimum six-foot high chain-link fence shall be required around outdoor runs. In addition, a continuous solid opaque hedge a minimum of four feet at installation shall be provided around the outdoor run area. Outdoor runs shall not be used earlier than 7:00 a.m. and later than 8:00 p.m. seven days per week.
- (I) Architecture: A rescued animal care facility shall be designed to reflect the Town's Rural Vista Guidelines in effect at the time of Special Exception approval.

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2013-03

AN ORDINANCE OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE (ULDC), TO AMEND ARTICLE 20, ENTITLED “RESIDENTIAL ZONING DISTRICTS,” SECTION 20-015, ENTITLED “PERMITTED USES” TO ADD “RESCUED ANIMAL CARE” AS A PERMITTED PRINCIPAL USE SUBJECT TO ARTICLE 80 AND TO A SPECIAL EXCEPTION IN THE AGRICULTURAL RESIDENTIAL (AR) ZONING CATEGORY; AMENDING ARTICLE 80, ENTITLED “CONDITIONAL USES” TO CREATE A NEW SECTION 80-060, ENTITLED “RESCUED ANIMAL CARE,” TO PROVIDE FOR REGULATIONS RELATING TO RESCUED ANIMAL CARE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, In response to a privately initiated application by Big Dog Ranch Rescue, Inc. to allow veterinarian services and dog boarding as permitted accessory uses in the Agricultural Residential zoning district, the Town’s Planning Consultant has prepared a proposed amendment to the Town’s Unified Land Development Code (ULDC) to permit “Rescued Animal Care” as a permitted principal use in the Agricultural Residential (AR) Zoning Districts, subject to regulations in Article 80 and a special exception, and to create a new Section 80-060, to be entitled “Rescued Animal Care’ to provide regulations for such use; and,

WHEREAS, the Town’s Planning and Zoning Board considered the proposed ULDC amendments at its May 23, 2013, meeting and pursuant to Chapter 163, Part II, Florida Statutes, recommended that the Town Council approve the amendments to the ULDC as worded in Attachment A hereto; and,

WHEREAS, the Town Council of Town of Loxahatchee Groves finds that the adoption of this ordinance, to permit “Rescued Animal Care” as a permitted principal use in the Agricultural Residential (AR) Zoning Districts, subject to regulations in Article 80 and a special exception, and to create a new Section 80-060, to be entitled “Rescued Animal Care’ to provide

regulations for such use, is consistent with the Town’s Comprehensive Plan, and in the best health and welfare interests of the Town, its property owners and residents.

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

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: That the Town Council of the Town of Loxahatchee Groves, hereby amends the Town’s Unified Land Development Code (ULDC) to permit “Rescued Animal Care” as a permitted principal use in the Agricultural Residential (AR) Zoning Districts, subject to regulations in Article 80 and a special exception, and to create a new Section 80-060, to be entitled “Rescued Animal Care’ to provide regulations for such use, as set forth in **Attachment “A”**, and incorporated herein by reference.

Section 3: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4: Severability. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 5: Codification. The Town Clerk shall cause this ordinance to be codified as a part of the ULDC.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

~~Strike thru~~ represents deleted text, and underline represents added text.

Section 6: Effective Date. This ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS ___ DAY OF _____, 2013.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS ___ DAY OF _____, 2013.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor David Browning

TOWN CLERK

Vice Mayor Ron Jarriel

APPROVED AS TO LEGAL FORM:

Council Member

Council Member

Office of the Town Attorney

Council Member

H:_GOV CLIENTS\LOX 1574_070240 GM\ORD 2013\Ord 2013-03 ULDC (Rescued Animal Care).doc

~~Strike thru~~ represents deleted text, and underline represents added text.

ATTACHMENT A – Ordinance 2013-03

Rescued Animal Care Conditional Use Provisions
(Underlined text is to be added; ~~Struck-through~~ text is to be deleted)

(Ref: Following Page)

Section 20-015. *Permitted uses.*

Plots located in the Agricultural Residential (AR) zoning districts may be used for the following specified uses.

Principal Uses	Agricultural Residential (AR)
Single Family Dwelling	Permitted
Mobile Home	Permitted w/Special Exception
Public Schools	Permitted
Congregate Living Facility, Type I	Permitted
Non-Profit Community Recreational Facilities	Permitted w/Special Exception
Essential Services	Permitted
Commercial Equestrian Operations	Permitted w/Special Exception
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception
Aviculture	Permitted subject to Article 80
Commercial Kennels	Not Permitted
Chipping and Mulching	Permitted subject to Article 80
Feed Lots	Not Permitted
Commercial Animal Manure Management	Not Permitted
Commercial Chipping and Mulching	Permitted subject to Article 80
Rescued Animal Care	Permitted <u>subject to Article 80 and to a w/Special Exception</u>
Outdoor Events	Permitted w/Special Exception
Agriculture	Permitted
Bona Fide Agriculture	Permitted
Wireless Communication Facilities	Permitted w/Special Exception

Accessory Uses*	Agricultural Residential (AR)
Accessory Dwelling	Permitted
Groom's Quarter	Permitted
Caretaker's Quarter	Permitted
Home Offices	Permitted subject to Article 80
Residential Enterprise	Permitted subject to Article 80
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception
U-Pick Farms	Permitted w/Special Exception
Private Kennels	Permitted
Private Stables	Permitted
Yard Sales	Permitted subject to Article 80

Section 80-060. Rescued Animal Care.

A rescued animal care facility is defined as a not for profit institutional establishment or private animal non-profit organization that is used for the protection of unwanted or abandoned domesticated animals, the use of which may include sheltering, adoption, fostering, providing rescue or old age homes, medical or behavioral rehabilitation.

Permits for rescued animal care operations shall be subject to the granting of a Special Exception and the following limitations:

- (A) Minimum plot size requirements. Rescued animal care operations may be permitted on properties exceeding ten acres in size.
- (B) Accessory uses. Veterinary services and/or dog boarding may be permitted as accessory uses as follows: (1) Veterinary services provided by a licensed veterinarian for the care of animals and/or dog boarding services for animals currently kept in the rescued animal care facility, or previously adopted, may be offered; and (2) Veterinary services provided by a licensed veterinarian for the care of animals and/or dog boarding services may be offered to the public provided that the rescued animal care operation is located on a property that fronts, and has access to, a Town designated Urban Collector or Arterial roadway.
- (C) Accessory residential use. A rescued animal care facility may include an accessory single-family dwelling to be used as a Caretaker's Quarter.
- (D) Waste disposal. A rescued animal care operation shall comply with each of the following standards:
 - (1) Palm Beach County Environmental Control Rule (ECR) 1: On-site Sewage Treatment and Disposal and ECR 2: Drinking Water Supply systems;
 - (2) All applicable rules and regulations of the Florida Department of Environmental Protection (FDEP);
 - (3) All applicable rules and regulations of the Palm Beach County Health Department;
 - (4) All applicable rules and regulations of the Palm Beach County Solid Waste Authority.
- (E) Number of animals: The number of animals permitted, including the number of animals boarded, shall be based upon the square footage of

the facility pursuant to Palm Beach County Animal Control Center (PBCACC) limitations and requirements and so indicated as a condition of the Special Exception approval.

- (F) Outdoor runs: Outdoor runs or animal exercise areas may be used. If used, such facilities shall be located a minimum of 200 feet from a directly abutting residential zoning district, be hard surfaced or grassed with drains provided every ten feet and be connected to a central or individual sanitary facility approved by the Palm Beach County Health Department. A minimum six-foot high chain-link fence shall be required around outdoor runs. In addition, a continuous solid opaque hedge a minimum of four feet at installation shall be provided around the outdoor run area. Outdoor runs shall not be used earlier than 7:00 a.m. and later than 8:00 p.m. seven days per week.
- (G) Architecture: A rescued animal care facility shall be designed to reflect the Town's Rural Vista Guidelines in effect at the time of Special Exception approval.



ITEM 8.a. Resolution No. 2013-03

TOWN OF LOXAHATCHEE GROVES

MEMORANDUM NO. 2013-15

TO: Mayor David Browning
Members of the Town Council
Mark Kutney, Town Manager

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

DATE: June 4, 2013

RE: Town of Loxahatchee Groves (“Town”)/Compton Road and Marcella Boulevard

At its April meeting, the Board of Supervisors for the Loxahatchee Groves Water Control District authorized District legal counsel and staff to work with the Town on the transfer of the District’s interests in Compton Road and Marcella Boulevard to the Town.

On April 18, 2013, District counsel forwarded to our office a draft Quit Claim Deed for Marcella Boulevard, for review. Since then the form of the Quit Claim Deed has been agreed upon by the respective counsel for the Town and District.

At the May 21, 2013, Town Council meeting, a member of the District’s Board of Supervisors, John Ryan, represented that the District expected the Town Council to adopt a resolution accepting the Quit Claim Deeds prior to the District Board authorizing such. At that time, the Council authorized the Town Attorney’s Office to prepare a Resolution accepting the Quit Claim Deeds for Compton Road and Marcella Boulevard for consideration on June 4, 2013.

Once the Town adopts the Resolution and the District executes the Quit Claim Deeds, they will be recorded in the public records of Palm Beach County and these roads will be confirmed as Town public roadways.

Upon your review of this memorandum, and the Resolution and form Quit Claim Deeds, please contact me with any questions or if you require any additional information.

MDC

H:_GOV CLIENTS\LOX 1574_070240 GM\MEMOS 2013\2013-15 Compton Marsella.docx

**TOWN OF LOXAHATCHEE GROVES
FLORIDA**

RESOLUTION NO. 2013 – 03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ACCEPTING THE QUIT CLAIM DEEDS FROM THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT FOR COMPTON ROAD AND MARCELLA BOULEVARD; PROVIDING FOR THE RECORDING OF THE QUIT CLAIM DEEDS AND AUTHORIZATION TO TAKE STEPS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, prior to the incorporation of the Town, certain Public Right of Way Easements for Compton Road and Marcella Boulevard were accepted by the Loxahatchee Groves Water Control District (“LGCWD”) on behalf of the public, whereby perpetual easements for public rights of way were dedicated by property owners along those roadways; and,

WHEREAS, the Board of Supervisors for the LGCWD and the Town Council of the Town of Loxahatchee Groves, have agreed to the transfer of any rights the LGCWD has in Compton Road and Marcella Boulevard to the Town; and,

WHEREAS, the counsel for the Town and the LGCWD have agreed to the forms of Quit Claim Deeds, attached hereto, to effectuate the agreed upon transfer of roadway rights from the LGCWD to the Town subject to certain conditions as set forth in the Quit Claim Deeds relating to the LGCWD’s continuing ability to fulfill its duties as a water control district; and,

WHEREAS, the Town Council of the Town of Loxahatchee Groves hereby finds it in the best interest of the Town to accept the Quit Claim Deeds for Compton Road and Marcella

**TOWN OF LOXAHATCHEE GROVES
FLORIDA**

RESOLUTION NO. 2013 – 03

Boulevard from the LGWCD upon the authorization of the Board of Supervisors for the LGWCD.

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

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

Section 2. Upon approval by, and delivery from, the Loxahatchee Water Control District, the Town Council hereby accepts the following Quit Claim Deeds:

- a. Quit Claim Deed for Compton Road, the form of which is attached hereto as Exhibit "A".
- b. Quit Claim Deed for Marcella Boulevard, the form of which is attached hereto as Exhibit "B".

Section 3. The Town Manager and Town Attorney are authorized to record the Quit Claim Deeds and to otherwise take all steps necessary to effectuate the intent of this Resolution.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**TOWN OF LOXAHATCHEE GROVES
FLORIDA**

RESOLUTION NO. 2013 – 03

Section 5. This Resolution shall become effective upon adoption.

RESOLVED AND ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 4th day of June, 2013.

ATTEST:

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

TOWN CLERK

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Ron Jarriel

Office of the Town Attorney

Council Member Goltzene

Council Member Liang

Council Member Rockett

H:_GOV CLIENTS\LOX 1574_070240 GM\RESO 2013\Reso 2013- 03 (QCD Acceptance).doc

This instrument prepared by
and return to:

John A. Weig, Esq.
Caldwell Pacetti Edwards Schoech & Viator P.A.
250 South Australian Avenue, Suite 600
West Palm Beach, Florida 33401

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed is being executed on this _____ day of _____, 2013, by the **LOXAHATCHEE GROVES WATER CONTROL DISTRICT, an independent special district of the State of Florida**, whose address is 101 West "D" Road, Loxahatchee, Florida 33470 (hereinafter referred to as the "Grantor"), to the **TOWN OF LOXAHATCHEE GROVES, a municipal corporation of the State of Florida**, whose address is 14579 Southern Boulevard, Suite 2, Loxahatchee Groves, Florida 33470 (hereinafter referred to as the "Grantee").

(Whenever used herein, the terms Grantor and Grantee shall include all the parties to this instrument, and their respective heirs, legal representatives, successors, and assigns.)

Witnesseth: That the said Grantor, for and in consideration of the sum of Ten and no/100's Dollars (\$10.00), and other good and valuable considerations, to said Grantor, in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, does hereby remise, release, and quit-claim unto the said Grantee, and its successors and assigns, forever, all of the right, title, interest, claim, and demand which the Grantor has in and to the following described real property (hereinafter referred to as the "Property"), located in Palm Beach County, Florida, to wit:

See the Legal Description which is contained on **EXHIBIT "A"**
which is attached hereto and incorporated herein by this reference

Subject to all of the Limitations and Conditions and other matters which are listed on **EXHIBIT "B"** which is attached hereto and incorporated herein by this reference.

To Have and to Hold, the same, together with, all and singular, the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the Grantor, either in law or in equity, subject to the matters referred to herein, to the proper use, benefit and behalf of the Grantee, and its successors and assigns, forever.

In Witness Whereof, the said Grantor has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of:

LOXAHATCHEE GROVES WATER CONTROL DISTRICT, an independent special district of the State of Florida

Witness Signature

By: _____

_____, Chairman

Print Name

Witness Signature

Print Name

ATTEST:

By: _____

_____, Secretary

(DISTRICT SEAL)

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by _____, as the Chairman, of the **LOXAHATCHEE GROVES WATER CONTROL DISTRICT, an independent special district of the State of Florida**, on behalf of the said District, who () is personally known to me or () has produced _____ as identification.

[Notary Seal]

Notary Public

Printed Name: _____

My Commission Expires: _____

ACCEPTED BY GRANTEE:

By Resolution of the Town of Loxahatchee Groves,

a municipal corporation of the State of Florida,

under Resolution No. _____,

adopted on the ____ day of _____, 2013.

EXHIBIT "A"
LEGAL DESCRIPTION

All of those public right-of-way easements owned and held by the Loxahatchee Groves Water Control District, an independent special district of the State of Florida, obtained by virtue of those certain Public Right-of-Way Easements granted in favor of said District previously recorded in the Public Records of Palm Beach County, Florida, which are located over, upon, under, through, and across that certain road right-of-way located within said District and within the Town of Loxahatchee Groves, Palm Beach County, Florida, which is known as Compton Road.

EXHIBIT "B"
LIMITATIONS AND CONDITIONS

Grantor and Grantee acknowledge, covenant, and agree that this conveyance is being made and given by the Grantor, and is being accepted and received by the Grantee, subject to and subordinate to the following limitations and conditions and other matters listed below:

- 1) This conveyance is subject to all restrictions, reservations, easements, limitations, and all other matters of record, if any, provided that this reference shall not serve to reimpose the same;
- 2) This conveyance is being made without any statutory, express, or implied warranties or guarantees of any nature whatsoever and the acceptance of the Property by the said Grantee shall be without recourse as to the said Grantor;
- 3) This conveyance is being made to the extent that the said Grantor has the legal right and authority to make and grant this conveyance of the Property to the Grantee herein;
- 4) This conveyance is subject to and subordinate to all rights and interests of the Grantor, Loxahatchee Groves Water Control District, an independent special district of the State of Florida, in and to the Property, in order to carry out its rights, responsibilities, and duties under its Enabling Legislation and the laws of the State of Florida;
- 5) This conveyance is subject to and subordinate to, and Grantor specifically reserves for itself, and its successors and assigns, all rights and interests it may have in and to any utilities, improvements, facilities, or any other works which may be located over, upon, under, through, across, or within the Property, including the right to construct, install, maintain, repair, upgrade, improve, remove, operate, and have access to any existing or future utilities, improvements, facilities, or works over, upon, under, through, across, or within the Property. If either Grantor or Grantee wishes to connect to, modify, install any works or facilities therein, or in any other manner to affect or impact any existing or future utilities, improvements, facilities, or works of the other party hereto, then the party seeking to cause such impact shall be required to first request and obtain a permit from the other party hereto prior to the implementation of any such activity or works. If any existing or future facility or improvement of either the Grantor or the Grantee located over, upon, under, through, across, or within the Property is damaged as a result of the other party's usage or exercise of any rights herein granted or otherwise, then the party which caused such damage shall be obligated, at its sole cost and expense, to timely repair and restore the damaged facility or improvements in a proper and competent manner to a condition substantially similar to that which existed prior to such damage; and
- 6) The intent and purpose of this conveyance is to assign, transfer, and quit-claim all of the existing recorded Public Right-of-Way Easements held by the District to and for Compton Road to the Town, to the extent that the District has the legal authority to do so, while recognizing and preserving the District's rights and interests in the Property and in any utilities or facilities which may be located therein, so that the District can carry out its water control and drainage duties and responsibilities in accordance with its Enabling Legislation and the laws of the State of Florida.

This instrument prepared by
and return to:

John A. Weig, Esq.
Caldwell Pacetti Edwards Schoech & Viator P.A.
250 South Australian Avenue, Suite 600
West Palm Beach, Florida 33401

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed is being executed on this _____ day of _____, 2013, by the **LOXAHATCHEE GROVES WATER CONTROL DISTRICT, an independent special district of the State of Florida**, whose address is 101 West "D" Road, Loxahatchee, Florida 33470 (hereinafter referred to as the "Grantor"), to the **TOWN OF LOXAHATCHEE GROVES, a municipal corporation of the State of Florida**, whose address is 14579 Southern Boulevard, Suite 2, Loxahatchee Groves, Florida 33470 (hereinafter referred to as the "Grantee").

(Whenever used herein, the terms Grantor and Grantee shall include all the parties to this instrument, and their respective heirs, legal representatives, successors, and assigns.)

Witnesseth: That the said Grantor, for and in consideration of the sum of Ten and no/100's Dollars (\$10.00), and other good and valuable considerations, to said Grantor, in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, does hereby remise, release, and quit-claim unto the said Grantee, and its successors and assigns, forever, all of the right, title, interest, claim, and demand which the Grantor has in and to the following described real property (hereinafter referred to as the "Property"), located in Palm Beach County, Florida, to wit:

See the Legal Description which is contained on **EXHIBIT "A"**
which is attached hereto and incorporated herein by this reference

Subject to all of the Limitations and Conditions and other matters which are listed on **EXHIBIT "B"** which is attached hereto and incorporated herein by this reference.

To Have and to Hold, the same, together with, all and singular, the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the Grantor, either in law or in equity, subject to the matters referred to herein, to the proper use, benefit and behalf of the Grantee, and its successors and assigns, forever.

In Witness Whereof, the said Grantor has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of:

LOXAHATCHEE GROVES WATER CONTROL DISTRICT, an independent special district of the State of Florida

Witness Signature

By: _____

_____, Chairman

Print Name

Witness Signature

Print Name

ATTEST:

By: _____

_____, Secretary

(DISTRICT SEAL)

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by _____, as the Chairman, of the **LOXAHATCHEE GROVES WATER CONTROL DISTRICT, an independent special district of the State of Florida**, on behalf of the said District, who () is personally known to me or () has produced _____ as identification.

[Notary Seal]

Notary Public

Printed Name: _____

My Commission Expires: _____

ACCEPTED BY GRANTEE:

By Resolution of the Town of Loxahatchee Groves,

a municipal corporation of the State of Florida,

under Resolution No. _____,

adopted on the ____ day of _____, 2013.

EXHIBIT "A"
LEGAL DESCRIPTION

All of those public right-of-way easements owned and held by the Loxahatchee Groves Water Control District, an independent special district of the State of Florida, obtained by virtue of those certain Public Right-of-Way Easements granted in favor of said District previously recorded in the Public Records of Palm Beach County, Florida, which are located over, upon, under, through, and across that certain road right-of-way located within said District and within the Town of Loxahatchee Groves, Palm Beach County, Florida, which is known as Marcella Boulevard.

EXHIBIT "B"
LIMITATIONS AND CONDITIONS

Grantor and Grantee acknowledge, covenant, and agree that this conveyance is being made and given by the Grantor, and is being accepted and received by the Grantee, subject to and subordinate to the following limitations and conditions and other matters listed below:

- 1) This conveyance is subject to all restrictions, reservations, easements, limitations, and all other matters of record, if any, provided that this reference shall not serve to reimpose the same;
- 2) This conveyance is being made without any statutory, express, or implied warranties or guarantees of any nature whatsoever and the acceptance of the Property by the said Grantee shall be without recourse as to the said Grantor;
- 3) This conveyance is being made to the extent that the said Grantor has the legal right and authority to make and grant this conveyance of the Property to the Grantee herein;
- 4) This conveyance is subject to and subordinate to all rights and interests of the Grantor, Loxahatchee Groves Water Control District, an independent special district of the State of Florida, in and to the Property, in order to carry out its rights, responsibilities, and duties under its Enabling Legislation and the laws of the State of Florida;
- 5) This conveyance is subject to and subordinate to, and Grantor specifically reserves for itself, and its successors and assigns, all rights and interests it may have in and to any utilities, improvements, facilities, or any other works which may be located over, upon, under, through, across, or within the Property, including the right to construct, install, maintain, repair, upgrade, improve, remove, operate, and have access to any existing or future utilities, improvements, facilities, or works over, upon, under, through, across, or within the Property. If either Grantor or Grantee wishes to connect to, modify, install any works or facilities therein, or in any other manner to affect or impact any existing or future utilities, improvements, facilities, or works of the other party hereto, then the party seeking to cause such impact shall be required to first request and obtain a permit from the other party hereto prior to the implementation of any such activity or works. If any existing or future facility or improvement of either the Grantor or the Grantee located over, upon, under, through, across, or within the Property is damaged as a result of the other party's usage or exercise of any rights herein granted or otherwise, then the party which caused such damage shall be obligated, at its sole cost and expense, to timely repair and restore the damaged facility or improvements in a proper and competent manner to a condition substantially similar to that which existed prior to such damage; and
- 6) The intent and purpose of this conveyance is to assign, transfer, and quit-claim all of the existing recorded Public Right-of-Way Easements held by the District to and for Marcella Boulevard to the Town, to the extent that the District has the legal authority to do so, while recognizing and preserving the District's rights and interests in the Property and in any utilities or facilities which may be located therein, so that the District can carry out its water control and drainage duties and responsibilities in accordance with its Enabling Legislation and the laws of the State of Florida.



ITEM 8.b. Resolution No. 2013-04

Underwood Management Services Group, LLC

840 N.E. Stokes Terrace
Jensen Beach, Florida 34957
Telephone: 772.233.1511

William F. Underwood, II
Managing Partner
Email: umsg@att.net

Memorandum

TO: Financial Advisory and Audit Committee
FROM: William F. Underwood II, Managing Partner, UMSG
DATE: May 13, 2013
SUBJECT: Fiscal Year 2012-13 Budget Amendment



As you may be aware, significant changes have occurred in the expenditure of Town funds within the first six (6) months of this fiscal year. The intent to this memorandum is to provide a very brief overview of the most significant changes in the adopted budget.

With that said this memorandum only identifies significant increases and decreases in both estimated revenues and appropriations for fiscal year 2013.

The attached Budget Amendment document, however, reflects all changes not otherwise discussed in this memorandum

With respect to the General Fund Revenues, we anticipate several reductions amounting to approximately \$49,000.00 as follows:

- Planning & Zoning Permits – (\$29,000)
- Communication Services Tax (CST) - (\$20,000)

Planning & Zoning Permits have not increased as anticipated based on last year's historical information. The CST is being reduced based on current and historical trend that indicates the eventual demise of this revenue stream due to federal legislation interpretation that communication companies are using to avoid this tax.

With respect to revenue and other source increases, the significant items account for approximately \$84,000 as follows:

- Fund Balance – \$97,330
- Cost Recovery Fees - \$15,000

The increase in fund balance and proposed deduction are needed due predominately to the following appropriations increases:

- Legal Counsel – Professional Services - \$60,000
- Planning & Zoning - Professional Services - \$19,000

- Other General Government – Aids To Government Agencies Grant - LGWCD - \$18,000¹
- Legislative - Other Current Charges – Town Council Compensation - \$15,000
- Planning & Zoning - Cost Recovery Expenditures - \$10,000
- Other General Government - Special Magistrate - \$10,000

In addition to the increases, we are proposing the following decreases in appropriations to accommodate the balance of this fiscal year.

- Eliminated Other General Government - Contingency – (\$49,577)
- Other General Government – Computer Services – (\$5,500)
- Planning & Zoning – Comp Plan – (\$5,000)
- Legislative – Professional Services – (\$5,000)

With respect to the balance of the funds within the Town’s Budget, only the Transportation Fund required changes to the following appropriations:

- Reclassified from Road and Streets (5c) to Road Maintenance District (6c) - \$150,000
- Reduced Special Projects – (\$50,000)
- Increased Town Road Maintenance (6c) - \$40,000
- Increased Traffic Control Signs - \$7,000
- Increased Fund Balance (6 c) - \$3,000

At this time, we anticipate these budget amendments should provide the changes necessary to complete the balance of the fiscal year. If you have any questions, please let us know.

¹ Pursuant and subject to confirmation from LGWCD Administrator

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2013-04

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A BUDGET AMENDMENT FOR THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 166.241(4), Florida Statutes, the Town may amend its adopted budget for the Fiscal Year beginning October 1, 2012 and ending September 30, 2013, at any time within a fiscal year, and

WHEREAS, the Town Management has concluded a review of the budget and expenditures during the Fiscal Year beginning October 1, 2012 and ending September 30, 2013, and is recommending amendments to the Town's budget as set forth in Exhibit A" hereto.

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

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

Section 2. The Town's adopted budget for the Fiscal Year beginning October 1, 2012, and ending September 30, 2013, is hereby amended as set forth in Exhibit "A", attached hereto and expressly made a part hereof.

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

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

to the extent of such conflict.

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

PASSED AND ADOPTED BY THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS _____ DAY OF JUNE, 2013.

ATTEST:

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

TOWN CLERK

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Ron Jarriel

Office of the Town Attorney

Council Member Tom Goltzene

Council Member Ryan Liang

Council Member Jim Rockett

EXHIBIT "A"

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

**GENERAL FUND:
Fiscal Year 2012-13**

Account Number		FY12-13 ADOPTED BUDGET	FY12-13 CHANGE	FY12-13 AMENDED BUDGET
ESTIMATED REVENUES				
TAXES				
001-311-100-000	AD VALOREM TAXES @ 1.2000	206,025		206,025
	TAXES SUBTOTAL	206,025	0.00	206,025
001-314-100-000	ELECTRIC UTILITY TAX	202,000		202,000
001-314-510-000	COMMUNICATION SERVICES TAX	136,726	(20,000.00)	116,726
001-316-200-000	COUNTY OCCUPATIONAL LICENSES	5,000	(1,200.00)	3,800
	TAXES SUBTOTAL	343,726	(21,200.00)	322,526
001-323-100-000	FPL FRANCHISE FEE	206,000		206,000
001-323-125-000	HAULER LICENSING FEE	2,000		2,000
001-323-300-000	PBC WATER UTILITY FRANCHISE FEE	10,500	(4,000.00)	6,500
001-329-100-000	PLANNING & ZONING PERMIT	30,000	(29,500.00)	500
	PERMITS, FRANCHISE FEES & SPECIAL SUBTOTAL	248,500	(33,500.00)	215,000
001-335-120-000	STATE REVENUE SHARING	77,873	0.00	77,873
001-335-180-000	HALF CENT SALES TAX	212,024	0.00	212,024
	INTERGOVERNMENTAL REVENUE SUBTOTAL	289,897	0.00	289,897
001-341-000-000	GENERAL GOVERNMENT CHARGES	5,000	2,500.00	7,500
001-343-349-000	COST RECOVERY FEES	20,000	15,000.00	35,000
	CHARGES FOR SERVICES	25,000	17,500.00	42,500
001-351-100-000	COURT FINES	-	2,500.00	2,500
001-354-100-000	CODE ENFORCEMENT FINES	5,000	0.00	5,000
	JUDGEMENTS, FINES & FORFEITS SUBTOTAL	5,000	2,500.00	7,500
MISCELLANEOUS				
001-361-100-000	INTEREST	3,600	0.00	3,600
001-369-000-000	OTHER MISC INCOME	5,000	(4,500.00)	500
	OTHER MISC. REVENUE SUBTOTAL	8,600	(4,500.00)	4,100
001-385-100-000	TRANSFER FROM SANITATION FUND	-		-
001-399-000-000	TRANSFER FROM FUND BALANCE	400,000	97,330.00	497,330
	OTHER NON-OPERATING SOURCES TOTAL	400,000	97,330.00	497,330
	GRAND TOTAL REVENUE	1,526,748	66,330.00	1,593,078

**GENERAL FUND:
Fiscal Year 2012-13**

Account Number		FY12-13 ADOPTED BUDGET	FY12-13 CHANGE	FY12-13 AMENDED BUDGET
APPROPRIATIONS				
LEGISLATIVE				
001-511-310-000	PROFESSIONAL SERVICES	20,000	(5,000.00)	15,000
001-511-400-000	TRAVEL	3,000	(1,000.00)	2,000
001-511-490-000	POSTAGE & FREIGHT - (Was legal advertising)	-		-
001-511-492-000	OTHER OPERATING EXPENSES	1,500		1,500
001-511-499-000	OTHER CURRENT CHARGES - New Town Counsel Compensaton	-	15,000.00	15,000
001-511-500-000	EDUCATION AND TRAINING	1,000		1,000
001-511-510-000	OFFICE SUPPLIES	300	0.00	300
001-511-520-000	OPERATING SUPPLIES	300		300
001-511-540-000	BOOKS, PUBLICATIONS AND DUES	7,785	(3,000.00)	4,785
001-511-820-000	SPECIAL EVENTS/CONTRIBUTIONS	5,350	(2,000.00)	3,350
	LEGISLATIVE TOTAL	39,235	4,000.00	43,235
EXECUTIVE				
001-512-340-000	OTHER SERVICES	254,635	1,779.00	256,414
001-512-400-000	TRAVEL	1,000	500.00	1,500
001-512-410-000	COMMUNICATION SERVICES - (Moved to Gen Govt)	-	0.00	-
001-512-420-000	POSTAGE & FREIGHT	1,000	500.00	1,500
001-512-490-000	LEGAL ADVERTISING - (New)	500	500.00	1,000
001-512-492-000	OTHER OPERATING EXPENSES	944	0.00	944
001-512-493-000	ELECTION EXPENSE	8,010	(1,000.00)	7,010
001-512-510-000	OFFICE SUPPLIES	8,600	0.00	8,600
001-512-521-000	LOXAHATCHEE GROVES C.E.R.T. - (Moved to Gen Govt)	-		-
001-512-540-000	BOOKS, PUBLICATIONS AND DUES	570	0.00	570
	EXECUTIVE TOTAL	275,259	2,279.00	277,538
FINANICAL AND ADMINSTRATIVE				
001-513-320-000	ACCOUNTING AND AUDITING	18,000	(1,500.00)	16,500
001-513-470-000	PRINTING AND BINDING	4,750	0.00	4,750
001-513-490-000	LEGAL ADVERTISING	1,000	0.00	1,000
001-513-493-000	ELECTION EXPENSE - (Moved to Executive)	-	0.00	-
	FINANICAL AND ADMINSTRATIVE TOTAL	23,750	(1,500.00)	22,250
LEGAL COUNSEL				
001-514-310-000	PROFESSIONAL SERVICES	60,000	60,000.00	120,000
001-514-312-000	LEGAL -COMP PLAN	-		-
	LEGAL SERVICES TOTAL	60,000	60,000.00	120,000
PLANNING & ZONING				
001-515-310-000	PROFESSIONAL SERVICES	40,000	19,493.00	59,493
001-515-340-000	OTHER SERVICES	76,200	540.00	76,740
001-515-343-000	PLANNING & ZONING CONTRACT	-	0.00	-
001-515-347-000	COMPREHENSIVE PLAN	5,000	(5,000.00)	-
001-515-349-000	COST RECOVERY EXPENDITURES	25,000	10,000.00	35,000
001-515-990-000	LEGAL ADVERTISING - (New)	2,500	3,500.00	6,000
	COMPREHENSIVE PLANNING AND ZONING TOTAL	148,700	28,533.00	177,233

**GENERAL FUND:
Fiscal Year 2012-13**

Account Number		FY12-13 ADOPTED BUDGET	FY12-13 CHANGE	FY12-13 AMENDED BUDGET
OTHER GENERAL GOVERNMENT				
001-519-315-000	SPECIAL MAGISTRATE	16,000	10,000.00	26,000
001-519-354-000	CODE COMPLIANCE	41,000	(2,000.00)	39,000
001-519-410-000	COMMUNICATION SERVICES	5,100	600.00	5,700
001-519-440-000	RENTALS AND LEASES	16,305	3,695.00	20,000
001-519-450-000	INSURANCE	16,500	1,000.00	17,500
001-519-460-000	R & M BUILDINGS	2,126	300.00	2,426
001-519-470-000	PRINTING AND BINDING	-	0.00	-
001-519-480-000	PROMOTIONAL ACTIVITIES	-	0.00	-
001-519-490-000	COMPUTER EQUIP SOFTWARE & HARDWARE REPAIR	4,500	(1,500.00)	3,000
001-519-491-000	COMPUTER SERVICES	11,131	(5,500.00)	5,631
001-519-494-000	INSPECTOR GENERAL OFFICE FEE	5,280	0.00	5,280
001-519-810-000	AIDS TO GOVERNMENT AGENCIES GRANT - LGWCD	-	18,000.00	18,000
001-519-820-000	LOXAHATCHEE GROVES CERT	2,000	1,000.00	3,000
001-519-900-000	TRANSFER TO TRANSPORTATION FUND	-	0.00	-
001-519-910-000	TRANSFER TO SANITATION FUND	126,000	0.00	126,000
001-519-920-000	TRANSFER TO CAPITAL PROJECTS FUND	400,000	0.00	400,000
001-519-990-000	CONTINGENCY	49,577	(49,577.00)	-
	OTHER GENERAL GOVERNMENT SERVICES TOTAL	695,519	(23,982.00)	671,537
LAW ENFORCEMENT				
001-521-341-000	PROFESSIONAL SERVICES-PBSO	274,785		274,785
001-521-342-000	CONTRACTUAL-ADDL PBSO	500	0.00	500
	LAW ENFORCEMENT TOTAL	275,285	0.00	275,285
PUBLIC WORKS				
001-539-340-000	OTHER SERVICES	9,000	(3,000.00)	6,000
001-539-310-000	PROFESSIONAL SERVICES	-	0.00	-
	PUBLIC WORKS TOTAL	9,000	(3,000.00)	6,000
	GRAND TOTAL EXPENDITURES	1,526,748	66,330.00	1,593,078

**Transportation Fund
Fiscal Year 2012-13**

Account Number		FY12-13 ADOPTED BUDGET	FY12-13 CHANGE	FY12-13 AMENDED BUDGET
----------------	--	------------------------------	-------------------	------------------------------

ESTIMATED REVENUES

101-312-410-000	FIRST LOCAL OPTION FUEL TAX (6 CENT)	249,245		249,245
101-312-420-000	SECOND LOCAL OPTION FUEL (5 CENT)	117,326	-	117,326
101-363-990-000	CONTRIBUTION FROM GENERAL FUND	-		-
001-399-000-000	TRANSFER FROM FUND BALANCE (6 CT)	-	-	-
Total Revenue		366,571	0	366,571

APPROPRIATIONS

101-541-468-000	TOWN ROADS MAINT. - 6 c	40,000	40,000	80,000
101-541-468-100	TRAFFIC CONTROL SIGNS - 6 c	9,245	7,000	16,245
101-541-469-000	ROAD MAINTENANCE DISTRICT - 6 c	-	150,000	150,000
101-541-631-000	ROAD AND STREETS - NEW CONSTRUCTION -	150,000	(150,000)	-
101-541-632-000	SPECIAL PROJECTS	50,000	(50,000)	-
101-541-633-000	22nd ROAD DITCH	-	0	-
101-541-634-000	148th TERR BRIDGE(5)/CULVERT	-	0	-
101-541-990-000	TRANSFER TO FUND BALANCE (5 CT)	117,326	0	117,326
101-541-996-000	TRANSFER TO FUND BALANCE (6 CT)		3,000	3,000
Total Expenditure		366,571	-	366,571

CAPITAL IMPROVEMENT FUND
Fiscal Year 2011-12

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

ESTIMATED REVENUES				
--------------------	--	--	--	--

305-363-990-000	CONTRIBUTION FROM GENERAL FUND	400,000		400,000
305-399-000-000	TRANSFER FROM FUND BALANCE	912,466		912,466
Total Revenue		1,312,466	-	1,312,466

APPROPRIATIONS				
----------------	--	--	--	--

305-519-600-000	DEVELOP TOWN HALL ALTERNATIVES	500,000		500,000
305-541-341-000	TRAILS (Name change Linear Park/Grant Match)	200,000		200,000
305-541-346-000	OGEM PAVING/COST SHARING	-		-
305-541-434-000	ROAD & DRAINAGE IMPROVEMENT	362,466		362,466
305-541-436-000	TRAFFIC LIGHT OKEECHOBEE BLVD	250,000		250,000
Total Expenditure		1,312,466	-	1,312,466

**Solid Waste Fund
Fiscal Year 2012-13**

Account Number		FY12-13 ADOPTED BUDGET	FY12-13 CHANGE	FY12-13 AMENDED BUDGET
----------------	--	------------------------------	-------------------	------------------------------

ESTIMATED REVENUES

405-323-125-000	HAULERS LICENSING FEE - Moved to Gen l	-	-	-
405-325-205-000	SOLID WASTE ASSESSMENTS (1,260 units)	346,361	-	346,361
405-325-206-000	DISCOUNT FEES	(10,392)	-	(10,392)
405-343-120-000	SWA RECYCLING INCOME	8,000	-	8,000
405-363-990-000	CONTRIBUTION FROM GENERAL FUND	126,000	-	126,000
Total Revenue		469,969	-	469,969

APPROPRIATIONS

405-534-345-000	CONTRACTUAL-WASTE OVERSIGHT	12,000	-	12,000
405-534-346-000	PBC ADMINISTRATION FEE 1%	3,463	-	3,463
405-534-420-000	POSTAGE & FREIGHT	500	-	500
405-534-434-000	SOLID WASTE CONTRACTOR	451,634	-	451,634
405-534-436-000	OTHER SANITATION SERVICES	1,500	-	1,500
405-534-490-000	LEGAL ADVERTISING	872	-	872
405-534-595-000	TOLG MANAGEMENT FEES	-	-	-
Total Expenditure		469,969	-	469,969

**All Funds
Fiscal Year 2011-12**

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

ESTIMATED REVENUES

001	GENERAL FUND	1,526,748	66,330	1,593,078
101	TRANSPORTATION FUND	366,571	-	366,571
305	CAPITAL IMPROVEMENT FUND	1,312,466	-	1,312,466
405	SOLID WASTE FUND	469,969	-	469,969
	Total Estimated Revenue	3,675,754	66,330	3,742,084

APPROPRIATIONS

001	GENERAL FUND	1,526,748	66,330	1,593,078
101	TRANSPORTATION FUND	366,571	-	366,571
305	CAPITAL IMPROVEMENT FUND	1,312,466	-	1,312,466
405	SOLID WASTE FUND	469,969	-	469,969
	Total Appropriations	3,675,754	66,330	3,742,084



ITEM 10.a. Contracts for ITB 2013-001

Contracts are currently being negotiated and due to time constraints may not be included as part of this Agenda Packet, but will be included as addenda to the Agenda Packet.



ITEM 10.b. Speed Humps (*Councilman Rockett and Vice Mayor Jarriel*)