



TOWN OF LOXAHATCHEE GROVES

TOWN COUNCIL MEETING AGENDA

TUESDAY, August 6, 2013 @ 7:00 P.M.

*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, August 6, 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.

- b. Minutes for Approval: July 16, 2013

**3. PUBLIC COMMENT**

**4. PRESENTATIONS - *None***

**5. COMMITTEE REPORTS - *None***

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

**6. PUBLIC HEARINGS (Ordinances 2<sup>nd</sup> Reading) –**

- a. **Ordinance No. 2013-04**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, UPDATING THE FIVE-YEAR SCHEDULE OF IMPROVEMENTS FOR THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF LOXAHATCHEE GROVES COMPREHENSIVE PLAN PURSUANT TO STATE STATUTE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**7. ORDINANCES (1<sup>st</sup> Reading) - *None***

## 8. RESOLUTIONS

### a. Resolution No. 2013-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ACCEPTING THE QUIT CLAIM DEED FROM THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT FOR PORTIONS OF NORTH "A" ROAD, SOUTH "C" ROAD, NORTH "C" ROAD, AND NORTH "D" ROAD AS LEGALLY DESCRIBED IN THE QUIT CLAIM DEED, ATTACHED HERETO AS EXHIBIT "1"; PROVIDING FOR THE RECORDING OF THE QUIT CLAIM DEED AND AUTHORIZATION TO TAKE STEPS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR MATTERS RELATING TO THE ROADS; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

## 9. ADMINISTRATIVE UPDATE – *Town Manager Kutney*

## 10. OLD BUSINESS

- a. Status of Residential Enterprise Ordinance (*Vice Mayor Jarriel*)
- b. Discussion Regarding Previous Road Rock Material Request for 161<sup>st</sup> Terrace N on 6/20/13 (*Vice Mayor Jarriel*)

## 11. NEW BUSINESS - *None*

## 12. CLOSING COMMENTS

- a. Public
  
- b. Town Attorney
  - a. Report Regarding Research on Golf Carts, UTV's and Side-by-Sides
  
- c. Town Council Members

## 13. ADJOURNMENT

The next Town Council Meeting is scheduled for Tuesday, August 20, 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.



**CONSENT AGENDA**

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

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

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

Page: 1  
07/29/2013  
ACCOUNT NO: 1574-1107560R  
STATEMENT NO: 14

Water Control District Matters

*MDC*

			HOURS	
06/27/2013	MDC	Phone conference with MV, JW, CS (district counsel) on transfer of letter roads.	0.70	
	DJD	Review title notes; revise correspondence; participate in conference call with District lawyers.	1.20	
06/28/2013	RLL	Meeting with DJD and MDC regarding ownership of unpaved roads through properties	0.40	
07/08/2013	RLL	Examine copy of plat for language dedicating roads to public.	0.40	
07/09/2013	RLL	Order Ownership and encumbrance reports on three Loxahatchee Groves properties	0.50	
07/18/2013	MDC	Phone conference with Mary Viator on transfer of "Letter Roads".	0.30	
07/19/2013	RLL	Review three ownership and encumbrance reports on three properties on Loxahatchee Groves plat regarding road ownership.	0.80	
	MDC	Phone conference with MV; prepare Resolution to accept deeds.	0.50	
07/22/2013	MDC	Revise Resolution, send to MV and JW.	0.40	
	DJD	Conference with Mike Cirullo; review special act.	0.80	
		<b>FOR CURRENT SERVICES RENDERED</b>	<b>6.00</b>	<b>984.00</b>

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D.J. DOODY	2.00	\$185.00	\$370.00
MICHAEL D. CIRULLO	1.90	185.00	351.50
RACHEL L LEACH	2.10	125.00	262.50

TOTAL CURRENT WORK

984.00

Water Control District Matters

BALANCE DUE

\$984.00

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

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

Page: 1  
 07/29/2013  
 ACCOUNT NO: 1574-1107562R  
 STATEMENT NO: 15

adv. Day, Willie and Frankie

			HOURS	
06/26/2013	MDC	Review Motion for Summary Judgment, associated pleadings, update Council.	0.30	
		FOR CURRENT SERVICES RENDERED	0.30	55.50
RECAPITULATION				
<u>TIMEKEEPER</u>			<u>HOURS</u>	<u>HOURLY RATE</u>
MICHAEL D. CIRULLO			0.30	\$185.00
		TOTAL CURRENT WORK		55.50
		BALANCE DUE		\$55.50

(MDC)

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE.

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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  
07/29/2013  
ACCOUNT NO: 1574-1107571R  
STATEMENT NO: 3

adv. Todd McLendon (Code Enforcement Violation)

MDC

		HOURS
06/25/2013	MDC Review materials on cost recovery.	0.30
06/27/2013	MDC Review correspondence; review Order Granting Stay; update BT, MK.	0.40
06/28/2013	MDC Review potential appeal issues with SW; review correspondence re: revocation of agricultural tax exemption.	0.50
	SRW Meet w/ MDC re: appeal, motion to dismiss and public records request. Review public records request. Review letter from property appraiser revoking agriculture status. Review Palm Beach County property appraiser records.	0.80
07/01/2013	MDC Review correspondence from Palm Beach County Property Appraiser re: agricultural exemption, begin preparing Motion for Reconsideration on Motion to Stay.	0.30
	SRW E-mail correspondence re: McLendon exhibits.	0.20
07/02/2013	SRW Review Motion for Reconsideration. Meet w/ MDC re: same. Review response to public records request.	2.50
	MDC Prepare Motion for Reconsideration of Stay Pending Appeal; telephone conference with Greg Kino.	0.50
07/08/2013	SRW E-mail correspondence with Susan Eichhorn re: Kino public records request.	0.30
07/15/2013	SRW Review Notice of Appeal. Meet w/ MDC. Research re: appeal of Order Denying Motion for Reconsideration. Draft Motion to Dismiss.	1.70
07/16/2013	MDC Review materials, research; review and revise Motion to Dismiss Appeal.	1.00
	SRW Revisions to Motion to Dismiss. Compile case law for MDC.	0.60
07/17/2013	SRW Meet w/ MDC re: public records request and motion to dismiss. Research regulation matters. Review AGO's, case law in support of Motion to Dismiss.	1.30

adv. Todd McLendon (Code Enforcement Violation)

		HOURS		
	MDC	Review files, documents, regarding response to public records requests dated June 27 and July 12, 2013 from McLendon counsel; review cases, continue preparing Motion to Dismiss Appeal.	1.80	
07/18/2013	SRW	Revisions to Motion to Dismiss.	0.30	
07/19/2013	MDC	Finalize Motion to Dismiss Appeal, file with court.	0.30	
07/24/2013	MDC	Review materials to provide for public records request.	0.40	
FOR CURRENT SERVICES RENDERED			13.20	2,442.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	5.50	\$185.00	\$1,017.50
STACEY R WEINGER	7.70	185.00	1,424.50

POSTAGE	12.22
TOTAL EXPENSES	12.22
TOTAL CURRENT WORK	2,454.22
BALANCE DUE	\$2,454.22

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE.

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TOWN OF LOXAHATCHEE GROVES  
Att: Mayor Dave Browning  
14579 Southern Boulevard  
Suite 2  
Loxahatchee FL 33470

ACCOUNT NO: 1574-0702400R  
STATEMENT NO: 83

General Matters

*MDC*

			HOURS
06/20/2013	DJD	Review file regarding status of public versus private roadways.	0.40
06/24/2013	MDC	Phone conference with PU on millage, assessment schedule issues; review materials re: OIG, gas tax.	0.30
	BAM	Review multiple correspondence from Frank Palen, Esq., counsel for Lox Groves Water Control District, re: presenting vendor service agreements for that board's execution; Review RFQ and Responses for Engineering Services; Begin drafting proposed service agreement for same; Telephone call with MK re: same; Draft correspondence to MK & PU re: same.	2.80
06/25/2013	MDC	Review Town documents on roads re: OIG inquiry, miscellaneous telephone calls on pending items, review correspondence.	0.30
	BAM	Telephone conference with MK re: proposed Engineering Services Agreement and issues related to same; Review and revise proposed Agreement; Review agreement for options in event Town wishes to assign services separate and apart from services in agreement.	1.00
06/26/2013	MDC	Review materials, prepare response to OIG; review agenda and budget inquiries; miscellaneous telephone calls with Council members.	1.30
	BAM	Draft template agreements for Town surveying and traffic engineering services; Draft correspondence to MK and PU re: same.	2.00
	DJD	Review inquiry from OIG; assist in preparation of response.	0.50
06/27/2013	MDC	Review issues, miscellaneous telephone calls re: OIG matter.	0.50
06/28/2013	MDC	Conference call with MK, PU on budget matters, millage, procurement; review agenda materials; finalize and forward letter to OIG.	1.00
	BAM	Telephone call with Mark Kutney, Town Manager, re: agreements for engineering, traffic engineering, and land surveying; Review and revise same; Draft correspondence to	

General Matters

		HOURS
	MK and PU re: same; Review correspondence from MK commencing negotiations with professionals.	0.70
07/01/2013	MDC Review status of traffic engineering, surveying agreements; review pending legislation on contracts, ethics; review status of engineering agreement, surveying agreement, traffic engineering agreements; telephone conference with JF re: Capital Improvements Element amendments.	1.10
	BAM Review legislation requiring additional contractual language re: public records in preparation for conference re: professional agreements; Conference with MDC re: same; Telephone call with MK re: same; Review and revise engineering, traffic engineering, and land surveying agreements pursuant to additional language required by Council and Florida law, respectively; Draft correspondence to MK & PU re: same; Review correspondence from MK re: comments from surveyor and engineer.	2.30
07/02/2013	MDC Review materials for Council meeting; prepare CIE ordinance for 7/16/13 meeting; review budget materials; prepare memo on public records/contracts; confer with BM on status of agreements; prepare memo on HB 203 (exemptions); miscellaneous telephone calls re: Council meetings; prepare for and attend Council meeting; attend budget workshop.	6.60
	BAM Telephone call with Mark Kutney re: comments of surveyor and engineer; Conference with MDC re: "errors and omissions" requirements; Draft correspondence to MK re: same; Telephone call with MK re: notifying each professional accepted E&O insurance; Draft correspondence to MK re: requesting limits and to name Town as insured on policies; Review various correspondence from professionals re: E&O certificates; Review and revise agreements accordingly; Draft correspondence to MK re: same.	1.50
07/03/2013	BAM Conference with MDC re: pending contract issues following Town Council Meeting; Telephone call with MK re: Waste Management agreement; Begin reviewing last Waste Management agreement for purpose of drafting same.	1.00
	MDC Confer with BM on surveyor agreement, solid waste agreement.	0.30
07/08/2013	BAM Review correspondence from MK re: responses to RFP for solid waste/recycling services; Begin reviewing most recent agreement between Town and Waste Pro and drafting agreement for residential collection and recycling services; Telephone conference with MK re: same.	2.30
07/09/2013	BAM Conference call with MK and Frank Schiola re: solid waste contract specifically related to complaints, penalties, and commercial waste provisions; review correspondence from Kutney re: A&B E&O terms; review and revise A&B surveying agreement and draft correspondence to MK and PU re: same.	1.60

General Matters

			HOURS	
07/10/2013	BAM	Review correspondence from Frank Palen, Esq., re: minor changes to road repair, road grading, emergency calls agreements; Telephone call w/Palen re: same; Review and revise agreements; Prepare correspondence to parties re: same; Telephone calls with MK re: same and agenda matters.	0.80	
07/12/2013	BAM	Phone calls with MK re: dissolution of unity of title issue and permit issue; continue drafting solid waste disposal agreement.	1.70	
	DJD	Address inquiry from Mark Kutney regarding Unity of Title.	0.40	
07/13/2013	MDC	Review correspondence on agenda items, solid waste collection agreements.	0.40	
07/15/2013	MDC	Review agenda materials for 7/16/13 Council meeting; research statutes on golf carts on roadways (Tom Goltzene agenda item); review petition for traffic light at Southern Blvd and D Road; prepare memo on Chapter 2013-239 (revisions to Section 604.50, Florida Statutes).	1.50	
	BAM	Complete drafting proposed solid waste/recycling agreement with Waste Pro.	4.00	
07/16/2013	MDC	Review agenda materials; telephone conference with MK, telephone conference with Council members; prepare for and attend Council meeting.	6.70	
07/17/2013	MDC	Follow up on items from 7/16 meeting.	0.50	
07/19/2013	MDC	Review revised millage and assessment resolutions.	0.20	
07/22/2013	MDC	Review FDOR materials; telephone conference with MK on pending items; telephone conference with counsel for FDOR.	0.90	
	BAM	Exchange of correspondence with Mark Kutney, Town Manager, re: revisions to solid waste disposal agreement.	0.20	
07/24/2013	MDC	Prepare agenda memo for Quit Claim Deed for Letter roads.	0.30	
	BAM	Prepare for and attend conference call with MK and Frank Schiola re: proposed solid waste/recycling agreement.	1.50	
07/25/2013	MDC	Review status of contracts, review correspondence on pending matters.	0.30	
	BAM	Review notes from conference call and revise draft of solid waste disposal agreement; draft correspondence to MK and Frank Schiola re: same; draft correspondence to Kutney and Schiola re: same.	1.00	
07/27/2013	MDC	Review statutes re: golf carts, low speed vehicles, swamp buggies per Council direction.	0.30	
FOR CURRENT SERVICES RENDERED			48.20	8,917.00

General Matters

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D.J. DOODY	1.30	\$185.00	\$240.50
MICHAEL D. CIRULLO	22.50	185.00	4,162.50
BRAM A. MARAVENT	24.40	185.00	4,514.00

COPYING COST	71.05
TOTAL EXPENSES	71.05
TOTAL CURRENT WORK	8,988.05
BALANCE DUE	<u>\$8,988.05</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.



**CONSENT AGENDA**

**2.b. Minutes for Approval: July 16, 2013**



# Town of Loxahatchee Groves

## Town Council Meeting

Tuesday, July 16, 2013 at 7:00p.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 Bill Underwood, Managing Partner Underwood Management Services Group (UMSG), Town Manager Mark Kutney, Town Clerk Susan Eichhorn, Town Attorney Michael D. Cirullo, Jr., and Town Planning Consultant Jim Fleischmann.

- b. Pledge of Allegiance & Invocation – Mayor Browning

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***Town Council Minutes***  
***07/16/2013***

c. Approval of Agenda

Vice Mayor Jarriel requested an addition to the Agenda, under Old Business, Item a.: Compton Road Repair.

**Motion: Councilman Rockett made a motion to approve the Agenda, as amended. The motion was seconded by Councilman Liang. The motion passed 5/0.**

**2. CONSENT AGENDA**

- a. Minutes for Approval: Revised June 18, 2013; July 2, 2013 Budget Workshop; July 2, 2013 Regular Town Council Meeting

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

**3. PUBLIC COMMENT**

Penny Riccio on behalf of Sirdar Trucking, Inc., addressed the Town Council regarding the terms of the contract for mowing and vegetation with Sirdar Trucking, Inc.

Town Manager Kutney replied that he was very sad that this has come up because he believed that Sirdar Trucking, Inc. has done a great job on the Notice to Proceed, however it seemed from Ms. Riccio's comments that an open purchase order is being requested. He referred to contract items 2.3 and 2.4 wherein the terms of the contract were stated, and advised that they would need to live within the confines of the contract, and that he did not appreciate the vendor coming in and trying to change those terms. He stated that he would speak with Ms. Riccio and the vendor.

Mayor Browning read a public comment into the record:

Linda Cowart, 4156 161<sup>st</sup> Terrace North: Commented regarding appreciation for the trimming job done by Sirdar Trucking, Inc. Also commented regarding a danger existing at the 90 degree turn on the south west beginning of 161<sup>st</sup> Terrace North, and recommended a blind drive mirror is installed, or the property owner remove vegetation.

**4. PRESENTATIONS - None**

**5. COMMITTEE REPORTS - None**

**6. PUBLIC HEARINGS (Ordinances 2<sup>nd</sup> Reading)**

**7. ORDINANCES (1<sup>st</sup> Reading) -**

a. Public Hearing:

**ORDINANCE NO. 2013-04**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, UPDATING THE FIVE-YEAR SCHEDULE OF IMPROVEMENTS FOR THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF LOXAHATCHEE GROVES COMPREHENSIVE PLAN PURSUANT TO STATE STATUTE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney Cirullo read Ordinance No. 2013-04 by title as printed above.

Town Planning Consultant Jim Fleischmann reported that Ordinance No. 2013-04 is an update to the capital improvements in the capital improvements element (CIE) of the Comprehensive Plan. The schedule of improvements was being updated first, and the updates to the text would be brought next month. He referred to the staff report which indicated that the Town would come into compliance with F.S. Section 336.25(b)3, which required the CIE of the Town's Comprehensive Plan to identify projects to be funded with 5 cent gas tax revenues. The Comprehensive Plan requires that an update be done once a year. Thus two requirements were being met with this Ordinance. We do have the ability to make changes in the 5 year schedule in-between first and second reading, and staff intends to include several projects approved by the

Loxahatchee Groves Water Control District (LGWCD) at their last meeting, and incorporate them into the second reading of the ordinance.

Discussion took place, and it was the **consensus of the Town Council to address Ordinance No. 2013-04 after Item 8.a., which related to budget decisions that needed to be made.**

*Clerk's Note: All items discussed below were included with approval of Ordinance No. 2013-04.*

## 8. RESOLUTIONS

### a. Budgetary Decisions Related to Resolutions No. 2013-06 and 2013-07

Reference was made to the Memorandum from Underwood Management Services, LLC, dated July 8, 2013, (included in the back up Agenda Packet) regarding inclusions or exclusions to the 2014 budget.

**Motion: Councilman Goltzené made a motion to appropriate \$300,000 in the budget to pave "D" Road with typical pavement to the bridge, then OGEM from the bridge to Collecting Canal, with the LGWCD agreeing, and that the Town receive whatever was needed to obtain proprietary. The motion was seconded by Vice Mayor Jarriel. The motion passed 5/0.**

Town Attorney Cirullo explained that anytime the Town Council identified a project, staff would engage in conversations on the process for those roads with the LGWCD.

#### Public Comments:

Ken Johnson, Collecting Canal Rd.: Commented regarding what would happen to Tangerine with this concept. Councilman Goltzené replied that it would stay as a legitimate intersection.

**Motion: Councilman Goltzené made a motion to approve the Capital Improvement budget funding for OGEMing Tangerine from "D Road west to back entry into the plaza. The motion died for lack of a second. That project was therefore removed from consideration in the budget.**

**Motion:** Motion by Councilman Rockett to eliminate the Town Hall Alternative funding at \$50,000. The motion was seconded by Councilman Liang. The motion passed 5/0.

**Motion:** Motion by Councilman Liang to approve the capital improvement funding for trails and development of linear park from “A” Road to Folsom, funded at \$80,000 in FY 2014; \$100,000 in FY 2015; and \$100,000 in FY 2016; included in the motion was that Town Attorney Cirullo is directed to work with the LGWCD on getting the trails opened up on “A” Road to Folsom. The motion was seconded by Councilman Goltzené. The motion passed 5/0.

**Motion:** Councilman Rockett made a motion for the budget amounts of \$100,000 for FY2015 and FY2016 to be put under a line item entitled “trails” in general. The motion was seconded by Councilman Goltzené. The motion passed 5/0.

**Motion:** Councilman Rockett made a motion to approve funding at \$250,000 for a cable/wire signal at the intersection of “D” Road and Okeechobee. The motion was seconded by Councilman Liang.

Discussion took place.

**The motion passed 3/2, with Mayor Browning and Councilman Goltzené dissenting.**

Regarding LGWCD roads being transferred to the Town before October, 2013, per Town Attorney Mike Cirullo, and providing funding as a grant from the General Fund for previously OGEMed roads at \$28,934 per year after transfer, or provide a capital acquisition of the OGEMed roads through the Transportation Fund:

**Motion:** Councilman Rockett made a motion to include funding in the amount of \$28,934 per year in the budget, as a capital improvement project, for the next five years starting in 2014, with the understanding that every capital expenditure will be considered for approval by the Town Council each year, as it comes up. The motion was seconded by Vice Mayor Jarriel. The motion passed 5/0.

**Motion:** Councilman Rockett made a motion that the last 5 motions, relative to the Capital Improvement fund will be incorporated, as a first reading change into Ordinance 2013-04, which is now approved on first reading, as amended. The motion was seconded by Councilman Goltzené. The motion passed 5/0.

Mr. Underwood explained that upon determination of the millage rate and solid waste collection rate, staff could prepare the budget for presentation and adoption, at two scheduled public hearings.

Discussion took place.

**Motion:** Councilman Rockett made a motion to set the millage at 1.500 and set the solid waste assessment at 344.37 per residential unit. The motion was seconded by Councilman Liang. The motion passed 4/1, with Councilman Goltzené dissenting.

\*\*\*\*\*A break was taken at 8:30 p.m. The meeting was resumed at 8:40 p.m.\*\*\*\*\*

b. **RESOLUTION NO. 2013-06**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES AND FACILITIES AND PROGRAMS ("SOLID WASTE COLLECTION SERVICES") IN THE TOWN OF LOXAHATCHEE GROVES, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE SOLID WASTE COLLECTION SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.**

Town Attorney Cirullo read Resolution No. 2013-06 reads by title.

Town Attorney Cirullo stated that the previous motion indicated that the solid waste assessment per residential unit was \$344.37; Town Manager Kutney advised that the

estimated solid waste assessment total for the Fiscal Year commencing October 1, 2013, was \$427,784.

Town Attorney Cirullo explained that because the rates were being raised from last year, a first class mail notice would need to be sent out to residents, so that they could be noticed that the Town Council was considering this preliminary rate. He stressed that the rate set tonight was only preliminary. A public hearing date would also need to be set.

**Motion: Vice Mayor Jarriel made a motion to set the public hearing meeting date for adoption of the solid assessment Resolution for Tuesday, September 10, at 5:05 p.m. The motion was seconded by Councilman Liang. The motion passed 5/0.**

**Motion: Councilman Rockett made a motion to adopt Resolution No. 2013-06. The motion was seconded by Councilman Liang. The motion passed 5/0.**

c. **RESOLUTION NO. 2013-07**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA ADOPTING A PROPOSED OPERATING MILLAGE RATE OF 1.500 FOR GENERAL OPERATING BUDGET PURPOSES FOR FISCAL YEAR 2013/14; APPROVING AND AUTHORIZING TRANSMITTAL OF THE FORM DR 420 TO THE PROPERTY APPRAISER; PROVIDING FOR THE ESTABLISHMENT OF AND SETTING FORTH THE DATE, TIME AND PLACE OF THE PUBLIC HEARING TO CONSIDER THE FISCAL YEAR 2013/14 PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney Cirullo read Resolution No. 2013-07 by title, as printed above.

Town Attorney announced that the first public hearing was scheduled for September 3 at 7:00 p.m.

Mr. Underwood presented the rolled-back millage rate of 1.2845 mills.

**Motion:** Councilman Rockett made a motion to adopt Resolution No. 2013-07. The motion was seconded by Councilman Goltzené. The motion passed 5/0.

d. **RESOLUTION NO. 2013-08**

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

Town Attorney Cirullo read Resolution No. 2013-08 by title, as printed above.

**Motion:** Vice Mayor Jarriel made a motion to adopt Resolution No. 2013-08. The motion was seconded by Councilman Rockett. The motion passed 5/0.

**9. ADMINISTRATIVE UPDATE – *Town Manager Kutney***

Town Manager Kutney provided an update on the following issues:

- The residential enterprise ordinance would be reviewed and further information would be presented at the August 6, 2013, Town Council meeting.
- Progress being made by Sirdar Trucking, Inc. with mowing and vegetative trimming.
- Provided an updated prioritized business initiatives list, identifying 37 projects. He noted that the list does not include the one time occurrences, nor the daily staff projects.
- Town engineering vendors would review the FEMA maps, and the traffic engineering vendor would be reviewing the traffic signal situation.
- Councilman Rockett referred to the weekly significant issues report, and questioned the item concerning Callery-Judge. Town Manager Kutney explained that he had met informally with developers that were working with Callery-Judge, and that he had indicated the Town's concerns relative to Okeechobee Blvd.

**10. OLD BUSINESS - *None***

- a. Compton Road potholes

Vice Mayor Jarriel explained that the potholes on Compton Road were too big, and that he had spoken with LGWCD, and would like the Town Council to direct management to fill the holes with road rock material. That would bring the safety factor back to where the road was safe to ride on.

**Motion: Vice Mayor Jarriel made a motion to put road rock material on Compton Road. The motion was seconded by Councilman Rockett.**

Town Manager Kutney confirmed that he would check to see if it could be done as a road repair, if it could not be done under road rock material.

**After further discussion, the motion passed 4/1 with Councilman Goltzené dissenting.**

**11. NEW BUSINESS**

- a. Annual Management Team Evaluation (*Councilman Rockett*)

Councilman Rockett explained that his emailed note to Town Manager Kutney was simply a reminder for the Town Manager that performance criteria and evaluation shall be reviewed annually, and suggested that the Town Council have a report through June prepared for use as criteria for evaluation.

Town Manager Kutney responded that he was ready to discuss the evaluation tonight, if so desired.

There was no further action taken.

- b. Approval of Engineering Contracts with Keshavarz for General Engineering Services; Simmons & White for Traffic Engineering, A & B Engineering, Inc. for surveying

Town Manager Kutney reported that all three Engineering Contracts were ready for approval.

**Motion: Councilman Goltzené made a motion to approve the contract for Keshavarz & Associates, Inc., for general engineering. The motion was seconded by Councilman Liang. The motion passed 5/0.**

**Motion: Councilman Rockett made a motion to approve the contract for Simmons and White, Inc., for traffic engineering. The motion was seconded by Vice Mayor Jarriel. The motion passed 5/0.**

**Motion: Councilman Rockett made a motion to approve the contract for A & B Engineering, Inc., for land surveying. The motion was seconded by Vice Mayor Jarriel. The motion passed 5/0.**

- c. Discussion of Land Use Policy for Southern Boulevard Corridor (*Councilman Goltzené*)

Councilman Goltzené suggested that an additional workshop is held for input on the Southern Blvd. corridor.

Discussion took place on having the workshop take place directly before a Town Council meeting, having another workshop on the Okeechobee Blvd. corridor, and contacting people in the area affected to see which dates work best for them.

Public Comment:

Todd McLendon, 3481 D Rd.: Commented that many people who live here do not want government in their lives, and therefore do not come to the meetings; that people who live on Tangerine do not want commercial there; suggested that people come to a workshop and have some input.

**It was the consensus of the Town Council to direct staff to contact property owners and residents, and let them know of a proposed workshop on the Southern Blvd. corridor, and ask for acceptable dates for a workshop.**

- d. Discussion of Roadway, Equestrian Trails and Greenway Advisory Committee (RETGAC) Proposal to Allow Golf Carts and Side-by-Side UTVs on Town Roads (*Councilman Goltzené*)

Councilman Goltzené requested that Town Attorney Cirullo is directed to research golf cart and side-by-sides laws and report back to the Town Council

Vice Mayor Jarriel suggested that Town Manager Kutney could express to Lt. Combs that those riding golf carts and side-by-sides are not ticketed, but are stopped to ask what they are doing, and checked for license and registration.

Public Comment:

Ken Johnson, Collecting Canal Rd.: Commented that the police should be allowed to do their job, and the town should just go by State regulations.

Frank Schiola, 13434 Marcella Blvd.: Commented regarding the need to have regulations.

Nina Corning, 2834 E Rd.: Commented regarding keeping motorized vehicles off of the greenways.

Virginia Standish, 15410 North Rd.: Commented regarding using common sense with regulations, and keeping motorized vehicles off the greenways.

**It was the consensus of the Town Council to allow Town Attorney Cirullo to do the research on golf cart and side-by-sides, and report back to the Town Council.**

## **12. CLOSING COMMENTS**

- a. Public

Virginia Standish, 15410 North Rd.: Commented regarding dangerous areas of erosion on District Roads, and bringing it to the attention of the Intergovernmental Coordination Committee.

John Ryan, 3508 A Rd.: Commented regarding obtaining an acknowledgement from Palm Beach State College that they will not claim an exemption for assessments from the District.

- b. Town Attorney
- c. Town Council Members

Councilman Goltzené: Thanked everyone for coming and thanked the Town Council for considering his concerns.

Vice Mayor Jarriel: Requested consensus from the Town Council for support on a Petition for a red light at D Rd. and Okeechobee Blvd., imprinted with the Town logo. **It was the consensus of the Town Council to support the Petition and the use of the Town logo.** Vice Mayor Jarriel read into the record a letter to Town Manager Kutney from the Florida Forest Service in support of installing a traffic light at D Rd. and Southern Blvd.

Councilman Liang: Thanked everyone.

Councilman Rockett: Thank everyone.

Mayor Browning: Reported that potholes on D Road, on the east side, are causing a wash out between Alton and Okeechobee Blvd. Somebody needs to get some rock in there to fill them up until they can be repaired. Thanked everyone.

### **13. ADJOURNMENT**

There being no further business, the Town Council Meeting of July 16, 2013, was adjourned at 10:25 p.m.

\_\_\_\_\_  
Susan Eichhorn, Town Clerk

\_\_\_\_\_  
David Browning, Mayor

(SEAL)

**These minutes were approved by the Town Council on August 6, 2013**

\_\_\_\_\_  
***Town Council Minutes***  
***07/16/2013***



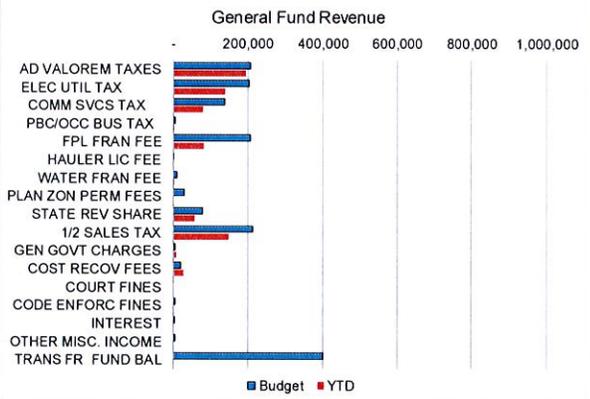
**5. COMMITTEE REPORTS**

- a. FAAC Report and Approval of June 2013 Financial Reports



## Town of Loxahatchee Groves Financial Activity Report as of June 30, 2013 (75% of year elapsed)

### General Fund Revenue Budget



### General Fund Revenues

Revenues	Budget	Year-to-Date	%
AD VALOREM TAXES @ 1 2000	206,025	195,196	94.7%
ELECTRIC UTILITY TAX	202,000	139,395	69.0%
COMMUNICATION SERVICES TAX	136,726	80,501	58.9%
COUNTY OCCUPATIONAL LICENSES	5,000	3,952	79.0%
FPL FRANCHISE FEE	206,000	82,317	40.0%
HAULER LICENSE FEE	2,000	2,000	100.0%
PBC WATER UTILITY FRANCHISE	10,500	4,254	40.5%
PLANNING & ZONING PERMIT FEES	30,000	76	0.3%
STATE REVENUE SHARING	77,873	57,455	73.8%
HALF CENT SALES TAX	212,024	149,009	70.3%
GENERAL GOVERNMENT CHARGES	5,000	9,172	183.4%
COST RECOVERY FEES	20,000	28,640	143.2%
COURT FINES	-	1,397	-
CODE ENFORCEMENT FINES	5,000	300	6%
INTEREST	3,600	174	4.8%
OTHER MISC. INCOME	5,000	2,204	44.1%
<b>TRANSFER FROM FUND BALANCE*</b>	<b>400,000</b>	<b>-</b>	<b>0.0%</b>
<b>Total Revenues</b>	<b>1,526,748</b>	<b>756,041</b>	<b>49.5%</b>

### General Fund Expenditures

Expenditures	Budget	Year-to-Date	%
LEGISLATIVE	39,235	18,115	46.2%
EXECUTIVE	275,259	208,981	75.9%
FINANCIAL AND ADMINISTRATIVE	23,750	19,752	83.2%
LEGAL COUNSEL	60,000	71,245	118.7%
COMPREHENSIVE PLANNING & ZONING	148,700	126,689	85.2%
OTHER GENERAL GOVERNMENT	695,519	637,437	91.6%
LAW ENFORCEMENT	275,285	206,089	74.9%
PUBLIC WORKS	9,000	2,129	23.7%
<b>Total Expenditures</b>	<b>1,526,748</b>	<b>1,290,437</b>	<b>84.5%</b>
Excess(deficiency)	-	(534,396)	-

### YTD-Total Funds Expen. Budget

Expenditures	Budget	Year-to-Date	%
<b>Total Townwide Budget</b>	<b>3,675,754</b>	<b>1,661,620</b>	<b>45.2%</b>

### Selected Other Funds

Transportation Fund	Budget	Year-to-Date	%
FIRST LOCAL OPTION FUEL TAX (6 CENT)	249,245	165,677	66.5%
SECOND LOCAL OPTION FUEL (5 CENT)	117,326	76,856	65.5%
CONTRIBUTION FROM GENERAL FUND	-	-	-
TRANSFER FROM FUND BALANCE	-	-	-
<b>Total Revenues</b>	<b>366,571</b>	<b>242,533</b>	<b>66.2%</b>
TRAFFIC CONTROL SIGNS (6 CT) MAINT.	9,245	17,502	189.3%
TOWN ROADS (6 CT) MAINT.	40,000	5,432	13.6%
DISTRICT ROADS (6 CT) MAINT.	150,000	-	0.6%
ROADS AND STREETS (5 CT)	-	-	-
SPECIAL PROJECTS (6 CT)	50,000	901	0.0%
148th TERR BRIDGE(S)/CULVERT	-	-	-
CONSTRUCTION TOWN RDS & STREETS	-	-	-
TRANSFER TO FUND BALANCE	117,326	-	0.0%
<b>Total Expenses</b>	<b>366,571</b>	<b>23,835</b>	<b>6.5%</b>
Excess(deficiency)	-	<b>218,699</b>	-
Solid Waste Fund	Budget	Year-to-Date	%
SOLID WASTE ASSESSMENTS	346,361	323,371	93.4%
DISCOUNT FEES	(10,392)	(10,214)	98.3%
SWA RECYCLING INCOME	8,000	5,573	69.7%
CONTRIBUTION FROM GENERAL FUND	126,000	126,000	100.0%
<b>Total Revenues</b>	<b>469,969</b>	<b>444,730</b>	<b>94.6%</b>
CONTRACTUAL-WASTE OVERSIGHT	12,000	5,156	43.0%
PBC ADMINISTRATION FEE 1%	3,463	3,189.05	92.1%
POSTAGE & FREIGHT	500	28.00	-
SOLID WASTE CONTRACTOR	451,634	338,726	75.0%
OTHER SANITATION SERVICES	1,500	250	16.7%
LEGAL ADVERTISING	872	-	0.0%
MANAGEMENT FEES	-	-	-
<b>Total Expenses</b>	<b>469,969</b>	<b>347,349</b>	<b>73.9%</b>
Excess(deficiency)	-	97,381	-
Capital Improvement Program (CIP) Fund	Budget	Year-to-Date	%
CONTRIBUTION FROM GENERAL FUND	400,000	400,000	100.0%
TRANSFER FROM FUND BALANCE	912,466	-	0.0%
<b>Total Revenues</b>	<b>1,312,466</b>	<b>400,000</b>	<b>30.5%</b>
DEVELOP TOWN HALL ALTERNATIVES	500,000	-	-
TRAILS	200,000	-	-
OGEM PAVING/COST SHARING	-	-	-
ROAD & DRAINAGE IMPROVEMENT	362,466	-	-
TRAFFIC LIGHT OKEECHOBEE	250,000	-	-
<b>Total Expenses</b>	<b>1,312,466</b>	<b>-</b>	<b>0.0%</b>
Excess(deficiency)	-	400,000	-
Contract Services Expenditures	Budget	Year-to-Date	%
Waste Pro	451,634	338,726	75.0%
Palm Beach County Sheriff	275,285	206,089	74.9%
Underwood Management Services Group	330,835	249,860	75.5%
Goren, Cherof, Doody, Ezrol	60,000	82,522	137.5%
Tew & Associates	35,000	29,782	85.1%
Land Research Management	-	26,673	-
Calvin Giodomo	-	508	-
Frank Schiola	25,000	13,962	55.8%
YEE's Corporation	10,800	9,000	83.3%
Loxahatchee Water Control District	150,000	36,314	24.2%
<b>Total Expenses</b>	<b>1,338,554</b>	<b>993,436</b>	<b>73.9%</b>

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



**BUDGET VS ACTUAL**  
**as of JUNE 30, 2013**  
 75% 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	3,361.68	195,195.97	-	206,025.00	(10,829.03)	94.7%
	<b>Ad Valorem Taxes Subtotal</b>	<b>3,361.68</b>	<b>195,195.97</b>		<b>206,025.00</b>	<b>(10,829.03)</b>	
001-314-100-000	Electric Utility Tax	17,820.14	139,394.59	-	202,000.00	(62,605.41)	69.0%
001-315-100-000	Communications Services	8,998.44	80,500.95	-	136,726.00	(56,225.05)	58.9%
001-316-200-000	County Occupational License	76.89	3,952.08	-	5,000.00	(1,047.92)	79.0%
	<b>Local Taxes Subtotal</b>	<b>26,895.47</b>	<b>223,847.62</b>		<b>343,726.00</b>	<b>(119,878.38)</b>	
001-323-100-000	FPL Franchise Fee	-	82,317.29	-	206,000.00	(123,682.71)	40.0%
001-323-125-000	Haulers License Fee	-	2,000.00	-	2,000.00	-	100.0%
001-323-300-000	PBC Water Utility Franchise	836.88	4,254.28	-	10,500.00	(6,245.72)	40.5%
001-329-100-000	Planning & Zoning Permit	-	76.00	-	30,000.00	(29,924.00)	0.3%
	<b>Permits, Franchise Fees &amp; Special Subtotal</b>	<b>836.88</b>	<b>88,647.57</b>		<b>248,500.00</b>	<b>(159,852.43)</b>	
001-335-120-000	State Revenue Sharing	6,383.98	57,454.68	-	77,873.00	(20,418.32)	73.8%
001-335-180-000	Half Cent Sales Tax	18,350.55	149,009.20	-	212,024.00	(63,014.80)	70.3%
	<b>Intergovernmental Revenue Subtotal</b>	<b>24,734.53</b>	<b>206,463.88</b>		<b>289,897.00</b>	<b>(83,433.12)</b>	<b>71.2%</b>
001-341-000-000	General Government Charges	1,470.70	9,171.52	-	5,000.00	4,171.52	183.4%
001-343-349-000	Cost Recovery Fees	5,634.35	28,639.78	-	20,000.00	8,639.78	143.2%
	<b>Charges for Services Subtotal</b>	<b>7,105.05</b>	<b>37,811.30</b>		<b>25,000.00</b>	<b>12,811.30</b>	
001-351-100-000	Court Fines	7.70	1,397.37	-	-	1,397.37	
001-354-100-000	Code Enforcement Fines	-	300.00	-	5,000.00	(4,700.00)	6.0%
	<b>Code Enforcement Fines Subtotal</b>	<b>7.70</b>	<b>1,697.37</b>		<b>5,000.00</b>	<b>(3,302.63)</b>	
001-361-100-000	Interest	15.27	173.67	-	3,600.00	(3,426.33)	4.8%
001-369-000-000	Other Misc Income	-	2,203.50	-	5,000.00	(2,796.50)	44.1%
	<b>Other Misc Revenue Subtotal</b>	<b>15.27</b>	<b>2,377.17</b>		<b>8,600.00</b>	<b>(6,222.83)</b>	
001-399-000-000	Transfer from Fund Balance*	-	400,000.00	-	400,000.00	-	100.0%
	<b>Other Non-operating Sources Subtotal</b>	<b>-</b>	<b>400,000.00</b>		<b>400,000.00</b>	<b>-</b>	
	<b>Grand Total Revenue</b>	<b>62,956.58</b>	<b>1,156,040.88</b>		<b>1,526,748.00</b>	<b>(370,707.12)</b>	<b>75.7%</b>

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

**TOWN OF LOXAHATCHEE GROVES**  
**BUDGET VS ACTUAL**  
**as of JUNE 30, 2013**  
 75% Elapsed  
 General Fund  
 Expenditures



Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
001-5111-310-000	Professional Services	-	-	-	20,000.00	20,000.00	0.0%
001-5111-400-000	Travel	-	92.00	-	3,000.00	2,908.00	3.1%
001-5111-492-000	Other Operating Expenses	-	1,084.00	-	1,500.00	416.00	72.3%
001-5111-499-000	Other Current Charges - Council Reimbursement	2,500.00	10,000.00	-	-	(10,000.00)	-
001-5111-500-000	Education & Training	-	-	-	1,000.00	1,000.00	0.0%
001-5111-510-000	Office Supplies	-	37.77	-	300.00	262.23	12.6%
001-5111-520-000	Operating Supplies	-	-	-	300.00	300.00	0.0%
001-5111-540-000	Books, Publications & Subscriptions	160.00	3,874.00	-	7,785.00	3,911.00	49.8%
001-5111-820-000	Special Events/Contributions	-	3,027.45	-	5,350.00	2,322.55	56.6%
	<b>Legislative Total</b>	<b>2,660.00</b>	<b>18,115.22</b>	<b>-</b>	<b>39,235.00</b>	<b>21,119.78</b>	<b>46.2%</b>
001-512-340-000	Other Services	8,578.96	192,310.38	-	254,635.00	62,324.62	75.5%
001-512-400-000	Travel	112.62	1,109.95	-	1,000.00	(109.95)	111.0%
001-512-410-000	Communication Services	-	130.00	-	-	(130.00)	-
001-512-420-000	Postage & Freight - NEW	21.78	1,223.94	-	1,000.00	(223.94)	122.4%
001-512-490-000	Legal Advertising	-	817.44	-	500.00	(317.44)	163.5%
001-512-492-000	Other Operating Expenses	5.00	172.35	-	944.00	771.65	18.3%
001-512-493-000	Election Expense	-	6,841.07	-	8,010.00	1,168.93	85.4%
001-512-510-000	Office Supplies	293.81	6,224.82	-	8,600.00	2,375.18	72.4%
001-512-521-000	Loxahatchee Groves CERT - MOVED	-	150.60	-	-	(150.60)	-
001-512-540-000	Books, Publications & Subscriptions	-	-	-	570.00	570.00	0.0%
	<b>Executive Total</b>	<b>9,012.17</b>	<b>208,980.55</b>	<b>-</b>	<b>275,259.00</b>	<b>66,278.45</b>	<b>75.9%</b>
001-513-320-000	Accounting and Auditing	-	16,100.00	-	18,000.00	1,900.00	89.4%
001-513-470-000	Printing and Binding	861.72	2,742.48	-	4,750.00	2,007.52	57.7%
001-513-490-000	Legal Advertising	-	910.00	-	1,000.00	90.00	91.0%
001-513-493-000	Election Expense (moved)	-	-	-	-	-	0.0%
	<b>Financial &amp; Administrative Total</b>	<b>861.72</b>	<b>19,752.48</b>	<b>-</b>	<b>23,750.00</b>	<b>3,997.52</b>	<b>83.2%</b>
001-514-310-000	Professional Services	14,449.99	71,244.89	-	60,000.00	(11,244.89)	118.7%
	<b>Legal Total</b>	<b>14,449.99</b>	<b>71,244.89</b>	<b>-</b>	<b>60,000.00</b>	<b>(11,244.89)</b>	<b>118.7%</b>



**TOWN OF LOXAHATCHEE GROVES**  
**BUDGET VS ACTUAL**  
**AS OF JUNE 30, 2013**

75% 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	2,017.50	32,516.91	-	40,000.00	7,483.09	81.3%
001-515-340-000	Other Services	19,183.29	57,549.87	-	76,200.00	18,650.13	75.5%
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	5,634.35	32,688.30	-	25,000.00	(7,688.30)	130.8%
001-515-490-000	Legal Advertising - NEW	-	3,933.60	-	2,500.00	(1,433.60)	157.3%
	<b>Comprehensive Planning &amp; Zoning Total</b>	<b>26,835.14</b>	<b>126,688.68</b>	<b>-</b>	<b>148,700.00</b>	<b>22,011.32</b>	<b>85.2%</b>
001-519-315-000	Special Magistrate	3,151.44	16,585.78	-	16,000.00	(585.78)	103.7%
001-519-354-000	Code Compliance	4,242.00	21,818.75	-	41,000.00	19,181.25	53.2%
001-519-410-000	Communications Services	450.63	4,063.73	-	5,100.00	1,036.27	79.7%
001-519-440-000	Rentals and Leases	1,127.16	14,502.14	-	16,305.00	1,802.86	88.9%
001-519-450-000	Insurance	-	17,485.00	-	16,500.00	(985.00)	106.0%
001-519-460-000	Repair & Maint - Building	200.00	1,800.00	-	2,126.00	326.00	84.7%
001-519-470-000	Printing and Binding	-	-	-	-	-	0.0%
001-519-480-000	Promotional Activities	-	-	-	-	-	0.0%
001-519-490-000	Computer Repair	-	1,070.63	-	4,500.00	3,429.37	23.8%
001-519-491-000	Computer Services	1,500.00	2,730.06	-	11,131.00	8,400.94	24.5%
001-519-494-000	Inspector General Office	-	-	-	5,280.00	5,280.00	0.0%
001-519-810-000	Aids to Govt Agencies Grant - LGWCD	28,893.00	28,893.00	-	-	(28,893.00)	124.4%
001-519-820-000	Loxahatchee Groves CERT	1,243.49	2,488.34	-	2,000.00	(488.34)	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%
	<b>Other Governmental Services Total</b>	<b>40,807.72</b>	<b>637,437.43</b>	<b>-</b>	<b>695,519.00</b>	<b>58,081.57</b>	<b>91.6%</b>
001-521-341-000	Professional Services-PBSO	22,898.75	206,088.75	-	274,785.00	68,696.25	75.0%
001-521-342-000	Contractual-ADDL PBSO	-	-	-	500.00	500.00	0.0%
	<b>Law Enforcement Total</b>	<b>22,898.75</b>	<b>206,088.75</b>	<b>-</b>	<b>275,285.00</b>	<b>69,196.25</b>	<b>74.9%</b>
001-539-310-000	Other Services	-	-	-	-	-	0.0%
001-539-340-000	Professional Services	159.00	2,129.13	-	9,000.00	6,870.87	23.7%
	<b>Public Works Total</b>	<b>159.00</b>	<b>2,129.13</b>	<b>-</b>	<b>9,000.00</b>	<b>6,870.87</b>	<b>23.7%</b>
	<b>Grand Total Expenditure</b>	<b>117,684.49</b>	<b>1,290,437.13</b>	<b>-</b>	<b>1,526,748.00</b>	<b>236,310.87</b>	<b>84.5%</b>
	<b>Net Revenue</b>	<b>(54,727.91)</b>	<b>(134,396.25)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>







**TOWN OF LOXAHATCHEE GROVES**  
**BUDGET VS ACTUAL**  
**AS OF JUNE 30, 2013**  
 75% 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	4,008.77	323,371.44	-	346,361.00	(22,989.56)	93.4%
405-325-206-000	Discount Fees	-	(10,213.83)	-	(10,392.00)	178.17	98.3%
405-343-120-000	SWA Recycling Income	-	5,572.57	-	8,000.00	(2,427.43)	69.7%
405-363-990-000	Contributions from General Fund	-	126,000.00	-	126,000.00	-	100.0%
	<b>Total Revenue</b>	<b>4,008.77</b>	<b>444,730.18</b>	<b>-</b>	<b>469,969.00</b>	<b>(25,238.82)</b>	<b>94.6%</b>

Account Number	Account	Month to Date	Year to Date	Encumbrance	Annual Budget	Annual Variance	% Used
405-534-345-000	Contractual - Waste Over	954.00	5,156.00	-	12,000.00	6,844.00	43.0%
405-534-346-000	PBC Administration Fee 1	-	3,189.05	-	3,463.00	273.95	92.1%
405-534-420-000	Postage & Freight	-	28.00	-	500.00	472.00	5.6%
405-534-434-000	Solid Waste Contractor	37,636.20	338,725.80	-	451,634.00	112,908.20	75.0%
405-534-436-000	Other Sanitation Service	-	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%
	<b>Total Expenditure</b>	<b>38,590.20</b>	<b>347,348.85</b>	<b>-</b>	<b>469,969.00</b>	<b>122,620.15</b>	<b>73.9%</b>
	<b>Net Revenue</b>	<b>(34,581.43)</b>	<b>97,381.33</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>



6. PUBLIC HEARINGS (Ordinance 2<sup>nd</sup> Reading)

a. Ordinance No. 2013-04



**TOWN OF LOXAHATCHEE GROVES**  
**OFFICE OF THE TOWN MANAGER**  
**AGENDA REPORT**

**TO:** Town Council through Mark A. Kutney, Town Manager

**FROM:** Jim Fleischmann, Town Planning Consultant

**DATE:** July 31, 2013

**SUBJECT:** Five-Year Schedule of Capital Improvements.

**I. BACKGROUND/HISTORY**

Previously, Town Management Staff identified concerns with use of the 5 cent gas tax and inadequacies of the Comprehensive Plan as it related to planning for capital improvements. One of the concerns related to the fact that the Town's Capital Improvements Element (CIE) indicates that no capital projects have been scheduled for the planning period. Ordinance 2013-04 addresses this concern by incorporating an updated Five-Year Schedule of Capital Improvements within the Capital Improvements Element of the Comprehensive Plan.

Ordinance 2013-04 was approved by the Town Council on first reading on July 16, 2013 subject to several revisions to the Five Year Schedule of Capital Improvements. Revisions requested by the Council have been incorporated within Attachment A of Ordinance 2014-04.

**II. DISCUSSION**

In order to address issues of the Comprehensive Plan and to implement Transportation Fund recommendations of the FY 2013-2014 Budget, Town Management is requesting Town Council to approve Ordinance 2013-04, including an updated Five-Year Schedule of Capital Improvements. By adopting Ordinance 2013-04, the Town will come into compliance with F.S. Section 336.025(b)3 which requires the CIE of the Town's Comprehensive Plan to identify projects to be funded with 5 cent gas tax revenues.

**III. FISCAL IMPACT**

The cost of preparing Ordinance 2013-04 and the revised Five-Year Schedule of Improvements is incurred by the Town due to the project being sponsored and directed by Town Council

**IV. ATTACHMENTS**

Proposed Ordinance 2013-04, including Exhibit A: Five-Year Schedule of Capital Improvements

**V. REQUIRED ACTION**

Consideration of Ordinance 2013-04, on second reading, adopting the updated Five-Year Schedule of Improvements.

**TOWN OF LOXAHATACHEE GROVES**

**ORDINANCE NO. 2013-04**

1       **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF**  
2       **LOXAHATCHEE GROVES, FLORIDA, UPDATING THE FIVE-YEAR**  
3       **SCHEDULE OF IMPROVEMENTS FOR THE CAPITAL**  
4       **IMPROVEMENTS ELEMENT OF THE TOWN OF LOXAHATCHEE**  
5       **GROVES COMPREHENSIVE PLAN PURSUANT TO STATE STATUTE;**  
6       **PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;**  
7       **AND PROVIDING FOR AN EFFECTIVE DATE.**

8  
9       **WHEREAS**, Section 163.3167, Florida Statutes, requires that each local government  
10       prepare a Comprehensive Plan in compliance with the Local Government Comprehensive  
11       Planning and Development Act, as amended; and

12       **WHEREAS**, Section 163.3177(3)(b), Florida Statutes, requires the Town to prepare an  
13       annual update to the Five Year Schedule of Improvements set forth in the Capital Improvements  
14       Element of the Comprehensive Plan; and

15       **WHEREAS**, updates to the Five Year Schedule of Improvements may be accomplished  
16       by ordinance and may not be deemed to be amendments to the Town’s Comprehensive Plan; and

17       **WHEREAS**, the Town Council wishes to update the Five Year Schedule of  
18       Improvements in the Capital Improvements Element of the Town’s Comprehensive Plan as set  
19       forth on Exhibit “A” hereto; and

20       **WHEREAS**, the Town Council determines that the adoption of this Ordinance is in the  
21       interests of the health, safety and welfare of the residents and citizens of the Town of  
22       Loxahatchee Groves.

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

25  
26       **Section 1: Recitals.** The foregoing recitals are hereby ratified as true and correct and  
27       incorporated herein.

28

**TOWN OF LOXAHATACHEE GROVES**

**ORDINANCE NO. 2013-04**

1           **Section 2: Five-Year Schedule for Capital Improvement Element.** In accordance  
2 with the requirements of Section 163.3177(3)(b), Florida Statutes, the Town Council hereby  
3 adopts the Five Year Schedule of Improvements pursuant to the Capital Improvements Element  
4 of its Comprehensive Plan, as set forth in Exhibit “A,” which is attached hereto and incorporated  
5 herein by reference.

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

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

12           **Section 5: Effective Date.** This ordinance shall take effect immediately upon adoption.

13  
14 **PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF**  
15 **LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS \_\_\_ DAY OF**  
16 **\_\_\_\_\_ , 2013.**

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*[The remainder of this page intentionally left blank]*

**TOWN OF LOXAHATACHEE GROVES**

**ORDINANCE NO. 2013-04**

1  
2 **PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN**  
3 **LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS**  
4 **\_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.**  
5

6  
7 **TOWN OF LOXAHATCHEE GROVES,**  
8 **FLORIDA**  
9

10 **ATTEST:** \_\_\_\_\_  
11 Mayor David Browning  
12

13 \_\_\_\_\_  
14 **TOWN CLERK** Vice Mayor Ron Jarriel  
15

16 \_\_\_\_\_  
17 Council Member Tom Goltzené  
18

18 **APPROVED AS TO LEGAL FORM:**  
19 \_\_\_\_\_  
20 Council Member Ron Jarriel  
21

22 \_\_\_\_\_  
22 Office of the Town Attorney \_\_\_\_\_  
23 Council Member Ryan Liang  
24

**TOWN OF LOXAHATACHEE GROVES**

**ORDINANCE NO. 2013-04**

**EXHIBIT A**

**Revised Loxahatchee Groves  
Five-Year Schedule of Capital Improvements: FY 2014 – FY 2018**

**(Underlined text is an update of the Five-Year Schedule of Capital Improvements)**

**TOWN OF LOXAHATACHEE GROVES**

**ORDINANCE NO. 2013-04**

**Table 9-1 - Summary of FY 2014 – 2018 Capital Improvements Projects**

**A. Necessary to Maintain LOS Standards: Loxahatchee Groves**

<u>Comprehensive Plan Element</u>	<u>Project No. and Description</u>	<u>Comprehensive Plan Consistency (Objective/Policy Citation)</u>
Transportation	TRAN-1: Non-District Town Road Survey (1)	Objective 2.6 and Policies 2.2.4, 2.7.1 and 2.7.9 Transportation Element
Transportation	TRAN-2: Collecting Canal Road OGEM surface Improvements (1,2)	Policy 2.1.3 Transportation Element
Transportation	TRAN-3: Okeechobee Traffic Signal @ "D" Rd. (1)	Policies 2.1.4 and 2.2.2, Transportation Element
Transportation	TRAN-4: Town Road OGEM Projects –Specific Future Projects To Be Identified (1,2)	Policy 2.1.3 Transportation Element
Transportation	TRAN-5: Pave/OGEM Surface "D" Road from Southern Blvd. to Collecting Canal	Policy 2.1.3 Transportation Element
Transportation	TRAN-6: LGWCD to Town road transfer costs - Specific Future Projects To Be Identified	Policy 2.1.3 Transportation Element
Drainage Sub-Element	DR-1: Drainage Canal Refurbishment Program (sub to LGWCD)	Policies 3A.1.5 and 3A.1.6 Drainage Sub-Element

Key: TRAN – Transportation; DR – Drainage; LGWCD – Loxahatchee Groves Water Control District.

(1) – Existing Deficiency ; (2) – Replacement Project; (3) – To Meet Future Need

**B. FY 2014 to 2018 Improvements Necessary to Maintain LOS Standards: Outside Agencies**

<u>Agency</u>	<u>Project No. and Description</u>	<u>Comprehensive Plan Consistency (Objective/Policy Citation)</u>
Lox Groves Water Control Dist	DR-2: 40-foot Long Front Backhoe lease purchase (1,3)	Objective 3.A.1 Drainage Sub-Element
Lox Groves Water Control Dist	DR-3: Long-Reach Mower lease purchase (1,3)	Objective 3.A.1 Drainage Sub-Element
Palm Beach County School District	PSF-1 Palm Beach County School District 5-Year Capital Budget (FY 2013 – 2017) By Reference (3)	Policy 8A.3-A Public School Facilities Element
Florida Department of Transportation	FDOT-1: #4282391 Bridge #930402 repair and rehab. West of "D" Road (1)*	Policy 2.2.4 Transportation Element; Policy 9.2.10 Capital Improvements Element
Florida Department of Transportation	FDOT-2: #4193452 Add lanes and reconstruct Southern Boulevard (3)*	Policies 2.2.4 and 2.6.2 Transportation Element; Policy 9.2.10 Capital Improvements Element

\* - Project included in the FY 2011 – 2015 Transportation Improvement Program (TIP) of the MPO.

Key: DR – Drainage; PSF – Public School Facility; FDOT – Florida Department of Transportation

(1) – Existing Deficiency; (2) – Replacement Project; (3) – To Meet Future Need

**TOWN OF LOXAHATACHEE GROVES**

**ORDINANCE NO. 2013-04**

**C. FY 2014 to 2018 Non-LOS Comprehensive Plan-Directed Improvements:  
Loxahatchee Groves**

<u>Comprehensive Plan Element</u>	<u>Project No. and Description</u>	<u>Comprehensive Plan Consistency (Objective/Policy Citation)</u>
Recreation and Open Space	ROS-1: Equestrian Trails – Linear Park from “A” Road to Folsom Road (1,3)	Objective 2.3 Transportation Element
Recreation and Open Space	ROS-2: Equestrian Trails – Future Projects To Be Identified (1,3)	Objective 2.3 Transportation Element

Key: ROS – Recreation and Open Space

(1) – Existing Deficiency; (2) – Replacement Project; (3) – To Meet Future Need

**D. FY 2014 to 2018 Other Infrastructure Improvements: Outside Agencies/Private Parties**

<u>Project No. and Description</u>	<u>Public Agency/Private Party</u>	<u>Comprehensive Plan Consistency (Objective/Policy Citation)</u>
TRAN-7 “F” Road Pavement and OGEM Improvements: Southern Blvd. to Collecting Canal(1,3)	Grove Medical Plaza Site Plan Approval Condition	Policy 2.1.4 Transportation Element

Key: TRAN – Transportation.

(1) – Existing Deficiency ;(2) – Replacement Project; (3) – To Meet Future Need

**Table 9-2 – FY 2014 – 2018**

**Schedule and Cost of Capital Improvements Projects**

**A. Necessary to Maintain LOS Standards**

<u>Project Number*</u>	<u>Fiscal Year Cost (\$ 000's)</u>					<u>Total Cost (Dollars)</u>
	<u>2013/14</u>	<u>2014/15</u>	<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>	
TRAN-1	100	100	0	0	0	200,000
TRAN-2	944	0	0	0	0	944,000
TRAN-3	220	250	0	0	0	470,000
TRAN-4	100	0	0	0	0	100,000
TRAN-5	300	0	0	0	0	300,000
TRAN-6	29	29	29	29	29	145,000
TRAN-7	106	0	0	0	0	106,000
DR-1	150	150	150	150	150	750,000
DR-2	62	62	62	62	62	310,000
DR-3	34	34	34	34	34	170,000
FDOT #4282391	119	0	0	0	0	119,000
FDOT##4193452**	5,200	0	0	0	34,500	39,700,000
<b>Totals</b>	7,364	625	275	275	34,775	43,314,000

\*\*Cost includes entire project length (Lion Country Safari to west of Crestwood Blvd).

\* - Refer to Table 9-1A , 9-1B and 9-1D.

**Town of Loxahatchee Groves Comprehensive Plan  
Adoption – February 2009; Rev.: August 2013**

**Capital Improvement Element  
9 -17**

**TOWN OF LOXAHATACHEE GROVES**

**ORDINANCE NO. 2013-04**

**B. Non-LOS Comprehensive Plan-Directed Improvements**

<b>Project Number*</b>	<b>Fiscal Year Cost (\$ 000's)</b>					<b>Total Cost (Dollars)</b>
	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	
ROS-1	80	0	0	0	0	80,000
ROS-2	0	100	100	0	0	200,000
<b>Totals</b>	<b>80</b>	<b>100</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>280,000</b>
<b>PBC School Dist.</b>	5-Year Capital Budget (FY 2013 – 2017) Incorporated By Reference					

\* - Refer to Table 9-1C.

**Table 9-3 – Revenue Sources for Town Directed Capital Improvements Projects**

<b>Project Number*</b>	<b>Revenue Source</b>	<b>Fiscal Year Budget (\$000)</b>					<b>Total Cost (Dollars)</b>
		<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	
TRAN-1	GF/GT	100,000	100,000	0	0	0	200,000
TRAN-2	GF/GT	944,000	0	0	0	0	944,000
TRAN-3	GF/GT	220,000	250,000	0	0	0	470,000
TRAN-4	GF	100,000	0	0	0	0	100,000
TRAN-5	GF	300,000	0	0	0	0	300,000
TRAN-6	GT	29,000	29,000	29,000	29,000	29,000	145,000
TRAN-7	P	106,000	0	0	0	0	106,000
DR-1	GT	150,000	150,000	150,000	150,000	150,000	750,000
ROS-1	GF	80,000	0	0	0	0	80,000
ROS-2	GF	0	100,000	100,000	0	0	200,000
<b>Town Totals</b>	<b>GF/GT/P</b>	<b>2,029,000</b>	<b>629,000</b>	<b>279,000</b>	<b>179,000</b>	<b>179,000</b>	<b>3,295,000</b>

\* - Refer to Tables 9-1A, 9-1C and 9-1D.

**Revenue Sources:** GF-General Fund; GT-Gas Tax; G-Grant; P –Private Source



8. a. Resolution No. 2013-09

## TOWN OF LOXAHATCHEE GROVES

### MEMORANDUM NO. 2013-21

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: August 6, 2013

RE: Town of Loxahatchee Groves (“Town”)/ Transfer of OGEM’d “Letter Roads” to Town

---

At the October 16, 2012, Joint Workshop between the Town Council and the District Board of Supervisors, the consensus was to transfer the currently OGEM’d roads from the District to the Town. Among those were the four roads listed in Chapter 2011-257, Laws of Florida (“Special Act”):

- “A” Road from Okeechobee Boulevard to North Road, and North Road for approximately ¼ mile east of “A”;
- “C” Road South, from Collecting Canal Road to Okeechobee Blvd., and Collecting Canal approximately ¼ mile each direction from “A” Road;
- “C” Road North from Okeechobee Blvd. to North Road and North Road for approximately ¼ mile each direction from “C” Road; and,
- “D” Road from Okeechobee Blvd. to North Road and North Road approximately ¼ each direction from “D” Road

Through ongoing discussions with counsel for the District, it was determined the method to accomplish the transfer of these roads would be the same as for Compton Road and Marcella Boulevard: through a Quit Claim Deed. Our office and counsel for the District worked on the Quit Claim Deed, which is substantially the same as the one accepted by the Town Council for Compton Road and Marcella Boulevard. The form is acceptable to our office.

A Resolution accepting the Quit Claim Deed upon approval and delivery of same from the District is on the agenda for the August 6, 2013, Town Council meeting. The Quit Claim Deed is attached to the Resolution. It is my understanding that the Quit Claim Deed will then be on the agenda for the August 12, 2013, District Board of Supervisors Meeting.

Once the Town adopts the Resolution and the District executes and delivers the Quit Claim Deed, it will be recorded in the public records of Palm Beach County and these roads will be confirmed as Town public roadways. It is expected that this will be accomplished by the end of the current Town Fiscal Year (September 30, 2013).

Memorandum 2013-12

April 26, 2013

Page 2

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

MDC

**TOWN OF LOXAHATCHEE GROVES  
FLORIDA**

**RESOLUTION NO. 2013 -09**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ACCEPTING THE QUIT CLAIM DEED FROM THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT FOR PORTIONS OF NORTH “A” ROAD, SOUTH “C” ROAD, NORTH “C” ROAD, AND NORTH “D” ROAD AS LEGALLY DESCRIBED IN THE QUIT CLAIM DEED, ATTACHED HERETO AS EXHIBIT “1”; PROVIDING FOR THE RECORDING OF THE QUIT CLAIM DEED AND AUTHORIZATION TO TAKE STEPS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR MATTERS RELATING TO THE ROADS; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Loxahatchee Groves Water Control District (“LGWCD”) has historically had rights to use, maintain and improve certain public roads within the geographical boundaries of the Town; and,

**WHEREAS**, pursuant to Laws of Florida Chapter 2011-257, portions of North “A” Road, South “C” Road, North “C” Road, and North “D” Road as legally described in the Quit Claim Deed attached hereto as Exhibit “1”, were resurfaced by the LGWCD; and,

**WHEREAS**, the Board of Supervisors for the LGWCD and the Town Council of the Town of Loxahatchee Groves, have agreed to the transfer of rights the LGCWD has in portions North “A” Road, South “C” Road, North “C” Road, and North “D” Road, as legally described in the Quit Claim Deed attached hereto as Exhibit “1”, to the Town; and,

**WHEREAS**, the counsel for the Town and the LGWCD have agreed to the form of Quit Claim Deed, attached hereto as Exhibit “1”, to effectuate the agreed upon transfer of roadway rights from the LGWCD to the Town subject to certain conditions as set forth in the Quit Claim

**TOWN OF LOXAHATCHEE GROVES  
FLORIDA**

**RESOLUTION NO. 2013 –09**

Deed relating to the LGWCD’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 Deed for portions of North “A” Road, South “C” Road, North “C” Road, and North “D” Road, as legally described in the Quit Claim Deed, 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 Groves Water Control District, the Town Council hereby accepts the Quit Claim Deed, attached hereto as Exhibit “1” for portions of North “A” Road, South “C” Road, North “C” Road, and North “D” Road, as legally described in the Quit Claim Deed.

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

**Section 4.** The Town accepts the responsibility for the construction, operation, maintenance, and repair of the roads and property described in the subject Quit Claim Deed for the portions of North “A” Road, South “C” Road, North “C” Road, and North “D” Road described within the Quit Claim Deed.

**TOWN OF LOXAHATCHEE GROVES  
FLORIDA**

**RESOLUTION NO. 2013 –09**

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

**Section 6.** 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.

**Section 7.** This Resolution shall become effective upon adoption.

**RESOLVED AND ADOPTED** by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 6<sup>th</sup> day of August, 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

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 real property interests and rights owned and held by the Loxahatchee Groves Water Control District, an independent special district of the State of Florida, in those certain tracts or areas of land which are shown and identified as the “Road Maintenance Area” on those certain Maintenance Maps filed and recorded by the Loxahatchee Groves Water Control District, including those certain easements for public roads dedicated to the public pursuant to and in accordance with Chapter 2011-257, Laws of Florida, which are shown and identified as the “Area Dedicated as Public Road Easement” and which are described in the Legal Descriptions on such Maintenance Maps, and also including those certain areas or tracts of land which are shown and identified as the “Road Maintenance Area” but are located within a portion of the 60-foot platted Right-of-Way for canals and drainage ditches and roads as shown on such Maintenance Maps, which Maintenance Maps are listed as follows:

- 1) “Loxahatchee Groves Water Control District Maintenance Map for North “A” Road from Okeechobee Blvd. to North Road Together with a Portion of North Road in Loxahatchee Groves Replat,” as recorded on November 3, 2011, in Road Plat Book 10, Pages 132 to 142, inclusive, of the Public Records of Palm Beach County, Florida;
- 2) “Loxahatchee Groves Water Control District Maintenance Map for South “C” Road from Collecting Canal Road to Okeechobee Boulevard Together with a Portion of Collecting Canal Road in Loxahatchee Groves Replat,” as recorded on November 3, 2011, in Road Plat Book 10, Pages 143 to 152, inclusive, of the Public Records of Palm Beach County, Florida;
- 3) “Loxahatchee Groves Water Control District Maintenance Map for North “C” Road from Okeechobee Blvd. to North Road Together with a Portion of North Road in Loxahatchee Groves Replat,” as recorded on November 3, 2011 in Road Plat Book 10, Pages 153 to 165, inclusive, of the Public Records of Palm Beach County, Florida; and
- 4) “Loxahatchee Groves Water Control District Maintenance Map for North “D” Road from Okeechobee Blvd. to North Road Together with a Portion of North Road in Loxahatchee Groves Replat,” as recorded on November 3, 2011, in Road Plat Book 10, Pages 166 to 178, inclusive, of the Public Records of Palm Beach County, Florida.

**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;

- 6) This conveyance does not include, is subject to and subordinate to, and Grantor specifically excludes and reserves for itself, and its successors and assigns, all rights, title, and interests it has or may have in and to any canals, drainage ditches, levees, dikes, bridges, pipes, pumps, or any other drainage, water or flood control or management structures, facilities, improvements, or any other works, including any appurtenant utilities, landscaping, irrigation systems, lighting, or other improvements, which may be located over, upon, under, through, across, or within the Property, or located outside of the Property, including the right to construct, install, maintain, repair, upgrade, improve, remove, operate, and have access to any such existing or future canals or water control facilities or other works, located over, upon, under, through, across, or within the Property, or outside of the Property. If Grantee wishes to connect to, modify, install any facilities therein, or in any other manner to affect or impact any such existing or future canals or water control facilities or other works of Grantor, then Grantee shall be required to first request and obtain a permit from Grantor prior to the implementation of any such activity or works. If any such existing or future canals or water control facilities or other works of Grantor located over, upon, under, through, across, or within the Property, or located outside of the Property, are damaged as a result of Grantee's usage or exercise of any rights herein granted or otherwise, then Grantee shall be obligated, at its sole cost and expense, to timely repair and restore the damaged facility or work in a proper and competent manner to a condition substantially similar to that which existed prior to any such damage;
- 7) This conveyance is subject to and subordinate to, and Grantor specifically reserves for itself, and its successors and assigns, all rights, title, and interests it may have in and to the Property, in order to operate, maintain, construct, install, repair, upgrade, improve, remove, and have access to any of its existing or future canals, drainage ditches, levees, dikes, bridges, pipes, pumps, or any other drainage, water or flood control or management structures, facilities, improvements, or any other works, including any appurtenant utilities, landscaping, irrigation systems, lighting, or other improvements, which may be located over, upon, under, through, across, or within the Property, or located outside of the Property, including the right to utilize the Property, have access and ingress and egress to the Property for personnel, machinery, and maintenance equipment, and to temporarily restrict access to the Property to carry out its above-stated responsibilities; and
- 8) The intent and purpose of this conveyance is to convey, assign, and quit-claim all of the District's real property interests and rights to the Town to and for the public roadways which were paved in accordance with and pursuant to Chapter 2011-257, Laws of Florida, to the extent that the District has the legal authority to do so, while recognizing and preserving the District's rights and interests in and to the Property, in any utilities or facilities which may be located therein, and in any canals or water control facilities or other works of the District located within or outside of the Property, so that the District can carry out its water control and drainage and other duties and responsibilities in accordance with its Enabling Legislation and the laws of the State of Florida.



**10. OLD BUSINESS**

- a. Status of Residential Enterprise Ordinance (*Vice Mayor Jarriel*)

Portion of Town Council Minutes from April 2, 2013 Town Council Meeting

**5. PUBLIC HEARINGS (Ordinances 2<sup>nd</sup> Reading) –**

a. ORDINANCE NO. 2013-02

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

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

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

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

Town Manager Kutney addressed the concerns of the Mayor. He noted that he had sent a memorandum, dated April 1, 2013, to the Town Council as he had been asked to provide some additional thoughts. He said that he agreed with the analysis of the LPA, and noted that staff was trying to address uses that had existed in the Town for some time, and then also address new uses. The use of residential enterprise and home office uses do not allow traffic or customers to come to the property. Staff believed that the uses could be reviewed based upon the impacts. That is one alternative – to table the ordinance tonight and allow staff to address the two issues. The other option is to change item H, where it talks about allowing up to three customers at one time, to change that to do it by appointment – drop the numbers and just say by appointment. Those were two ways it could be addressed, with the third way being to adopt it tonight.

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

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

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

Public Comment:

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

Dennis Lipp: 13402 North Rd.: The ADA is separated into four different areas – when a place of public accommodation is located in a home the portions of the home used for such are considered to be Title 3, which states that you have to have an awful lot of things done. Once this policy is made, building codes come in, then zoning codes, and a whole plethora of things. Your job is to set policy for the whole town, not just one voter. The ordinance should be left as it originally was.

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

John Ryan, 3508 A Rd.: This ordinance has been discussed for two or three meetings. He listened to the audio of the last meeting, and he maintained that there was discussion back and forth of Councilman Goltzene's three points. With regard to the number of customers there was concern with the Planning and Zoning Board advice to the Town Council. The Mayor said that he was looking for a simple solution in maybe eliminating H, which would

do the job. After discussion, it was turned over to Town Attorney Cirullo to bring things together, and the vote was taken. I think that there was real confusion in getting to the changes in the ordinance for consideration tonight. Grace Joyce highlighted some very relevant concerns. Suggests staff take those concerns to heart, and he hopes the Town Council will rely on the ULDC Review Committee to look at how to deal with historic businesses in a simplified special exception use basis. That is how the staff could work with Mr. Kline – with special exception wording. Table this and let staff consider how to deal with Mr. Kline’s issues.

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

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

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

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

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

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

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

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

down with this gentleman and verify he was legal as of 2006 it would take care of this in the short term.

Public Comment:

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

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

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

**Councilman Rockett made a motion to table Ordinance No. 2013-02. The motion was seconded by Councilman Liang for discussion. (The motion required four votes to pass.) Mayor Browning and Councilman Rockett voted aye. Vice Mayor Jarriel, Councilman Goltzene and Councilman Liang voted nay. The motion failed.**

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

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

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



10. OLD BUSINESS

- b. Discussion Regarding Previous Road Rock Material Request for  
161<sup>st</sup> Terrace N. on 6/20/13 (*Vice Mayor Jarriel*)

*(Back Up Material Not Provided)*



12. CLOSING COMMENTS – b. Town Attorney

a. Report Regarding Research on Golf Carts, UTV's and Side-by-Sides

*(Memorandum to be Provided)*

## AUGUST 2013 UPCOMING MEETINGS

### **Town Council Meeting**

August 6, 2013- 7:00 PM  
LGWCD Offices  
101 West D Road

### **Planning & Zoning Board Hearing**

August 8, 2013 - 7:00 PM  
Central Palm Beach County Chamber of Commerce-West Office  
13901 Southern Boulevard

### **ULDC Review Committee Hearing**

August 15, 2013 - 5:30 PM  
Central Palm Beach County Chamber of Commerce-West Office  
13901 Southern Boulevard

### **Town Council Meeting**

August 20, 2013- 7:00 PM  
LGWCD Offices  
101 West D Road

### **Special Magistrate Hearing**

August 21, 2013 - 10:00 AM  
Central Palm Beach County Chamber of Commerce-West Of  
13901 Southern Boulevard

### **IGC Commitee**

August 23, 2013 - 3:00 PM  
LGWCD Office  
101 West D Road

### **FAAC Meeting**

August 26, 2013 - 7:00 PM  
Central Palm Beach County Chamber of Commerce-West Office  
13901 Southern Boulevard

### **RETGAC Committee Meeting**

August 28, 2013 - 7:00 PM  
Central Palm Beach County Chamber of Commerce-West Office  
13901 Southern Boulevard