



TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING AGENDA
TUESDAY, November 4, 2014

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 of Loxahatchee Groves
Town Council Meeting

Tuesday, November 4, 2014 - 7:00 p.m. to 10:30 p.m.

(Times established by Resolution No. 2014-08... commencing at 7:00 p.m., and ending no later than 10:30 p.m., which can be extended by motion of the Council.)

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 Bill Underwood
Town Clerk Janet K. Whipple
Town Attorney Michael D. Cirullo, Jr.

Tentative
Subject to Revision

PUBLIC NOTICE/AGENDA

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:
 - a. **August 5, 2014, Regular Town Council Minutes**
 - b. **August 19, 2014, Town Council Workshop Minutes**

3. PUBLIC COMMENTS

4. PRESENTATIONS

- a. Loxahatchee Groves Girl Scout Troop No. 20673 will be announcing a Thanksgiving Food Drive to benefit the children of the Loxahatchee Groves Elementary School.
(Frank Schiola)

5. COMMITTEE REPORTS

- a. Virginia Standish, Chair of the Finance Advisory & Audit Committee (FAAC) to present the Financials Ending July August, and September FY2014. She will also provide an update on the municipal Software System.

6. RESOLUTIONS

- a. **RESOLUTION NO. 2014-16: (Support for Treasure Coast Regional Planning Council)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, STRONGLY OBJECTING TO RECENT ACTION TAKEN BY THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS TO WITHDRAW PALM BEACH COUNTY FROM THE TREASURE COAST REGIONAL PLANNING COUNCIL AND TO REQUEST MEMBERSHIP IN THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL INSTEAD; AND STRONGLY SUPPORTING THE COUNTY'S CONTIUNED MEMBERSHIP IN THE TREASURE COAST REGIONAL PLANNING COUNCIL; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- b. **RESOLUTION NO 2014-17: (Authorizing 6th Court North Equestrian Trail Improvements)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE 6TH COURT NORTH EQUESTRIAN TRAIL IMPROVEMENTS; FINDING THAT FURTHER COMPETITIVE BIDDING IS NOT IN THE BEST INTEREST OF THE TOWN AS PROVIDED IN ORDINANCE 2008-09; AWARDDING THE CONTRACT TO C & C LOADER SERVICES FOR THE 6TH COURT EQUESTRIAN TRIAL IMPROVEMENTS AND AUTHORIZING THE EXPENDITURE OF TWENTY EIGHT THOUSAND THREE HUNDRED DOLLARS (\$28,300) FOR SUCH WORK; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO PROCEED WITH THE WORK; AND PROVIDING FOR AN EFFECTIVE DATE.

7. ORDINANCES

a. ORDINANCE NO. 2014-06: PUBLIC HEARING/FIRST READING: (Day Property-Land Use Plan Amendment)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING AMENDMENT 14-2(SS) TO THE TOWN OF LOXAHATCHEE GROVES COMPREHENSIVE PLAN, CONCERNING A SMALL-SCALE LAND USE PLAN AMENDMENT APPLICATION PROPOSED BY THE OWNERS OF THE PROPERTY, WILLIE H. AND FRANKIE J. DAY TO CHANGE THE DESIGNATION OF THE SUBJECT USE OF LAND FROM RURAL RESIDENTIAL (1 DU PER 5 ACRES) TO COMMERCIAL LOW TO ACCOMMODATE THE FUTURE DEVELOPMENT OF A MAXIMUM OF 9.3 ACRES OF COMMERCIAL USES LOCATED AT THE SOUTHWEST CORNER OF OKEECHOBEE BOULEVARD AND FOLSOM ROAD, LOXAHATCHEE GROVES, FLORIDA; PROVIDING FOR AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

b. ORDINANCE NO. 2014-07: PUBLIC HEARING/FIRST READING: (Day Property - Rezoning)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING AMENDMENT REZ 14-02 TO THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE, CONDERNING A REZONING APPLICATION PROPOSED BY THE OWNERS OF THE PROPERTY, WILLIE H. AND FRANKIE J. DAY TO CHANGE THE ZONING DESIGNATION OF THE SUBJECT PROPERTY FROM AGRICULTURAL RESIDENTIAL (AR) TO COMMERCIAL LOW (CL) TO ACCOMMODATE THE FUTURE DEVELOPMENT OF A MAXIMUM OF 9.3 ACRES OF COMMERCIAL USES LOCATED AT THE SOUTHWEST CORNER OF OKEECHOBEE BOULEVARD AND FOLSOM ROAD, LOXAHATCHEE GROVES, FLORIDA; PROVIDING FOR AMENDMENT TO THE ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

8. **MANAGER'S REPORT** – *Town Manager Underwood*

- a. **AGENDA ITEM REPORT:** Updates on various activities and issues concerning the Town.

9. **OLD BUSINESS** - *NONE*

10. **NEW BUSINESS**

- a. Consideration for approval of Equestrian Signs designed and approved by the Roadway, Equestrian Trails and Greenway Committee (RETGAC).
- b. Consideration for approval to authorize the Town Attorney to draft a referendum to be placed on the March 2015 Town Municipal Election removing all Election criteria from the Charter.
- c. Consideration to place the Roadway, Equestrian Trail, and Greenway Committee (RETGAC) on hiatus.

11. **CLOSING COMMENTS**

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

12. **ADJOURNMENT**

The next regular Town Council Meeting is tentatively scheduled for November 18, 2014.

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



Item 2.a.

Consent Agenda

Attorney Invoice

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 Boulevard
Suite 2
Loxahatchee Groves FL 33470

Page: 1
10/28/2014
ACCOUNT NO: 1574-0702400R
STATEMENT NO: 98

Attn: William F. Underwood, II - Town Manager

General Matters

			HOURS
10/01/2014	MDC	Review pending matters to update Bill Underwood.	0.30
10/03/2014	MDC	Review list of pending items for Bill Underwood.	0.20
10/07/2014	MDC	Review matters with B. Underwood; prepare for, attend Council meeting.	2.30
10/08/2014	MDC	Review pending items with WU.	0.50
10/14/2014	MDC	Telephone call with William Underwood on pending matters; review agenda items; prepare Resolution for S & W Agreement; telephone call with JF on ULDC matters.	1.20
10/15/2014	MDC	Review miscellaneous agenda matters; telephone call with J. Whipple.	0.30
10/16/2014	MDC	Review agenda items; telephone call with BU, BT on Code Enforcement Policies; telephone call with BU on miscellaneous items.	0.80
10/17/2014	MDC	Miscellaneous telephone calls with BU on ILA's with LGWCD; review 2nd comment on Trails ILA.	1.40
10/18/2014	MDC	Continue reviewing, revising Trails ILA.	0.40
10/20/2014	MDC	Continue reviewing Trails ILA; review materials for 10/21 Town Council meeting.	0.50
	DJD	Discussion relative to horse trails.	0.30
10/21/2014	MDC	Review materials; telephone call with PU on pending items; prepare for, attend Council meeting.	2.70
10/22/2014	MDC	Review items from 10/21 meeting; review pending items with Bill Underwood.	1.20
10/23/2014	SRW	Review code enforcement cost summary. Telephone conference call with MDC re: same.	0.30
	MDC	Review materials; telephone call with Bev Tew on code cost recovery issues; prepare for, attend PZ Board Meeting.	3.50

General Matters

			HOURS	
10/24/2014	SRW	Met with MDC re: code cost policy.	0.20	
	MDC	Revise ICA for Trails; telephone call with Bill Underwood; review OIG inquiry on gas tax dollars; prepare response to OIG inquiry.	1.80	
10/26/2014	MDC	Continue revising Trials ILA.	0.20	
10/27/2014	MDC	Revise letter and forward same to OIG (gas tax); revise comments on LGWCD ILA; forward to Bill Underwood; telephone call with Bill Underwood on pending items.	0.70	
		FOR CURRENT SERVICES RENDERED	18.80	3,478.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D.J. DOODY	0.30	\$185.00	\$55.50
MICHAEL D. CIRULLO	18.00	185.00	3,330.00
STACEY R WEINGER	0.50	185.00	92.50

Photocopies	42.70
TOTAL EXPENSES THRU 10/27/2014	42.70
TOTAL CURRENT WORK	3,520.70
BALANCE DUE	<u>\$3,520.70</u>

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

GOREN, CHEROF, DOODY & EZROL, P.A.
 Attorneys at Law
 3099 East Commercial Boulevard
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 Telephone (954) 771-4500

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 14579 Southern Boulevard
 Suite 2
 Loxahatchee Groves FL 33470

Page: 1
 10/28/2014
 ACCOUNT NO: 1574-1004800R
 STATEMENT NO: 26

Attn: William F. Underwood, II - Town Manager

Equestrian Partners Land Use Amendment (Solar
 Sportsystems, Inc.)

		HOURS	
10/06/2014	MDC Telephone call with JF on status of conditions for approval.	0.20	
10/07/2014	MDC Miscellaneous telephone calls on status of B Road; review e-mails; update Bill Underwood.	0.30	
10/08/2014	MDC Review revised B Rd Agreement; confer with William Underwood.	0.50	
10/09/2014	MDC Review materials; telephone call with JF; prepare for and attend meeting re: BRd Agreement.	1.60	
10/24/2014	MDC Review memo of law on contributions; confer with BU on status of project; prepare letter to LGWCD re: B Road.	0.30	
10/26/2014	MDC Letter to LGWCD re: B Road.	0.20	
	FOR CURRENT SERVICES RENDERED	3.10	573.50

	RECAPITULATION		
<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	3.10	\$185.00	\$573.50

TOTAL CURRENT WORK	573.50
BALANCE DUE	<u>\$573.50</u>

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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Suite 2
Loxahatchee Groves FL 33470

Page: 1
10/28/2014
ACCOUNT NO: 1574-1004840R
STATEMENT NO: 31

Attn: William F. Underwood, II - Town Manager

Loxahatchee Groves Commons

			HOURS	
10/06/2014	MDC	Telephone call with JF on status of conditions for approval.	0.20	
10/07/2014	MDC	Miscellaneous telephone calls on status of B Road; review e-mails; update Bill Underwood.	0.30	
10/08/2014	MDC	Review revised B Rd Agreement; confer with William Underwood.	0.50	
10/09/2014	MDC	Review materials; telephone call with JF; prepare for and attend meeting re: BRd Agreement.	1.60	
10/24/2014	MDC	Review memo of law on contributions; confer with BU on status of project; prepare letter to LGWCD re: B Road.	0.30	
10/26/2014	MDC	Letter to LGWCD re: B Road.	0.20	
FOR CURRENT SERVICES RENDERED			<u>3.10</u>	<u>573.50</u>

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	3.10	\$185.00	\$573.50

TOTAL CURRENT WORK 573.50

BALANCE DUE \$573.50

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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 Suite 2
 Loxahatchee Groves FL 33470

Page: 1
 10/28/2014
 ACCOUNT NO: 1574-1107582R
 STATEMENT NO: 1

Attn: William F. Underwood, II - Town Manager

2014 Day Property Amendment

			HOURS	
09/30/2014	MDC	Telephone call with JF on status of application, schedules for review.	0.50	
10/02/2014	MDC	Telephone call with JF on staff report.	0.20	
10/06/2014	MDC	Review draft staff report; telephone call with JF.	0.80	
10/22/2014	MDC	Review materials for 10/23 PZ Board meeting; confer with Bill Underwood.	0.50	
10/24/2014	MDC	Review and revise Ordinances for LUA and lezone; confer with DJD re: Restrictions Covenant.	1.50	
	DJD	Conference relative to Restrictive Covenants.	0.50	
10/27/2014	MDC	Revise Ordinances; update JF; telephone call with JF on finalizing materials for 11/4 Town Council meeting.	0.30	
		FOR CURRENT SERVICES RENDERED	4.30	795.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D.J. DOODY	0.50	\$185.00	\$92.50
MICHAEL D. CIRULLO	3.80	185.00	703.00

TOTAL CURRENT WORK 795.50

BALANCE DUE \$795.50

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE



Item 2.b.

Consent Agenda

Minutes

August 5, 2014 Regular Town Council Meeting Minutes

August 19, 2014 Town Council Workshop Minutes



Town of Loxahatchee Groves

Town Council Meeting

Tuesday, August 5, 2014 - 7:00 p.m. to 10:30 p.m.

(Times established by Resolution No. 2014-08... commencing at 7:00 p.m., and ending no later than 10:30 p.m., which can be extended by motion of the Council.)

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 Janet K. Whipple
Town Attorney Michael D. Cirullo, Jr.

MINUTES

1. OPENING

a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:03 p.m. In attendance were Mayor David Browning, Vice-Mayor Ron Jarriel, Councilmen Tom Goltzené, and Jim Rockett. Also present were Town Manager Mark Kutney, acting Town Attorney Jacob Horowitz, and Town Clerk Janet K. Whipple.

b. Pledge of Allegiance & Invocation – Mayor Browning

Town Manager Kutney mentioned that under 2.c. 1) of the Consent Agenda to add Public hearing for Solid Waste to the title. Mayor Browning noted we would bring that up under Consent Agenda.

Councilman Liang arrived at 7:04 p.m.

c. Approval of Agenda

Motion: Councilman Goltzene requested that 4.a. and 4.b. under Presentations, be switched, and made a motion to approve the Agenda, as amended. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 5/0.

2. CONSENT AGENDA

- a. Invoice from Goren, Cherof, Doody & Ezrol, P.A.
- b. Motion to ratify and confirm the date for the First Millage and Budget Hearing as September 11, 2014; at 7:00 p.m. (*Date discussed during the July 18, 2014 meeting was September 9, 2014 which was incorrect*).
- c. Motion to approve September Town Council Meetings all scheduled at 7:00 p.m. as reflected in the following:
 - 1) **September 11, 2014-Regular Town Council Meeting/Tentative Millage & Budget**
 - 2) **September 16, 2014-Regular Town Council Meeting**
 - 3) **September 23, 2014-Final Millage & Budget**

Councilman Rockett requested to discuss the September Meeting dates under item 2.c. from the Consent Agenda. The item did not have to be pulled.

Town Manager Kutney added the Public Hearing for the Solid Waste under item number 2.c.1).

Dates were discussed, and it was decided to change the one meeting date from September 16, 2014, to September 2, 2014. September 11, 2014, and the September 23, 2014, have to stand as presented.

Town Attorney Horowitz commented, (when it was noted that two (2) members of Council will not be present during the September 11, 2014, Meeting,) that three (3) Members of Council constitute a quorum and all three have to vote unanimously on an item for it to pass.

- d. Consideration for approval of the Seventh (7th) Addendum to the Law Enforcement Service Agreement between Sheriff Ric L. Bradshaw and the Town of Loxahatchee Groves.

Motion: Councilman Liang made a motion to approve the Consent Agenda, as amended; with the dates for the September Meetings as: September 2, 2014, September 11, 2014, and September 23, 2014. Councilman Rockett seconded the motion. Upon vote the motion passed 5/0.

3. PUBLIC COMMENT

Jerry Wuhrman, 154 Commodore Drive, Jupiter, Florida, representing Waste Wise Limited, provided a presentation for a proposed plan exclusively for Loxahatchee Groves. Waste disposal from stables, vegetative and food waste, can be processed by composting and adding amendments to the soil. This plan is to assist in livestock waste control.

It was the consensus of the Council to allow consideration of the presentation.

Keith Harris, 2580 C Road, would like the Town to get with the Loxahatchee Groves Water Control District (LGWCD) to discuss feasibility for lower road costs.

Jeff Miller, 691 Hyde Park Road, discussed extensive power outages and the inability of Florida Power and Light (FPL) to repair them in a timely manner, as trees from private properties are in the way of service. He also mention that Collecting Canal Road is still a problem with dust, and requested Council please reconsider adding the road resurfacing back into the Budget.

Council requested Town Manager Kutney arrange for an update from FPL and AT&T.

Robert Austin, 13845 Collecting Canal Road, requested Collecting Canal Road be paved.

Motion: Councilman Ryan made a motion to receive and file documents received from Dan Haurert. Councilman Rockett seconded the motion. Upon vote the motion passed 5/0.

Dan Haurert, 2150 E Road, expressed concerns about a neighbor filling the pond on her property, and questioned whether it required a permit. He was asking if there were criteria for filling a pond, and the safety of doing so without a fence.

The Council discussed the criteria with Town Manager Kutney, and asked him to investigate. If the property is considered a wetland there may be a concern.

Mayor Browning read into the record multiple Public Comments concerning the paving of Collecting Canal Road.

Virginia Standish, 15410 North Road, felt the Town needs to find a vendor who can do a better job than the one the Town hired.

Ken Johnson, 15409 Collecting Canal Road, explained that there were handouts that accompanied the Public Comments concerning Collecting Canal Road. He felt there were health, safety, and speeding issues with the Road as it is now. Cut through traffic is bad, and he suggested the item to resurface Collecting Canal Road be put back on the upcoming budget for fair consideration.

Todd McLendon, 3481 D Road, wanted to know who was responsible for Collecting Canal Road, and noted many of the roads paved in the Town were paid for by the residents.

Vice-Mayor Jarriel stated if the Loxahatchee Groves Water Control District (LGWCD) paves the road, then the road is transferred to the Town. Right now, LGWCD owns the road.

Council discussed the cost of resurfacing, needing a referendum, and cost sharing.

Ariel Reda, 12891 Collecting Canal Road, stated he had a dog hit on the road and there had been a car crash outside his property. Traffic is too fast. He will contribute whatever he can to help.

Councilman Goltzene stated the discussion of Collecting Canal Road was not germane to this meeting. The Budget is the Council's priority. He suggested a referendum in October.

4. PRESENTATIONS

- a. Review of Fiscal Year 2015 General Fund Budget.
- b. Wayne Burns, CEO Central Palm Beach County Chamber of Commerce providing a presentation on the status of the Central Palm Beach County Chamber of Commerce Building located at 13901 Southern Boulevard, Loxahatchee Groves, Florida.

(4.b. now 4.a.) Wayne Burns spoke first about the Chamber of Commerce Building and its original purpose. He reported there are opportunities for the Town staff, for meetings, and public offices. The building is surrounded by park and park trails, of which he has a printed file.

Motion: Vice-Mayor Jarriel made a motion to approve a *receive and file* document from Mr. Burns. Councilman Liang seconded the motion. Upon vote the motion passed 4/0. (Councilman Goltzene had left the dais).

Mr. Burns further explained to layout of the Chamber Building, and how it would be beneficial as a Town Hall. He requested to meet with the Town Manager for further direction as to which way the Town would like to proceed.

Council expressed their concerns on funding, parking, size of the building, purchase options, and whether the Town would need a referendum for the building.

It was the consensus of the Town Council for Mr. Burns to speak with Town Manager Kutney concerning the Chamber of Commerce Building.

Mayor Browning read a Public Comment Card into the record from Christine St. John, 14220 43rd Road North, against the Town acquiring the Chamber of Commerce Building.

(4.a. now 4.b.) Bill Underwood explained the Budget.

Council discussed with Mr. Underwood the use of smart phones, communication services fund balances, tax certificates and what benefits they would be to the Town, and various line items in the Budget. The Town did not need magazine subscriptions, and the miscellaneous subscriptions line item can be reduced. During the July 1, 2014 Town Council Meeting the Council reduced Legal services from \$120,000 to \$90,000 and Public Works from \$14,000 to \$4,000.

Motion: Councilman Goltzené made a motion to restore the \$10,000, back to the Public Works line item. Councilman Liang seconded the motion. Upon vote the motion failed 1/4 with Mayor Browning, Vice-Mayor Jarriel, Councilmen Rockett and Liang dissenting.

Mayor Browning called for a break 9:01 to 9:09 p.m.

5. COMMITTEE REPORTS

- a. Virginia Standish, Board Member of the FAAC (Financial Advisory and Audit Committee), to provide Financial Report Ending July 2014.

Virginia Standish provided a Financial Report ending July 2014. She touched on the Transportation Fund and Solid Waste Fund; and handed out a policy for “Methodology for the Prioritizing of Town Roads Improvements”.

Motion: Councilman Rockett made a motion to “receive and file” Ms. Standish’s handout. Councilman Liang seconded the motion. Upon vote the motion passed 5/0.

It was the Consensus of the Town Council to request Town Manager Kutney to work on a Policy.

6. RESOLUTIONS – NONE

7. ORDINANCES - NONE

8. ADMINISTRATIVE UPDATE – *Town Manager Kutney*

- a. IGC Meeting
- b. Okeechobee Boulevard
- c. Captive Wildlife Regulations
- d. Palm Beach State College

Town Manager Kutney provided his reports.

9. OLD BUSINESS - NONE

10. NEW BUSINESS

- a. Town Manager Kutney to provide information on Code Enforcement matters.

Town Manager Kutney made a few statements concerning the pending Code Enforcement matters, and then turned the matter over to Bev Tew, President of Tew and Taylor, the Town’s Code Enforcement Vendor.

- b. Beverly Tew, with Tew and Taylor, to provide information on Code Enforcement matters. (*Documentation already provided under separate cover*).

Bev Tew, President of Tew and Taylor, stated her company was a private vendor and it was not her intent to embarrass the presenters; however, the presentations made against her company threatened her contract with the Town. She clarified/itemized and will investigate the charges which had been brought forward, as they were very serious claims.

- c. Consideration for 2nd Change Order Request from North Florida Emulsions for additional Micro Surfacing yardage on all three (3) roads: Bryan Road, Compton Road and Marcella Boulevard.

Council discussed the Change Order from North Florida Emulsions, and how much the Town has spent to date on this road project.

Motion: Vice-Mayor Jarriel made a motion to pay the second Change order from North Florida Emulsions. Councilman Rockett seconded the motion.

Members of the audience expressed their opinions on this matter.

Upon vote, the motion failed 0/5 with Mayor Browning, Vice-Mayor Jarriel, Councilmen Goltzene, Liang and Rockett dissenting.

11. CLOSING COMMENTS

- a. Public

Members of the audience expressed opinions on roads and equestrian trails.

- b. Town Attorney

Town Attorney Horowitz reiterated that during the upcoming Town Council Meeting of September 11, 2014, all Members of the Council present will have to vote. If only three come, three have to vote. He then thanked the Council for their consideration, and noted Town Attorney Cirullo will see them in two weeks.

- c. Town Council Members

Councilman Goltzené thanked everyone for coming.

Vice-Mayor Jarriel thanked everyone for coming and apologized for such a late meeting.

Councilman Liang thanked everyone for coming and expressed a good job to all.

Councilman Rockett asked to take this opportunity to ask Town Manager Kutney about 6th Court North, and what it would take to get the trail work done, move forward and present something at the next meeting.

It was the Consensus of the Town Council to have Town Manager Kutney provide an update on the 6th Road North trail.

Mayor Browning liked Ms. Standish's idea that all easements should be open to equestrians now. He also noted that there is a big pot hole on D Road, just south of Okeechobee Boulevard; and he does realize the Town does have a problem with AT&T and FPL services.

12. ADJOURNMENT

There being no further business to come before the Town Council, Mayor Browning adjourned the meeting at 10:17 p.m.

Janet K. Whipple, Town Clerk

David Browning, Mayor

These minutes were approved during the _____ Town Council Meeting.



Town of Loxahatchee Groves

Town Council Workshop

Tuesday, August 19, 2014 at 6:00 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 Janet K. Whipple
Town Attorney Michael D. Cirullo, Jr.

MINUTES

1. OPENING

- a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 6:10 p.m. Present were Mayor David Browning, Vice-Mayor Ron Jarriel, and Councilman Jim Rockett. Also present were Town Manager Mark Kutney, Town Attorney Mike Cirullo, Town Planning Consultant Jim Fleischmann, and Town Clerk Janet K. Whipple.

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

No action was taken.

4. PRESENTATIONS

- a. John Wasukanis will be making a brief PowerPoint presentation concerning Palm Beach State College Loxahatchee Groves Campus, Five (5) Year Master Plan. Anticipating that the Council will ask questions and encourage public comment, Richard Becker, and James Storms will also be in attendance, as well as, Brian Seymour with Gunster, to answer any questions representing the college.

John Wasukanis, Director of Facilities of Palm Beach State College, presented a PowerPoint presentation on Phase 1 of the Palm Beach State College Loxahatchee Groves Campus Five (5) Year Master Development Plan.

Council discussed with Mr. Wasukanis how many building would be in the different phases of the project, the concern of funding, ponds on campus and when they would be constructed, the use of Loxahatchee Groves canals and paying assessment fees,

11. CLOSING COMMENTS

a. Public

Bill Louda, 1300 E Road, reference the picture of the campus he saw in the newspaper and felt it did not reflect the Rural Vista Guidelines. He also questioned what assessments other commercial properties pay.

Grace Joyce, 3886 147th Ave North, noted she serves on the Loxahatchee Groves Planning and Zoning Board and there had previously been a lot of conversation on the site plan. She had asked if, in the plan, whether major truck traffic was accounted for. She was informed that truck as well as bus traffic had been discussed. Ms. Joyce also suggested more trees around the parking lot.

Mr. Wasukanis reported that the plan called for a sub paved system under the parking lot and that concrete did not drain well if too many trees are planted.

Keith Harris, 2580 C Road, also noted he was on the Town's Planning and Zoning Board, and stated the Project will be an asset to the Town. He also brought up roundabouts and traffic lights on Okeechobee Boulevard.

Mr. Wasukanis noted in the initial presentation paving of B Road from the entrance of the Campus to Southern Boulevard had been planned.

b. Town Attorney

No comments from the Town Attorney

c. Town Council Members

Vice-Mayor Jarriel noted the security of the construction site should be a consideration.

Councilman Rockett noted his appreciation.

Mayor Browning thanked the presenters and expressed his appreciation for the effort that was put into this plan.

12. **ADJOURNMENT**

Motion: Vice-Mayor Jarriel made a motion to adjourn the Workshop. Councilman Rockett seconded the motion. Upon vote, the motion passed 3/0.

There being not further business to come before the Town Council, Mayor Browning adjourned the Workshop at 6:52 p.m.

Janet K. Whipple, Town Clerk

David Browning, Mayor

These minutes were approve at the November 4, 2014 Town Council Meeting.



Item 6.a.

RESOLUTIONS

RESOLUTION NO. 2014-16

(TCRPC)

Town of Loxahatchee Groves, FLORIDA

Town Council AGENDA ITEM REPORT

AGENDA ITEM NO. 6.a.

MEETING DATE: 11/4/2014

PREPARED BY: William F. Underwood, II, ICMA-CM

SUBJECT: Support for Treasure Coast Regional Planning Council (TCRPC) Membership

1.BACKGROUND/HISTORY

Problem Statement: Palm Beach County Municipal League is requesting support of its members in an effort to stop the Palm Beach Board of County Commissioners from requesting membership in the South Florida Regional Planning Council (SFRPC).

Problem Solution: Town Council to provide support to the Palm Beach County Municipal League by adopting a resolution supporting the County's continued members in the TCRPC.

Palm Beach County has been a member of the TCRPC for over thirty-five (35) years and this organization is extremely familiar with the issues and concerns of Palm Beach County and the thirty-eight (38) municipalities within the County.

2.CURRENT ACTIVITY

On October 7, 2014, the Board of County Commissioners voted to take all steps necessary to withdraw from the TCRPC and request membership in the SFRPC.

On October 22, 2014, the PBC League of Cities Board of Directors voted on their Resolution 2014-02 objecting to recent action taken by the Palm Beach County Board of County Commissioners to withdraw Palm Beach County from the Treasure Coast Regional Planning Council and to request membership in the South Florida Regional Planning Council; and strongly supports the County's continued membership in the TCRPC.

3.ATTACHMENTS

Resolution 2014-16

4.FINANCIAL IMPACT

N/A

5.RECOMMENDED ACTION

Motion to adopt Resolution 2014-16.

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2014-16

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, STRONGLY OBJECTING TO RECENT ACTION TAKEN BY THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS TO WITHDRAW PALM BEACH COUNTY FROM THE TREASURE COAST REGIONAL PLANNING COUNCIL AND TO REQUEST MEMBERSHIP IN THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL INSTEAD; AND STRONGLY SUPPORTING THE COUNTY'S CONTIUNED MEMBERSHIP IN THE TREASURE COAST REGIONAL PLANNING COUNCIL; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Palm Beach County Board of County Commissioners ("BOCC") recently took action by means of a 4-3 vote on October 7, 2014 authorizing its staff to research all necessary steps to withdraw Palm Beach County (the "County") from the Treasure Coast Regional Planning Council ("TCRPC") and to request membership in the South Florida Regional Planning Council ("SFRPC") in spite of opposition expressed at the meeting by municipal representatives and others; and

WHEREAS, the County has been a member of the TCRPC for more than thirty-five (35) years, since 1976; and

WHEREAS, during that lengthy tenure, the staff at the TCRPC has become acutely aware of the issues and concerns of the County as well as of the thirty-eight (38) Municipalities located therein as they relate to the growth management, transportation demands, water concerns and general land use planning; and

WHEREAS, there is little, if any, evidence that the SFRPC has the same depth of understanding of the issues that the County and its municipalities are facing; and

WHEREAS, the strategic policies found in the TCRPC Regional Policy Plan differ greatly from those found in the SFRPC Regional Policy Plan; and

WHEREAS, the County and the municipalities have incorporated many of the TCRPC policies into their comprehensive plans which guide their growth patterns; and which would require revision if the change to the SFRPC is achieved; and

WHEREAS, many municipalities located in Palm Beach County are involved in long term planning activities with the TCRPC which would be rendered meaningless if this change were to occur; and

WHEREAS, the minimal reasons supporting change found in the back-up documentation for the agenda item and the discussions at the October 7, 2014 meeting centered around saving money in the form of reduced membership fees to be paid to the SFRPC as opposed to the TCRPC; and the diverse interests of the counties comprising the TCRPC; and

WHEREAS, since County ad valorem tax dollars are used to pay for the membership in the TCRPC and are derived from all those persons and entities owning property in the County, each property owner is paying for this membership and deserves a voice in this abrupt move taken by the County with very little, if any, sound reasoning as to why such a move would benefit all local governments located in the County; and

WHEREAS, long term relationships forged through more than thirty-five (35) years of working with the TCRPC and the in-depth understanding the TCRPC staff has of the County’s and the thirty-eight (38) municipalities’ land use issues should not be discarded without substantial and powerful reasons, which have not been clearly articulated by the members of the BOCC, to date.

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

SECTION 1: the Town Council of the Town of Loxahatchee Groves, strongly objects to recent action taken by the Palm Beach County Board of County Commissioners to withdraw Palm Beach County from the Treasure Coast Regional Planning Council and to request membership in the South Florida Regional Planning Council; and strongly supports the County’s

continued membership in the TCRPC; providing for distribution; providing an effective date; and for other purposes.

SECTION 2: The Council hereby requests that this resolution be sent directly to the Palm Beach County Board of County Commissioners, the Treasure Coast Regional Planning Council and all municipalities in Palm Beach County.

SECTION 3: Effective Date. This Resolution shall take effect immediately upon adoption.

ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, FLORIDA, this 4th day of November, 2014.

ATTEST:

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

Janet K. Whipple, Town Clerk

Mayor David Browning

Vice-Mayor Ron Jarriel

APPROVED AS TO LEGAL FORM:

Council Member Tom Goltzené

Office of the Town Attorney

Council Member Ryan Liang

Council Member Jim Rockett



Item 6.b.

RESOLUTIONS

RESOLUTION NO. 2014-17

(6th Court North-Equestrian Trail Improvement)

Town of Loxahatchee Groves, FLORIDA

Town Council AGENDA ITEM REPORT

AGENDA ITEM NO. 6.b

MEETING DATE: 11/4/2014

PREPARED BY: Perla D. Underwood

SUBJECT: Approval of Sealed Quotes – 6th Court North Equestrian Trail Improvements

1. BACKGROUND/HISTORY

Problem Statement: The Town Council authorized staff to procure a contractor to make the necessary improvements on the 6th Court Equestrian Trail.

Problem Solution: Select most responsive and responsible vendor.

2014-10 Sealed quotes were opened for Project No 13-1020 on Friday, October 24, 2014 seeking a contractor to provide materials, labor, and equipment to construct and/or install the proposed improvements. Scope of work allowed for supply/installation of aluminum gates as an alternate.

2. CURRENT ACTIVITY

Three local contractors submitted sealed quotes: Davis Backhoe Services, C & C Loader, and WBI Contracting of Palm Beach. Davis Backhoe Services did not attend the mandatory pre-bid meeting. After reviewing all quotes submitted, David Backhoe Services quote was not considered because of the failure to attend the mandatory pre-bid meeting. The Alternate allowed as part of the sealed quote was determined to be in the Town's best interest.

- C& C Loader Services - \$28,300 (\$24,200 + \$ 4,100 – Alternate)
- WBI of Palm Beach - \$38,600 (\$23,600 + \$15,000 – Alternate)

3. ATTACHMENTS

Sealed Quotes – Davis Backhoe Services, C & C Loader Services, and WBI of Palm Beach

4. FINANCIAL IMPACT

During both fiscal year's 2014 and 2015, the Town Council adopted a capital improvement plan that included \$80,000 for the development of horse trails.

5. RECOMMENDED ACTION

Motion to adopt a resolution by a 4/5 vote finding pursuant to Ordinance 2008-09 that further competitive bidding for the project is not in the best interest of the Town, authorizing the expenditure of \$28,300 to C & C Loader Services to perform the improvements as detailed on the plan "Sheet No. C-0" prepared by the Town's Engineers in the amount of \$24,200, and to include supplying of two (2) aluminum gates at an additional cost of \$4,100 gate.

DAVIS Bachhoe Service Inc
 13416 Persimmon Blvd.
 Royal Palm Beach Florida
 Mike Lord (561) 213-1091

Proposal

PROPOSAL NO. _____
 SHEET NO. _____
 DATE 10/26/14

PROPOSAL SUBMITTED TO: M.LORD2425@Tcloud.com

WORK TO BE PERFORMED AT:

NAME Bev Kuipers	ADDRESS 6th Court North
ADDRESS 14579 Southern Blvd suite 2 Loxahatchee Florida 33470	DATE OF PLANS 10-6-14
PHONE NO. 561-793-2418	ARCHITECT Keshav R2 & Associates

We hereby propose to furnish the materials and perform the labor necessary for the completion of Project 13-1020 at 6th Court Davis Bachhoe Service Inc will provide labor and Material for the above project. Loxahatchee Groves will provide the gate for Davis Bachhoe Service to install

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Fourteen thousand one hundred ninety two Dollars (\$ 14,192) with payments to be made as follows.

30 Days After Completion

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted Michael L. Lord

Per _____
 Note — this proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____
 Date _____ Signature _____



1128 Royal Palm Beach Blvd. #282
 Royal Palm Beach, FL 33411
 Office - 561-790-3308
 Fax - 561-791-0474
 Email - John@ccloader.com

PROPOSAL

DATE	PROPOSAL #
10/24/2014	2380

NAME / ADDRESS
TOWN OF LOXAHATCHEE GROVES 14579 SOUTHERN BLVD. SUITE 2 LOXAHATCHEE, FL. 33470

Project
6TH CT. N.

DESCRIPTION	QTY	TOTAL
<p>TOTAL JOB DETAIL AND AMOUNT:</p> <p>CLEARING AND GRUBBING THREE FOOT HIGH POST INSTALLING FORTY FEET OF 24 INCH OF ADS GRADING RUBBLE RIFT RAFT REMOVE FILL COMPACTION TEST SURVEYING</p> <p>NOTE: - OPTION \$2050.00 PER ALUMINUM GATE - C & C IS NOT RESPONSIBLE FOR ANY UNFORESEEN AND UNSUITABLE MATERIALS. WE ARE NOT RESPONSIBLE FOR EXCAVATION OR REMOVAL OF THE UNFORESEEN MATERIALS. - BID IS KESHAVARZ AND ASSOCIATES SHEET # C-01 DATE 10/20/2014 PROJECT #13-1020</p>	1	24,200.00

This Proposal is good for 30 days from the date above.	TOTAL: \$24,200.00
--------------------------------------------------------	---------------------------

OWNER/GC SIGNATURE: _____



CONTRACTING OF PALM BEACH, INC.

1544 "B" Road

LOXAHATCHEE, FL 33470

PHONE 561-718-3319

FAX 561-355-0186 EMAIL jorgeperezatwbi@aol.com

PROPOSAL /CONTRACT

Proposal submitted to: Town of Loxahatchee Groves

14579 Southern Blvd. #2

Loxahatchee Fl. 33470

Phone: 561-793-2418

Fax: 561-793-2420

October 24, 2014

Proposal submitted by Jorge Perez

Job Name: 6th Court North Equestrian Trail Improvements

Clearing, grading, and culvert work at both locations per plans and specifications

TOTAL BID: \$23,600.00

Alternate : Supply Aluminum Gates \$15,000.00

The above conditions shall be completed for the Lump sum of ; (--23,600---) DOLLARS, with payment to be as follows: 30 Days Net

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2014-17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE 6TH COURT NORTH EQUESTRIAN TRAIL IMPROVEMENTS; FINDING THAT FURTHER COMPETITIVE BIDDING IS NOT IN THE BEST INTEREST OF THE TOWN AS PROVIDED IN ORDINANCE 2008-09; AWARDING THE CONTRACT TO C & C LOADER SERVICES FOR THE 6TH COURT EQUESTRIAN TRIAL IMPROVEMENTS AND AUTHORIZING THE EXPENDITURE OF TWENTY EIGHT THOUSAND THREE HUNDRED DOLLARS (\$28,300) FOR SUCH WORK; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO PROCEED WITH THE WORK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council authorized Town Management to procure a contractor to make the necessary improvements to the 6th Court Equestrian trail; and,

WHEREAS, the Town Management solicited sealed quotes for the proposed work, which was initially estimated to fall below \$25,000.00; and,

WHEREAS, the solicitation for sealed quotes included a request to price for aluminum gates as an alternative; and,

WHEREAS, the Town received three (3) sealed bids, one of which was disqualified for failing to attend the mandatory pre-bid meeting; and,

WHEREAS, while both of the responsive bids for the base project came in at less than \$25,000.00, both included the alternative proposal for the use of aluminum gates requested by the Town, which then increased both responsive bids above the \$25,000.00 threshold for formal competitive bidding in Ordinance 2008-09; and,

WHEREAS, the Town Management believes it is in the best interest of the Town to proceed with the alternative aluminum gates; and,

WHEREAS, the lowest competitive bid that includes the alternative aluminum gates is from C & C Loader Services in the total amount of Twenty Eight Thousand Three Hundred Dollars (\$28,300.00); and,

WHEREAS, Town Management requests that the Town Council find by the required 4/5 vote, pursuant to Ordinance 2008-09(C)(2)(h), that further procurement of the 6th Court North Equestrian Trials to include the aluminum gates is not in the best interest of the Town, in that the Town Management already engaged in a competitive process in order to obtain the sealed quotes for the 6th Court North Equestrian Trail Improvements, which included the request for quotes on the alternative aluminum gates; that the total amount awarded pursuant to this resolution exceeds the ordinance threshold by only Three Thousand Two Hundred Dollars (\$3,200.00); rejecting the bids which have now been made public could influence a subsequent bidding process; and, the project would be delayed until a second competitive process could be completed, which likely means the project would not start until next year.

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

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

Section 2: Pursuant to Ordinance 2008-09(C)(2)(h), the Town Council finds that further procurement of the 6th Court North Equestrian Trial Improvements to include the aluminum gates is not in the best interest of the Town:

- a. The Town Management has already engaged in a competitive process in order to obtain the quotes for the 6th Court North Equestrian Trail Improvements, which included the request for quotes on the alternative aluminum gates;
- b. While the responsive base bids came in under \$25,000.00, the alternative for aluminum gates was priced by both bidders and as a result both bids, with the aluminum gates, exceed \$25,000.00; and,
- c. The Town Management believes that the use of aluminum gates for the project is in the best interest of the Town;
- d. The total amount awarded pursuant to this resolution exceeds the \$25,000.00 formal competitive bidding threshold in Ordinance 2008-09 by only Three Thousand Two Hundred Dollars

(\$3,200.00);

- e. Rejecting the bids which have now been made public could influence a subsequent bidding process for the project;
- f. The project would be delayed until a second competitive process could be completed, which would likely result in the project not commencing until 2015.
- g. Considering these factors, it is in the best interest of the Town to award the work now as set forth herein, rather than rejecting the bids and recommencing the bidding process.

Section 3: The Town Council awards the project, inclusive of the aluminum gates, to C & C Loader Services, and authorizes the Town Manager to execute all documents necessary to proceed with this direction.

Section 4: The Town Council authorizes the expenditure of an amount not to exceed Twenty Eight Thousand Three Hundred Dollars (\$28,300.00), for the completion of the 6th Court North Trail Improvements authorized herein.

Section 5: That this Resolution shall be effective immediately upon adoption.

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 4th DAY OF NOVEMBER, 2014.

ATTEST:

Janet K. Whipple, Town Clerk

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

Mayor David Browning

Vice-Mayor Ron Jarriel

APPROVED AS TO LEGAL FORM:

Council Member Tom Goltzené

Office of the Town Attorney

Council Member Ryan Liang

Council Member Jim Rockett



Item 7.a.b.

ORDINANCES

ORDINANCE NO. 2014-06

1ST Reading/ Day Property Com Plan Amendment

ORDINANCE NO. 2014-07

1ST Reading/ Day Property Rezoning

Town of Loxahatchee Groves, FLORIDA

Town Council AGENDA ITEM REPORT

AGENDA ITEM NO. 7.a.b.

MEETING DATE: 11/4/2014

PREPARED BY: William F. Underwood, II, ICMA-CM

SUBJECT: Ordinances on First Readings; Public Hearings for Land Use Plan Amendment and Rezoning of the Willie H. and Frankie J. Day Property (Day Property)

1. BACKGROUND/HISTORY

Problem Statement: A request for a land use and zoning change for the Day Property is needed before permits can be issued for construction.

Problem Solution: Town Council hold its first public hearing and adopt ordinances to provide for the land use and zoning changes.

As the Council is aware, the Day Property has been under consideration for some time for approval of approximately a 9.3 acre parcel at the southwest corner intersection of Okeechobee Blvd, and Folsom Road.

2. CURRENT ACTIVITY

At the October 23, 2014, Planning and Zoning Committee meeting, the committee heard discussion on the application and merits of changing the land use and zoning of the subject parcel. After considerable discussion, the Committee approved unanimously to approve both the land use change from Rural Residential to Commercial Low to accommodate future development.

3. ATTACHMENTS

Ordinance No. 2014-06

Ordinance No. 2014-07

4. FINANCIAL IMPACT

The land use and zoning changes will provide increased value to the Town's ad valorem tax basis.

5. RECOMMENDED ACTION

1. Open Public Hearing on Ordinance 2014-06.
2. Close Public hearing after receiving comments.
3. Motion to approve ordinance 2014-06 by a super majority vote.
4. Open Public Hearing on Ordinance 2014-07.
5. Close Public hearing after receiving comments.
6. Motion to approve ordinance 2014-07 by a super majority vote.

Loxahatchee Groves Town Council Agenda Item No. 7.a Report

Meeting Date: November 4, 2014

Prepared By: Jim Fleischmann, Town Planning Consultant

Subject: Day Property Comprehensive Plan Amendment (CPA) 14-02 (SS)

A. Background/History:

Issue Statement: CPA 14-02 (SS) is an application for an amendment to the Comprehensive Plan to change the Future Land Use Map designation of the Day property from Rural Residential 5 to Commercial Low. The property is 9.30 acres in size and located at the southwest corner of Okeechobee Boulevard and Folsom Road.

Potential Actions: (1) Approve CPA 14-02 (SS); (2) Deny CPA 14-02 (SS); or (3) Approve CPA 14-02 (SS) subject to conditions.

B. Current Activity:

CPA 14-02 (SS) and a companion rezoning application (REZ 14-02) have been filed to change the Future Land Use Map and Zoning Designations on the 9.30 acre Day property to Commercial Low (CL) designations.

The Local Planning Agency (LPA) recommended approval of the Staff recommendation (see below) at its meeting on October 23, 2014 by a 5 – 0 vote.

C. Attachments:

Staff Report which contains a detailed review of both CPA 14-02 (SS) and REZ 14-02.

D. Town Financial Impact:

None. Review of CPA 14-02 (SS) is funded by the Town's Cost Recovery system.

E. Recommended Action:

Staff recommends approval of CPA 14-02 subject to the following conditions:

1. The applicant shall record a Deed Restriction which will provide that the Intensity of development shall not exceed a floor-area-ratio (F.A.R.) of 0.074 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; provided that this restriction would automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.

1 of 2

2. A Conceptual Site Plan reflecting a 0.074 F.A.R. shall be approved as part of the initial rezoning process. Subject to potential future F.A.R. increases permitted by Condition A.1, all future development uses, access and intensity shall be consistent with the Conceptual Site Plan.

3. Any increase in development intensity above a 0.074 F.A.R., as permitted in Condition A.1, shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING AMENDMENT 14-2(SS) TO THE TOWN OF LOXAHATCHEE GROVES COMPREHENSIVE PLAN, CONCERNING A SMALL-SCALE LAND USE PLAN AMENDMENT APPLICATION PROPOSED BY THE OWNERS OF THE PROPERTY, WILLIE H. AND FRANKIE J. DAY TO CHANGE THE DESIGNATION OF THE SUBJECT USE OF LAND FROM RURAL RESIDENTIAL (1 DU PER 5 ACRES) TO COMMERCIAL LOW TO ACCOMMODATE THE FUTURE DEVELOPMENT OF A MAXIMUM OF 9.3 ACRES OF COMMERCIAL USES LOCATED AT THE SOUTHWEST CORNER OF OKEECHOBEE BOULEVARD AND FOLSOM ROAD, LOXAHATCHEE GROVES, FLORIDA; PROVIDING FOR AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Town of Loxahatchee Groves, Florida, pursuant to the Local Government Comprehensive Planning Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan which has been found to be “in compliance” by the State Department of Community Affairs (DCA); and,

WHEREAS, the Town’s Planning Consultant recommends approval of the Land Use Amendment Application, from the Rural Residential 5 Future Land Use Category to the Commercial Low Future Land Use Category, as set forth in the staff report to the Town Council in its capacity as the governing body of the Town setting forth recommendations and conditions, which is attached hereto as “Exhibit “A”, and incorporated herein; and,

WHEREAS, the Applicant will execute and record a Restrictive Covenant in favor of the Town that limit the commercial development of the subject property to a maximum of 30,000 square feet of floor area, but which would automatically increase to whatever floor area ratio

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

may subsequently be granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits; and

WHEREAS, the Town's Planning Consultant recommends the submittal of a courtesy copy of this Land Use Plan Amendment consistent with his recommendations to the Florida Department of Economic Opportunity; and

WHEREAS, the Local Planning Agency of the Town of Loxahatchee Groves has also reviewed this Land Use Plan Amendment, following a duly advertised public hearing on October 23, 2014, the records of which are incorporated herein and made specific part thereof, and recommended that the Town Council approve the Amendment subject to the conditions as set forth in the staff report to the Town Council; and

WHEREAS, the Town Council of the Town of Loxahatchee Groves has conducted a public hearing on this Amendment to the Town of Loxahatchee Groves Comprehensive Land Use Plan.

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

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

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

1. The Amendment, as approved herein, is consistent with the goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan;

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

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

3. The Town of Loxahatchee Groves has the ability or will have the ability to insure that necessary services for the additional demand for public facilities are provided.

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

SECTION 4: That the Land Use Plan Amendment to the Comprehensive Plan of the Town of Loxahatchee Groves, Amendment No. 14-2(SS) reviewed by the Town’s Planning Consultant, and the Town’s Local Planning Agency, and approved by the Town Council in its capacity as the governing body of the Town, from Rural Residential 5 (1 du/ 5 ac) in the Town’s Comprehensive Plan to Commercial Low in the Town’s Comprehensive Plan, is hereby adopted, subject to the conditions in the Town Planning Consultant’s Report dated October 24, 2014, attached hereto as Exhibit “A” and incorporated herein, and which shall become effective upon the expiration of a twenty-one (21) day appeal period.

SECTION 5: Through a Restrictive covenant in favor of the Town, the commercial development shall be limited to a maximum of 30,000 square feet of commercial uses, but which would automatically increase to whatever floor area ratio may subsequently be granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard lying within the Town limits.

SECTION 6: That the Town’s Planning Consultant is further authorized and directed to make the necessary textual changes to the Future Land Use Element of the Town’s Comprehensive Plan, as well as the changes to the Future Land Use Map in the plan per Exhibit B and C hereto, in order to reflect the above-stated changes consistent with this Ordinance.

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

SECTION 7: All Ordinances or parts of Ordinances, and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given affect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 9: This Ordinance shall become effective immediately upon the expiration of a twenty-one (21) day appeal period.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 4th DAY OF NOVEMBER, 2014.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 18th DAY OF NOVEMBER, 2014.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor David Browning

Janet K. Whipple, Town Clerk

Vice-Mayor Ron Jarriel

Council Member Tom Goltzené

Council Member Ryan Liang

APPROVED AS TO LEGAL FORM:

Council Member Jim Rockett

Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

EXHIBIT A

**OCTOBER 24, 2014 TOWN PLANNING CONSULTANT REPORT
(Following Page)**

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING
November 4, 2014**

STAFF REPORT October 24, 2014

- 1. Ordinance 2014-06: Small-Scale Comprehensive Plan Amendment (CPA) 14-2(SS); and**
- 2. Ordinance 2014-07: Rezoning (REZ) 14-2.**

Project Name: Day Property

Agent: Urban Design Kilday Studios

Applicant: Willie and Frankie Day

Owners: Willie and Frankie Day

Parcel Control Number (PCN): 41-41-43-17-01-633-0010

Project Location: Southwest Corner of Okeechobee Blvd. and Folsom Road

Size of Property: 9.30 acres.

Current FLU Map Designation: Rural Residential 5 (RR5).

Current Zoning Map Designation: Agricultural Residential (AR).

Existing Use: Single-Family residential; 2,000 sq. ft. residence

Proposed Land Use Designation: Commercial Low (CL).

Proposed Zoning Designation: Commercial Low (CL).

Maximum Proposed Development Potential: 30,000 sq. ft. of CL space (9.30 acres x 43,560 sq. ft. per acre x 0.074 FAR)

History of the Application

The Comprehensive Plan Amendment application (CPA 2011-02 SS), as initially submitted, requested a change in the future land use designation from a Rural Residential 5 (RR 5) designation to a combination of Commercial Low (4.96 acres) and Commercial Low Office (4.34 acres). A companion rezoning application was not submitted at that time.

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Following a review of the initial application and presentation to the Local Planning Agency (LPA), staff found Future Land Use Amendment 2011-02(SS) to be generally consistent with the intent and direction of the Comprehensive Plan. However to insure consistency with the Town's planning documents and its review, staff recommended approval subject to several conditions of approval.

The Town's Local Planning Agency (LPA), at its meeting of December 8, 2011, recommended that Town Council approve Amendment 2011-02(SS), by a 3- 2 vote, subject to two additional conditions of approval.

Town Council, at its meeting of January 3, 2012, voted on first reading to approve Amendment 2011-02(SS) (i.e. Ordinance 2012-01) by a 3-2 vote. (NOTE: Final approval of a Comprehensive Plan Amendment, per the Town's Charter, requires a minimum of 4 votes of the Town Council).

Among the issues discussed at the Council meeting were the intensity of development, proposed two-story height on some of the buildings, the irregular delineation of the two commercial parcels and the general appropriateness of commercial development.

Following the January 3rd Town Council meeting, and in response to the issues discussed, the applicant revised the application. The application, as revised in March 2012, requested a change in the current RR5 land use designation to a single commercial category on the entire parcel - Commercial Low. The revision required that the application be returned to Town Council for first reading.

Town Council, at its meeting of April 3, 2012, considered a motion to approve Amendment 2011-02(SS) on first reading. The motion failed by a 2-2 vote.

Following the April 2012 Town Council vote, the Applicant filed a lawsuit which, among other things, sought judicial review of the Council's decision to deny the proposed land use amendment. A proposed settlement agreement was reached whereby the applicant would simultaneously file, and the Town to simultaneously process Commercial Low (CL) Small-Scale Future Land Use Map and Zoning Map amendment applications.

The Local Planning Agency, at its meeting of October 23, 2014, recommended approval CPA Amendment 2014-02(SS) on first reading, subject to conditions recommended by Staff. The motion passed by a 5 - 0 vote. The Planning and Zoning Board, at its meeting of October 23, 2014, recommended approval REZ Amendment 2014-02 on first reading, subject to conditions recommended by Staff. The motion passed by a 5 - 0 vote.

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Current Applications Summary

Consistent with the Settlement Agreement, applications have been filed requesting changes to the Future Land Use Map (FLUM) designation of Rural Residential 5 and the Zoning Map designation of Agricultural Residential (AR) to FLUM and Zoning Map designations of Commercial Low.

Staff Findings and Recommendations

Proposed FLUM (text and map) and Zoning Map amendments are presented in Attachments A1, A2 and B1. Following a review of the applications, Town staff finds Amendments CPA 2014-02 and REZ 2014-02 to be generally consistent with the intent of the Comprehensive Plan, direction provided by the August 2014 Settlement Agreement and rezoning criteria, as stated in Section 160-020(A) (1) – (6) of the Unified Land Development Code (ULDC). Based upon these findings, staff recommends the following:

A. Approval of FLUM Amendment Application CPA 2014-02(SS) subject to the following conditions:

1. The applicant shall record a Deed Restriction which will provide that the Intensity of development shall not exceed a floor-area-ratio (F.A.R.) of 0.074 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; provided that this restriction would automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.
2. A Conceptual Site Plan reflecting a 0.074 F.A.R. shall be approved as part of the initial rezoning process. Subject to potential future F.A.R. increases permitted by Condition A.1, all future development uses, access and intensity shall be consistent with the Conceptual Site Plan.
3. Any increase in development intensity above a 0.074 F.A.R., as permitted in Condition A.1, shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

B. Approval of Rezoning Application REZ 2014-02 subject to the following conditions:

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.
2. Building height shall be limited to one story.

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3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.
4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated ~~at the time of~~ prior to site plan approval (NOTE: Includes P & Z Board recommended change).
5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated ~~at the time of~~ prior to site plan approval (NOTE: Includes P & Z Board recommended change).
6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.
8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.

Local Planning Agency (LPA) Recommendation

The LPA and Planning and Zoning Board (PZB), at their meetings of October 23 2014, recommended that the Council approve with conditions CPA Amendment 2014-02(SS) (LPA) and REZ Amendment 2014-02 (PZB) each by an 5 - 0 vote.

Town Council Action

First Readings of ordinances to consider proposed CPA Amendment 2014-02(SS) and REZ Amendment 2014-032 are scheduled for the November 4, 2014 Town Council meeting.

TOWN OF LOXAHATCHEE GROVES

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Staff Review Summary

A. Adjacent Land Uses

Direction	Existing Uses	FLU and Zoning Designations
North	Okeechobee Boulevard (120-foot ultimate right-of-way). Beyond the right-of way is a single vacant 19.33 acre parcel.	Rural Residential 5 FLU and Agricultural Residential AR zoning
South	Folsom Farms, a 9.4 acre commercial landscape nursery. To its immediate south, beyond Bryan Road, are three single-family homes, on parcels from 1.98 to 5.0 acres.	Rural Residential 5 FLU and Agricultural Residential AR zoning
East	Folsom Road. Beyond the right-of-way and adjacent canal (combined 110-foot ultimate right-of-way) is the Crestwood residential planned development located in the Village of Royal Palm Beach (Density of 5 units/acre).	Single-Family Residential FLU and RS-2 zoning (maximum of 5 units per acre) in Royal Palm Beach
West	Red Barn, a 35,000 sq. ft. retail commercial center on 4.91 acres. Beyond the Red Barn is a 10,000 sq. ft. religious facility (Acts 2) located on a 4.91 acre parcel (Intensity - 0.162 F.A.R.).	Rural Residential 5 FLU and Agricultural Residential AR zoning. Legal non-conforming use (MUPD approval by Palm Beach County)

B. Infrastructure Impacts

Infrastructure Service	Summary
Water/wastewater	Property served by County central water/wastewater system. Developer's Agreement in place. Capacity available.
Surface Water Management	Drainage Statement provided (Attachment E of the Amendment Application). Legal positive outfall available to Folsom Rd. canal. No issues identified.
Solid Waste Disposal	Solid Waste Authority letter confirms disposal capacity available. Applicant to execute contract with private hauler for collection.
Transportation	Traffic Analysis provided (Attachment D of the Amendment Application) which determines consistency with the Town's LOS standards. Confirmation of Applicant's conclusion received from Town's Consulting Engineer
Parks and Recreation	Not Applicable
Public Schools	Not Applicable
FIRE/EMS	Letter from Palm Beach County Fire/Rescue indicating adequate estimated response time. Meets County's LOS standard for response time

C. Environment

Item	Summary
Natural Resources	Vegetation inventory is provided (Attachment G of the Amendment Application). Site predominantly cleared, with limited amounts of vegetation. No state or federal listed plant or animal species identified
Historical Resources	Letter from the County Archaeologist provided(Attachment G of the Amendment Application) stating that there are no known archaeological sites on or within 500 feet of the property
Flood Zone	Zone B, per FEMA Flood Insurance Rate Map Panel 50 of 245 (County). Zone B is the area lying between the limits of the area flooded by 100-year and 500-year storms

TOWN OF LOXAHATCHEE GROVES

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D. Comprehensive Plan Consistency

The following is a summary of Loxahatchee Groves Comprehensive Plan policies determined to be pertinent to the consideration of proposed amendments CPA 2014-02 and REZ 2014-02:

1. Future Land Use Element:

Objective 1.1 directs the Town to adopt future land use categories with appropriate uses, densities and intensities that protect residential and agricultural uses and encourage limited economic development.

Policy 1.1.2 (Ref: Table 1-8) adopts the Town's future land use categories, including non-residential intensity (i.e. floor-area-ratio) limits reflective of the Town's rural character.

Policy 1.1.3 directs the Town to ensure that future land use designations are compatible with adjacent land uses within and outside of the Town.

Policies 1.1.4(b) and (j) direct the Town to adopt land development regulations to assure that development is consistent with the Comprehensive Plan and compatible with adjacent land uses, provides for open spaces, and buffers residential from non-residential uses.

Policy 1.1.5 directs the Town to consider all relevant factors, including but not limited to, consistency and with all elements of the Comprehensive Plan and compatibility with adjacent land uses.

Objective 1.3 directs the Town to encourage a rural community design and look.

Policy 1.3.1 directs the Town to adopt regulations for non-residential development that reflect the Rural Vista Guidelines.]

Objective 1.12 directs the Town to consider changes to the future land use plan that create energy-efficient land use patterns.

2. Transportation Element:

Objective 2.5 directs the Town to coordinate the transportation system with the Future Land Use Map to ensure that land uses are consistent with transportation modes and services.

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Policy 2.5.1 directs the Town to encourage connectivity among all new developments in order to minimize impacts to the roadway network.

Policy 2.5.3 directs the Town to pursue all opportunities to provide adequate bus shelters.

Objective 2.7 directs the Town to maintain a safe local roadway network.

Policy 2.7.2 directs the Town to encourage joint use of driveways and cross access agreements among adjoining property owners to allow circulation between sites.

3. Housing Element:

Policy 6.2.8 directs the Town to encourage job creation at locations identified on the Future Land Use Map as a means of assisting very-low, low and moderate income residents in finding employment opportunities proximate to their homes.

Proposed amendments CPA 2014-02 (SS) and REZ 2014-02 are generally consistent with the Comprehensive Plan in that the proposals will:

- Provide the opportunity for commercial development in area that is compatible with adjacent land uses.
- Assist in coordinating the Town's future land uses with the transportation system by locating a commercial property at the intersection of two paved roadways (i.e. a County Urban Collector and an Urban Local Road).
- Restrict the non-residential intensity (i.e. 0.074 floor-area-ratio) to less than the maximum defined to reflect the Town's rural character (i.e. 0.10 F.A.R.).
- Assist in providing accessible commercial services to Town residents particularly in the areas north of Okeechobee Boulevard.
- Encourage economic development and employment opportunities for Town residents.
- Create energy-efficient Town land use patterns by locating commercial, services proximate to residences.
- Not result in urban sprawl, as further discussed in Section VIII.C of the Staff Report.

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Additional consistency with the Comprehensive Plan can be established by determining the feasibility of incorporating the following within the development concept:

- On-site connectivity with the Red Barn commercial property to the west.
- An on-site bus shelter.

E. Zoning Requirements: CL Zoning District

Regulation	Standard	Property Complies?
Minimum lot size	1 acre	Yes
Frontage and Access	Paved Collector or Arterial	Yes
Minimum frontage/width	150 feet	Yes
Minimum depth	150 feet	Yes
Maximum Floor-Area-Ratio	0.10	Yes/Conceptual Site Plan*
Maximum building and roofed structures lot coverage	25%	Yes/Conceptual Site Plan*
Front setback	50 feet	Yes/Conceptual Site Plan*
Side setback	25 feet	Yes/Conceptual Site Plan*
Side street setback	25 feet	Yes/Conceptual Site Plan*
Rear setback	50 feet	Yes/Conceptual Site Plan*
Minimum pervious area	30%	To be determined at Site Plan
Maximum building height	35 feet	To be determined at Site Plan

* - Ref: Attachment B2.

F. ULDC Section 160-020 Rezoning Criteria

A rezoning petition is reviewed in accordance with the following criteria:

1. Must comply with both of the following:

Criterion	Can Property Comply?
Consistency with the Comprehensive Plan	Yes – See Section D Above
Approval would not give privileges not generally extended to similarly situated property in the area, or result in an isolated district unrelated to adjacent or nearby districts.	Yes – Other properties may apply for zoning. Adjacent property to the west has a commercial zoning approval from Palm Beach County

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2. Must comply with one or more of the following:

Criterion	Can Property Comply?
An error or ambiguity must be corrected	Not Applicable
There exist changed or changing conditions which make the approval of the request appropriate.	No
Substantial reasons exist why the property cannot be used in accordance with the existing zoning.	No - Property can be developed under the AR Zoning District.
The rezoning is appropriate for the orderly development of the Town and is compatible with existing and conforming adjacent land uses, and planned adjacent land uses.	Yes – The rezoning is consistent with Comprehensive Plan (Ref: Section D) The property adjacent to the west is developed for commercial purposes. The property is bordered by a County Urban Collector (Okeechobee Blvd.) and a Town Urban Local Road (Folsom Road).

G. ULDC Section 110-025(B). Minimum required information.

Requirement	Response
Vehicular and pedestrian access	Property is bordered by two paved roads: Okeechobee Boulevard and Folsom road. Potential access available from each of these roads. No approved site plan at this time.
On-site circulation	To be defined at the time of site plan approval.
Parking	To be quantified and sited at the time of site plan approval.
Proposed roadway or easement vacations or road closures	None at this time
Off-site roadway improvements and traffic impacts in adjacent neighborhoods.	To be determined at the time of site plan approval, including Traffic Performance Standards (TPS) review and Concurrency determination by Palm Beach County.

H. Compatibility

An inventory of existing adjacent land uses is presented in Section A and summarized as follows: North - Okeechobee Boulevard (120-foot ultimate right-of-way), a designated County Urban Collector; South - Folsom Farms, a 9.4 acre commercial landscape nursery; East - Folsom Road, a paved designated Urban Local Road; and West - the Red Barn, a 35,000 sq. ft. retail commercial center with a 0.165 floor-area-ratio.

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Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety, or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can complement and support each other. For example, a residential use can help support a commercial use and, conversely, the commercial use can provide essential goods and services to residents of surrounding neighborhoods.

Separation of potentially incompatible uses can act to fully or partially mitigate potential incompatibilities. A 17-foot easement (5-foot utility and 12-foot drainage) is located along the southern boundary of the subject property. The easement is bordered to its south by the driveway and parking area for the Folsom Farms Nursery. To the east and north, the subject property is separated from adjacent properties by extensive road and/or canal rights-of-way (110 feet to the east and 120 feet to the north).

In addition to separation of uses, access management, buffering, screening, setback, height, landscaping, and architectural requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

A review of the subject site vicinity leads to the conclusion that the area is comprised of a mixture of land uses, including low and moderate intensity residential, commercial (retail and nursery) and institutional (public school and religious institution).

The proposed CL Future Land Use and Zoning designations (maximum intensity of 0.10 F.A.R.) provide the Town with an opportunity to establish a rural-style commercial node at the intersection of Okeechobee Boulevard and Folsom Road. CPA Amendment 2012-02 will further reduce the intensity to an F.A.R. of 0.074.

Implementation of Comprehensive Plan directives regarding compatibility with neighboring properties and incorporation of Rural Vista Guidelines architectural, buffering and screening techniques within the design concept can be used as the basis to insure compatibility.

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

ATTACHMENT A1 - FUTURE LAND USE ELEMENT
TEXT AMENDMENT 2014-02(SS)
DAY PROPERTY

1. Amendment of Special Policy 1.15.3 to the Future Land Use Element to limit the uses and intensity of development on the subject property and incorporate staff/LPA recommendations.

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

1.15.3 Special Policy: Reserved:

Land use and intensity of development on the property delineated as "Special Policy 1.15.3" on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the following: (a) The applicant shall record a Deed Restriction which shall provide that the Intensity of development shall not exceed a floor-area- ratio (F.A.R.) of 0.074 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; and (b) this restriction shall automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.

(1). A Conceptual Site Plan reflecting the 0.074 F.A.R. shall be approved as part of the initial rezoning approval. Subject to potential future F.A.R. increases permitted by Special Policy 1.15.3(b), development uses, access and intensity shall be consistent with the Conceptual Site Plan.

(2). Any increase in development intensity above a 0.074 F.A.R., as permitted in Special Policy 1.15.3(b), shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

TOWN OF LOXAHATCHEE GROVES

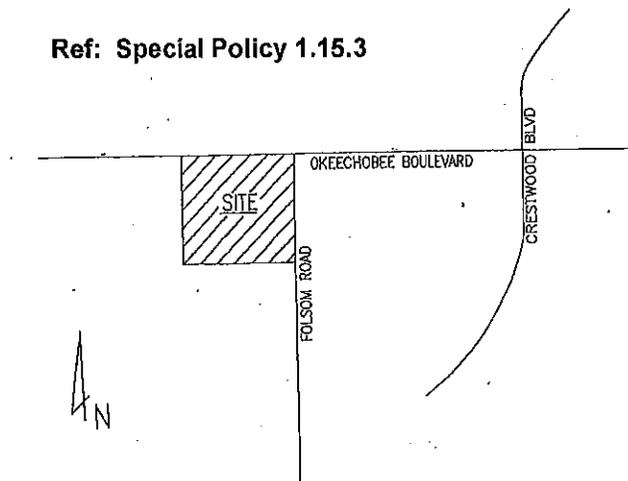
ORDINANCE NO. 2014-06

**ATTACHMENT A2 - FUTURE LAND USE ELEMENT
MAP AMENDMENT 2014-02(SS)
DAY PROPERTY
(Ref: Following Page)**

1. Assignment of Special Policy 1.15.3 and the CL future land use category to the subject site on Future Land Use Map FLU-1.10, as illustrated below.

**Parcel Size: 9.30 Acres
From: Rural Residential 5 (RR 5)
To: Commercial Low (CL)**

Ref: Special Policy 1.15.3

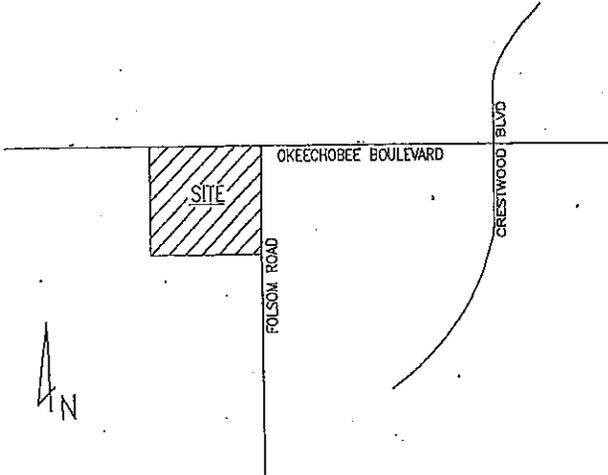


TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

ATTACHMENT B1
ZONING MAP AMENDMENT 2014-02(SS)
DAY PROPERTY

Parcel Size: 9.30 Acres
From: Agricultural Residential (AR)
To: Commercial Low (CL)



TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

**ATTACHMENT B2
DAY PROPERTY
ZONING CONDITIONS OF APPROVAL AND CONCEPTUAL SITE PLAN**

A. Conditions of Approval

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.
2. Building height shall be limited to one story.
3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.
4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated prior to site plan approval.
5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated prior to site plan approval.
6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.
8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.

B. Conceptual Site Plan (Ref: Following Page)

ZONING MAP AMENDMENT 2014-02(SS)

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

EXHIBIT B - FUTURE LAND USE ELEMENT
TEXT AMENDMENT 2014-02(SS)
DAY PROPERTY

Amendment of Special Policy 1.15.3 to the Future Land Use Element to limit the uses and intensity of development on the subject property and incorporate staff/LPA recommendations.

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

1.15.3 Special Policy: Reserved-

Land use and intensity of development on the property delineated as "Special Policy 1.15.3" on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the following: (a) Intensity of development shall not exceed a floor-area-ratio (F.A.R.) of 0.074 in order to accommodate a maximum of 30,000 sq. ft. of general retail, restaurant and office uses; and (b) this restriction shall automatically increase to whatever F.A.R. is subsequently granted to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.

(1). A Conceptual Site Plan reflecting the 0.074 F.A.R. shall be approved as part of the initial rezoning approval. Subject to potential future F.A.R. increases permitted by Special Policy 1.15.3(b), development uses, access and intensity shall be consistent with the Conceptual Site Plan.

(2). Any increase in development intensity above a 0.74 F.A.R., as permitted in Special Policy 1.15.3(b) shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-06

**EXHIBIT C - FUTURE LAND USE ELEMENT
MAP AMENDMENT 2014-02(SS)
DAY PROPERTY**

Assignment of Special Policy 1.15.3 and the CL future land use category to the subject site on Future Land Use Map FLU-1.10, as defined below and illustrated on the following page.

LEGAL DESCRIPTION

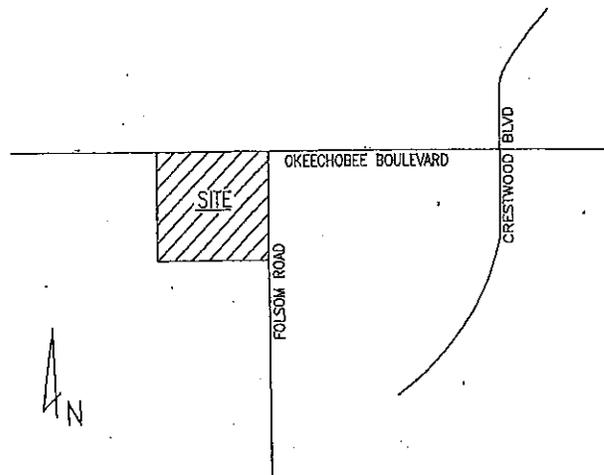
Lot 33, less the West 1158.6 feet thereof, Block F, Loxahatchee Groves, according to the map or plat thereof as recorded in Plat Book 12, page 29, public records of Palm Beach County, Florida. Less and except the following parcel:

Parcel #126

A parcel of land lying in Section 27, Township 43 South, Range 41 East, and being a portion of Tract 33, Block F of the plat of Loxahatchee Groves as recorded in Plat Book 12, page 29, of the public records of Palm Beach County, Florida, and being more particularly described as follows:

Beginning at the NE corner of said Tract 33, run South 02 degrees 16 minutes 10 seconds West, along the East line of said Tract 33 a distance of 568.55 feet thence North 89 degrees 12 minutes 34 seconds West a distance of 50.02 feet along the South line of said Tract 33; thence North 2 degrees 16 minutes 10 seconds East a distance of 516.75 feet; thence North 43 degrees 36 minutes 10 seconds West a distance of 71.79 feet; thence South 89 degrees 29 minutes 31 seconds East a distance of 101.58 feet along the North line of said Tract 33 and along the South right-of-way line of Okeechobee Blvd. to the point of beginning.

**Parcel Size: 9.30 Acres
From: Agricultural Residential (AR)
To: Commercial Low (CL)**



Loxahatchee Groves Town Council Agenda Item No. 7.b Report

Meeting Date: November 4, 2014

Prepared By: Jim Fleischmann, Town Planning Consultant

Subject: Day Property Rezoning – REZ 2014-02

A. Background/History:

Issue Statement: REZ 14-02 is a companion application to CPA 14-02 (SS) for an amendment to change the Zoning Map designation of the Day property from Agricultural Residential (AR) to Commercial Low (CL). The property is 9.30 acres in size and is located at the southwest corner of Okeechobee Boulevard and Folsom Road.

Potential Actions: (1) Approve REZ 14-02; (2) Deny REZ 14-02; or (3) Approve REZ 14-02 subject to conditions.

B. Current Activity:

CPA 14-02 (SS) and a companion rezoning application (REZ 14-02) have been filed to change the Future Land Use Map and Zoning Designations on the 9.30 acre Day property to Commercial Low (CL) designations. Approval of REZ 14-02 will make the Zoning Map designation consistent with the Future Land Use Map designation of the property, provided that CPA 14-02 is first approved by the Town Council

The Local Planning Agency (LPA) recommended approval of the Staff recommendation (see below) at its meeting on October 23, 2014 by a 5 – 0 vote.

C. Attachments:

Staff Report, which contains a detailed review of both CPA 14-02 (SS) and REZ 14-02.

D. Town Financial Impact:

None. Review of REZ 14-02 is funded by the Town's Cost Recovery system.

E. Recommended Action:

Staff recommends approval of REZ 14-02 subject to the following conditions:

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.

2. Building height shall be limited to one story.
3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.
4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated prior to site plan approval.
5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated prior to site plan approval.
6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.
8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING AMENDMENT REZ 14-02 TO THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE, CONCERNING A REZONING APPLICATION PROPOSED BY THE OWNERS OF THE PROPERTY, WILLIE H. AND FRANKIE J. DAY TO CHANGE THE ZONING DESIGNATION OF THE SUBJECT PROPERTY FROM AGRICULTURAL RESIDENTIAL (AR) TO COMMERCIAL LOW (CL) TO ACCOMMODATE THE FUTURE DEVELOPMENT OF A MAXIMUM OF 9.3 ACRES OF COMMERCIAL USES LOCATED AT THE SOUTHWEST CORNER OF OKEECHOBEE BOULEVARD AND FOLSOM ROAD, LOXAHATCHEE GROVES, FLORIDA; PROVIDING FOR AMENDMENT TO THE ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Property Owners, Willie H. and Frankie J. Day, have petitioned the Town to rezone certain property located at the southwest corner of Okeechobee Boulevard and Folsom Road totaling 9.30 acres more or less, legally described and as designated on the map in Exhibit "A", attached hereto (the "Property"), from the Town's zoning designation of Agricultural Residential (AR) to the Town's zoning designation of Commercial Low (CL), in order to correspond to the approval by the Town of the Applicant's application to amend the Land Use of the property to the Town's Future Land Use designation of Commercial Low (CL); and,

WHEREAS, the Town's Planning Consultant recommends approval of Rezoning Application REZ 14-2, from the Rural Residential 5 Land Use Category to Commercial Low, as set forth in the staff report to the Town Council in its capacity as the governing body of the Town setting forth recommendations and conditions, which is attached hereto as Exhibit "A" and incorporated herein; and,

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

WHEREAS, at its meeting of October 23, 2014, the Town's Planning and Zoning Board, considered the request to rezone the Property, and recommended approval to the Town Council; and

WHEREAS, the notice and hearing requirements for adoption of rezoning ordinances contained in the Florida Statutes and the Town's Unified Land Development code have been satisfied; and

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

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

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

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

1. The Rezoning is consistent with the goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan; and
2. The Rezoning meets the requirements for a rezoning stated in Section 160-020 of the Town's Unified Land Development Code.

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

Section 4. The rezoning of the Property located at the southwest corner of Okeechobee Boulevard and Folsom Road totaling 9.30 acres more or less, subject to the conditions of approval set forth in the Town Planning Consultant's Staff Report, attached hereto as Exhibit "A" and as legally

TOWN OF LOXAHATCHEE GROVES

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described and as designated on the map in Exhibit “B” and subject to the conditions of approval contained in Exhibit “C”, attached hereto, from the Town’s zoning designation of Agricultural Residential (AR) to the Town’s zoning designation of Commercial Low (CL) is hereby approved.

Section 5. The Town Administration is hereby authorized and directed to make appropriate changes on the zoning map of the Town, to effectuate the purpose of this ordinance.

Section 6. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered eliminated and so not affecting the validity of the remaining portion or applications remaining in full force and effect.

Section 7. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 8. This Ordinance shall take effect as provided by law.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 4th DAY OF NOVEMBER, 2014.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 18th DAY OF NOVEMBER, 2014.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor David Browning

Janet K. Whipple, Town Clerk

Vice-Mayor Ron Jarriel

Council Member Tom Goltzené

TOWN OF LOXAHATCHEE GROVES

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APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Council Member Ryan Liang

Council Member Jim Rockett

TOWN OF LOXAHATCHEE GROVES

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EXHIBIT A

**OCTOBER 24, 2014 TOWN PLANNING CONSULTANT REPORT
(Following Page)**

TOWN OF LOXAHATCHEE GROVES

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**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING
November 4, 2014**

STAFF REPORT October 24, 2014

- 1. Ordinance 2014-06: Small-Scale Comprehensive Plan Amendment (CPA) 14-2(SS); and**
- 2. Ordinance 2014-07: Rezoning (REZ) 14-2.**

Project Name: Day Property

Agent: Urban Design Kilday Studios

Applicant: Willie and Frankie Day

Owners: Willie and Frankie Day

Parcel Control Number (PCN): 41-41-43-17-01-633-0010

Project Location: Southwest Corner of Okeechobee Blvd. and Folsom Road

Size of Property: 9.30 acres.

Current FLU Map Designation: Rural Residential 5 (RR5).

Current Zoning Map Designation: Agricultural Residential (AR).

Existing Use: Single-Family residential; 2,000 sq. ft. residence

Proposed Land Use Designation: Commercial Low (CL).

Proposed Zoning Designation: Commercial Low (CL).

Maximum Proposed Development Potential: 30,000 sq. ft. of CL space (9.30 acres x 43,560 sq. ft. per acre x 0.074 FAR)

History of the Application

The Comprehensive Plan Amendment application (CPA 2011-02 SS), as initially submitted, requested a change in the future land use designation from a Rural Residential 5 (RR 5) designation to a combination of Commercial Low (4.96 acres) and Commercial Low Office (4.34 acres). A companion rezoning application was not submitted at that time.

TOWN OF LOXAHATCHEE GROVES

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Following a review of the initial application and presentation to the Local Planning Agency (LPA), staff found Future Land Use Amendment 2011-02(SS) to be generally consistent with the intent and direction of the Comprehensive Plan. However to insure consistency with the Town's planning documents and its review, staff recommended approval subject to several conditions of approval.

The Town's Local Planning Agency (LPA), at its meeting of December 8, 2011, recommended that Town Council approve Amendment 2011-02(SS), by a 3- 2 vote, subject to two additional conditions of approval.

Town Council, at its meeting of January 3, 2012, voted on first reading to approve Amendment 2011-02(SS) (i.e. Ordinance 2012-01) by a 3-2 vote. (NOTE: Final approval of a Comprehensive Plan Amendment, per the Town's Charter, requires a minimum of 4 votes of the Town Council).

Among the issues discussed at the Council meeting were the intensity of development, proposed two-story height on some of the buildings, the irregular delineation of the two commercial parcels and the general appropriateness of commercial development.

Following the January 3rd Town Council meeting, and in response to the issues discussed, the applicant revised the application. The application, as revised in March 2012, requested a change in the current RR5 land use designation to a single commercial category on the entire parcel - Commercial Low. The revision required that the application be returned to Town Council for first reading.

Town Council, at its meeting of April 3, 2012, considered a motion to approve Amendment 2011-02(SS) on first reading. The motion failed by a 2-2 vote.

Following the April 2012 Town Council vote, the Applicant filed a lawsuit which, among other things, sought judicial review of the Council's decision to deny the proposed land use amendment. A proposed settlement agreement was reached whereby the applicant would simultaneously file, and the Town to simultaneously process Commercial Low (CL) Small-Scale Future Land Use Map and Zoning Map amendment applications.

The Local Planning Agency, at its meeting of October 23, 2014, recommended approval CPA Amendment 2014-02(SS) on first reading, subject to conditions recommended by Staff. The motion passed by a 5 - 0 vote. The Planning and Zoning Board, at its meeting of October 23, 2014, recommended approval REZ Amendment 2014-02 on first reading, subject to conditions recommended by Staff. The motion passed by a 5 - 0 vote.

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

Current Applications Summary

Consistent with the Settlement Agreement, applications have been filed requesting changes to the Future Land Use Map (FLUM) designation of Rural Residential 5 and the Zoning Map designation of Agricultural Residential (AR) to FLUM and Zoning Map designations of Commercial Low.

Staff Findings and Recommendations

Proposed FLUM (text and map) and Zoning Map amendments are presented in Attachments A1, A2 and B1. Following a review of the applications, Town staff finds Amendments CPA 2014-02 and REZ 2014-02 to be generally consistent with the intent of the Comprehensive Plan, direction provided by the August 2014 Settlement Agreement and rezoning criteria, as stated in Section 160-020(A) (1) – (6) of the Unified Land Development Code (ULDC). Based upon these findings, staff recommends the following:

A. Approval of FLUM Amendment Application CPA 2014-02(SS) subject to the following conditions:

1. The applicant shall record a Deed Restriction which will provide that the Intensity of development shall not exceed a floor-area-ratio (F.A.R.) of 0.074 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; provided that this restriction would automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.
2. A Conceptual Site Plan reflecting a 0.074 F.A.R. shall be approved as part of the initial rezoning process. Subject to potential future F.A.R. increases permitted by Condition A.1, all future development uses, access and intensity shall be consistent with the Conceptual Site Plan.
3. Any increase in development intensity above a 0.074 F.A.R., as permitted in Condition A.1, shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

B. Approval of Rezoning Application REZ 2014-02 subject to the following conditions:

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.
2. Building height shall be limited to one story.

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3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.

4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated ~~at the time of~~ prior to site plan approval (NOTE: Includes P & Z Board recommended change).

5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated ~~at the time of~~ prior to site plan approval (NOTE: Includes P & Z Board recommended change).

6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.

7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.

8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.

Local Planning Agency (LPA) Recommendation

The LPA and Planning and Zoning Board (PZB), at their meetings of October 23 2014, recommended that the Council approve with conditions CPA Amendment 2014-02(SS) (LPA) and REZ Amendment 2014-02 (PZB) each by an 5 - 0 vote.

Town Council Action

First Readings of ordinances to consider proposed CPA Amendment 2014-02(SS) and REZ Amendment 2014-032 are scheduled for the November 4, 2014 Town Council meeting.

TOWN OF LOXAHATCHEE GROVES

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Staff Review Summary

A. Adjacent Land Uses

Direction	Existing Uses	FLU and Zoning Designations
North	Okeechobee Boulevard (120-foot ultimate right-of-way). Beyond the right-of way is a single vacant 19.33 acre parcel.	Rural Residential 5 FLU and Agricultural Residential AR zoning
South	Folsom Farms, a 9.4 acre commercial landscape nursery. To its immediate south, beyond Bryan Road, are three single-family homes, on parcels from 1.98 to 5.0 acres.	Rural Residential 5 FLU and Agricultural Residential AR zoning
East	Folsom Road. Beyond the right-of-way and adjacent canal (combined 110-foot ultimate right-of-way) is the Crestwood residential planned development located in the Village of Royal Palm Beach (Density of 5 units/acre).	Single-Family Residential FLU and RS-2 zoning (maximum of 5 units per acre) in Royal Palm Beach
West	Red Barn, a 35,000 sq. ft. retail commercial center on 4.91 acres. Beyond the Red Barn is a 10,000 sq. ft. religious facility (Acts 2) located on a 4.91 acre parcel (Intensity - 0.162 F.A.R.).	Rural Residential 5 FLU and Agricultural Residential AR zoning. Legal non-conforming use (MUPD approval by Palm Beach County)

B. Infrastructure Impacts

Infrastructure Service	Summary
Water/wastewater	Property served by County central water/wastewater system. Developer's Agreement in place. Capacity available.
Surface Water Management	Drainage Statement provided (Attachment E of the Amendment Application). Legal positive outfall available to Folsom Rd. canal. No issues identified.
Solid Waste Disposal	Solid Waste Authority letter confirms disposal capacity available. Applicant to execute contract with private hauler for collection.
Transportation	Traffic Analysis provided (Attachment D of the Amendment Application) which determines consistency with the Town's LOS standards. Confirmation of Applicant's conclusion received from Town's Consulting Engineer
Parks and Recreation	Not Applicable
Public Schools	Not Applicable
FIRE/EMS	Letter from Palm Beach County Fire/Rescue indicating adequate estimated response time. Meets County's LOS standard for response time

C. Environment

Item	Summary
Natural Resources	Vegetation inventory is provided (Attachment G of the Amendment Application). Site predominantly cleared, with limited amounts of vegetation. No state or federal listed plant or animal species identified
Historical Resources	Letter from the County Archaeologist provided(Attachment G of the Amendment Application) stating that there are no known archaeological sites on or within 500 feet of the property
Flood Zone	Zone B, per FEMA Flood Insurance Rate Map Panel 50 of 245 (County). Zone B is the area lying between the limits of the area flooded by 100-year and 500-year storms

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

D. Comprehensive Plan Consistency

The following is a summary of Loxahatchee Groves Comprehensive Plan policies determined to be pertinent to the consideration of proposed amendments CPA 2014-02 and REZ 2014-02:

1. Future Land Use Element:

Objective 1.1 directs the Town to adopt future land use categories with appropriate uses, densities and intensities that protect residential and agricultural uses and encourage limited economic development.

Policy 1.1.2 (Ref: Table 1-8) adopts the Town's future land use categories, including non-residential intensity (i.e. floor-area-ratio) limits reflective of the Town's rural character.

Policy 1.1.3 directs the Town to ensure that future land use designations are compatible with adjacent land uses within and outside of the Town.

Policies 1.1.4(b) and (j) direct the Town to adopt land development regulations to assure that development is consistent with the Comprehensive Plan and compatible with adjacent land uses, provides for open spaces, and buffers residential from non-residential uses.

Policy 1.1.5 directs the Town to consider all relevant factors, including but not limited to, consistency and with all elements of the Comprehensive Plan and compatibility with adjacent land uses.

Objective 1.3 directs the Town to encourage a rural community design and look.

Policy 1.3.1 directs the Town to adopt regulations for non-residential development that reflect the Rural Vista Guidelines.

Objective 1.12 directs the Town to consider changes to the future land use plan that create energy-efficient land use patterns.

2. Transportation Element:

Objective 2.5 directs the Town to coordinate the transportation system with the Future Land Use Map to ensure that land uses are consistent with transportation modes and services.

TOWN OF LOXAHATCHEE GROVES

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Policy 2.5.1 directs the Town to encourage connectivity among all new developments in order to minimize impacts to the roadway network.

Policy 2.5.3 directs the Town to pursue all opportunities to provide adequate bus shelters.

Objective 2.7 directs the Town to maintain a safe local roadway network.

Policy 2.7.2 directs the Town to encourage joint use of driveways and cross access agreements among adjoining property owners to allow circulation between sites.

3. Housing Element:

Policy 6.2.8 directs the Town to encourage job creation at locations identified on the Future Land Use Map as a means of assisting very-low, low and moderate income residents in finding employment opportunities proximate to their homes.

Proposed amendments CPA 2014-02 (SS) and REZ 2014-02 are generally consistent with the Comprehensive Plan in that the proposals will:

- Provide the opportunity for commercial development in area that is compatible with adjacent land uses.
- Assist in coordinating the Town's future land uses with the transportation system by locating a commercial property at the intersection of two paved roadways (i.e. a County Urban Collector and an Urban Local Road).
- Restrict the non-residential intensity (i.e. 0.074 floor-area-ratio) to less than the maximum defined to reflect the Town's rural character (i.e. 0.10 F.A.R.).
- Assist in providing accessible commercial services to Town residents particularly in the areas north of Okeechobee Boulevard.
- Encourage economic development and employment opportunities for Town residents.
- Create energy-efficient Town land use patterns by locating commercial, services proximate to residences.
- Not result in urban sprawl, as further discussed in Section VIII.C of the Staff Report.

TOWN OF LOXAHATCHEE GROVES

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Additional consistency with the Comprehensive Plan can be established by determining the feasibility of incorporating the following within the development concept:

- On-site connectivity with the Red Barn commercial property to the west.
- An on-site bus shelter.

E. Zoning Requirements: CL Zoning District

Regulation	Standard	Property Complies?
Minimum lot size	1 acre	Yes
Frontage and Access	Paved Collector or Arterial	Yes
Minimum frontage/width	150 feet	Yes
Minimum depth	150 feet	Yes
Maximum Floor-Area-Ratio	0.10	Yes/Conceptual Site Plan*
Maximum building and roofed structures lot coverage	25%	Yes/Conceptual Site Plan*
Front setback	50 feet	Yes/Conceptual Site Plan*
Side setback	25 feet	Yes/Conceptual Site Plan*
Side street setback	25 feet	Yes/Conceptual Site Plan*
Rear setback	50 feet	Yes/Conceptual Site Plan*
Minimum pervious area	30%	To be determined at Site Plan
Maximum building height	35 feet	To be determined at Site Plan

* - Ref: Attachment B2.

F. ULDC Section 160-020 Rezoning Criteria

A rezoning petition is reviewed in accordance with the following criteria:

1. Must comply with both of the following:

Criterion	Can Property Comply?
Consistency with the Comprehensive Plan	Yes – See Section D Above
Approval would not give privileges not generally extended to similarly situated property in the area, or result in an isolated district unrelated to adjacent or nearby districts.	Yes – Other properties may apply for zoning. Adjacent property to the west has a commercial zoning approval from Palm Beach County

TOWN OF LOXAHATCHEE GROVES

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2. Must comply with one or more of the following:

Criterion	Can Property Comply?
An error or ambiguity must be corrected	Not Applicable
There exist changed or changing conditions which make the approval of the request appropriate.	No
Substantial reasons exist why the property cannot be used in accordance with the existing zoning.	No - Property can be developed under the AR Zoning District.
The rezoning is appropriate for the orderly development of the Town and is compatible with existing and conforming adjacent land uses, and planned adjacent land uses.	Yes – The rezoning is consistent with Comprehensive Plan (Ref: Section D) The property adjacent to the west is developed for commercial purposes. The property is bordered by a County Urban Collector (Okeechobee Blvd.) and a Town Urban Local Road (Folsom Road).

G. ULDC Section 110-025(B). Minimum required information.

Requirement	Response
Vehicular and pedestrian access	Property is bordered by two paved roads: Okeechobee Boulevard and Folsom road. Potential access available from each of these roads. No approved site plan at this time.
On-site circulation	To be defined at the time of site plan approval.
Parking	To be quantified and sited at the time of site plan approval.
Proposed roadway or easement vacations or road closures	None at this time
Off-site roadway improvements and traffic impacts in adjacent neighborhoods.	To be determined at the time of site plan approval, including Traffic Performance Standards (TPS) review and Concurrency determination by Palm Beach County.

H. Compatibility

An inventory of existing adjacent land uses is presented in Section A and summarized as follows: North - Okeechobee Boulevard (120-foot ultimate right-of-way), a designated County Urban Collector; South - Folsom Farms, a 9.4 acre commercial landscape nursery; East - Folsom Road, a paved designated Urban Local Road; and West - the Red Barn, a 35,000 sq. ft. retail commercial center with a 0.165 floor-area-ratio.

TOWN OF LOXAHATCHEE GROVES

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Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety, or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can complement and support each other. For example, a residential use can help support a commercial use and, conversely, the commercial use can provide essential goods and services to residents of surrounding neighborhoods.

Separation of potentially incompatible uses can act to fully or partially mitigate potential incompatibilities. A 17-foot easement (5-foot utility and 12-foot drainage) is located along the southern boundary of the subject property. The easement is bordered to its south by the driveway and parking area for the Folsom Farms Nursery. To the east and north, the subject property is separated from adjacent properties by extensive road and/or canal rights-of-way (110 feet to the east and 120 feet to the north).

In addition to separation of uses, access management, buffering, screening, setback, height, landscaping, and architectural requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

A review of the subject site vicinity leads to the conclusion that the area is comprised of a mixture of land uses, including low and moderate intensity residential, commercial (retail and nursery) and institutional (public school and religious institution).

The proposed CL Future Land Use and Zoning designations (maximum intensity of 0.10 F.A.R.) provide the Town with an opportunity to establish a rural-style commercial node at the intersection of Okeechobee Boulevard and Folsom Road. CPA Amendment 2012-02 will further reduce the intensity to an F.A.R. of 0.074.

Implementation of Comprehensive Plan directives regarding compatibility with neighboring properties and incorporation of Rural Vista Guidelines architectural, buffering and screening techniques within the design concept can be used as the basis to insure compatibility.

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

**ATTACHMENT A1 - FUTURE LAND USE ELEMENT
TEXT AMENDMENT 2014-02(SS)
DAY PROPERTY**

1. Amendment of Special Policy 1.15.3 to the Future Land Use Element to limit the uses and intensity of development on the subject property and incorporate staff/LPA recommendations.

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

1.15.3 Special Policy: Reserved.

Land use and intensity of development on the property delineated as "Special Policy 1.15.3" on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the following: (a) The applicant shall record a Deed Restriction which shall provide that the Intensity of development shall not exceed a floor-area- ratio (F.A.R.) of 0.074 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; and (b) this restriction shall automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.

(1). A Conceptual Site Plan reflecting the 0.074 F.A.R. shall be approved as part of the initial rezoning approval. Subject to potential future F.A.R. increases permitted by Special Policy 1.15.3(b), development uses, access and intensity shall be consistent with the Conceptual Site Plan.

(2). Any increase in development intensity above a 0.074 F.A.R., as permitted in Special Policy 1.15.3(b), shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

TOWN OF LOXAHATCHEE GROVES

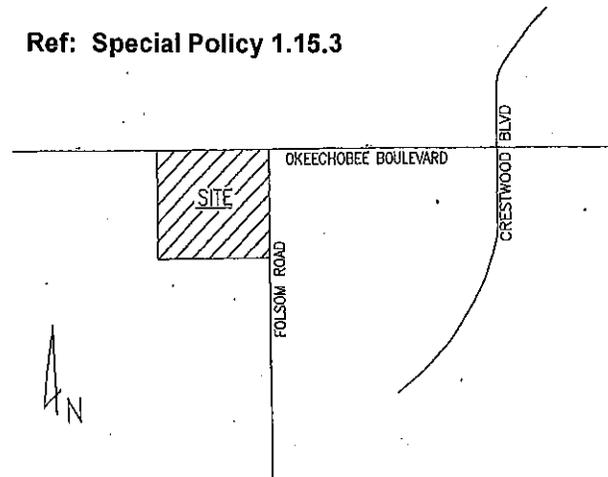
ORDINANCE NO. 2014-07

**ATTACHMENT A2 - FUTURE LAND USE ELEMENT
MAP AMENDMENT 2014-02(SS)
DAY PROPERTY
(Ref: Following Page)**

1. Assignment of Special Policy 1.15.3 and the CL future land use category to the subject site on Future Land Use Map FLU-1.10, as illustrated below.

**Parcel Size: 9.30 Acres
From: Rural Residential 5 (RR 5)
To: Commercial Low (CL)**

Ref: Special Policy 1.15.3

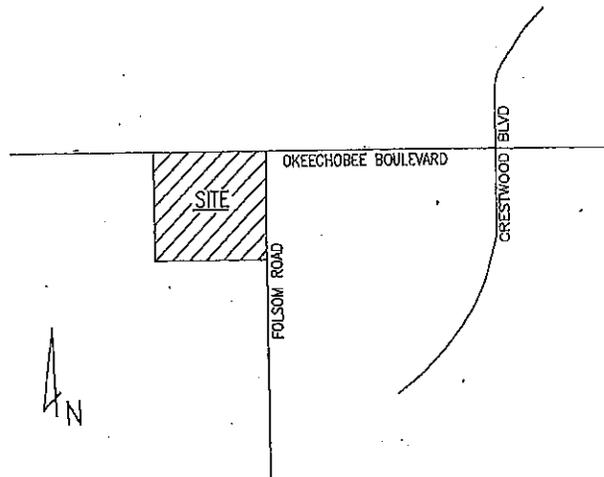


TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

**ATTACHMENT B1
ZONING MAP AMENDMENT 2014-02(SS)
DAY PROPERTY**

**Parcel Size: 9.30 Acres
From: Agricultural Residential (AR)
To: Commercial Low (CL)**



TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

**ATTACHMENT B2
DAY PROIPERTY
ZONING CONDITIONS OF APPROVAL AND CONCEPTUAL SITE PLAN**

A. Conditions of Approval

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.
2. Building height shall be limited to one story.
3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.
4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated prior to site plan approval.
5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated prior to site plan approval.
6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.
8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.

B. Conceptual Site Plan (Ref: Following Page)

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

**EXHIBIT B - ZONING MAP AMENDMENT 2014-02(SS)
DAY PROPERTY**

LEGAL DESCRIPTION

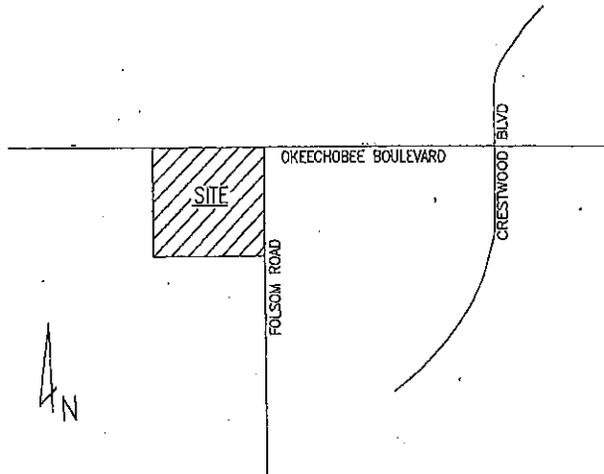
Lot 33, less the West 1158.6 feet thereof, Block F, Loxahatchee Groves, according to the map or plat thereof as recorded in Plat Book 12, page 29, public records of Palm Beach County, Florida. Less and except the following parcel:

Parcel #126

A parcel of land lying in Section 27, Township 43 South, Range 41 East, and being a portion of Tract 33, Block F of the plat of Loxahatchee Groves as recorded in Plat Book 12, page 29, of the public records of Palm Beach County, Florida, and being more particularly described as follows:

Beginning at the NE corner of said Tract 33, run South 02 degrees 16 minutes 10 seconds West, along the East line of said Tract 33 a distance of 568.55 feet thence North 89 degrees 12 minutes 34 seconds West a distance of 50.02 feet along the South line of said Tract 33; thence North 2 degrees 16 minutes 10 seconds East a distance of 516.75 feet; thence North 43 degrees 36 minutes 10 seconds West a distance of 71.79 feet; thence South 89 degrees 29 minutes 31 seconds East a distance of 101.58 feet along the North line of said Tract 33 and along the South right-of-way line of Okeechobee Blvd. to the point of beginning.

Parcel Size: 9.30 Acres
From: Agricultural Residential (AR)
To: Commercial Low (CL)



TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-07

EXHIBIT C

CONDITIONS OF APPROVAL

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.
2. Building height shall be limited to one story.
3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.
4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated prior to site plan approval.
5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated prior to site plan approval.
6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.
8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.



Item 8.a.

MANAGERS REPORT

Agenda Item Report

Town of Loxahatchee Groves, FLORIDA Town Council AGENDA ITEM REPORT

AGENDA ITEM NO. 8.a

MEETING DATE: 11/04/2014

PREPARED BY: William F. Underwood, II

SUBJECT: Administrative Update

1.BACKGROUND/HISTORY

Problem Statement: The Town Council requests updates on activities and issues.

Problem Solution: Provide the Council with an update.

At the Council meeting of October 7, 2014, it was noted that items in this category be provided as part of a written report.

2.CURRENT ACTIVITY

- **Trails:** Staff received sealed quotes for Project No: 13-1020; Project Title: 6th Court North Equestrian Trail Improvements on October 24, 2014.
 - Three local vendors responded to Town's request.
 - Staff recommending approval of C & C Loader Services Quote including Alternate in the amount of \$28,300.
 - LGWCD must provide the Town an easement or license to use that would provide the Town site control before construction begins for equestrian trails.
 - Funds are budgeted for all trails in CIP in the amount of \$80,000.
- **Road Clearance:** Staff authorized work on Project Title: Hedging 161st Terrace North, 22nd Road North, Gruber Lane to C & C Loader Services in the amount of \$6200.
 - Work to commence on October 28, 2014.
 - Funds are appropriated in Transportation Fund for vegetation removal in the amount of \$40,000.
- **Trails:** At the IGC meeting of October 23rd, the IGC received quotes to provide for surveying the trails/maintenance berms of LGWCD. The low bid to the LGWCD for surveying all trails and roads was approximately \$104,000. The Town's portion for surveying the trails is approximately \$98,500.
 - The Town and District will be finalizing an inter-local agreement to provide specific funding and set forth various elements of the transaction to be presented at a future meeting of the Town.
- **LGWCD:** At the IGC meeting of October 23rd, a new business item was proffered by Councilman Jarriel to begin discussions on making the LGWCD a dependent entity of the Town of Loxahatchee Groves.

- **Roads:** At the IGC meeting of October 23rd, the committee reviewed a policy developed for the LGWCD to dispose of fill extracted by dredging canals. In essence the fill will have priority use by the LGWCD, the Town, and then priority bid local residents followed by non-local entities, and finally, provided to local residents as is, and where is.
- **FAAC:** the Finance Advisory and Auditing Committee heard presentations from three (3) vendors offering Software as a Service (SaaS) for financial accounting software for the Town. The Committee will review the presentations and provide feedback at their regular meeting of November 24, 2014.
- **Building:** Update to work related to the Chamber of Commerce building.
 - The Town has received two appraisals for the building alone.
 - Staff has completed the Cost Benefit Analysis
 - Building Inspection Report should be completed by next week.
 - Staff anticipates presenting a recommendation and report to the Town Council at the November 18, 2014 meeting.
- **Building:** Palm Beach State College has requested a special event permit for the ground breaking ceremony to be held on November 7th, 2014.
 - Negotiations continue for B Road improvements which will go from Southern Boulevard to Okeechobee Boulevard. Staff is working toward holding the second hearing on an ordinance in November to provide appropriate zoning classification to the involved parcels.
- **Fire Rescue:** Report submitted by Mike Arena, PBC Fire Rescue

3.ATTACHMENTS

LGWCD Maintenance Maps – Equestrian and Roadside
 Palm Beach County Fire Rescue Response Time Reports

4.FINANCIAL IMPACT

Not applicable.

5.RECOMMENDED ACTION

Motion to receive and file report.



14579 Southern Boulevard, Suite 2 • Loxahatchee Groves, Florida 33470 • Telephone (561) 793-2418 • Fax (561) 793-2420 • www.loxahatcheegrovesfl.gov

October 24, 2014

John Choquette
C & C Loader Services
1128 Royal Palm Beach Boulevard, #282
Royal Palm Beach, FL 33411

Dear Johnny:

Re: Work Authorization 2014-10-24
Hedging Services for thee (3) Town Roads

Please be advised that you are hereby authorized to proceed with the Hedging Services as outlined and quoted in your sealed quote of October 17, 2014 for the following Town Roads:

- 161st Terrace North
- 22nd Road
- Gruber Lane

We would like you to begin this work at your earliest convenience. Please contact Bev Kuipers at Town Hall to advise date of commencement. Bev can be contacted at 561-793-2418 or at bkuipers@loxahatcheegrovesfl.gov.

Thank your interest in our community and I look forward to working with you on this project.

Sincerely,

William F. Underwood, II



October 28, 2014

Via Email: yohe@lgwcd.org

Mr. Stephen Yohe, P.E.
Loxahatchee Groves Water Control District
P.O. Box 407
101 West D Road
Loxahatchee Groves, FL 33470

Subject: LGWCD Maintenance Maps – Equestrian and Roadside

Dear Mr. Yohe:

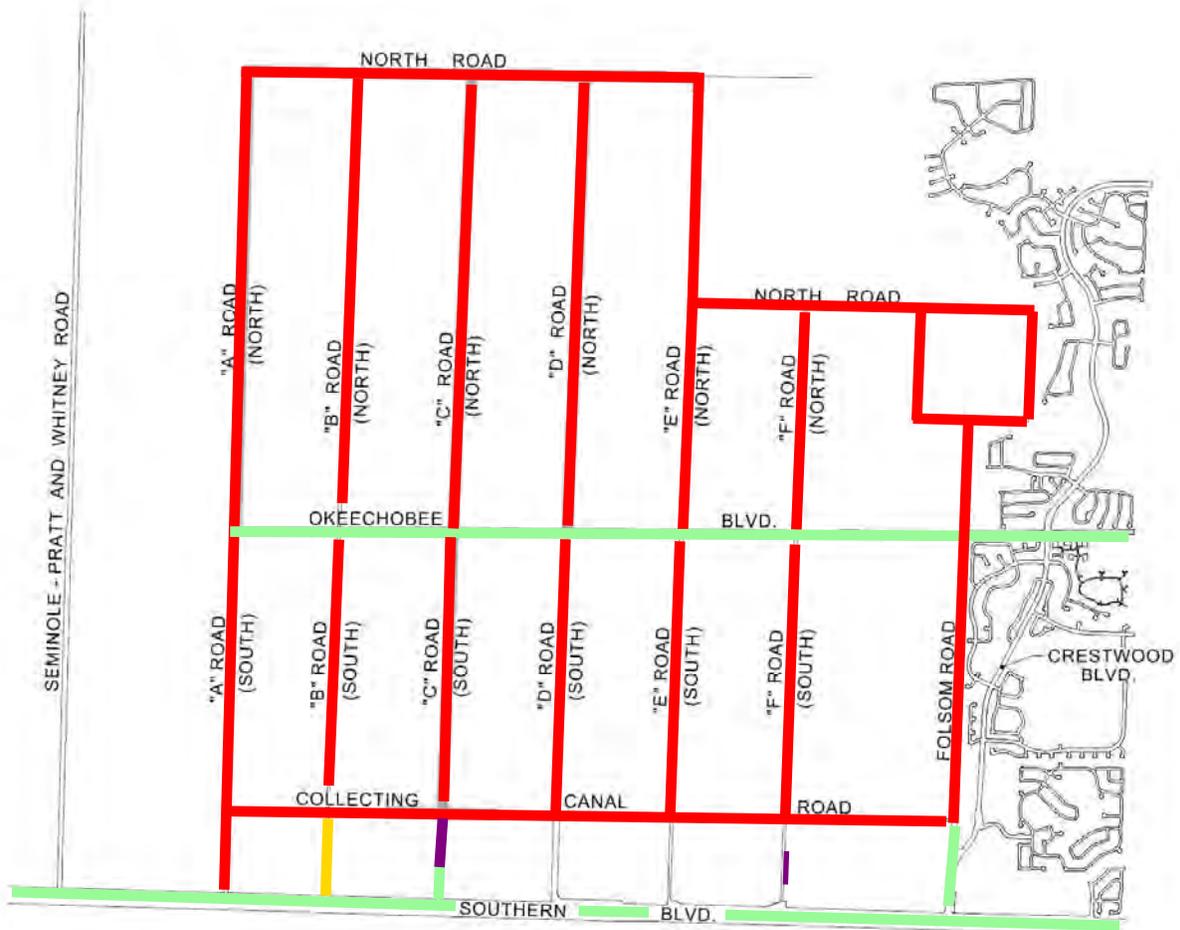
Erdman Anthony is pleased to provide professional services for tasks as identified below.

Scope of Services

Specific Purpose Surveys

- Prepare a Specific Purpose Surveys of Loxahatchee Groves Water Control District (LGWCD) maintained areas of Canals and Roads within LGWCD in accordance with Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 of the Florida Statutes.
- Limits of data collection to include portions of "A" Road, "B" Road, "C" Road, "D" Road, "E" Road, "F" Road, Folsom Road, West "G" Road, East "G" Road, 25th St. North, Collecting Canal Road, and North Road. This data collection will be completed on both the non-roadside and roadside areas of the right of way as shown on the attached maps.
- Horizontal data will be collected on the Florida State Plane coordinate system. Horizontal data will be obtained using conventional and RTK GPS methods with an accuracy of +/-0.2'.
- Field data does not include the mapping of trees and vegetation, surface or sub-surface utilities, cross culverts and temporary structures.
- Deliverables will include five (5) signed and sealed 24"x36" plots of the Specific Purpose Survey at the time of completion. The survey will depict an aerial backdrop with the existing right of way and surveyed lines of maintained area only. The surveys will be combined on one set of maps for the Canal Maintenance and Roadway Maintenance Easements but sheet numbered to allow recordation of the separate easements.

**LGWCD MAINTENANCE MAPS
CANAL SEGMENTS
October, 2014**



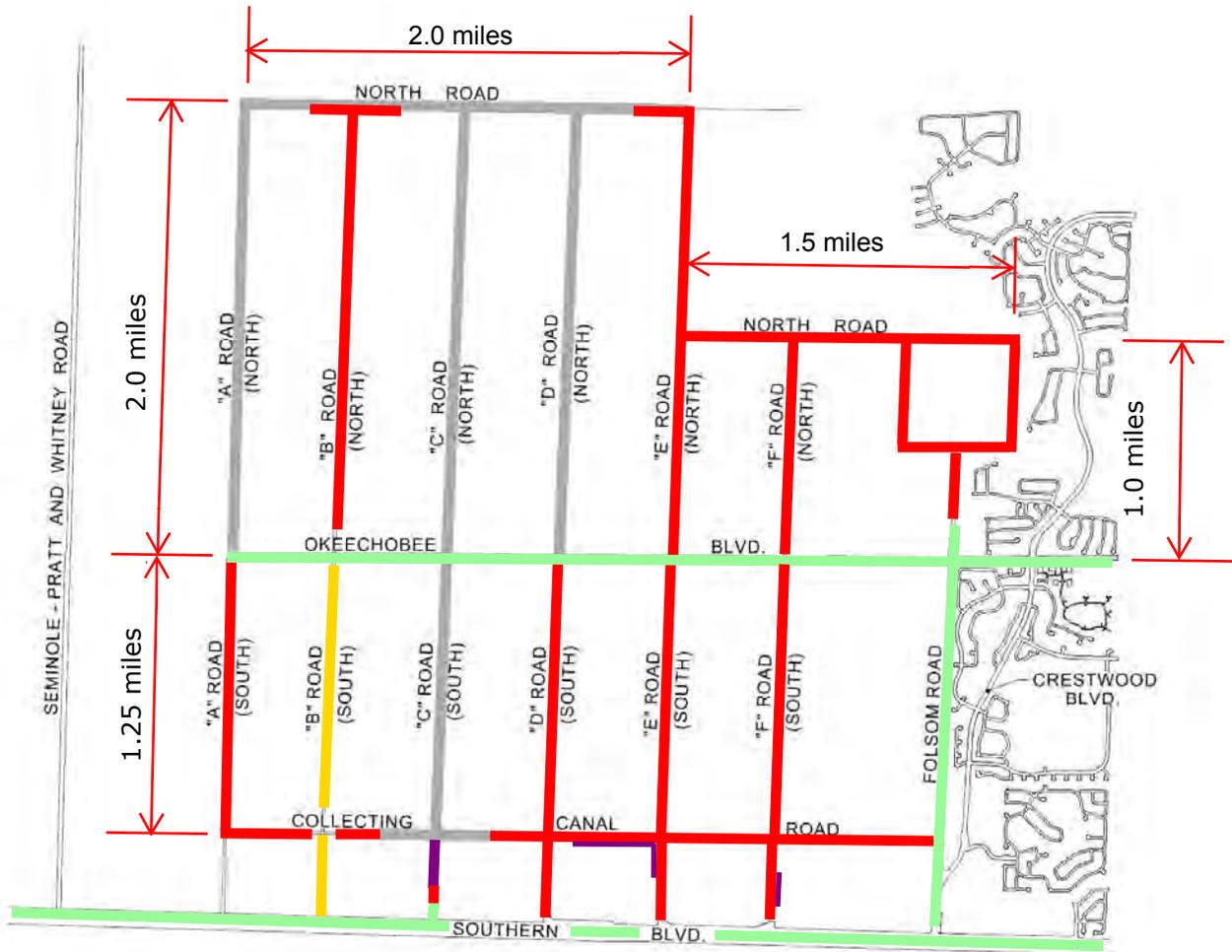
- Equestrian/Canal Maintenance Maps
- PBC or FDOT Right of Way
- Developer Obligation
- Right of Way dedicated by recent Plat

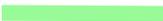
LGWCD Equestrian/Canal Maintenance Segments

October, 2014

Road/ Segment	North of Okeechobee	South of Okeechobee	South of Collecting Canal	TOTALS (Miles)
A Road	2	1.25	0.4	3.65
B Road	2	1.25	-	3.25
C Road	2	1.25	-	3.25
D Road	2	1.25	-	3.25
E Road	2	1.25	-	3.25
F Road	1	1.25	-	2.25
G Square - West	0.5	-	-	0.5
G Square - East	0.5	-	-	0.5
25th Street North	0.5	-	-	0.5
Folsom Road	0.5	1.4	-	1.9
North Road (N)	2	-	-	2
North Road (S)	1.5	-	-	1.5
Collecting Canal	-	3.25	-	3.25
TOTALS (Miles)	16.5	12.15	0.4	29.05

**LGWCD MAINTENANCE MAPS
ROADWAY SEGMENTS
October, 2014**



-  Maintenance Maps prepared under OGEM Project
-  Road Maintenance Maps Required
-  PBC or FDOT Right of Way
-  Developer Obligation
-  Right of Way dedicated by recent Plat

LGWCD Road Maintenance Map Segments October, 2014

Road/ Segment	North of Okeechobee	South of Okeechobee	South of Collecting Canal	TOTALS (Miles)
A Road	Done	1.25	N/A	1.25
B Road	2	N/A	N/A	2
C Road	Done	Done	0.1	0.1
D Road	Done	1.25	0.4	1.65
E Road	2	1.25	0.4	3.65
F Road	1	1.25	0.4	2.65
G Square - West	0.5	N/A	N/A	0.5
G Square - East	0.5	N/A	N/A	0.5
25th Street North	0.5	N/A	N/A	0.5
Folsom Road	0.4	PBC	PBC	0.4
North Road (N)	0.75	N/A	N/A	0.75
North Road (S)	1.5	N/A	N/A	1.5
Collecting Canal	N/A	2.75	N/A	2.75
TOTALS (Miles)	9.15	7.75	1.3	18.2

MAINTENANCE MAPS SUMMARY

A	Phase I	Phase II	Total
A & B	8/21/14 Proposal \$113,160 (11.3 Mi.) Includes Road and Equestrian Berm But Not Broken Out	8/22/14 Proposal \$122,225 (11.8 Mi.)	\$235,385 (23.1 Mi.)
Note: A & B Was not requested Savings If Awarded Phase I and Phase II Simultaneously			

B	Phase I	Phase II	Total
A & B	8/28/14 Proposal \$66,430 (11.9 Mi.) Includes Only Equestrian Berm	8/28/14 Proposal \$65,305 (11.8 Mi.)	131,735 (23.7 Mi.)
Note: A & B Was not requested Savings If Awarded Phase I and Phase II Simultaneously			

C	Phase I	Phase II	Total
E- A	8/22/14 Proposal \$57,750 (11.9 Mi.) Includes Only Equestrian Berm	8/22/14 Proposal \$58,950 (12.0 Mi.)	8/22/14 Proposal 116,700 (23.9 Mi.)
E- A Quoted Savings If Awarded Phase I and Phase II Simultaneously			\$104,250
* Savings if Phase I and Phase II authorized together			\$12450*

D	Phase I	Phase II	Total
E- A	8/29/14 Proposal (10.5 Mi.) \$53,400 Berm <u>\$5,900</u> Road \$59,300 Total	8/29/14 Proposal (12.0 Mi.) \$58,950 Berm <u>\$6,600</u> Road \$65,550 Total	8/29/14 Proposal (22.5 Mi.) \$112,350 Berm <u>\$12,500</u> Road \$124,850 Total
			(22.5 Mi.)
			\$98,500 Berm
			<u>\$9,500</u> Road
E- A Quoted Savings If Awarded Phase I and Phase II Simultaneously			\$108,000 Total
* Savings if Phase I and Phase II authorized together			16850*

Town of Loxahatchee Groves, FLORIDA

Town Council AGENDA ITEM REPORT

AGENDA ITEM NO. 8

MEETING DATE: 11/4/2014

PREPARED BY: Michael Arena

SUBJECT: Fire Rescue response time report

1. BACKGROUND/HISTORY

Problem Statement: Maintain awareness of Fire Rescue response times and major incidents within Town limits.

Problem Solution: Provide for monthly and annual reports regarding activity

2. CURRENT ACTIVITY

- Fire Rescue have been provided to the area from Palm Beach County Fire Rescue since 1984 and continued to the Town of Loxahatchee Groves after the town was incorporated on November 1, 2006 as the 38th municipality in Palm Beach County.
- Service is provided through 49 fire stations within Palm Beach County and specifically from the fire station locates at 14200 Okeechobee Blvd known as station 21.
- Station recently received new 2014

3. ATTACHMENTS

Response time reports for the last quarter of Fiscal Year 2014 (July, August, and September 2014)

4. FINANCIAL IMPACT

No new fiscal impact- The Town participates in the county fire MSTU which is the same as the other municipalities in the area (i.e Royal Palm Beach, Wellington).

5. RECOMMENDED ACTION

No Action required report is simply informational



8/12/2014

Palm Beach County Fire Rescue

Loxahatchee Groves Response Time Report

20140701 to 20140730

Event #	Station	Location of Event	Date	Received	Entered	Dispatch	Enroute	Onscene	Close	Disp Hand	Turnout	Travel	Resp Time*
Emergency Calls:													
F14092943	21	SOUTHERN BLVD LOX	07/02/2014		06:25:53	06:26:02	06:28:08	06:32:35	06:59:39	0:00:34	0:02:06	0:04:27	0:07:07
F14093831	21	B RD LOX	07/04/2014		00:12:04	00:12:12	00:14:50	00:20:16	01:01:31	0:00:33	0:02:38	0:05:26	0:08:37
F14093943	21	TANGERINE DR LOX	07/04/2014	08:18:46	08:19:35	08:19:59	08:21:07	08:26:24	08:51:46	0:01:13	0:01:08	0:05:17	0:07:38
F14095124	21	161ST TER N LOX	07/06/2014	16:18:12	16:18:22	16:18:29	16:19:49	16:25:00	17:19:26	0:00:17	0:01:20	0:05:11	0:06:48
F14097739	21	B RD LOX	07/11/2014		22:49:46	22:49:53	22:51:21	22:56:36	23:24:15	0:00:32	0:01:28	0:05:15	0:07:15
F14098022	21	24TH CT N LOX	07/12/2014		15:31:12	15:31:18	15:31:54	15:36:55	16:20:53	0:00:31	0:00:36	0:05:01	0:06:08
F14098212	21	42ND ST N LOX	07/12/2014	22:53:55	22:54:14	22:54:18	22:55:47	23:10:33	00:03:38	0:00:23	0:01:29	0:14:46	0:16:38
F14098913	21	B RD LOX	07/14/2014	12:10:44	12:11:00	12:11:08	12:12:58	12:17:00	13:02:34	0:00:24	0:01:50	0:04:02	0:06:16
F14099241	21	B RD LOX	07/15/2014	02:06:33	02:08:14	02:08:21	02:10:06	02:15:35	03:47:10	0:01:48	0:01:45	0:05:29	0:09:02
F14099269	21	B RD LOX	07/15/2014	05:07:11	05:07:55	05:08:03	05:09:29	05:14:27	05:40:24	0:00:52	0:01:26	0:04:58	0:07:16
F14100949	21	44TH ST N LOX	07/18/2014		14:39:11	14:39:18	14:40:27	14:51:13	15:56:02	0:00:32	0:01:09	0:10:46	0:12:27
F14100960	21	COLLECTING CANAL RD LOX	07/18/2014		14:59:31	14:59:47	15:01:04	15:05:55	15:51:07	0:00:41	0:01:17	0:04:51	0:06:49
F14100992	21	E RD LOX	07/18/2014		15:51:43	15:51:59	15:52:22	15:58:20	16:32:30	0:00:41	0:00:23	0:05:58	0:07:02
F14101052	20	COLLECTING CANAL RD LOX	07/18/2014	18:17:01	18:17:15	18:17:20	18:18:41	18:23:02	19:12:57	0:00:19	0:01:21	0:04:21	0:06:01
F14103778	21	B RD LOX	07/24/2014		10:51:39	10:51:47	10:52:37	10:58:44	11:08:18	0:00:33	0:00:50	0:06:07	0:07:30
F14104030	20	C RD LOX	07/24/2014	19:55:18	19:56:19	19:56:27	19:57:45	20:02:50	20:40:09	0:01:09	0:01:18	0:05:05	0:07:32
F14104764	21	F RD LOX	07/26/2014		09:18:57	09:19:08	09:20:27	09:22:52	09:57:32	0:00:36	0:01:19	0:02:25	0:04:20
F14105424	21	SOUTHERN BLVD LOX	07/27/2014	16:12:21	16:13:56	16:14:02	16:14:11	16:20:48	17:11:07	0:01:41	0:00:09	0:06:37	0:08:27
Average Response Times:										0:00:44	0:01:18	0:05:53	0:07:56
Non Emergency Calls:													
F14094501	21	C RD LOX	07/05/2014		08:10:11	08:10:22	08:11:27	08:15:32	08:18:13	0:00:36	0:01:05	0:04:05	0:05:46
F14100342	20	COLLECTING CANAL RD LOX	07/17/2014	11:35:27	11:36:49	11:36:59	11:37:42	11:46:11	12:15:37	0:01:32	0:00:43	0:08:29	0:10:44
Corrupt Data:													
F14098407	21	OKEECHOBEE BLVD LOX	07/13/2014		11:02:42	11:02:47		11:02:48	11:24:44	Empty Time Fields			
F14099839	21	OKEECHOBEE BLVD LOX	07/16/2014		10:27:19	10:27:21	10:34:28	10:27:22	11:03:20	Enroute Time is greater than Onscene Time			
F14101551	20	SOUTHERN BLVD/BINKS FOREST DR PBC	07/19/2014		17:53:30	17:53:36	17:54:54		17:56:43	Empty Time Fields			



8/12/2014

Palm Beach County Fire Rescue

Loxahatchee Groves Response Time Report

20140701 to 20140730

Event #	Station	Location of Event	Date	Received	Entered	Dispatch	Enroute	Onscene	Close	Disp Hand	Turnout	Travel	Resp Time*
F14102897	21	F RD LOX	07/22/2014		14:33:59	14:34:19			14:36:20				Empty Time Fields

Total number of Events: 24

*Represents call received to arrival. If there is no received time, the County annual average call received to call entered time is used.



9/12/2014

Palm Beach County Fire Rescue

Loxahatchee Groves Response Time Report

20140801 to 20140831

Event #	Station	Location of Event	Date	Received	Entered	Dispatch	Enroute	Onscene	Close	Disp Hand	Turnout	Travel	Resp Time*
Emergency Calls:													
F14108640	21	COMPTON RD LOX	08/03/2014		06:12:11	06:12:19	06:13:45	06:20:04	07:14:50	0:00:33	0:01:26	0:06:19	0:08:18
F14109697	21	MARCH CIR LOX	08/05/2014	11:28:36	11:28:55	11:29:07	11:29:51	11:40:12	12:01:23	0:00:31	0:00:44	0:10:21	0:11:36
F14109751	21	D RD LOX	08/05/2014		13:15:57	13:16:04	13:17:43	13:20:05	14:14:42	0:00:32	0:01:39	0:02:22	0:04:33
F14110940	21	SOUTHERN BLVD LOX	08/07/2014		22:27:19	22:27:25	22:27:57	22:36:22	22:51:37	0:00:31	0:00:32	0:08:25	0:09:28
F14111339	21	VALENCIA DR LOX	08/08/2014		20:13:50	20:13:57	20:14:56	20:21:16	21:04:03	0:00:32	0:00:59	0:06:20	0:07:51
F14111539	21	161ST TER N LOX	08/09/2014	08:30:50	08:31:09	08:31:17	08:32:11	08:40:25	09:14:51	0:00:27	0:00:54	0:08:14	0:09:35
F14112860	20	COLLECTING CANAL RD LOX	08/11/2014	20:53:43	20:53:56	20:54:01	20:55:25	20:59:53	21:44:34	0:00:18	0:01:24	0:04:28	0:06:10
F14113081	21	B RD LOX	08/12/2014	11:02:32	11:02:49	11:02:56	11:03:38	11:09:18	11:41:28	0:00:24	0:00:42	0:05:40	0:06:46
F14113352	21	OKEECHOBEE BLVD LOX	08/12/2014		21:33:44	21:33:52	21:34:57	21:35:59	21:53:18	0:00:33	0:01:05	0:01:02	0:02:40
F14113768	21	D RD LOX	08/13/2014		17:25:00	17:25:06	17:25:59	17:26:25	17:45:44	0:00:31	0:00:53	0:00:26	0:01:50
F14115590	21	FOX TRL LOX	08/17/2014	08:47:40	08:47:56	08:48:05	08:49:30	08:53:22	09:32:36	0:00:25	0:01:25	0:03:52	0:05:42
F14115772	21	SOUTHERN BLVD LOX	08/17/2014		15:58:46	15:58:52	15:59:49	16:05:33	16:46:38	0:00:31	0:00:57	0:05:44	0:07:12
F14116422	21	D RD LOX	08/18/2014	20:55:27	20:57:37	20:57:45	21:00:09	21:05:46	22:37:59	0:02:18	0:02:24	0:05:37	0:10:19
F14118120	21	OKEECHOBEE BLVD/B RD LOX	08/22/2014		07:11:33	07:11:42	07:12:11	07:17:02	07:28:36	0:00:34	0:00:29	0:04:51	0:05:54
F14118544	20	A RD LOX	08/23/2014	00:11:32	00:11:41	00:11:49	00:13:41	00:20:35	01:01:32	0:00:17	0:01:52	0:06:54	0:09:03
F14118850	21	COLLECTING CANAL RD LOX	08/23/2014		17:13:28	17:13:36	17:14:21	17:20:03	17:45:49	0:00:33	0:00:45	0:05:42	0:07:00
F14119211	21	OKEECHOBEE BLVD/A RD LOX	08/24/2014	14:22:05	14:22:21	14:22:27	14:23:51	14:27:01	15:01:59	0:00:22	0:01:24	0:03:10	0:04:56
F14119955	21	SOUTHERN BLVD LOX	08/25/2014		21:13:15	21:13:20	21:14:29	21:14:47	21:31:36	0:00:30	0:01:09	0:00:18	0:01:57
F14119963	21	TANGERINE DR LOX	08/25/2014	21:24:27	21:25:13	21:25:23	21:28:17	21:34:15	22:11:15	0:00:56	0:02:54	0:05:58	0:09:48
F14120001	21	F RD/13TH PL N LOX	08/26/2014		00:37:46	00:37:55	00:39:46	00:45:48	01:10:31	0:00:34	0:01:51	0:06:02	0:08:27
Average Response Times:										0:00:35	0:01:16	0:05:05	0:06:57

Non Emergency Calls:

F14108577	20	SOUTHERN BLVD/BINKS FOREST DR PBC	08/03/2014		01:08:58	01:09:03	01:11:19	01:18:50	01:24:38	0:00:30	0:02:16	0:07:31	0:10:17
F14114004	21	OKEECHOBEE BLVD LOX	08/14/2014		06:36:45	06:36:54	06:38:31	06:44:13	06:52:31	0:00:34	0:01:37	0:05:42	0:07:53
F14114392	21	OKEECHOBEE BLVD LOX	08/14/2014	20:37:32	20:37:48	20:37:56	20:39:56	20:43:24	21:30:41	0:00:24	0:02:00	0:03:28	0:05:52
F14117326	21	SOUTHERN BLVD/E RD PBC	08/20/2014		15:53:16	15:53:54	15:54:58	16:03:25	16:14:53	0:01:03	0:01:04	0:08:27	0:10:34
F14117343	21	C RD LOX	08/20/2014		16:25:30	16:25:40	16:25:54	16:32:29	16:44:05	0:00:35	0:00:14	0:06:35	0:07:24
F14117939	21	FOREST LN LOX	08/21/2014		19:24:16	19:24:21	19:25:49	19:37:30	19:59:08	0:00:30	0:01:28	0:11:41	0:13:39

Created by Jill Gregory on 10/08/2008 (updated 05/23/2012)

H:\Crystal\CAD\FIRECADARCH\City or Specific Areas\Municipal Response Time NEW 5-23-2012.rpt



9/12/2014

Palm Beach County Fire Rescue

Loxahatchee Groves Response Time Report

20140801 to 20140831

Event #	Station	Location of Event	Date	Received	Entered	Dispatch	Enroute	Onscene	Close	Disp Hand	Turnout	Travel	Resp Time*
F14118911	21	OKEECHOBEE BLVD LOX	08/23/2014		20:23:16	20:23:20	20:24:18	20:29:18	21:03:55	0:00:29	0:00:58	0:05:00	0:06:27
F14120702	21	G RD W LOX	08/27/2014	13:25:23	13:25:57	13:26:05	13:27:35	13:34:04	14:41:20	0:00:42	0:01:30	0:06:29	0:08:41
Corrupt Data:													
F14108546	20	BINKS FOREST DR/SOUTHERN BLVD PBC	08/02/2014		22:53:13	22:53:17	22:53:49		22:57:54				Empty Time Fields
F14110242	21	OKEECHOBEE BLVD LOX	08/06/2014		12:53:43	12:53:44		12:53:45	13:09:55				Empty Time Fields
F14114215	20	OUSLEY FARMS RD/SOUTHERN BLVD WL	08/14/2014		14:10:13	14:10:20	14:11:20		14:12:32				Empty Time Fields
F14118496	21	C RD/24TH CIR N LOX	08/22/2014		21:25:19	21:25:25	21:27:20		21:28:37				Empty Time Fields
F14118977	21	SOUTHERN BLVD LOX	08/23/2014	23:09:11	23:13:42	23:13:47	23:15:44	23:23:06	00:04:24				Possible problem with Received Time
F14117317	21	D RD LOX	08/20/2014		15:33:05	15:33:13	15:35:01		15:39:36				Empty Time Fields
F14118689	21	OKEECHOBEE BLVD LOX	08/23/2014		10:15:52	10:16:02	10:17:09		10:19:17				Empty Time Fields
F14122057	21	D RD LOX	08/30/2014		09:13:33	09:13:40		09:13:41	09:49:07				Empty Time Fields

Total number of Events: 36

*Represents call received to arrival. If there is no received time, the County annual average call received to call entered time is used.



10/22/2014

Palm Beach County Fire Rescue

Loxahatchee Groves Response Time Report

20140901 to 20140930

Event #	Station	Location of Event	Date	Received	Entered	Dispatch	Enroute	Onscene	Close	Disp Hand	Turnout	Travel	Resp Time*
Emergency Calls:													
F14123814	21	CASEY RD LOX	09/03/2014	02:25:50	02:26:12	02:26:20	02:28:12	02:33:24	02:58:44	0:00:30	0:01:52	0:05:12	0:07:34
F14123990	21	OKEECHOBEE BLVD/B RD LOX	09/03/2014		12:50:42	12:50:47	12:53:12	12:54:44	13:00:01	0:00:30	0:02:25	0:01:32	0:04:27
F14124959	21	D RD LOX	09/05/2014	11:56:25	11:56:47	11:57:06	11:58:32	12:03:25	12:39:09	0:00:41	0:01:26	0:04:53	0:07:00
F14125335	21	NORTH RD/B RD LOX	09/06/2014	04:28:03	04:28:54	04:29:03	04:30:38	04:37:27	05:02:05	0:01:00	0:01:35	0:06:49	0:09:24
F14125341	21	COMPTON RD LOX	09/06/2014		04:50:49	04:50:59	04:54:26	05:00:00	05:27:07	0:00:35	0:03:27	0:05:34	0:09:36
F14127888	21	SOUTHERN BLVD LOX	09/11/2014		14:06:57	14:07:30	14:08:46	14:13:42	14:42:31	0:00:58	0:01:16	0:04:56	0:07:10
F14128377	20	COLLECTING CANAL RD LOX	09/12/2014		13:26:23	13:26:33	13:27:26	13:32:18	14:22:18	0:00:35	0:00:53	0:04:52	0:06:20
F14128487	21	OKEECHOBEE BLVD LOX	09/12/2014		17:02:40	17:02:44	17:04:25	17:08:54	17:15:04	0:00:29	0:01:41	0:04:29	0:06:39
F14128964	21	COLLECTING CANAL RD LOX	09/13/2014		16:43:28	16:43:34	16:44:41	16:50:46	17:16:28	0:00:31	0:01:07	0:06:05	0:07:43
F14129504	21	C RD/22ND RD N LOX	09/14/2014	18:39:30	18:39:48	18:39:56	18:40:46	18:45:39	19:39:42	0:00:26	0:00:50	0:04:53	0:06:09
F14129831	21	D RD LOX	09/15/2014	11:51:36	11:51:52	11:52:11	11:53:04	11:57:25	12:42:01	0:00:35	0:00:53	0:04:21	0:05:49
F14130128	21	161ST TER N LOX	09/16/2014	01:13:13	01:13:40	01:13:46	01:15:47	01:24:55	02:00:23	0:00:33	0:02:01	0:09:08	0:11:42
F14130144	21	NORTH RD LOX	09/16/2014	02:57:56	02:58:15	02:58:21	03:00:26	03:08:58	03:56:11	0:00:25	0:02:05	0:08:32	0:11:02
F14130275	21	E CITRUS DR LOX	09/16/2014		10:45:20	10:45:25	10:45:59	10:58:49	11:17:45	0:00:30	0:00:34	0:12:50	0:13:54
F14130675	21	B RD LOX	09/17/2014		08:33:42	08:33:53	08:35:04	08:41:46	09:34:48	0:00:36	0:01:11	0:06:42	0:08:29
F14130827	21	SOUTHERN BLVD LOX	09/17/2014		14:23:26	14:23:38	14:25:18	14:34:38	15:19:40	0:00:37	0:01:40	0:09:20	0:11:37
F14130934	26	NORTH RD LOX	09/17/2014		17:59:32	17:59:39	18:00:59	18:09:16	18:27:09	0:00:32	0:01:20	0:08:17	0:10:09
F14131070	21	OKEECHOBEE BLVD LOX	09/18/2014	00:43:38	00:44:11	00:44:15	00:45:48	00:46:47	00:58:27	0:00:37	0:01:33	0:00:59	0:03:09
F14131373	21	SOUTHERN BLVD LOX	09/18/2014		15:55:48	15:55:58	15:57:24	16:03:28	16:36:14	0:00:35	0:01:26	0:06:04	0:08:05
F14131692	21	COMPTON RD LOX	09/19/2014	10:15:03	10:15:18	10:15:24	10:16:56	10:20:32	11:07:53	0:00:21	0:01:32	0:03:36	0:05:29
F14131988	21	SOUTHERN BLVD LOX	09/19/2014	20:26:27	20:27:27	20:27:33	20:29:40	20:33:09	20:35:51	0:01:06	0:02:07	0:03:29	0:06:42
F14132130	21	C RD/GRUBER LN LOX	09/20/2014		06:12:56	06:13:04	06:14:42	06:19:27	06:25:20	0:00:33	0:01:38	0:04:45	0:06:56
F14133043	21	C RD LOX	09/22/2014	00:46:14	00:48:38	00:48:49	00:51:03	00:57:50	01:38:39	0:02:35	0:02:14	0:06:47	0:11:36
F14133385	21	F RD LOX	09/22/2014	17:01:23	17:01:43	17:01:53	17:02:42	17:09:16	17:38:43	0:00:30	0:00:49	0:06:34	0:07:53
F14133438	21	D RD LOX	09/22/2014	19:06:40	19:06:55	19:07:06	19:08:26	19:11:32	20:21:14	0:00:26	0:01:20	0:03:06	0:04:52
F14134681	21	OKEECHOBEE BLVD LOX	09/25/2014	14:05:53	14:06:09	14:06:15	14:07:01	14:10:01	14:42:43	0:00:22	0:00:46	0:03:00	0:04:08
F14135127	21	SOUTHERN BLVD LOX	09/26/2014	12:31:13	12:31:35	12:31:41	12:33:03	12:38:33	13:01:51	0:00:28	0:01:22	0:05:30	0:07:20
F14135180	21	MARCELLA BLVD LOX	09/26/2014	14:44:35	14:45:08	14:45:18	14:46:45	14:52:48	15:34:17	0:00:43	0:01:27	0:06:03	0:08:13
F14136674	21	SOUTHERN BLVD LOX	09/29/2014		16:27:13	16:27:19	16:28:28	16:33:18	16:56:29	0:00:31	0:01:09	0:04:50	0:06:30
F14136761	21	FOX TRL LOX	09/29/2014	19:41:49	19:42:35	19:43:00	19:43:37	19:48:27	20:03:12	0:01:11	0:00:37	0:04:50	0:06:38

Created by Jill Gregory on 10/08/2008 (updated 05/23/2012)

H:\Crystal\CAD\FIRECADARCH\City or Specific Areas\Municipal Response Time NEW 5-23-2012.rpt



10/22/2014

Palm Beach County Fire Rescue

Loxahatchee Groves Response Time Report

20140901 to 20140930

Event #	Station	Location of Event	Date	Received	Entered	Dispatch	Enroute	Onscene	Close	Disp Hand	Turnout	Travel	Resp Time*
Average Response Times:										0:00:40	0:01:29	0:05:36	0:07:44
Non Emergency Calls:													
F14127005	21	6TH CT N/E RD LOX	09/09/2014	15:41:21	15:42:22	15:42:30	15:43:50	15:49:58	16:01:50	0:01:09	0:01:20	0:06:08	0:08:37
F14129555	21	24TH CT N LOX	09/14/2014	21:13:25	21:13:56	21:14:01	21:15:19	21:22:05	21:46:23	0:00:36	0:01:18	0:06:46	0:08:40
F14132633	21	OKEECHOBEE BLVD LOX	09/21/2014		06:45:04	06:45:09	06:47:23	06:51:41	07:05:24	0:00:30	0:02:14	0:04:18	0:07:02
F14133445	21	OKEECHOBEE BLVD/A RD LOX	09/22/2014		19:20:39	19:20:52	19:22:05	19:25:31	19:27:25	0:00:38	0:01:13	0:03:26	0:05:17
Corrupt Data:													
F14127500	21	B RD LOX	09/10/2014		15:58:51	15:58:59	16:01:01		16:03:48	Empty Time Fields			
F14134276	21	OKEECHOBEE BLVD LOX	09/24/2014		15:54:34	15:54:38		15:54:39	16:06:05	Empty Time Fields			

Total number of Events: 36

*Represents call received to arrival. If there is no received time, the County annual average call received to call entered time is used.



Item 10.a.

NEW BUSINESS

Equestrian Signs

**Town of Loxahatchee Groves, FLORIDA
Town Council AGENDA ITEM REPORT**

AGENDA ITEM NO. 10.a

MEETING DATE: 11/04/2014

PREPARED BY: Janet K. Whipple, Town Clerk

SUBJECT: TOWN EQUESTRIAN SIGNS

1. BACKGROUND/HISTORY

Problem Statement: Equestrian notification signs needed within the Town Boundaries.

Problem Solution: Select sign design.

2. CURRENT ACTIVITY

The Roadway, Equestrian Trails and Greenway Committee (RETGAC) has designed and approved a sign design for the Town's equestrian trails.

3. ATTACHMENTS

Sign design and cost for twenty-one (21) signs.

4. FINANCIAL IMPACT

Cost for manufacturing twenty-one (21) signs, and installation.

5. RECOMMENDED ACTION

Request Council approve equestrian trail sign as presented.

Britco Sign Manufacturing, Inc

1137 Silver Beach Road
Lake Park, FL 33403

Phone: 561-848-1411 Fax: 561-848-2230

Estimate

Date	Estimate #
9/30/2014	626

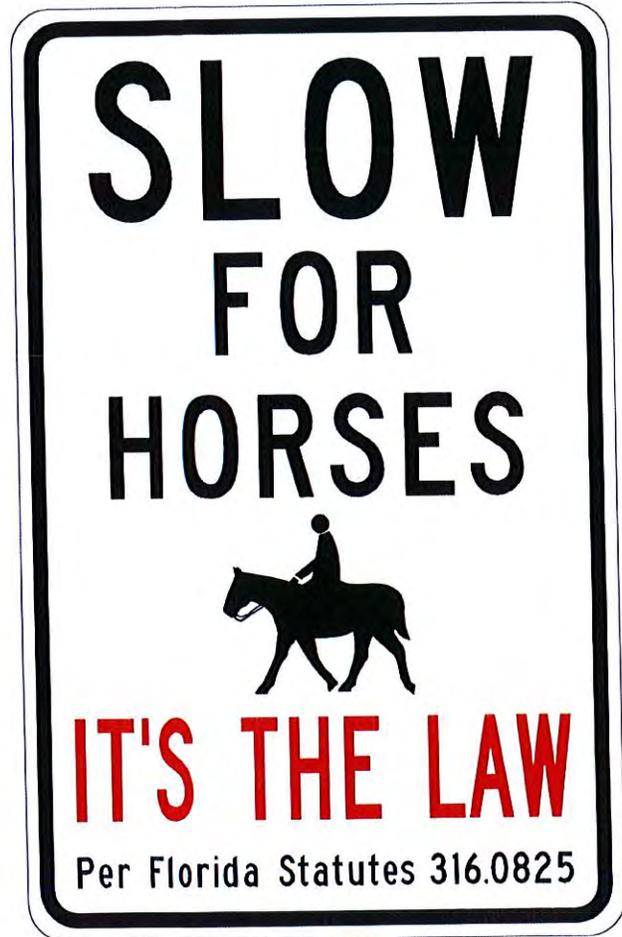
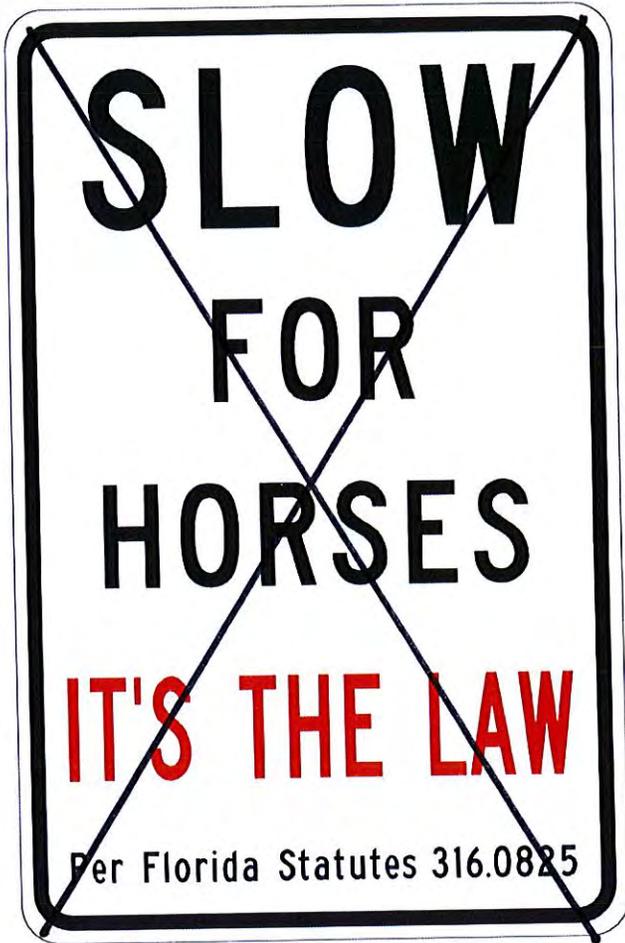
Name / Address
TOWN OF LOXAHATCHEE GROVES 14579 SOUTHERN BLVD SUITE 2 LOXAHATCHEE GROVES, FL 33470

P.O. No.	Project

Item	Description	Qty		Rate	Total
CUSTOM	24" x 36" / EGP REFLECTIVE ON .080 ALUMINUM / SLOW FOR HORSES SIGN / (2 COLOR SIGN)	21	ea	59.00	1,239.00
12' GREEN U-...	12' GREEN 2# U-CHANNEL POST	21	ea	25.00	525.00
HARDWARE	HARDWARE (STANDARD MOUNTING HARDWARE)	21		1.00	21.00
	NON REFLECTIVE SIGN SUBTRACT \$9 FROM EACH SIGN OR \$50 EACH POSTS AND HARDWARE WOULD REMAIN THE SAME REGARDLESS BOTH SIGNS IN THE DRAWING ARE THE SAME PRICE				
				Total	\$1,785.00

AlanW@BRITCOsigns.com

24x36



Letters are the same size on both signs



Item 10.b.

NEW BUSINESS

Charter Change-Elections

Town of Loxahatchee Groves, FLORIDA
Town Council AGENDA ITEM REPORT

AGENDA ITEM No. 10.b.

MEETING DATE: 11/04/2014

PREPARED BY: Janet K. Whipple, Town Clerk

SUBJECT: CHARTER CHANGE:

- a. **SECTION 3. ELECTIONS AND TERM OF OFFICE (1) THRU (3) d.** (page 6)
- b. **SECTION 7 – ELECTIONS (1) THRU (7) h.** (pages 15,16,17)

1. BACKGROUND/HISTORY

Problem Statement: Election criteria should not be incorporated within the Town Charter.

Problem Solution: Remove the Election provisions from the Town Charter.

2. CURRENT ACTIVITY

The requirement of the Town Municipal Elections which need to conform to the Laws of Florida Chapter 83-498 (Uniform Municipal Elections) cannot be changed unless they are presented to the electorate of the Town as a referendum either as a Special Election or during a regular Municipal Election.

3. ATTACHMENTS

Sections 3 and 7 of the Town Charter.

4. FINANCIAL IMPACT

There will be an initial financial impact for the Town Attorney to draft the required ballot language and required documents to remove this requirement from the Charter.

5. RECOMMENDED ACTION

Request Council instruct the Town Attorney to draft appropriate legislation for a referendum vote at the March 2015 Town Council Municipal Election.

Section 3. Election and terms of office.—

(1) TERM OF OFFICE.—Each council member shall be elected at large for a 3-year term by the electors of the town in the manner provided herein. Council members shall be sworn into office at the first regularly scheduled meeting following their election. Each council member shall remain in office until his or her successor is elected and assumes the duties of the position.

(2) SEATS.—The town council shall be divided into five separate council seats to be designated as seats 1, 2, 3, 4, and 5, to be voted on townwide, with each qualified elector entitled to vote for one candidate for each seat.

(3) QUALIFICATION.—Candidates for each council seat must qualify for council elections by seat in accordance with applicable general law, and the council members elected to those seats shall hold the seats 1 through 5, respectively. To qualify for office:

(a) Filing.—Each candidate for council member shall file a written notice of candidacy with the town clerk at such time and in such manner as may be prescribed by ordinance and shall make payment to the town of any fees required by general law as a qualifying fee.

(b) Registered elector.—Each candidate for council member shall be a registered elector in the state.

(c) Residency.—Each candidate for council member shall have maintained his or her domicile within the boundaries of the town for a period of 1 year prior to qualifying for election and, if elected, shall maintain such residency throughout his or her term of office.

(d) Deadline.—Any resident of the town who wishes to become a candidate for a council member seat shall qualify with the town clerk no sooner than noon on the last Tuesday in January, nor later than noon on the first Tuesday in February, of the year in which the election is to be held.

(4) VACANCIES IN OFFICE; FORFEITURE; SUSPENSION; FILLING OF VACANCIES.—

(a) Vacancies.—A vacancy in the office of mayor, vice mayor, or any council member shall occur upon the death of the incumbent, removal from office as authorized by law, resignation, appointment to other public office which creates dual office holding, judicially determined incompetence, or forfeiture of office as described in paragraph (b).

(b) Forfeiture of office.—Any council member shall forfeit his or her office upon determination by the council, acting as a body, at a duly noticed public meeting that he or she:

1. Lacks at any time, or fails to maintain during his or her term of office, any qualification for the office prescribed by this charter or otherwise required by law;

2. Is convicted of a felony or enters a plea of guilty or nolo contendere to a crime punishable as a felony, even if adjudication is withheld;

hereafter authorized by law to borrow money, including to finance the cost of any capital or other project and to refund any and all previous issues of bonds at or prior to maturity. Such bonds may be issued pursuant to one or more resolutions adopted by a majority of the council.

(b) The town may assume all outstanding indebtedness related to facilities it acquires from other units of local government and be liable for payment thereon in accordance with its terms.

(6) REVENUE BONDS; LEASE-PURCHASE CONTRACTS.—Unless authorized by the electors of the town at a duly held referendum election, the council shall not authorize or allow to be authorized the issuance of revenue bonds or enter into lease-purchase contracts or any other unfunded multiyear contracts for the purchase of real property or the construction of any capital improvement, the repayment of which extends in excess of 36 months, unless mandated by state or federal governing agencies.

(7) ANNUAL AUDIT.—The council shall provide for an independent annual financial audit of all town accounts and may provide for more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or a firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the town government or in any of its officers. Residency in the town shall not be construed as a prohibited interest.

Section 7. Elections.—

(1) ELECTORS.—Any person who is a resident of the town, who has qualified as an elector of this state, and who registers in the manner prescribed by law shall be an elector of the town.

(2) NONPARTISAN ELECTIONS.—All elections for the town council members shall be conducted on a nonpartisan basis without any designation of political party affiliation.

(3) ELECTION DATES.—A special election shall be held on the second Tuesday in March 2007, and regular elections shall be held on the second Tuesday in March of each election year, provided as follows:

(a) For the two council member seats that received the highest number of votes in the March 2007 election, the next election to fill the council member seats shall be held on the second Tuesday in March after the first Monday in March in 2010, and every 3 years thereafter.

(b) For the two council member seats that received the next highest number of votes in the March 2007 election, the next election to fill the council member seats shall be held on the second Tuesday in March after the first Monday in March in 2009, and every 3 years thereafter.

(c) For the remaining council member seat, the next election to fill the council member seat shall be held on the second Tuesday in March after the first Monday in March in 2008, and every 3 years thereafter.

(d) Such town elections shall be general town elections.

(4) RUNOFF ELECTIONS.—In the event no candidate for an office receives a majority of the votes cast for such office, the person receiving the largest number of votes cast will be elected. In the event two candidates receive an equal number of votes, a runoff election shall be held on the fourth Tuesday in March.

(5) TOWN CANVASSING BOARD.—The town canvassing board shall be composed of those members of the town council who are not candidates for reelection and the town clerk, who shall act as chair. At the close of the polls of any town election, or as soon thereafter as practicable, the canvassing board shall meet at a time and place designated by the chair and shall proceed to publicly canvass the vote as shown by the returns then on file in the office of the town clerk, and then shall publicly canvass the absentee elector ballots. The canvassing board shall prepare and sign a certificate containing the total number of votes cast for each candidate or other measure voted upon. The certificate shall be placed on file with the town clerk.

(6) SPECIAL ELECTIONS.—Special municipal elections, when required, shall be held in the same manner as regular elections, except that the town council, by ordinance, shall fix the time for holding such elections consistent with this charter and state law.

(7) GENERAL ELECTION.—

(a) The ballot for the general election shall contain the names of all qualified candidates for each respective council member seat and shall instruct electors to cast one vote for each council member seat, with a maximum of one vote per candidate. The candidate for each council member seat receiving the most votes shall be the duly elected council member for that designated council member seat.

(b) No election for any council member seat shall be required in any election if there is only one duly qualified candidate for the council member seat.

(c) If more than one candidate for a designated council member seat receive an equal and highest number of votes, the candidates for the office receiving the highest vote in the general election shall run again in the runoff election.

(d) The candidate receiving the highest number of votes cast for the designated council member seat in the runoff election shall be elected to the designated council member seat. If the vote at the runoff election results in a tie, the outcome shall be determined by lot.

(e) The term of office of any elected official shall commence immediately after the election.

(f) All elected officers, before entering upon their duties, shall take and subscribe to the following oath of office:

“I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the state, and the charter of the Town of Loxahatchee Groves; that I am duly qualified to hold office under the Constitution of the State and the charter of the Town of Loxahatchee Groves; and that I will well and faithfully perform the duties of council member upon which I am now about to enter.”

(g) The election laws of the state shall apply to all elections.

(h) Any member of the town council may be removed from office by the electors of the town following the procedures for recall established by general law.

Section 8. Initiative and referendum.—

(1) POWER TO INITIATE AND RECONSIDER ORDINANCES.—

(a) The electors of the town shall have the power to propose ordinances to the town council and, if the town council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a town election, provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes, or setting salaries of town officers or employees.

(b)1. The town council shall have the power, by resolution, to call for a referendum vote by the electors of the town at any time, provided that the purpose of such referendum is presented to the town at a public hearing at least 60 days prior to the adoption of such resolution. Any resolution calling for a referendum vote of the electors of the town must be passed by the affirmative vote of not less than four members of the council.

2. The electors of the town shall have the power to require reconsideration by the town council of any adopted ordinance and, if the town council fails to repeal an ordinance so reconsidered, to approve or reject it at a town election, provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes, or setting salaries of town officers or employees.

(2) COMMENCEMENT OF PROCEEDINGS.—Any 10 electors may commence initiative or referendum proceedings by filing with the town clerk an affidavit stating that they shall constitute the petitioner’s committee and be responsible for circulating the petition and filing it in proper form stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. Promptly after the affidavit of the petitioner’s committee is filed, the town clerk may, at the committee’s request, issue the appropriate petition blanks to the petitioner’s committee at the committee’s expense.

(3) PETITIONS.—

(a) Initiative and referendum petitions must be signed by electors of the town equal in number to at least 10 percent of the total number of electors registered to vote in the last regular town election.



Item 10.c.

NEW BUSINESS

RETGAC

Town of Loxahatchee Groves, FLORIDA

Town Council AGENDA ITEM REPORT

AGENDA ITEM NO. 10.c.

MEETING DATE: 11/4/2014

PREPARED BY: William F. Underwood, II, ICMA-CM

SUBJECT: Road, Equestrian, Trails, Committee (RETGAC)

1.BACKGROUND/HISTORY

Problem Statement: The RETGAC enabling legislation requires additional clarification.

Problem Solution: Town Council provides guidance to the Town Attorney to more accurately delineate the duties and responsibilities of the committee.

Over the last three (3) years the RETGAC members have been working on various equestrian trail issues. Their latest and successful task is to provide a recommendation to the Council on the approval of trail signs for implementation on the new Town horse trails.

2.CURRENT ACTIVITY

At the last meeting, it became clear that discussion had previously ensued regarding the duties and responsibilities of the committee. In my review of Resolution 2011-005, it appears to me that Section 2. I. (B) 2. and 3. can be interpreted to include committee action without Town Council direction. Staff would request the Town Council provide direction to the Town Attorney to modify the language to better explain the duties of the committee.

Additionally, while the Attorney is drafting language to accommodate a more directed approach to the committee, I would respectfully request the Council place the committee on hold until the trail surveys is completed and language clarified.

3.ATTACHMENTS

Resolution 2011-005

4.FINANCIAL IMPACT

N/A

5.RECOMMENDED ACTION

1. Motion to instruct the Town Attorney to modify the resolution to clarify Council directed activities on all advisory work the committee performs. K
2. Motion to temporarily suspend RETGAC meetings until further notice pending completion of trail survey and delivery to the Town, and resolution clarification.

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2011-005

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE CREATION OF THE “ROADWAY, EQUESTRIAN TRAILS AND GREENWAY ADVISORY COMMITTEE”; PROVIDING FOR DUTIES OF THE COMMITTEE; PROVIDING FOR THE METHOD OF APPOINTMENT OF COMMITTEE MEMBERS; PROVIDING FOR COMPLIANCE WITH FLORIDA’S SUNSHINE LAW AND PUBLIC RECORDS LAW; PROVIDING FOR PROCEDURAL MATTERS OF THE COMMITTEE; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, it is the desire of the Town Council of the Town of Loxahatchee Groves, Florida, to create the “Roadway, Equestrian Trails and Greenway Advisory Committee” to advise the Town Council as to issues related to roadways, multi-purpose and equestrian trails, greenways, parks and related water issues; and

WHEREAS, the primary responsibilities of the Town’s Roadway, Equestrian Trails and Greenway Advisory Committee will be to conduct public meetings to review issues relating to roadways, multi-purpose and equestrian trails, greenways, parks and related water issues within the Town, and provide recommendations to the Town Council on furthering the enhancement, improvement, and development of these items; and

WHEREAS, the Town Council desires to encourage full participation by all residents of Loxahatchee Groves who are interested in being appointed to the Town's Roadway, Equestrian Trails and Greenway Advisory Committee; and

WHEREAS, the Town Council desires to enact procedures by which the individual Council Member’s appoint members to the Roadway, Equestrian Trails and Greenway Advisory Committee; and

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2011-005

WHEREAS, the Town Council determines that the creation of the Roadway, Equestrian Trails and Greenway Advisory Committee is in the best interests of the residents of the Town.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Loxahatchee Groves, Florida, as follows:

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

Section 2. The Town Council hereby establishes the Town’s “Roadway, Equestrian Trails and Greenway Advisory Committee” as follows:

- I. Creation of the “Roadway, Equestrian Trails and Greenway Advisory Committee.”** There is created the Roadway, Equestrian Trails and Greenway Advisory Committee to act as an advisory board to the Town Council, as follows:
 - (A) **Qualifications.** Each member of the Roadway, Equestrian Trails and Greenway Advisory Committee shall be a resident of the Town.
 - (B) **Duties.** The Roadway, Equestrian Trails and Greenway Advisory Committee’s duties include, but are not limited to:
 - 1. Reviewing and analyzing projects relating to roadways, multi-purpose and equestrian trails, greenways, parks and related water issues as may be assigned to it by the Town Council from time to time;
 - 2. Making recommendations to the Town Council on the enhancement, improvement and development of roadways, multi-purpose and equestrian trails, greenways, parks and related water issues within the Town; and,
 - 3. Reviewing possible grant opportunities, preparing grant applications making recommendations thereon to the Town Council.

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2011-005

(C) The Committee shall be comprised of five (5) voting members, to be appointed by individual Town Council Members.

(D) The Town Council shall appoint one member of the Town Council to serve as a non-voting liaison to the Roadway, Equestrian Trails and Greenway Advisory Committee.

(E) The voting members shall serve at the pleasure of the Town Council. The terms of the voting members shall run concurrently with the term of the Council Member who nominated the voting member to the Committee.

(F) An attendance requirement shall be imposed on all members of the Roadway, Equestrian Trails and Greenway Advisory Committee. Unless excuse of absence is granted by the Roadway, Equestrian Trails and Greenway Advisory Committee, a member of the Roadway, Equestrian Trails and Greenway Advisory Committee shall be removed by the Town Council if he/she has missed five (5) consecutive meetings of the Committee within a twelve (12) month period.

(G) Committee members, and/or companies or employers in which the members have a direct financial interest, shall not do business with the Town, in accordance with Florida Statutes 112.313, and pertinent opinions of the Florida Commission on Ethics. If any member of the Committee finds that his/her personal interests are involved in any matter coming before the Town Council, he/she shall disqualify himself/herself from all participation in the matter.

(H) If a regular member of the Roadway, Equestrian Trails and Greenway Advisory Committee resigns or is removed from his or her position, the nominating Council Member shall appoint the replacement.

II. Advisory Only. The actions, decisions, and recommendations of the Roadway, Equestrian Trails and Greenway Advisory Committee shall be advisory only.

III. Meetings, Dates, Procedures, Records, Quorum, and Compensation.

(A) The Roadway, Equestrian Trails and Greenway Advisory Committee shall hold an organizational meeting at the first scheduled meeting following the appointment of the members of the Roadway, Equestrian Trails and Greenway Advisory Committee. The purpose of the Roadway, Equestrian Trails and Greenway Advisory Committee organizational meeting is for the members to elect a Chair and Vice Chair from its voting membership for terms of one (1) year.

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(B) The Roadway, Equestrian Trails and Greenway Advisory Committee shall meet on a regular or as-needed basis, as determined by the Roadway, Equestrian Trails and Greenway Advisory Committee.

(C) All meetings, records and files of the Roadway, Equestrian Trails and Greenway Advisory Committee shall be open and available to the public, consistent with Chapter 119, Florida Statutes (the Public Records Law) and Chapter 286, Florida Statutes (the "Sunshine Law"). In addition, members of the Roadway, Equestrian Trails and Greenway Advisory Committee shall ensure that their actions are in compliance with Chapter 119, Florida Statutes (the "Public Records Law") and Chapter 286, Florida Statutes (the "Sunshine Law").

(D) Notice for any meeting of the Roadway, Equestrian Trails and Greenway Advisory Committee shall be posted in accordance with Chapter 286, Florida Statutes (the "Sunshine Law") and on the Town's website and at the Town Office no later than 24 hours prior to the scheduled meeting.

(E) Three (3) voting members in attendance shall constitute a quorum of the Roadway, Equestrian Trails and Greenway Advisory Committee.

(F) The Town Manager or his/her designee shall act as secretary to the Roadway, Equestrian Trails and Greenway Advisory Committee, and be responsible for attending all meetings and providing the items necessary for conducting meetings, as requested by the Chair, and for recording and preparation of meeting minutes. The Town Attorney or his/her designee shall act as attorney for the Roadway, Equestrian Trails and Greenway Advisory Committee, on an as-needed basis.

(G) Town staff will reasonably provide adequate support to the Committee to discharge its responsibilities as assigned by the Town Council.

(H) Members of the Roadway, Equestrian Trails and Greenway Advisory Committee shall serve without compensation for the performance of their duties.

Section 3. Severability. If any clause, section, or other part or application of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated, and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

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

Section 5. Effective Date. This Resolution shall take effective immediately upon its adoption.

ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, FLORIDA, this 17th day of May, 2011.

ATTEST:



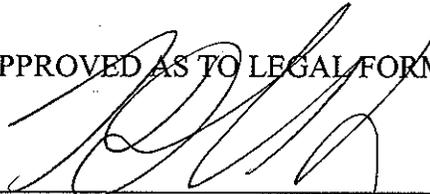
Ann Harper, Town Clerk

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

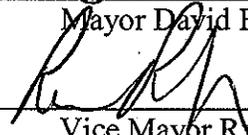


Mayor David Browning

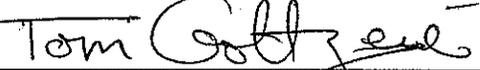
APPROVED AS TO LEGAL FORM:



Michael D. Cirullo, Jr. Town Attorney



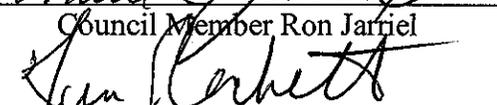
Vice Mayor Ryan Liang



Council Member Tom Goltzene



Council Member Ron Jarriel



Council Member Jim Rockett

MDC:aw

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