



TOWN OF LOXAHATCHEE GROVES  
TOWN COUNCIL MEETING AGENDA  
TUESDAY, December 16, 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, December 16, 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 William F. Underwood, III  
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. Minutes:
  - **September 23, 2014** - Final Millage and Budget Town Council Meeting
  - **October 7, 2014** – Regular Town Council Meeting

### 3. PUBLIC COMMENTS

### 4. PRESENTATIONS - NONE

5. **COMMITTEE REPORTS** - NONE

6. **RESOLUTIONS** - NONE

7. **ORDINANCES**

a. **ORDINANCE NO 2014-09: PUBLIC HEARING/SECOND AND FINAL READING** (*Referendum Question - Charter Change; Debt/Borrowing*)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE TOWN OF LOXAHATCHEE GROVES, TO AMEND SECTION 6, ENTITLED "BUDGET AND APPROPRIATIONS," TO DELETE SUBSECTION (6) ENTITLED "REVENUE BONDS; LEASE-PURCHASE CONTRACTS," WHICH WOULD REMOVE THE REQUIREMENT THAT CERTAIN TYPES OF BORROWING THAT EXCEED A REPAYMENT TERM OF THIRTY SIX (36) MONTHS BE APPROVED BY REFERENDUM ELECTION; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH THE STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN'S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION, AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CHARTER AND CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

b. **ORDINANCE NO.2014-10: PUBLIC HEARING/SECOND AND FINAL READING** (*Referendum Question - Charter Change; Road Improvements*)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM A NON-BINDING STRAW BALLOT RELATING TO ROADWAY

IMPROVEMENT POLICIES BY THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN'S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

c. **ORDINANCE NO. 2014-11: PUBLIC HEARING/SECOND AND FINAL READING** *(Referendum Question - Charter Change; Election Criteria)*

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE TOWN OF LOXAHATCHEE GROVES, SECTION 7, ENTITLED "ELECTIONS," TO REMOVE SECTION 7 WHICH RELATES TO ELECTION PROCEDURES, FROM THE CHARTER, AND CONVERT THEM INTO AN ORDINANCE OF THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN'S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION, AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING THAT SHOULD THE AMENDMENT BE APPROVED BY THE ELECTORATE OF THE TOWN, THE ELECTION PROVISIONS OF SECTION 7 OF THE TOWN CHARTER SHALL BE AN ORDINANCE OF THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CHARTER AND CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

d. **ORDINANCE NO. 2014-12: PUBLIC HEARING/FIRST READING**

*(Referendum Question – Non-Binding Straw Ballot question related to willingness of voters to pay, if necessary, for road improvements)*

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM A NON-BINDING STRAW BALLOT RELATING TO WILLINGNESS OF VOTERS TO PAY ADDITIONAL TAXES, SPECIAL ASSESSMENTS OR OTHER FEES FOR ROADWAY IMPROVEMENTS BY THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN'S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- a. **AGENDA ITEM REPORT (AIR)** - Updates on various activities and issues concerning the Town.
- b. Palm Beach County Sheriff's Office (PBSO), District 15, Monthly Report for November, 2014.

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

10. **NEW BUSINESS**

- a. Consideration to instruct staff to work with Minto for the collaboration in the development of the Okeechobee Boulevard Corridor Master Plan.

**11. CLOSING COMMENTS**

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

**12. ADJOURNMENT**

*The next regular Town Council Meeting is tentatively scheduled for January 6, 2015.*

**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**

**Minutes**

**September 23, 2014 – Final Millage/Budget**

**October 7, 2014 – Regular Town Council Meeting**



## Town of Loxahatchee Groves Town Council Meeting

Tuesday, September 23, 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 FINAL MILLAGE AND FINAL BUDGET

#### 1. OPENING

- a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:00 p.m. Present were Mayor David Browning, Vice-Mayor Ron Jarriel, Councilmen Tom Goltzené, Ryan Liang, and Jim Rockett. Also present were Town Manager Mark Kutney, Town Attorney Mike Cirullo, Bill Underwood, Underwood Management Services Inc., and Town Clerk Janet K. Whipple.

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

**Motion: Councilman Liang made a motion to approve the Agenda as presented. Councilman Rockett seconded the motion. Upon vote, the motion passed 5/0.**

## 2. CONSENT AGENDA

- a. Consideration for renewal of Tew and Taylor Fiscal Year 2014/2015 Contract for Code Enforcement Related Services.
- b. Consideration for renewal of Frank Schiola's Fiscal Year 2014/2015 Independent Contractor Agreement for Public Works and Solid Waste Consulting Services.
- c. Approval of Town Manager Change

**Motion: Vice-Mayor Jarriel made a motion to pull items "a." and "b." for discussion, and to approve the Consent Agenda, as amended. Councilman Liang seconded the motion. Upon vote, the motion passed 5/0.**

Consent Agenda Item "a." - Town Manager Kutney provided background on the Tew and Taylor Contract for Code Enforcement Related Services.

**Motion: Councilman Liang made a motion to approve the Tew and Taylor Contract for Fiscal Year 2014/2015. Vice-Mayor Jarriel seconded the motion. Upon vote the motion passed 5/0.**

Consent Agenda Item "b." - Town Manager Kutney provided background on the Independent Contract with Frank Schiola for Public Works and Solid Waste Consulting Services.

Council discussed various aspects of Mr. Schiola's Contract.

**Motion: Councilman Rockett made a motion to renew the Independent Contractor Agreement for Public Works and Solid Waste Consulting Services for Fiscal Year 2014/2015 for Frank Schiola. Councilman Goltzené seconded the motion. Mayor Browning opened the discussion for Public Comments.**

John Ryan, 3508 A Road, discussed the problems we had with Waste Pro. He has seen the work Mr. Schiola has done with the manure hauling problems, and noted Mr. Schiola has not billed the Town for a lot of endeavors he has participated in.

Keith Harris, 2580 C Road, felt Mr. Schiola is a dedicated Loxahatchee Groves resident, and has worked hard to make this a better Town. Mr. Harris encouraged Council to renew the contract with Mr. Schiola.

**Upon vote, the motion passed 5/0.**

## 3. PUBLIC COMMENT

Keith Harris, 2580 C Road, respectively requested Collecting Canal Road be placed back in the Budget for OGEM resurfacing, and that the Town should take charge of existing roads. Mr. Harris also suggested to move the traffic light expenditure from Capital Improvements; the need

to develop a Town Road Policy, to let Palm Beach County fund the traffic light on Okeechobee Boulevard; and requested to submit a petition of two-hundred, ninety-two (292) signatures of registered voters, for the record.

**Motion: Councilman Liang made a motion to *receive and file* the petition submitted by Mr. Harris. Councilman Goltzené seconded the motion. Upon vote, the motion passed 5/0.**

Marge Herzog, 966 A Road, wanted to know who maintained B Road, noted the Town should get a contractor, and wanted to talk about the Town Manager's Contract. She also requested the Town send a letter of recognition to the sixty-five (65) Honor Society Students who have helped clean up Okeechobee Boulevard.

**4. PRESENTATIONS – NONE**

**5. COMMITTEE REPORTS - NONE**

**6. RESOLUTIONS**

**a. RESOLUTION NO. 2014-12: PUBLIC HEARING / FINAL MILLAGE**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ESTABLISHING AND ADOPTING THE FINAL MILLAGE FOR THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PURSUANT TO THE BUDGET SUMMARY FOR THE FISCAL YEAR 2014-2015, IN ACCORDANCE WITH CHAPTER 200, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney Cirullo read the title of Resolution No. 2014-12.

Bill Underwood elaborated on the differences in the budget when applying either the 1.2 or the 1.5 millage rates.

**Motion: Councilman Liang made a motion to approve the 1.2 millage rate. Councilman Rockett seconded the motion, and requested to know why the Town would have a millage increase.**

Council complimented the Finance Advisory and Audit Committee (FAAC), and hopes commercial businesses will come into our Town and pay taxes so that the Town can give back to the residents. Council conducted further discussion on the 1.5 millage rate, special taxing districts and how they were established by ordinance.

Members of the audience voiced their opinions on the 1.2 versus the 1.5 millage rates.

**Upon roll call vote, the motion passed 3/2 with Councilman Goltzené and Mayor Browning casting dissenting votes.**

**Motion: Councilman Rockett made a motion to adopt Resolution No. 2014-12/Final Millage. Councilman Liang seconded the motion. Upon roll call vote, the motion passed 4/1 with Councilman Goltzené casting the dissenting vote.**

**b. RESOLUTION NO. 2014-13: PUBLIC HEARING / FINAL BUDGET**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015; ADOPTING FISCAL POLICIES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Bill Underwood explained the various aspects of the Budget.

**Motion: Councilman Rockett made a motion to approved Resolution No. 2014-13/Final Budget. Councilman Liang seconded the motion.**

Town Attorney Cirullo read the title of Resolution No. 2014-13 and noted it was a Public Hearing.

Mayor Browning asked for Public Comments, hearing none, he called for a vote.

**Upon roll call vote, the motion passed 5/0.**

**7. ORDINANCES – NONE**

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

Town Manager Kutney discussed speaking with Palm Beach County Engineer George Webb concerning the traffic light on Okeechobee Boulevard; the 6<sup>th</sup> Court North Equestrian Trail; Randy Wertepny, P.E., Sr. Project Manager, for [Keshavarz & Associates](#) working with the National Pollutant Discharge Elimination System (NPDES); and the Simmons and White proposal for the traffic light study.

Town Manager Kutney conveyed that this was his final meeting and proceeded to read his letter of appreciation.

Council Members, and a member of the audience, elaborated on their views of the traffic light on Okeechobee Boulevard.

## 9. OLD BUSINESS

- a. Update and Discussion of Central Palm Beach County Chamber of Commerce Building.

Town Manager Kutney noted that Wayne Burns, Chief Executive Officer (CEO) for the Central Palm Beach County Chamber of Commerce was in the audience and his presentation on the Chamber Building had been given to the Finance Advisory and Audit Committee (FAAC) at their meeting last night (Monday, September 22, 2014).

Wayne Burns provided his presentation to Council, with option for leasing or purchasing the Chamber Building.

Council discussed with Mr. Burns the various logistics involved in the procurement of the Chamber of Commerce Building.

Virginia Standish, Chair for the FAAC, was disappointed there was no spreadsheet provided at their meeting on Monday night, and that the Committee was not recommending a purchase.

**Motion: Councilman Rockett made a motion recommending Town Staff come back to the next Council Meeting with a proposal for an outright purchase, money up front, and pay off in three (3) years; or other options. Vice-Mayor Jarriel seconded the motion, for discussion.**

Council continued to discuss the options.

**Councilman Rockett modified is motion to include an inspection and appraisal before the Town “pencils in” and agreement, and to come back with alternate options. Vice-Mayor Jarriel’s motion to second stands.**

Council discussed parking, and purchase versus renting.

Members of the audience spoke of calling the Office of Inspector (OIG) concerning the need for numbers; relocating the Loxahatchee Groves Water Control District (LGWCD); the current Town offices which are sub-par, and not secure; and not enough significant information, concerning the Chamber, from the FAAC meeting last night, suggesting a cost benefit analysis.

Wayne Burns, stated for the record, the numbers he presented to Council were the same numbers he presented to the FAAC, but in a different format. He came in good faith and suggested using standard business practices. He stressed the Town and the Chamber can walk through it together.

Council discussed the timeframe with Mr. Underwood. Mayor Browning can talk with the Palm Beach County Commissioners and Mr. Underwood can talk with Staff, for better clarification.

**Upon vote, the motion passed 4/1 with Councilman Goltzené casting the dissenting vote.**

**10. NEW BUSINESS - NONE**

**11. CLOSING COMMENTS**

a. Public

Marge Herzog, 966 A Road, questioned whether the new Town Manager will be attending countywide meetings. She noted the Trails and western Council are being represented but no others.

b. Town Attorney

No further comments this evening.

c. Town Council Members

Councilman Goltzene stated the Gators aside, thanked Mark Kutney for his tenure and stated they have had a good working relationship.

Vice-Mayor Jarriel thanked Mark and wished him good luck in his new endeavors.

Councilman Liang thanked everyone for coming.

Councilman Rockett noted the Roadway, Equestrian Trails and Greenway Committee (RETGAC) will be discussing speed humps and those need to be revisited. He appreciated what Mark Kutney has done for the Town, even though they might not have always agreed. Thanks to everyone for coming.

Mayor Browning thanked everyone for coming.

**12. ADJOURNMENT**

There being no further business to come before the Town Council, Mayor Browning adjourned the meeting at 9:31 p.m.

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**Janet K. Whipple, Town Clerk**

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**David Browning, Mayor**

*These minutes were approved during the Town Council Meeting of December 16, 2014.*



## Town of Loxahatchee Groves Town Council Meeting

Tuesday, October 7, 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 William F. Underwood, II  
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 7:02 p.m. Present were Mayor David Browning, Vice-Mayor Ron Jarriel, Councilmen Tom Goltzené, Ryan Liang, and Jim Rockett. Also present were Town Manager Bill Underwood, 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

**Motion: Councilman Liang made a motion to approve the Agenda, as presented. 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. Minutes:

- **July 18, 2014**, Regular Town Council Meeting

**Motion: Councilman Liang made a motion to approve the Consent Agenda, as presented. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 5/0.**

**3. PUBLIC COMMENTS**

Keith Harris, 2580 C Road, spoke on horses and their involvement with Loxahatchee Groves. He provided a handout of a photo showing the Loxahatchee Groves Water Control District (LGWCD) dredging the canals and leaving dirt on the trails.

**Motion: Councilman Rockett made a motion to accept the *receive and file* document presented by Mr. Harris. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 5/0.**

Mr. Harris requested the work be stopped until the material from the canal could be tested; he noted the dredging is blocking the horse trails; and he requested the District be made a separate entity from the Town.

Marge Herzog, 966 A Road, discussed marijuana sales, shops, and the growing of, in the Town.

John Ryan, 3508 A Road, noted the Loxahatchee Groves Water Control District (LGWCD) has been working with the United States Department of Agriculture (USDA) trying to restore the Town's canals. He does not think there are any contaminates.

Council discussed paths/trails being blocked by the dredging, and noted the District is asking the Town to pay for surveys of the trails. They also feel the quality of the dirt being dredged is in question; noting the trails are for the residents; that the District is creating passive aggressive behavior; wanting to establish guidelines for the District to follow, especially on a designated equestrian trail; conduct discussion during the Intergovernmental Coordination Committee (IGC) Meeting; discuss why the residents cannot have the dirt; and dissatisfaction with the Interlocal Agreement between the District and the Town.

**4. PRESENTATIONS**

- a. Certificate of Acknowledgement and Recognition to Loxahatchee Groves resident Quasi Modo, runner up (Ugliest Mutt, 2<sup>nd</sup> Place) in the National Ugliest Dog Contest, held during the 2014 Sonoma-Martin Fair, Petaluma, California.

Mayor Browning introduced Quasi Modo, and her family, Virginia Sayre and Mike Carroll and noted Quasi is an Ambassador of the Town.

Virginia (Jenny) Sayre explained Quasi's trip to California for the contest, and informed everyone that she and Mike Carroll got married as well.

Mayor Browning presented a doggy biscuit "Key to the Town" to Quasi, as well as, a certificate, and a turtle decorated leash.

- b. Acknowledgement of Appreciation Letter to be sent to Sponsor Andrea Caceres-Santamaria and the Seminole Ridge High School National Honor Society for their continuous road cleanup campaign.

Town Attorney Cirullo read the letter prepared by Town Staff which will be sent to the National Honor Society at Seminole Ridge High School, in appreciation for their hard work.

**5. COMMITTEE REPORTS - NONE**

**6. RESOLUTIONS**

**RESOLUTION NO. 2014-14**

**A RESOLUTION OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, CONFIRMING THE APPOINTMENT OF WILLIAM F. UNDERWOOD, II, TO SERVE AS TOWN MANAGER PURSUANT TO AND COTERMINOUS WITH THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN AND UNDERWOOD MANAGEMENT SERVICES GROUP, LLC; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney Cirullo explained Resolution No. 2014-14 and read the title.

**Motion: Councilman Liang made a motion to approve Resolution No. 2014-14. Councilman Goltzené seconded the motion. Upon roll call vote the motion passed 5/0.**

**7. ORDINANCES – NONE**

**8. ADMINISTRATIVE UPDATE – *Town Manager Underwood***

Town Manager Underwood thanked the Council and will continue to send reports to them.

**9. OLD BUSINESS - NONE**

10. NEW BUSINESS - *NONE*

11. CLOSING COMMENTS

a. Public

Fred Schriefer, 14738 Paradise Trail, asked the Town to get involved on lot clearing problem, next door to him, as drainage is an issue.

Mayor Browning stated that the people who were clearing were also removing vegetation from Mr. Schriefer's property.

Mr. Schriefer hopes the new property owner will need to come to the meeting.

Mayor they only came to apply for a fence permit started taking down Brazilian peppers then got carried away. The Town issued them a cease and desist order.

b. Town Attorney

Referencing the use of medical marijuana and the Constitutional Amendment, he noted the subject is being reviewed with some of his other clients, and if Council wishes, the issue can be brought back to the next Council meeting to review any issues related to that subject. There may be additional concerns for Loxahatchee Groves because of the Ag (Agricultural) Component. There is a law in place now which is extremely limited (Charlotte's Web). Currently the State is going through rulemaking to allow for five (5) regional distribution organizations, one for each section of the State.

Mayor Browning suggested waiting to see if the Amendment passes during the State Election.

Go Gators.

c. Town Council Members

Councilman Goltzené felt this meeting would go on records as one of the shortest.

Vice-Mayor Jarriel reported that Mike Carroll and Virginia (Jenny) Sayre have one of the prettiest places in Loxahatchee Groves. They also work with exchange students, and Mike restored a helicopter from the Vietnam War, and works with the Vietnam Veterans. Jenny works at the Red Barn from time to time to help with animal care. Vice-Mayor Jarriel thanked them for their contribution to the community.

Councilman Liang felt the timing of this meeting was a record, and thanked everyone for coming.

Councilman Rockett thanked everyone for coming this evening.

Mayor Browning welcomed Bill Underwood as the new Town Manager.

**12. ADJOURNMENT**

There being no further business to come before the Town Council, Mayor Browning adjourned the meeting at 7:37 p.m.

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Janet K. Whipple, Town Clerk

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David Browning, Mayor

*These minutes were approved during the December 16, 2014, Town Council Meeting.*



**Item 6.**

**RESOLUTIONS**

**NONE**



**Item 7.a.**

**ORDINANCES**

**Ordinance No. 2014-09**

**(Charter Change Debt/Borrowing)**

# Town of Loxahatchee Groves, FLORIDA

## Town Council AGENDA ITEM REPORT

### AGENDA ITEM NO. 7.a.

MEETING DATE: 12/16/2014

PREPARED BY: Janet K. Whipple, Town Clerk

**SUBJECT: Proposed Referendum – Amendment to the Town Charter – Section 6 Entitled “Budget and Appropriations” Subsection (6) Revenue Bonds; Lease-Purchase Contracts.**

#### 1.BACKGROUND/HISTORY

**Legislative Update:** The Council passed Ordinance No. 2014-09 as a Public Hearing/First Reading, as amended, on December 2, 2014 in order to place a referendum on the March 15, 2015 ballot relating to an amendment to the Town Charter. Town Attorney Cirullo amended the ballot language to read “deleting this provision would permit the Town to borrow funds for any lawful governmental purposes”...instead of ~~regardless of purpose or repayment term.~~ This ordinance is now up for the Public Hearing/Second and Final Reading, as amended.

**Problem Statement:** Revenue Bonds and Lease Purchasing Contracts are not accessible to the Town Council without going to referendum.

**Problem Solution:** Place a referendum on the March 10, 2015 Municipal Election Ballot removing this item from the Town Charter, and enabling the Town Council to authorize borrowing where the repayment terms of which exceed thirty-six (36) months.

Previously during a Town Council Meeting, the Council directed the Town Attorney to draft appropriate enabling legislation.

#### 2.CURRENT ACTIVITY

Currently, if the Town borrows money, the repayment terms, which exceeds thirty-six (36) months are in the Town Charter and requires approval by referendum.

#### 3.ATTACHMENTS

Ordinance No. 2014-09

#### 4.FINANCIAL IMPACT

Costs are undetermined at this time but will be incorporated in Municipal Election Fees.

#### 5.RECOMMENDED ACTION

Request Council approve Ordinance No 2014-09 to allow the Charter Change, by referendum vote, concerning amending Section 6 entitled “Budget and Appropriations” deleting subsection (6) Revenue Bonds; Lease –Purchase Contracts.

**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-09**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE TOWN OF LOXAHATCHEE GROVES, TO AMEND SECTION 6, ENTITLED “BUDGET AND APPROPRIATIONS,” TO DELETE SUBSECTION (6) ENTITLED “REVENUE BONDS; LEASE-PURCHASE CONTRACTS,” WHICH WOULD REMOVE THE REQUIREMENT THAT CERTAIN TYPES OF BORROWING THAT EXCEED A REPAYMENT TERM OF THIRTY SIX (36) MONTHS BE APPROVED BY REFERENDUM ELECTION; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH THE STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN’S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION, AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CHARTER AND CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides for a methodology of Charter amendments supplementary to and not in conflict with the Charter of the Town of Loxahatchee Groves, Florida; and

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the Town Council of the Town of Loxahatchee Groves, Florida, in an ordinance format; and

**WHEREAS**, Section 6, entitled “Budget and Appropriations,” subsection 6, entitled “Revenue Bonds; Lease-Purchase Contracts,” of the Town Charter requires approval by referendum

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-09**

of certain borrowing where the repayment of which is in excess of thirty-six (36) months; and,

**WHEREAS**, removing subsection (6) of the Charter will enable the Town Council to authorize borrowing where the repayment terms of which exceeds thirty-six (36) months; provided that this change would not affect any referendum required by state law; and,

**WHEREAS**, the Town Council deems the proposed amendment to the Town Charter, as detailed herein, to be in the best interests of the citizens and residents of the Town.

**NOW, THEREFORE, BE IT ORDAINED 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 Ordinance upon adoption hereof.

**Section 2.** Section 6, entitled "Budget and Appropriations," subsection (6) entitled "Revenue Bonds; Lease-Purchase Contracts," of the Town Charter of the Town of Loxahatchee Groves, Florida, shall be amended as follows:

Section 6. Budget and appropriations.—

. . .

(6) REVENUE BONDS; LEASE-PURCHASE CONTRACTS.-- The provisions of this subsection have been deleted by approval of the Electors of the Town at the March 10, 2015, special referendum election.

~~Unless authorized by the electors of the town at a duly held referendum election, the council shall~~

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-09**

~~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.~~

**Section 3.**

The Ballot Title shall be as follows:

AMEND CHARTER TO DELETE REFERENDUM REQUIREMENT FOR CERTAIN DEBT

**Section 4.** At the Special Election called herein, on March 10, 2015, the following question shall be placed on the ballot for consideration by the qualified electors of the Town of Loxahatchee Groves, Florida, and shall read as follows:

The Town Charter currently requires approval by referendum of revenue bonds, lease purchase contracts, or any other unfunded multiyear contracts to purchase real property or construct capital improvements where the repayment term exceeds thirty-six (36) months. Deleting this provision would permit the Town to borrow funds for any lawful governmental purpose without a referendum unless a referendum is required by state law. Should the Town Charter be amended to delete this provision?

This proposed amendment has no financial impact to the Town

YES  NO

**Section 5.** **Advertisement.** The Town Clerk of the Town of Loxahatchee Groves is hereby authorized and directed to advertise the referendum contemplated herein in accordance with the State of Florida Election Code.

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-09**

**Section 6.**     **Referendum Election.** Pursuant to Section 166.031(1), Florida Statutes, the Town Council of the Town of Loxahatchee Groves hereby calls a special election to be conducted with the Town's municipal election on March 10, 2015, for the purpose of placing the referendum to a vote of the electors of the Town of Loxahatchee Groves.

**Section 7.**     **Codification.** It is the intention of the Town Council of the Town of Loxahatchee Groves that the provisions of this Ordinance shall become and be made a part of the Charter of the Town of Loxahatchee Groves, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

**Section 8.**     **Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

**Section 9.**     **Conflicts.** All Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**Section 10.**    **Effective Date.** This Ordinance shall take effect immediately upon its adoption. The amended charter as set forth in Section 2 above shall be effective upon approval by the electorate of the Town at the March 10, 2015, election.

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-09**

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE FIRST READING, THIS 2nd DAY OF DECEMBER, 2014.**

**PASSED ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_ DAY OF \_\_\_\_\_.**

**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

\_\_\_\_\_  
Council Member Jim Rockett

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Office of the Town Attorney

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**Item 7.b.**

**ORDINANCES**

**Ordinance No. 2014-10**

**(Charter Change Road Improvements)**

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

**AGENDA ITEM No. 7.b.**

MEETING DATE: 12/02/2014

**PREPARED BY:** Janet K. Whipple, Town Clerk

**SUBJECT: Proposed Referendum – A non-binding straw ballot relating to Roadway Improvement Policies by the Town of Loxahatchee Groves.**

**1. BACKGROUND/HISTORY**

**Legislative Update:** The Council passed Ordinance No. 2014-10 as a Public Hearing/First Reading, as amended, on December 2, 2014 in order to place a referendum on the March 15, 2015 ballot relating to an amendment to the Town Charter. Town Attorney Cirullo amended the ballot language to read “This non-binding ballot language question has no financial impact on the Town” instead of ~~This proposed amendment has no financial impact to the Town.~~ This ordinance is now up for the Public Hearing/Second and Final Reading, as amended.

**Problem Statement:** The Town Council wants to know if the voters want roads improved.

**Problem Solution:** Place a referendum for a non-binding Straw Ballot on Road Improvements, within the Town, for consideration by the qualified electors of the Town of Loxahatchee Groves.

Previously during a Town Council Meeting, the Council directed the Town Attorney to draft appropriate enabling legislation.

**2. CURRENT ACTIVITY**

Town Council needs assistance in its further decisions relating to roadway improvement policies within the Town.

**3. ATTACHMENTS**

Ordinance No. 2014-10

**4. FINANCIAL IMPACT**

Costs are undetermined at this time but will be incorporated in Municipal Election Fees.

**5. RECOMMENDED ACTION**

Request Council approve Ordinance No 2014-10 to allow the qualified electors of the Town to vote a referendum on road resurfacing.

**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-10**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM A NON-BINDING STRAW BALLOT RELATING TO ROADWAY IMPROVEMENT POLICIES BY THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN'S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, issues of roadways and improvements thereto are important to the residents of the Town of Loxahatchee Groves, Florida; and,

**WHEREAS**, the Town Council finds it is in the best interest of the citizens and residents of the Town to propose a ballot question to the electorate of the Town in the nature of a non-binding straw ballot to assist the Town Council in its future decisions relating to roadway improvement policies within the Town.

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

**Section 2.**

The Ballot Title shall be as follows:

NON-BINDING STRAW BALLOT ON ROAD IMPROVEMENTS WITHIN THE TOWN

**Section 3.** At the special election with the Town's general municipal election on March

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-10**

15, 2015, the following question shall be placed on the ballot for consideration by the qualified electors of the Town of Loxahatchee Groves, Florida, and shall read as follows:

This question is a non-binding opinion poll intended to provide feedback to the Town Council on determining a policy as to whether to resurface roadways within the Town. The Town’s public roads are mainly dirt roads, and recently several roads have been resurfaced. Members of the Town Council may rely on this opinion poll in reviewing future policy. Do you support the resurfacing of dirt roads within the Town?

This non-binding ballot question has no financial impact to the Town.

YES  NO

**Section 4. Advertisement.** The Town Clerk of the Town of Loxahatchee Groves is hereby authorized and directed to advertise the referendum contemplated herein in accordance with the Code of Ordinances of the Town of Loxahatchee Groves, Florida, as well as the State of Florida Election Code.

**Section 5. Referendum Election.** Pursuant to Section 166.031(1), Florida Statutes, the Town Council of the Town of Loxahatchee Groves hereby calls a special election to be conducted with the Town’s municipal election on March 10, 2015, for the purpose of placing the referendum to a vote of the electors of the Town of Loxahatchee Groves.

**Section 6. Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-10**

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

**Section 8.** **Effective Date.** This Ordinance shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE FIRST READING, THIS 2<sup>ND</sup> DAY OF DECEMBER, 2014.**

**PASSED ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_ DAY OF \_\_\_\_\_.**

**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

\_\_\_\_\_  
Council Member Jim Rockett

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Office of the Town Attorney

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**Item 7.c.**

**ORDINANCES**

**Ordinance No. 2014-11**

**(Charter Change Election Criteria)**

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

**AGENDA ITEM NO. 7.c.**

MEETING DATE: 12/16/2014

**PREPARED BY:** Janet K. Whipple, Town Clerk

**SUBJECT: Proposed Referendum – Amendment to the Town Charter – Section 7 Entitled “Elections”.**

**1.BACKGROUND/HISTORY**

<p><b>Legislative Update:</b> The Council passed Ordinance No. 2014-11 as a Public Hearing/First Reading, on December 2, 2014, in order to place a referendum on the March 15, 2015 ballot relating to an amendment to the Town Charter. This ordinance is now up for the Public Hearing/Second and Final Reading.</p>
--

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

**Problem Solution:** Remove Section 7 “Elections” from the Town Charter.

Previously during a Town Council Meeting, the Council directed the Town Attorney to draft appropriate enabling legislation.

**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 changes unless they are presented to the electorate of the Town as a referendum, either in a Special Election or during a regular Municipal Election.

**3.ATTACHMENTS**

Ordinance No. 2014-11

**4.FINANCIAL IMPACT**

Costs are undetermined at this time but will be incorporated in Municipal Election Fees.

**5.RECOMMENDED ACTION**

Request Council approve Ordinance No 2014-11 to allow the Charter Change, by referendum vote, concerning removing Section 7 of the Town Charter entitled “Elections” which relates to Election Procedures, and convert them into ordinance form.

**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-11**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE TOWN OF LOXAHATCHEE GROVES, SECTION 7, ENTITLED "ELECTIONS," TO REMOVE SECTION 7 WHICH RELATES TO ELECTION PROCEDURES, FROM THE CHARTER, AND CONVERT THEM INTO AN ORDINANCE OF THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN'S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION, AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING THAT SHOULD THE AMENDMENT BE APPROVED BY THE ELECTORATE OF THE TOWN, THE ELECTION PROVISIONS OF SECTION 7 OF THE TOWN CHARTER SHALL BE AN ORDINANCE OF THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CHARTER AND CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides for a methodology of Charter amendments supplementary to, and not in conflict with, the Charter of the Town of Loxahatchee Groves, Florida; and

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the Town Council of the Town of Loxahatchee Groves, Florida, in an ordinance format; and

**WHEREAS**, Section 7 of the Town Charter contains provisions for the conduct of elections within the Town, but such portions are customarily in the form of ordinances; and,

**WHEREAS**, removing the election provisions from the Charter and converting them into an ordinance will provide the Town Council with the ability to amend in the event of changes in

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-11**

state election laws, changes in state election dates, and application by the Supervisor of Elections; and,

**WHEREAS**, the Town Clerk has recommended that the provisions of Section 7 of the Town Charter be converted into an ordinance of the Town; and

**WHEREAS**, the Town Council deems the proposed amendment to the Town Charter, as detailed herein, to be in the best interests of the citizens and residents of the Town.

**NOW, THEREFORE, BE IT ORDAINED 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 Ordinance upon adoption hereof.

**Section 2.** Article 7, entitled "Elections," of the Charter of the Town of Loxahatchee Groves, Florida shall be amended as follows:

Section 7 – Elections – The provisions of this Section have been converted into an ordinance of the Town of Loxahatchee Groves by approval of the Electors of the Town at the March 10, 2015, special referendum election.

~~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~~

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-11**

~~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~~

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-11**

~~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 4.** The Ballot Title shall be as follows:

**ELECTION PROVISIONS OF CHARTER CONVERTED TO ORDINANCES**

**Section 5.** At the Special Election called herein, on March 10, 2015, the following question shall be placed on the ballot for consideration by the qualified electors of the Town of Loxahatchee Groves, Florida, and shall read as follows:

The Town Charter contains election provisions relating to electors, nonpartisan elections, election dates, runoff elections, canvassing board, special elections and general elections. Converting these provisions into a Town ordinance will enable the Town Council to amend Town election provisions by ordinance without referenda. Should the Town Charter be amended to remove these provisions and convert them into a Town ordinance?

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TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-11

This proposed amendment has no financial impact to the Town

YES  NO

**Section 6. Advertisement.** The Town Clerk of the Town of Loxahatchee Groves is hereby authorized and directed to advertise the referendum contemplated herein in accordance with the Code of Ordinances of the Town of Loxahatchee Groves, Florida, as well as the State of Florida Election Code.

**Section 7. Referendum Election.** Pursuant to Section 166.031(1), Florida Statutes, the Town Council of the Town of Loxahatchee Groves hereby calls a special election to be conducted with the Town’s municipal election on March 10, 2015, for the purpose of placing the referendum to a vote of the electors of the Town of Loxahatchee Groves.

**Section 8. Adoption of Election Ordinance.** Upon the approval of the referendum question set forth herein, the following shall be an ordinance of the Town of Loxahatchee Groves, Florida:

(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) 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.

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## TOWN OF LOXAHATCHEE GROVES

### ORDINANCE NO. 2014-11

(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) 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.

(5) 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.

(6) 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.

(7) 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.

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-11**

(8) 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 9. Codification.** It is the intention of the Town Council of the Town of Loxahatchee Groves that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Loxahatchee Groves, Florida, and that the Sections of this

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-11**

Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

**Section 10.** **Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

**Section 11.** **Conflicts.** All Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**Section 12.** **Effective Date.** This Ordinance shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE FIRST READING, THIS 2<sup>ND</sup> DAY OF DECEMBER, 2014.**

**PASSED ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_ DAY OF \_\_\_\_\_.**

**TOWN OF LOXAHATCHEE  
GROVES, FLORIDA**

ATTEST:

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

\_\_\_\_\_  
Janet K. Whipple, Town Clerk

\_\_\_\_\_  
Vice-Mayor Ron Jarriel

\_\_\_\_\_  
Council Member Tom Goltzené

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-11**

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Office of the Town Attorney

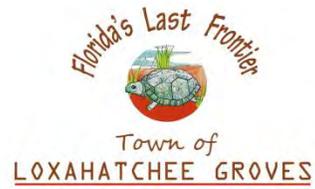
\_\_\_\_\_  
Council Member Ryan Liang

\_\_\_\_\_  
Council Member Jim Rockett

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**Item 7.d.**

**ORDINANCES**

**Ordinance No. 2014-12**

**(Referendum Question for willingness of voters to pay, if necessary,  
for road improvements)**

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

**AGENDA ITEM No. 7.d.**

MEETING DATE: 12/16/2014

**PREPARED BY:** Janet K. Whipple, Town Clerk

**SUBJECT: Proposed Referendum – A non-binding straw ballot relating to willingness of voters to pay, if necessary, for road improvements.**

**1. BACKGROUND/HISTORY**

**Problem Statement:** The Town Council wants to know if the voters are willing to pay, if necessary, for roads improved.

**Problem Solution:** Place a referendum for a non-binding Straw Ballot on payment of Road Improvements, within the Town, for consideration by the qualified electors of the Town of Loxahatchee Groves.

During the Town Council Meeting of December 2, 2014, the Council directed the Town Attorney to draft appropriate enabling legislation to be an addendum to the Road Improvement Referendum.

**2. CURRENT ACTIVITY**

Town Council needs assistance in its further decisions relating to roadway improvement policies within the Town.

**3. ATTACHMENTS**

Ordinance No. 2014-12

**4. FINANCIAL IMPACT**

Costs are undetermined at this time but will be incorporated in Municipal Election Fees.

**5. RECOMMENDED ACTION**

Request Council approve Ordinance No 2014-12 to allow the qualified electors of the Town to vote a referendum on payments for road resurfacing.

**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-12**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM A NON-BINDING STRAW BALLOT RELATING TO WILLINGNESS OF VOTERS TO PAY ADDITIONAL TAXES, SPECIAL ASSESSMENTS OR OTHER FEES FOR ROADWAY IMPROVEMENTS BY THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN'S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, issues of roadways and improvements thereto are important to the residents of the Town of Loxahatchee Groves, Florida; and,

**WHEREAS**, the Town Council finds it is in the best interest of the citizens and residents of the Town to propose a ballot question to the electorate of the Town in the nature of a non-binding straw ballot to assist the Town Council in its future decisions relating to roadway improvement policies within the Town, specifically as to payment for such improvements.

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

**Section 2.**

The Ballot Title shall be as follows:

**NON-BINDING STRAW BALLOT ON WILLINGNESS TO PAY FOR ROAD IMPROVEMENTS WITHIN THE TOWN**

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**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2014-12**

**Section 3.** At the special election with the Town’s general municipal election on March 15, 2015, the following question shall be placed on the ballot for consideration by the qualified electors of the Town of Loxahatchee Groves, Florida, and shall read as follows:

This question is a non-binding opinion poll intended to provide feedback to the Town Council. No taxes, assessments or fees are levied as a result of this opinion poll; however, members of the Town Council may rely on this opinion poll in reviewing future policies for funding roadway resurfacing and other roadway improvements. Are you willing to pay additional taxes, special assessments or fees to fund roadway improvements in the Town?

This non-binding ballot question has no financial impact to the Town.

YES  NO

**Section 4.** **Advertisement.** The Town Clerk of the Town of Loxahatchee Groves is hereby authorized and directed to advertise the referendum contemplated herein in accordance with the Code of Ordinances of the Town of Loxahatchee Groves, Florida, as well as the State of Florida Election Code.

**Section 5.** **Referendum Election.** Pursuant to Section 166.031(1), Florida Statutes, the Town Council of the Town of Loxahatchee Groves hereby calls a special election to be conducted with the Town’s municipal election on March 10, 2015, for the purpose of placing the referendum to a vote of the electors of the Town of Loxahatchee Groves.

**Section 6.** **Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

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TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-12

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

**Section 8. Effective Date.** This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE FIRST READING, THIS 16th DAY OF DECEMBER, 2014.

PASSED ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_ DAY OF \_\_\_\_\_.

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

\_\_\_\_\_  
Council Member Jim Rockett

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Office of the Town Attorney

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**Item 8.a.**

**Managers Report**

# Town of Loxahatchee Groves, Florida Town Council AGENDA ITEM REPORT

## AGENDA ITEM NO. 8.a.

MEETING DATE: 12/16/2014

**PREPARED BY:** William F. Underwood, II

**SUBJECT:** Manager 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:** At the Town Council meeting of 11/18/2014, the Council approved the Town drafted ILA for funding the trails, maintenance easements, and roads. The ILA was transmitted to the LGWCD on Wednesday, 11/19/2014.
  - Subsequent to the ILA transmittal, the Town Attorney, and staff met with the LGWCD attorney and administrator on Friday, 11/21/2014, at the office of the district's attorney.
  - Substantial progress was made. The Town attorney provided the district's attorney with a summary of the discussion points to be incorporated within a jointly prepared ILA.
  - On or about December 3, the Town received comments from the attorney for the LGWCD.
  - On December 9, the Town Attorney and I were reviewing the points of the agreement.
  - This working group will labor to complete the agreement and present to the respective legislative boards as soon as practical.
- **Building:** Discussions with Atlantic Land Companies regarding their site plan occurred and this item is scheduled for the P&Z review in December. The item is subject to removal pending satisfaction with a drainage issue.
- **Building:** Update to work related to the Chamber of Commerce building was included in the November 18, 2014 agenda. The Council instructed staff to begin negotiations with the Chamber of Commerce staff.
  - Staff has entered this discussion, the Town Attorney and staff had a teleconference

- to draft a contract for the acquisition.
  - A teleconference was held on 11/24/2014 with Wayne Burns, Executive Director of the Chamber.
  - Staff is attempting to finalize negotiations and should be able to complete the process and present a contract for purchase at the 12/16/2014 Council meeting.
  - On December 4, 2014, staff and Vice Mayor Jarriel attended the Tri-cities League BBQ in Belle Glade.
  - December 9<sup>th</sup>, the Town Attorney and I received a revised contract from the Chamber of Commerce which included significant changes, some of substance, to the contract the Town submitted.
  - Due to some of the items included in the revised contract, I feel it is necessary to delay the contract consideration until the January meeting.
- **Planning:** The Mayor and I met with representative of Minto wherein they represented a desire to assist the Town in the future on issues such as the traffic light at D Road and Okeechobee. Subsequently, the Town has received an offer to assist in the development of the Okeechobee corridor study. The letter is attached to an agenda item for this meeting.
- **Building:** Staff had a meeting with the Day property representative to preliminary discuss the prospective site plan for the property on Tuesday, December 9. The meeting was to review site plan requirements and process
  - We reviewed the site plan submission requirements
  - Discussed the site plan specifically
    - addressing conditions of approval
    - perimeter landscaping buffer requirements
    - horse trail potential
  - Timing of submittal and hearings
    - PBC manages traffic related issues and may need to be at meetings
    - LGWCD to affirm positive outfall for drainage
    - Interconnection to westerly property discussion
    - Set RETGAC meeting for January 2015
    - P&Z meeting for January 2015
    - About March present to Town Council.
- **Roads:** This office met with Angela Hendrichsen Sandoval, P. E., PMP, Section Leader, and Ken Mudd, Resource Professional IV, representing South Florida Water Management District (SFWMD) in reference to a permit the SFWMD issued in 1982 for a road and swale improvement on 43<sup>rd</sup>. As I understand the purpose of the meeting, SFWMD was looking to determine whether or not the Town would assist them in correcting a deficiency in the road and swale drainage system on the road. The Town will be contacted in the future regarding the next step to be taken to correct the problem.
- **Roads:** Negotiations continue for B Road improvements which will go from Southern Boulevard to Okeechobee Boulevard.
  - Staff was working toward holding the second hearing on an ordinance in November to provide appropriate zoning classification to the involved parcels.
  - Initially, staff worked to have this item tentatively move forward for the December 2, 2014 Council Meeting.
    - This effort is being moved to a January timeframe.
  - Town Attorney and I met with the working group on Friday 11/21/2014 in West Palm Beach. Significant discussion occurred and the Town Attorney and I reiterated the Town Council position that no funding will come from the Town for

this improvement.

- The LGWCD will be providing necessary easement for this road prior to the project initiation.

### **3.ATTACHMENTS**

### **4.FINANCIAL IMPACT**

Not applicable.

### **5.RECOMMENDED ACTION**

Motion to receive and file report.



**Item 8.b.**

**PBSO Report**

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

## AGENDA ITEM NO. 8.b.

MEETING DATE: 12/16/2014

**PREPARED BY:** William F. Underwood, III Budget Analyst

**SUBJECT:** Palm Beach County Sheriff's Report

### 1. BACKGROUND/HISTORY

**Problem Statement:** Maintain awareness of Palm Beach County Sheriff's major incidents within town limits.

**Problem Solution:** Provide for monthly and annual reports regarding activity

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

- During the month, District 15 deputies handled (261) calls for service. 22% of calls for service were self-generated

There was one (1) robbery, one (1) assault, three (3) burglaries, and three (3) thefts reported last month. **Robbery: Sig.41V** 14-148579. Occurred on "F" Rd. and Okeechobee Bd. at 0400, 11/28/14. Vict., was pistol whipped and robbed by two W/M's and a W/F, who took his vehicle and wallet. Follow up by Robbery Det. revealed he was in area to meet the W/F he met on Facebook. W/F's address and name is known, and she is being questioned. Nothing further.

### 3. ATTACHMENTS

- District 15 Loxahatchee Groves Monthly Report. Nov 2014

### 4. FINANCIAL IMPACT

No new Fiscal Impact.

### 5. RECOMMENDED ACTION

No Action required, report is simply informational.

# District 15 Loxahatchee Groves

## Monthly Report: November, 2014



<b>Calls for Service (self-generated)</b>	<b>Monthly</b>
Business/Residence Checks	57
Traffic Stops	11
Dispatched calls	193
<b>Total</b>	<b>261</b>

<b>Traffic Summary</b>	<b>Monthly</b>
Warnings	8
Citations	3
<b>Totals</b>	<b>11</b>

**Summary:** During the month, D15 deputies handled (261) calls for service. 22% of calls for service were self-generated.

<b>Part I Crimes Case #'s</b>	<b>Monthly</b>
Murder	0
Sexual Assault	0
Robbery	1
Aggravated Assault	1
Burglary	3
Theft	3
Motor Vehicle Theft	0
Arson	0
<b>Total</b>	<b>7</b>

**Summary:** There was one (1) robbery, one (1) assault, three (3) burglaries, and three (3) thefts reported last month.

**Robbery: Sig.41V** 14-148579. Occurred on "F" Rd. and Okeechobee Bd. at 0400, 11/28/14. Vict., was pistol whipped and robbed by two W/M's and a W/F, who took his vehicle and wallet. Follow up by Robbery Det. revealed he was in area to meet the W/F he met on Facebook. W/F's address and name is known, and she is being questioned. Nothing further.



**Item 10.a.**

**NEW BUSINESS**

**Minto Proposal**

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

**AGENDA ITEM NO. 10.a.**

MEETING DATE: 12/16/2014

**PREPARED BY:** William F. Underwood, II  
**SUBJECT:** Minto Communities, LLC proposal for planning services

**1.BACKGROUND/HISTORY**

**Problem Statement:** The Planning and Zoning Board may need assistance in preparation of the Okeechobee Boulevard corridor planning effort.

**Problem Solution:** Town Council accept proposal by Minto Communities, LLC for assistance in the development of a roadway Master Plan for Okeechobee Boulevard.

At the Council meeting of December 2, 2014, the Town Council instructed that a moratorium be placed on the Okeechobee Boulevard corridor to provide sufficient time for the P&Z Board time to prepare a recommendation on the future of the corridor to the Town Council within approximately the next 120 days.

**2.CURRENT ACTIVITY**

On Thursday, December 4, 2014, Mayor Browning and I met with John Carter, from Minto Communities, LLC, and Don Hearing from Cotleur Hearing, at their request. During the meeting we discussed their contribution to the traffic signal at D Road and Okeechobee Boulevard. Additionally, we discussed the Town's desire to model Okeechobee Boulevard in a master plan acceptable to the residents. As a result of this discussion, an offer to assist in this master planning effort was made by Minto.

This meeting resulted in the attached letter from Mr. John Carter offering significant assistance to the Town in the planning effort currently facing the Town regarding the prospective moratorium and master plan for the Okeechobee Boulevard corridor.

**3.ATTACHMENTS**

Letter from Minto Communities, LLC

**4.FINANCIAL IMPACT**

Not applicable.

**5.RECOMMENDED ACTION**

Motion to instruct staff to work with Minto for the collaboration in the development of the Okeechobee Boulevard Master Plan.



December 9, 2014

The Honorable David Browning  
Mayor of Town of Loxahatchee Groves  
14579 Southern Boulevard  
Loxahatchee Groves, Florida 33470

**Re: Okeechobee Boulevard – Master Plan**

Dear Mayor Browning:

Thank you for the recent opportunity to sit down and discuss the concerns you have regarding the recent approval of the Minto West project. We remain committed to finding resolutions that benefit the region and appreciate the discussion and ideas we shared.

It was in a collaborative spirit that we stepped forward and agreed to assist the Town of Loxahatchee Groves with the signalization of an intersection on Okeechobee Boulevard. We hope the Town will see this as an example of our desire to work with our neighbors and the good things that can come through collaboration. I have asked my team to follow up with the County Engineer to finalize any agreements that will be needed for our funding of this traffic signal.

Additionally, I would like to propose to the Town an idea to collaborate on the development of a roadway Master Plan for Okeechobee Boulevard. I believe that the region working together can create a community-driven concept for this roadway that achieves the regional transportation needs of the County while fitting into the fabric of the community. In this regard, Minto is offering to fund the concept planning associated with this effort by partnering Don Hearing with the Loxahatchee Groves Town Engineer, Mazi Keshavarz. I believe this process could also benefit by inviting the Indian Trail Improvement District to collaborate in the process.

Please let me know if you and the Town Council concur on this concept of an Okeechobee Boulevard Master Plan to be provided to the County. I would welcome the opportunity to facilitate this project for the benefit of the region.

Regards,

***MINTO COMMUNITIES, LLC***

John F. Carter, AICP  
Vice President

cc: Loxahatchee Groves Town Council  
Bill Underwood, Loxahatchee Groves Town Manager  
Board of Supervisors, Indian Trail Improvement District  
Board of Supervisors, Seminole Improvement District  
Commissioner McKinlay