



TOWN OF LOXAHATCHEE GROVES

TOWN COUNCIL MEETING AGENDA

TUESDAY, MAY 3, 2016 @ 7:00 P.M.

ADDENDUM #1: *Item #6a Ordinance No. 2016-02 – revised language attached.*

ADDENDUM #2: *Item #9c – revised AIR - Correction to Heading*

Mayor David Browning (Seat 4)

Vice Mayor Tom Goltzené (Seat 5)

Councilman Ron Jarriel (Seat 1)

Councilman Ryan Liang (Seat 3)

Councilman Todd McLendon (Seat 2)

TOWN OF LOXAHATCHEE GROVES
ORDINANCE NO. 2016-02

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 AMEND SUBSECTION (5) ENTITLED “TOWN CANVASSING BOARD,” TO PROVIDE FOR THE TOWN CLERK, AND TWO OTHER MEMBERS TO BE APPOINTED BY RESOLUTION OF THE TOWN COUNCIL TO SERVE AS THE TOWN’S CANVASSING BOARD, AND TO AMEND THE DUTIES OF THE CANVASSING BOARD, 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, AT A SPECIAL ELECTION WITH THE STATEWIDE PRIMARY ELECTION ON AUGUST 30, 2016, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION, AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR INCLUSION IN THE TOWN CHARTER; PROVIDING FOR SEVERABILITY; 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, and subsection (5) of Section 7 of the Town Charter specifically provides for Councilmembers who are not candidates for re-election, and the Town Clerk, to be the Town’s Canvassing Board and also provides for a description of the Canvassing Board’s duties; 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 7, entitled "Elections," Subsection (5) entitled "Town Canvassing Board," of the Charter of the Town of Loxahatchee Groves, Florida shall be amended as follows:

Section 7. Elections.—

(5) TOWN CANVASSING BOARD.—~~The town canvassing board shall be composed of three members: the Town Clerk, and two members appointed by the Town Council by Resolution. No member of the town canvassing board shall be an active participant in the town election for which he or she is canvassing as the term "active participant" is interpreted by the Florida Department of Elections. Where possible, the members of the town canvassing board shall be experienced as a judge or in the administration of elections. Should a vacancy occur on the canvassing board, the Town Council shall appoint a replacement member by resolution. The Town Canvassing Board shall canvass the election consistent with the requirements of Florida law and consistent with and pursuant to any agreement between the Town and the Palm Beach County Supervisor of Elections. The canvassing board shall certify the results of the election upon receipt of the certification from the Supervisor of Elections. 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.~~

...

Section 3. The Ballot Title shall be as follows:

AMEND TOWN CHARTER TO AMEND TOWN CANVASSING BOARD MEMBERS AND DUTIES

Section 4. At the Special Election called herein, on August 30, 2016, the following

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CODING: Words in ~~struck through~~ type are deletion from existing law; words in underlined type are additions

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:

Should the Town Charter be amended to remove town council members from the canvassing board; designate the members of the town canvassing board as the town clerk, and two members to be appointed by the Town Council by resolution; to provide for the filling of vacancies on the canvassing board; and to amend the duties of the canvassing board consistent with the canvassing of elections pursuant to state law?

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 as required by law, including the State of Florida Election Code.

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 Statewide Primary Election on August 30, 2016, 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

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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 August 30, 2016, election.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE FIRST READING, THIS ___ DAY OF _____ 2016.

Council Member _____ offered the foregoing ordinance. Council Member _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
DAVID BROWNING, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOM GOLTZENÉ, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RON JARRIEL, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RYAN LIANG, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TODD MCLENDON, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PASSED ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE SECOND AND FINAL READING, THIS ___ DAY OF _____ 2016.

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**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Virginia Walton, Town Clerk

Mayor David Browning

Vice Mayor Tom Goltzene

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Council Member Ron Jarriel

Council Member Ryan Liang

Council Member Todd McLendon

Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT
AGENDA ITEM NO. 9c

MEETING DATE: 5/03/2016

PREPARED BY: Bill Underwood, Town Manager

SUBJECT: Appointment of ULDC Committee Members

1. BACKGROUND/HISTORY

Problem Statement: The Town Council needs to appoint members to the ULDC Committee.

Problem Solution: At the Town Council meeting of April 19, 2016, the Town Council adopted Resolution No. 2016-28, re-establishing the ULDC Committee to review specific sections of the existing in the current code and made recommendations for clarification, revisions or changes to those sections.

2. CURRENT ACTIVITY

In order to move forward with creation of this committee and begin the review process, the Town Council needs to appoint members they wish to serve.

3. ATTACHMENTS

Resolution No. 2016-31

4. FINANCIAL IMPACT

Not available or applicable

5. RECOMMENDED ACTION

Motion to nominate and appoint members to the ULDC Committee.