



TOWN OF LOXAHATCHEE GROVES

TOWN COUNCIL MEETING

AGENDA

THURSDAY, SEPTEMBER 8, 2016

Mayor David Browning (Seat 4)

Vice-Mayor Tom Goltzené (Seat 5)

Councilman Ronald D. Jarriel (Seat 1)

Councilman Ryan Liang (Seat 3)

Councilman Todd McLendon (Seat 2)



Town of Loxahatchee Groves
Town Council Meeting

Thursday, September 8, 2016 - 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.)

Town Hall, 155 "F" Road
Loxahatchee Groves, Florida 33470

Mayor David Browning (Seat 4) Town Manager William F. Underwood, II
Vice Mayor Tom Goltzené (Seat 5) Town Attorney Michael D. Cirullo, Jr.
Councilman Ronald D. Jarriel (Seat 1) Town Clerk Virginia M. Walton
Councilman Ryan Liang (Seat 3)
Councilman Todd McLendon (Seat 2)

PUBLIC NOTICE/AGENDA

1. OPENING

- a. Call to Order & Roll Call
- b. Pledge of Allegiance & Invocation
- c. Request Participation by Telephone Due to Scheduling Conflict – Mayor Dave Browning
- d. Approval of Agenda

MOTION	SECOND	VOTE
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2. PUBLIC COMMENTS

3. BUDGET HEARINGS

- a. RESOLUTION NO. 2016-63 (Final Solid Waste Assessment)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES IN THE TOWN OF LOXAHATCHEE GROVES, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES FOR FISCAL YEAR 2016-2017; IMPOSING A RESIDENTIAL SOLID WASTE COLLECTION ASSESSMENT AGAINST

ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF LOXAHATCHEE GROVES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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b. RESOLUTION NO. 2016-64 (Tentative Millage Rate)

A RESOLUTION OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ESTABLISHING THE TENTATIVE MILLAGE FOR THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PURSUANT TO THE BUDGET SUMMARY FOR THE FISCAL YEAR 2016-2017, IN ACCORDANCE WITH CHAPTER 200, FLORIDA STATUTES, AS AMENDED; SETTING FORTH THE DATE, TIME AND PLACE FOR THE SECOND AND FINAL PUBLIC HEARING TO ADOPT THE TOWN'S MILLAGE RATE FOR THE FISCAL YEAR 2016-2017 AND DIRECTING PUBLICATION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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c. RESOLUTION NO. 2016-65 (First Public Hearing-Budget)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; SETTING FORTH THE DATE, TIME AND PLACE FOR THE SECOND PUBLIC HEARING FOR THE ADOPTION OF THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, ADOPTING THE FISCAL POLICIES; AND DIRECTING PUBLICATION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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4. CONSENT AGENDA

(Public Comment will be permitted on consent agenda items prior to Council vote)

- a. Minutes: July 7 2015 Town Council Meeting (jw)
- b. Minutes: July 21, 2015 Town Council Meeting (jw)
- c. Minutes: August 2, 2016 Special Town Council Meeting
- d. August Invoices for Goren, Cherof, Doody & Ezrol, PA
- e. Consent for Use of Town Logo by Loxahatchee Groves Landowner's Association

f. RESOLUTION NO. 2016-62 (Support WCD)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA EXPRESSING ITS CONTINUING SUPPORT FOR THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT ACTIVITIES TO ELIMINATE FENCES AND GATES WITHIN THE DISTRICT’S MAINTENANCE BERMS; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

g. RESOLUTION NO 2016-69 (Appropriations)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THREE HOUSE APPROPRIATIONS REQUEST FORMS FOR FISCAL YEAR 2017, ATTACHED HERETO AND IDENTIFIED AS (1) HOUSE APPROPRIATION REQUEST FORM FOR ROAD AND DRAINAGE IMPROVEMENTS, (2) HOUSE APPROPRIATION REQUEST FORM FOR GUARDRAIL IMPROVEMENTS, AND (3) HOUSE APPROPRIATION REQUEST FORM FOR TRUNK WATER LINE IMPROVEMENTS; PROVIDING FOR DELIVERY OF THE REQUEST FORMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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5. OLD BUSINESS

a. RESOLUTION NO. 2016-66 (Annexation Area)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, EXPRESSING THE DESIRE OF THE TOWN TO HAVE COUNTY-OWNED PROPERTY GENERALLY BOUNDED ON THE NORTH BY 40TH STREET NORTH, ON THE EAST BY THE WESTERN BOUNDARY OF ROYAL PALM BEACH, ON THE SOUTH BY NORTH ROAD AND ON THE WEST BY THE EASTERN BOUNDARY OF THE TOWN OF LOXAHATCHEE GROVES (COUNTY PROPERTY) VOLUNTARILY ANNEX INTO THE TOWN OF LOXAHATCHEE GROVES; WAIVING COST RECOVERY FOR ANNEXATION APPLICATIONS SUBMITTED FOR THE PROPERTY SUBJECT TO THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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b. RESOLUTION NO. 2016-67 (Annexation Area)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, EXPRESSING THE DESIRE OF THE TOWN TO HAVE THE SOUTHERN BOULEVARD RIGHT OF WAY FROM THE WESTERN BOUNDARY

OF THE TOWN TO THE WESTERN BOUNDARY OF ROYAL PALM BEACH VOLUNTARILY ANNEX INTO THE TOWN OF LOXAHATCHEE GROVES; WAIVING COST RECOVERY FOR ANNEXATION APPLICATIONS SUBMITTED FOR THE PROPERTIES SUBJECT TO THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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c. RESOLUTION NO. 2016-68 (Annexation Area)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, EXPRESSING THE DESIRE OF THE TOWN TO HAVE CERTAIN PROPERTIES LOCATED IN UNINCORPORATED PALM BEACH COUNTY AND ADJACENT TO THE SOUTHEAST BOUNDARIES OF THE TOWN AND ALONG FOLSOM ROAD VOLUNTARILY ANNEX INTO THE TOWN OF LOXAHATCHEE GROVES; WAIVING COST RECOVERY FOR ANNEXATION APPLICATIONS SUBMITTED FOR PROPERTIES SUBJECT TO THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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d. Review and Selection for Special Magistrate Code Hearing Services

MOTION	SECOND	VOTE
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6. NEW BUSINESS

a. RESOLUTION NO. 2016-59 (Site Plan Amendment) **QUASI-JUDICIAL HEARING**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE LOXAHATCHEE GROVES COMMONS OUTPARCEL “F” MEDICAL OFFICE SITE PLAN AMENDMENT, FOR LAND OWNED BY ATLANTIC LAND INVESTMENTS LLC, CONSISTING OF 21.73 ACRES MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT “A” TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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b. RESOLUTION NO. 2016-60 (Site Plan Amendment) **QUASI-JUDICIAL HEARING**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE LOXAHATCHEE GROVES COMMONS LOCAL RETAIL BUILDING “B” CHLORINE TANK SITE PLAN AMENDMENT, FOR LAND OWNED BY ATLANTIC LAND INVESTMENTS LLC, CONSISTING OF 21.73 ACRES MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT “A” TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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c. RESOLUTION NO. 2016-61 (Sign Variance) **QUASI-JUDICIAL HEARING**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE LOXAHATCHEE GROVES COMMONS OUTPARCEL “F” SIGN VARIANCE, FOR LAND OWNED BY ATLANTIC LAND INVESTMENTS, CONSISTING OF 21.73 ACRES MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT “A” TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION	SECOND	VOTE
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d. Discussion and Direction for Commercial Enterprise Enforcement Policy

MOTION	SECOND	VOTE
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7. COMMITTEE REPORTS – none scheduled

8. PRESENTATIONS – none scheduled

9. MANAGER’S REPORT – Town Manager Underwood

- a. Agenda Item Report – Updates on various activities and issues concerning the Town
- b. Direction on Okeechobee/Folsom Speed Signs for FY 2016/2017
- c. Direction on CODE RED Notification Software System
- d. Direction on Joint Meeting with Water Control District on Roads
- e. Council Meeting Schedule for Oct. to Dec. 2016 and Jan. to Sept. 2017
- f. Palm Beach County Sheriff’s Office District 15 Monthly Report for July 2016
- c. Palm Beach County Fire-Rescue Monthly Report for July 2016

10. COUNCIL REPORTS

- a. Council Member Ron Jarriel
 1. Discussion and direction on Assessment of Roads by Bergeron
- b. Vice Mayor Goltzené
 1. Discussion and direction on Charter Amendments
 - a) Canvassing Board
 - b) Manager Duties
 - c) Debt Financing

11. CLOSING COMMENTS

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

12. ADJOURNMENT

The next regular Town Council Meeting and Final Budget Hearing is scheduled for September 20, 2016.

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.



155 F Road • Loxahatchee Groves, Florida 33470 • Telephone (561) 793-2418 • Fax (561) 793-2420 •
www.loxahatcheegrovesfl.gov

September 1, 2016

TO: Vice Mayor Tom Goltzené
Council Member Ron Jarriel
Council Member Ryan Liang
Council Member Todd McLendon

FROM: Mayor Dave Browning

SUBJECT: Request for Mayor Participation by Telephone Due to Scheduling
Conflict for September 8, 2016 Town Council Meeting

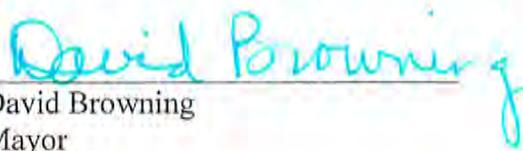
Please accept this letter as my official request to be provided the opportunity to participate in the Town Council Meeting of September 8, 2016, as I will be unable to physically attend said meeting.

Please know that the meeting will include the setting of the Tentative Millage and Tentative Budget for fiscal year 2016-2017 and I believe it is very important that I be able to participate.

As you well know, throughout my service to the Town I have rarely missed a Town Council meeting, but due to a long term commitment I am unable to be at the meeting physically.

I request that the Town Council approve and authorize my participation by telephone at the September 8, 2016 Town Council Meeting.

Your consideration of this request is very much appreciated.



David Browning
Mayor

Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT
AGENDA ITEM NO. 3a
MEETING DATE: 09/08/2016

PREPARED BY: William F. Underwood, II

SUBJECT: Establish Final Residential Solid Waste Rate for FY 2017

1.BACKGROUND/HISTORY

Problem Statement: The Town Council must adopt the final residential Solid Waste rate for FY 2017.

Problem Solution: Adopt a resolution for the final residential Solid Waste rate.

The Town Council established a tentative solid waste rate of \$256.27 that is required pursuant to be advertised through the Truth in Millage Rate (TRIM) to the property owners and citizens in Town or alternately through a first class mailing to all residential property owners. The tentative rate was adopted at the July 19th regular Town Council meeting.

2.CURRENT ACTIVITY

This office had prepared and mailed the FY 2017 tentative residential Solid Waste rate to the property owners pursuant to State of Florida statutes. This is the final public hearing to be held during September for the adoption of the residential solid waste rate. At the July 19th meeting, the Town Council made a number of changes in the estimated revenues, other sources and appropriations for FY 2017.

3.ATTACHMENTS

Resolution No. 2016-63

4.FINANCIAL IMPACT

Estimated final residential solid waste rate is set at \$348,015.

5.RECOMMENDED ACTION

Motion to adopt resolution 2016-63

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-63

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES IN THE TOWN OF LOXAHATCHEE GROVES, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES FOR FISCAL YEAR 2016-2017; IMPOSING A RESIDENTIAL SOLID WASTE COLLECTION ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF LOXAHATCHEE GROVES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Loxahatchee Groves, Florida, enacted Ordinance No. 2008-05, on July 1, 2008, which authorized the imposition of a Residential Solid Waste Collection Assessment, pursuant to the procedures contained within the Town's Code of Ordinances (collectively, "the Ordinance") for the provision of Solid Waste Collection Services for single-family residential properties that receive residential solid waste collection services within the Town, and provided for findings of special benefit and the method of apportionment of the Residential Solid Waste Collection Assessment; and

WHEREAS, the imposition of a Solid Waste Collection Assessment for Solid Waste Collection Services for each Fiscal Year is an equitable and efficient method of allocating and apportioning Residential Solid Waste Collection Assessed Costs among parcels of Assessed Property; and,

WHEREAS, the Town Council desires to impose a Residential Solid Waste Collection Assessment within the Town for the Fiscal Year beginning on October 1, 2016 using the tax bill collection method; and

WHEREAS, the Town Council, on July 21, 2016, adopted Resolution No. 2016-54 (the "2016 Preliminary Assessment Resolution"), referencing the Residential Solid Waste Collection Services to be provided to Assessed Property, describing the method of apportioning the Residential Solid Waste Collection Assessed Cost to compute the Residential Solid Waste Collection Assessment for Solid Waste Collection Services against Assessed Property, estimating a rate of assessment, and directing the preparation of the Assessment Roll and provision of the notice to the affected landowners; and

WHEREAS, in order to impose the Residential Solid Waste Collection Special Assessment for the Fiscal Year beginning October 1, 2016, the Ordinance requires the Town Council to adopt an Annual Rate Resolution during its budget adoption process for each Fiscal Year, which establishes the rate of assessment and approves the Assessment Roll for the upcoming Fiscal Year, with such amendments as the Town Council deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of public hearing has been provided as required by the Ordinance, as evidenced by the Affidavit of Mailing, attached hereto as Exhibit "A", and the proof of publication attached hereto as Exhibit "B"; and

WHEREAS, a public hearing was held on September 8, 2016, and comments and objections of all interested parties have been heard and considered.

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

SECTION 1. The aforementioned “WHEREAS” clauses are hereby ratified as true and correct and incorporated herein.

SECTION 2. AUTHORITY. This Resolution is adopted pursuant to the provisions of the Ordinance, the 2016 Preliminary Assessment Resolution, sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 3. DEFINITIONS AND INTERPRETATION. This Resolution constitutes the Annual Assessment Resolution as defined in the Ordinance. All capitalized terms in this Resolution shall have the meanings defined in the Ordinance and the 2016 Preliminary Assessment Resolution.

SECTION 4. IMPOSITION OF RESIDENTIAL SOLID WASTE COLLECTION ASSESSMENT.

(A) The parcels of Assessed Property described in the Assessment Roll, as updated and which is hereby approved, are hereby found to be specially benefitted by the provision of the Solid Waste Collection Services described in the 2016 Preliminary Assessment Resolution, in the amount of the Residential Solid Waste Collection Assessment set forth in the Assessment Roll, a copy of which was present or available for inspection at the above-referenced public hearing and is incorporated herein by reference. It is hereby ascertained, determined, and declared that each parcel of Assessed Property within the Town will be specifically benefitted by the Town's provision of Residential Solid Waste Collection, facilities and programs in an amount not less than the Residential Solid Waste Collection Assessment of such parcel, computed in the manner set forth in the 2016 Preliminary Assessment Resolution. Adoption of this Annual Assessment Resolution constitutes a legislative determination that all assessed parcels derive a special benefit, as set forth in the Ordinance and the 2016 Preliminary Assessment Resolution, from the Residential Solid Waste Collection Services to be provided, and a legislative determination that the Residential Solid Waste Collection Assessments are fairly and reasonably

apportioned among the properties that receive the special benefit as set forth in the 2016 Preliminary Assessment Resolution.

(B) The method of computing the Residential Solid Waste Collection Assessment described in the 2016 Preliminary Assessment Resolution, as modified, amended, and supplemented herein, is hereby approved.

(C) For the Fiscal Year beginning October 1, 2016, the estimated Residential Solid Waste Collection Assessed Cost to be assessed is \$348,015, which amount may be corrected. The Residential Solid Waste Collection Assessment to be assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Residential Solid Waste Collection Assessed Costs for the 2016-2017 Fiscal Year, commencing October 1, 2016, is hereby established at \$256.27 annually, per Dwelling Unit/Billing Unit. This assessment rate is hereby approved. It is hereby determined that the assessed properties will receive a benefit from solid waste collection services in an amount not less than the amount they are assessed. Except as otherwise provided herein, the Residential Solid Waste Collection Assessment for Residential Solid Waste Collection Services in the amounts set forth in the Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in the Assessment Roll.

(D) The Residential Solid Waste Collection Assessment shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem Assessment. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims, until paid.

(E) The Assessment Roll as herein approved, together with the correction of any errors or omissions, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance.

SECTION 5. CONFIRMATION OF PRELIMINARY ASSESSMENT

RESOLUTION. The Preliminary Assessment Resolution adopted July 19, 2016, except where in conflict herein, is confirmed.

SECTION 6. EFFECT ON ADOPTION OF RESOLUTION. The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the method of apportionment and assessment, the rate of assessment, the Assessment Roll and the levy and lien of the Residential Solid Waste Collection Assessment), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 calendar days from the date of this Annual Assessment Resolution.

SECTION 7. SEVERABILITY. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

SECTION 8. CONFLICTS. That all prior Resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 9. EFFECTIVE DATE. This Annual Assessment Resolution shall take effect immediately upon its passage and adoption.

Council Member _____ offered the foregoing Resolution. 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"/>
RONALD 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"/>

RESOLVED AND ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida, this _____ day of SEPTEMBER 2016.

ATTEST: TOWN OF LOXAHATCHEE GROVES,
FLORIDA

Virginia Walton, Town Clerk

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Tom Goltzené

Office of the Town Attorney

Council Member Ron Jarriel

Council Member Ryan Liang

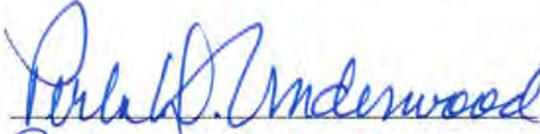
Council Member Todd McLendon

EXHIBIT "A"
AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Perla D. Underwood, who, after being duly sworn, deposes and say:

1. Pursuant to the authority and direction received from the Town Council, I directed the preparation and timely mailing of notices for the September 8, 2016, public hearing in accordance with the Preliminary Rate Resolution adopted by the Town Council on July 19, 2016.
FURTHER AFFIANT SAYETH NOT.


PERLA D. UNDERWOOD Affiant

STATE OF FLORIDA
COUNTY OF PALM BEACH COUNTY

The foregoing Affidavit of Mailing was SWORN TO and subscribed before me this 31st day of August, 2016 by Perla D. Underwood.


NOTARY PUBLIC

Personally known to me *or*
 Produced Identification

Type of identification produced

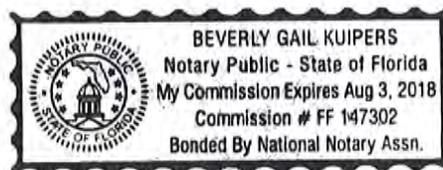
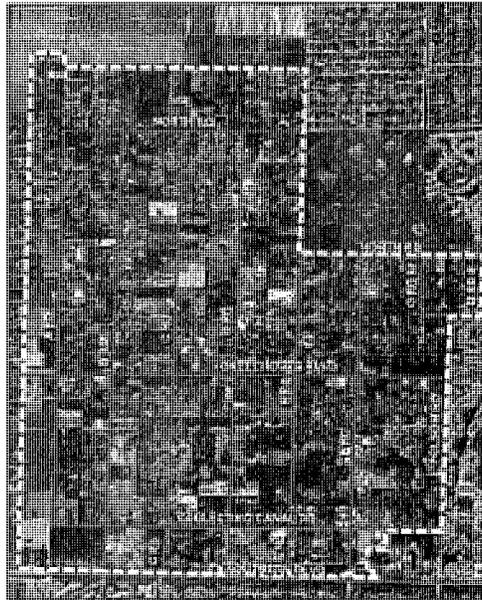


EXHIBIT "B"
PROOF OF PUBLICATION

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENTS

Loxahatchee Groves Municipal Boundary



Notice is hereby given that the Town Council of the Town of Loxahatchee Groves will conduct a public hearing to consider imposing Solid Waste Collection Services Special Assessments upon residential dwelling units that receive residential solid waste collection services, for the Solid Waste Collection Services provided by the Town to such properties within the Town of Loxahatchee Groves.

The hearing will be held at 7:00 p.m., on September 8, 2016, at Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice. If a person decides to appeal any decision made by the Town Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerk's Office at (561) 793-2418, at least seven days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel's classification and the total number of dwelling units attributed to that parcel. The proposed Solid Waste Collection Services Assessment is as follows:

\$256.27 PER DWELLING UNIT

Copies of the Assessment Ordinance, the Preliminary Assessment Resolution and the preliminary Assessment Roll are available for inspection at the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida 33470.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2016, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property, which may result in a loss of title.

If you have any questions, please contact the Town Clerk at (561) 793-2418, Monday through Friday between 9:00 a.m. and 4:00 p.m.

TOWN CLERK TOWN OF LOXAHATCHEE GROVES.

Publish: Wednesday, August 17, 2016

Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT
AGENDA ITEM NO. 3b
MEETING DATE: 09/08/2016

PREPARED BY: William F. Underwood, II

SUBJECT: Establish Tentative Millage Rate for FY 2017

1.BACKGROUND/HISTORY

Problem Statement: The Town Council must adopt a Tentative Millage rate for FY 2017.

Problem Solution: Adopt a resolution for the Tentative Millage rate.

The Town Council established a proposed millage rate of 1.4717 mills that is advertised through the Truth in Millage Rate (TRIM) to the property owners and citizens in Town. The proposed rate was adopted at the July 19th regular Town Council meeting.

2.CURRENT ACTIVITY

This office submitted the FY 2017 proposed millage rate to the Palm Beach County Property Appraiser for use in prepare the TRIM notice to property owners. Two public hearings will be held during September for the adoption of the millage rate. September 8th is the first of the two (2) meetings to hear from the public and modifying this rate, the budget or both during the process. At the July 19th meeting, the Town Council made a number of changes in the estimated revenues, other sources and appropriations for FY 2017.

3.ATTACHMENTS

Resolution No. 2016-64

4.FINANCIAL IMPACT

Estimated ad valorem tax revenue for FY 2017 is set at \$380,098 at 100%. The budget will reflect the ad valorem tax revenue at 95% at \$361,093, per Florida Statutes.

5.RECOMMENDED ACTION

Motion to adopt resolution 2016-64

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-64

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ESTABLISHING THE TENTATIVE ANNUAL MILLAGE RATE FOR THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PURSUANT TO THE BUDGET SUMMARY FOR THE FISCAL YEAR 2016-2017, IN ACCORDANCE WITH CHAPTER 200, FLORIDA STATUTES, AS AMENDED; SETTING FORTH THE DATE, TIME AND PLACE FOR THE SECOND AND FINAL PUBLIC HEARING TO ADOPT THE TOWN'S ANNUAL MILLAGE RATE FOR THE FISCAL YEAR 2016-2017 AND DIRECTING PUBLICATION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the tentative budget has been prepared, estimating the expenses and revenues for the Town of Loxahatchee Groves, Florida (the "Town"), for the ensuing year, with detailed information, including revenues to be derived from sources other than ad valorem levy, and also containing certain recommendations as to the amounts necessary to be appropriate for funding the activities of the Town for the ensuing year; and

WHEREAS, pursuant to Chapter 200, Florida Statutes, as amended (the "Statute"), a method is prescribed for fixing the millage for the purpose of establishing the basis for the collection of said funds; and

WHEREAS, a duly noticed public hearing for the approval of a tentative annual millage rate for the Fiscal Year beginning October 1, 2016, was held on September 8, 2016; and, WHEREAS, the Town, pursuant to Florida law, desires to set its tentative annual millage rate for the Fiscal Year 2016-2017 General Fund Budget at 1.4718 mills, a decrease/**increase** of 14.79% from the 2015-2016 rolled-back millage rate of 1.2822 mills, and to set the second public hearing for adoption of the Town's annual millage rate for the Fiscal Year 2016-2017 for September 20, 2016.

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

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

Section 2. The Town Council, pursuant to Florida law, conducted its first duly noticed public hearing to establish its tentative annual millage for the Fiscal Year 2016-2017 on September 8, 2016, at 7:00 p.m. at the Town Hall, in the Town of Loxahatchee Groves, Florida.

Section 3. The Town Council hereby sets its tentative annual millage rate for the Fiscal Year 2016-2017 at 1.4718 mills, a decrease/**increase** of 14.79% from the 2016-2017 rolled-back millage rate of 1.2822 mills.

Section 4. Pursuant to the Statute, the Town Council shall conduct its second and final public hearing to adopt its annual millage rate for the Fiscal Year 2016-2017 on September 20, 2016, at 7:00 p.m., at the Town Hall, 155 "F" Road, in the Town of Loxahatchee Groves, Florida.

Section 5. The Town Manager and the Town Clerk are herein authorized and directed to prepare and publish the necessary advertisements for the public hearing scheduled in Section 4 herein.

Section 6. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

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

Section 8. This Resolution shall become effective immediately upon its passage and adoption.

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

	Aye	Nay	Absent
DAVIS 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PASSED AND ADOPTED BY THE TOWN OF LOXAHATCHEE GROVES,
FLORIDA, THIS 8th DAY OF SEPTEMBER, 2016.**

TOWN OF LOXAHATCHEE GROVES, FLORIDA

David Browning, Mayor

Vice-Mayor Tom Goltzené

Councilman Ron Jarriel

Councilman Ryan Liang

Councilman Todd McLendon

ATTEST

Virginia Walton, Town Clerk

Office of the Town Attorney

APPROVES AS TO LEGAL FORM _____

Town of Loxahatchee Groves, Florida
Town Council

AGENDA ITEM REPORT

AGENDA ITEM NO. 3c

MEETING DATE: 9/08/2016

PREPARED BY: William F. Underwood, II

SUBJECT: 2017 Annual Budget Discussions

1.BACKGROUND/HISTORY

<p>Legislative Update: At the regular meeting of August 2, 2016, the Town Council made various changes to the 2017 appropriations which have been incorporated herein.</p>

<p>Recommended Action: Motion to adopt Resolution No. 2016-65 .</p>
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Problem Statement: The Town Council must adopt the 2017 annual budget for estimated revenues and appropriations.

Problem Solution: Make recommendations for changes in annual budget estimated revenues and appropriations.

At the July 18, 2017, FAAC meeting, the committee recommended the Council approve the millage rate of 1.4718 mills and the residential solid waste of \$256.27. The committee reviewed estimated revenues and appropriations. Questions and comments arose regarding the various accounts and answers provided.

Beginning October 1, 2016, the Town will begin the fiscal year for 2017. The Council has set the proposed millage and preliminary solid waste assessment at 1.4718 mills and \$256.27 respectively. Additionally, the Council has set September 8, 2016; at 7:00 P.M., in the Town Council Chambers at 155 F Road for the first public hearing to set the tentative millage rate, tentative budget, and final solid waste assessment. Finally, on September 20, 2016; at 7:00 P.M., in the Council Chambers, the final public hearing on the tentative millage and budget will be presented for approval.

2.CURRENT ACTIVITY

While this agenda and meeting will not be the only time the Town Council can make recommendations to the Fiscal Year 2017 budget, staff seeks Council input to the further development of the estimated revenues and appropriations. Therefore, we respectfully request the Town Council review the estimated revenues and appropriations for all funds, General Fund, Transportation Fund, Capital Improvement Fund, and the Solid Waste Fund, and make recommendations regarding the various accounts.

Recommendations made during this meeting will be incorporated into the first public hearing on the budget at the September 8th meeting. Further, staff will bring forward the Town's fiscal policy for adoption at the September 20th public hearing.

3.ATTACHMENTS

Fiscal Year 2017 Estimated Revenues and Appropriations
Statement of Estimated Changes in Fund Balances

4.FINANCIAL IMPACT

Not applicable at this time.

5.RECOMMENDED ACTION

Discuss and recommend, if applicable, changes to the Fiscal Year 2017 estimated revenues and appropriations.

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016 -65

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; SETTING FORTH THE DATE, TIME AND PLACE FOR THE SECOND PUBLIC HEARING FOR THE ADOPTION OF THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, ADOPTING THE FISCAL POLICIES; AND DIRECTING PUBLICATION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, a tentative budget has been prepared by the Town, estimating expenditures and revenues of the Town for the ensuing year, with detailed information, including revenues to be derived from sources other than ad valorem levy, and recommendations have been made as to the amount necessary to be appropriated for the ensuing year; and

WHEREAS, the preliminary millage and budget estimates, in conformity with the Town Charter, and applicable requirements of Florida law, have been filed with the Office of the Town Clerk and Palm Beach County Property Appraiser's Office, and have been open for inspection by the public, and

WHEREAS, a duly noticed public hearing for the approval of a tentative budget for the Fiscal Year beginning October 1, 2016, was held on September 8, 2016, and the Town Council desires to set the date, time and place for the second public hearing for adoption of the Town's final budget for the Fiscal Year beginning October 1, 2016.

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

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

Section 2. The budget estimates, a copy of which are attached hereto and expressly made a part hereof as Exhibit "A", are hereby adopted as the Town's tentative Budget for the Fiscal Year beginning October 1, 2016.

Section 3. The second public hearing for the adoption of the Town's budget for the Fiscal Year beginning October 1, 2016, shall be conducted on September 20, 2016, at 7:00 p.m., at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida.

Section 4. The Fiscal Policies, a copy of which are attached hereto and expressly made a part hereof as Exhibit "B," are hereby adopted.

Section 5. The Town Manager and the Town Clerk are herein authorized and directed to prepare and publish the necessary advertisements for the public hearing scheduled in Section 3 herein.

Section 6. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

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

Section 8. This Resolution shall become effective immediately upon its passage and adoption.

Council Member _____ offered the foregoing resolution. 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>
DAVIS 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, UPON FIRST PUBLIC HEARING THIS ____ DAY OF SEPTEMBER 2016.

ATTEST:

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

Virginia Walton, Town Clerk

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice-Mayor Tom Goltzené

Council Member Ron Jarriel

Office of the Town Attorney

Council Member Ryan Liang

Council Member Todd McLendon

Exhibit "A"
(BUDGET ESTIMATE)

EXHIBIT "B"
FISCAL POLICIES

Exhibit "A"



Town of Loxahatchee Groves, Florida
Estimated Revenues
Fiscal Year 2016-2017

General Fund

Acct Title	Funcio	Tentative
Subtotal Ad Valorem Taxes	311	\$361,093
Subtotal Public Service Tax	314	\$369,143
Subtotal Permits, Fees, Spc Assess	323	\$239,000
Subtotal Intergovernmental	335	\$349,687
Subtotal Charge for Service	341	\$38,500
Subtotal Fines & Forfeitures	351	\$1,000
Subtotal Miscellaneous	361	\$7,500
Subtotal Other Sources	381	\$20,000
Fund Total		\$1,385,923

Exhibit "A"



**Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017**

General Fund

Title	Function	Tentative
Subtotal Operating Expense	511	\$87,435
Total Town Council		\$87,435
Subtotal Operating Expense	512	\$323,594
Total Town Manager		\$323,594
Subtotal Operating Expense	513	\$35,110
Total Financial Services		\$35,110
Subtotal Operating Expense	514	\$90,000
Total Legal Services		\$90,000
Subtotal Operating Expense	515	\$188,334
Total Planning and Zoning		\$188,334
Subtotal Operating Expense	519	\$120,100
Total Code Enforcement		\$120,100
Subtotal Operating Expense	521	\$304,521
Total Police Services		\$304,521
Subtotal Operating Expense	539	\$5,000
Total Public Works		\$5,000
Subtotal Operating Expense	519	\$89,980
Total General Government		\$89,980
Subtotal Operating Expense	519	\$1,286
Subtotal Capital Outlay	519	\$0
Subtotal Grants & Aids	519	\$2,000
Subtotal Non-Operating	519	\$138,563
Total Non-departmental		\$141,849
Fund Total		\$1,385,923



Town of Loxahatchee Groves, Florida
Estimated Revenues
Fiscal Year 2016-2017

Transportation Fund

Acct Title	Funcio	Tentative
Subtotal Sales, Use and Fuel Taxes	312	\$398,310
Subtotal Other Sources	381	\$18,261
Fund Total		\$416,571



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Transportation Fund

Title	Function	Tentative
Subtotal Operating Expense	541	\$388,432
Subtotal Capital Outlay	541	\$28,140
Subtotal Non-Operating	541	\$0
Total Roads - LOGT		\$416,571
Fund Total		\$416,571



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Capital Improvement Fund

Title	Function	Tentative
Subtotal Capital Outlay	541	\$1,918,893
Subtotal Non-Operating	541	\$0
Total Community Improvements		\$1,918,893
Fund Total		\$1,918,893



Town of Loxahatchee Groves, Florida
Estimated Revenues
Fiscal Year 2016-2017

Capital Improvement Fund

Acct Title	Funcio	Tentative
Subtotal Intergovernmental	335	\$0
Subtotal Miscellaneous	366	\$400,000
Subtotal Other Sources	381	\$1,518,893
Fund Total		\$1,918,893



Town of Loxahatchee Groves, Florida
Estimated Revenues
Fiscal Year 2016-2017

Sanitation Fund

Acct Title	Funcio	Tentative
Subtotal Franchise Fees	325	\$337,896
Subtotal Charge for Service	343	\$4,000
Subtotal Miscellaneous	361	\$0
Subtotal Other Sources	381	\$120,302
Fund Total		\$462,198



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Sanitation Fund

Title	Function	Tentative
Subtotal Operating Expense	534	\$462,198
Total Residential Collection		\$462,198
Fund Total		\$462,198



Town of Loxahatchee Groves

155 F Road ▪ Loxahatchee Groves, Florida 33470 ▪ (561) 793-2418 Phone ▪ (561) 793-2420 Fax ▪ www.loxahatcheegrovesfl.gov

MEMORANDUM

TO: Mayor and Town Council

FROM: William F. Underwood, II, Town Manager, ICMA-CM, CGFO *WFM*

DATE: August 12, 2016

RE: Proposed FY 2017 Preliminary Recommended Annual Town Budget and Capital Improvement Plan

INTRODUCTION

This memorandum transmits the Town Manager's preliminary recommended Town Budget for FY 2017 and Capital Improvement Plan (CIP). The recommended budget for all funds is about 31% less than the FY2016 appropriations and is funded at \$4,183,585 which includes the following:

- General Fund Budget - \$1,385,923 - representing 33% of the total budget
- Transportation - \$ 416,571 – representing 10% of the total budget
- Capital Improvement Program - \$1,918,893 – representing 46% of the total FY 2017 budget
- Solid Waste \$462,198 – representing -2% of the total budget

The proposed budget includes revenue generated by Ad Valorem taxes at a millage rate of **1.4718** mills, which is the same millage rate the Town adopted for FY 2016. This rate is about **11.2%** above the maximum rolled-back rate of 1.3075 mills. This maximum millage rolled-back rate is equal to a rolled-back rate calculated using the prior year taxes that would have been levied if the maximum majority vote millage rate had been adopted.

However, the proposed millage rate of 1.4718 mills is 14.79% above the current year rolled-back rate of 1.2822 mills. This millage rate is recommended for two reasons. First, this millage rate provides enough of a financial buffer to meet the State Statute requirements commonly referred to as the "Three (3) Mill Equivalency" which means the Town must produce \$1,140,752.31 in revenue through specific sources. Secondly and more importantly, the approximate \$49,477 in extra revenue is used along with other funds to reduce the Town's residential solid waste assessment.

A typical 5-acre home site with the standard \$50,000 homestead exemption would see about a \$2.73 increase in ad valorem taxes while this same home would experience no **(\$0.00)** increase in their solid waste assessment for the second straight year.

We believe this budget is presented as a working document the Council can review, and provide guidance at both the September 8th and 20th meetings.

BUDGET HIGHLIGHTS

The FY 2017 budget proposed by Town Management reflects an intention to continue moving the Town forward in a progressive manner. The Town’s FAAC has reviewed the annual operating budgets and CIP that was submitted to them at their July 13th meeting. The FAAC recommended the approval of the millage rate of 1.4718 mills, the solid waste assessment at \$257.27 and adopt the budget to the Town Council.

General Fund

Tentative General Fund revenues are down \$200,134 from the current fiscal year. The reduction is primarily due to less reliance on using unassigned Fund Balance that is down \$291,621.

General Fund Estimated Revenues

Title	Current Budget	Tentative Budget	Change
Ad Valorem Taxes	\$311,616	\$361,093	\$49,477
Electric Utility Tax	\$233,000	\$275,000	\$42,000
Communications Services	\$91,919	\$88,143	(\$3,776)
County Occupational License	\$6,000	\$6,000	\$0
Building Permits	\$7,000	\$12,500	\$5,500
FPL Franchise Fee	\$200,000	\$200,000	\$0
Hauler's Franchise Fee	\$1,050	\$1,500	\$450
PBC Water Utility Franchise	\$14,000	\$25,000	\$11,000
State Revenue Sharing	\$90,890	\$87,559	(\$3,331)
Half Cent Sales Tax	\$260,461	\$262,128	\$1,667
General Government Charges	\$3,000	\$3,500	\$500
Cost Recovery Fees	\$47,000	\$35,000	(\$12,000)
Court Fines	\$0	\$0	\$0
Code Enforcement Fines	\$1,000	\$1,000	\$0
Interest	\$200	\$200	\$0
Contributions and Donations Private Sources	\$7,000	\$7,000	\$0
Other Misc. Income	\$300	\$300	\$0
Transfer from Fund Balance	\$311,621	\$20,000	(\$291,621)
Transfer from CIP Fund	\$0	\$0	\$0
Transfer from Solid Waste Fund	\$0		\$0
Total Estimated Revenues	\$1,586,057	\$1,385,923	(\$200,134)

If not for the improved electric utility tax, ad valorem tax, and PBC Utility Franchise the reduction in the General Fund estimated revenues and other sources would have been much more. Since Cost Recovery Fees are equivalent to the expenditure, its impact positive or negative does not affect the bottom line in the General Fund budget. The following table reflects changes from the current fiscal year to the tentative budget.

General Fund appropriations were modified to match the reduced revenues. The most significant reduction is in the Non-departmental Department as there is a \$296,664 reduction in a transfer to the Capital Improvement Fund.

General Fund Appropriations

Department Title	Current Budget	Tentative Budget	Diff
Town Council	\$71,995	\$87,435	(\$15,440)
Town Manager	\$315,769	\$323,594	(\$7,825)
Financial Services	\$33,216	\$35,110	(\$1,894)
Legal Services	\$90,000	\$90,000	\$0
Planning and Zoning	\$215,822	\$188,334	\$27,488
Code Enforcement	\$30,000	\$120,100	(\$90,100)
Police Services	\$298,746	\$304,521	(\$5,775)
Public Works	\$5,000	\$5,000	\$0
General Government	\$89,852	\$89,980	(\$128)
Non-departmental	\$435,657	\$141,849	\$293,808
Total General Fund	\$1,586,057	\$1,385,923	\$200,134

Other departments had increases to accommodate additional efforts in Town Council lobbying efforts, which includes funding for more travel and a full year increase to Council based on the changes made in the 2016 ordinance for Council compensation. In the Town Manager budget, the most significant increase is related to the 3% increase in the management services contract that is incorporated into both the Town Manager and Planning & Zoning Departments only. Financial Services had a \$3,894 increase due to additional financial software training. There is no anticipated change in Legal Services in the tentative budget. The Planning and Zoning Department is increasing about 13% due in large part to the \$25,000 increase in modifying the Town’s Comprehensive Plan. Code Enforcement Department is new this year and reflects about a 91% increase due to the inclusion of full time contractual services increase from the prior year. There is no contract increase by management included for this fiscal year. Police Services Department provided by Palm Beach County Sheriff reflects a 2% increase in the annual contact amount. The General Government Department is to account for costs associated with maintaining the general governmental facilities and operations. The cost increase is insignificant to the

operations of the Town. Non-departmental Department is used to record costs or associated transfers out of the General Fund to other funds or entities, such as C.E.R.T.

The General Fund and other funds had changes from that proposed by the Town Manager and the FAAC in specific line items and funds.

Transportation Fund

The Transportation Fund is used to record specific revenues related to gas taxes collected in Florida and distributed to municipal local governments. The Town receives two specific forms of revenue for this fund as shown in the table below.

Transportation Fund

Title	Current Budget	Tentative Budget	Change
1st Local Option Fuel Tax (6c)	\$249,245	\$272,430	\$23,185
2nd Local Option Fuel Tax (5c)	\$117,326	\$125,880	\$8,554
Transfer from Fund Balance	\$1,140,000		(\$1,140,000)
Contribution from General Fund	\$0	\$18,261	\$18,261
Total Estimated Revenues	\$1,506,571	\$416,571	(\$1,090,000)

As is shown, the Transportation Fund proposed to consume \$1,140,000 in the current year of funds that will not be available in future years. In order to meet the anticipated expenditures of this fund, the General Fund is providing \$18,261. Both the 1st and 2nd Local Option Fuel Taxes are estimated to increase based on the State of Florida calculations of about \$32,000.

Transportation Fund

Title	Current Budget	Tentative Budget	Change
Road Maintenance District-6c	\$93,738	\$86,431	(\$7,307)
Traffic Control Signs-6c	\$15,000	\$10,000	(\$5,000)
Town Roads Maint.-6c	\$322,833	\$292,000	(\$30,833)
Road and Streets -new construction-5c	\$0		\$0
Special Projects	\$75,000	\$28,139	(\$46,861)
Road and Streets -new construction-6c	\$0		\$0
Transfer to Capital Projects	\$1,000,000	\$0	(\$1,000,000)
Transfer to Fund Balance 5ct.	\$0		\$0
Transfer to Fund Balance 6ct.	\$0		\$0
Total Appropriations	\$1,506,571	\$416,571	(\$1,090,000)

As shown above, the Transportation Fund is slated to perform mostly maintenance on the town roads during the next fiscal year.

Capital Improvement Fund

The Capital Improvement Fund is used to record major capital improvements that generally take more than one fiscal year to complete. Typically, this fund reflects infrastructure improvements that have been or will be identified in the Town’s capital improvement element in the Comprehensive Plan adopted by the Town Council. The major emphasis for a number of years has been Town road improvements.

Capital Improvement Fund

Title	Current Budget	Tentative Budget	Changes
Transfer from Fund Balance	\$1,153,081	\$1,518,893	\$365,812
Contribution from General Fund	\$296,664		(\$296,664)
Contributions from Transportation Fund	\$1,000,000		(\$1,000,000)
Local Govt Unit Grant - Physical Environment	\$0		\$0
Contributions and Donations Private Sources	\$1,211,741	\$400,000	(\$811,741)
Total Estimated Revenues and Other Sources	\$3,661,486	\$1,918,893	(\$1,742,593)

This fund has had a significant reduction from the prior year as the B Road improvement project finishes up and the Town begins to consume available resources within the fund.

Capital Improvement Fund

Title	Current Budget	Tentative Budget	Changes
Surveying Town Roads	\$100,000	\$100,000	\$0
Road and Streets -new construction-6c	\$1,000,000	\$1,000,000	\$0
Construct Town Roads - "B" & "D" Road	\$1,211,741	\$500,000	(\$711,741)
Drainage	\$1,150,000	\$200,000	(\$950,000)
Trails	\$40,000	\$40,000	\$0
Trails - Town	\$130,852	\$50,000	(\$80,852)
Land Acquisition	\$28,893	\$28,893	\$0
Transfer to Fund Balance	\$0.00		
Total Appropriations	\$3,661,486	\$1,918,893	(\$1,742,593)

The Town will continue to survey various roads for the record while we complete the B Road project and include funds for a portion of D Road (Big Dog Ranch). Drainage and road improvements are at the forefront of the Town Council decision making. In the last election, citizens voted they wanted road improvements but did not want to pay for them. While this funding (\$2,150,000) will not be sufficient to improve much of our Town roads, it will provide some relief to some of the citizens. It is the intent to use these funds for roads other than the lettered roads. We will also be working to get trails open for public use during the next year after we have determined that connectivity exists through the east to

west and south to north corridors. This is an ambitious schedule and the Council will strive to make the proposed improvements.

Solid Waste Fund

The Solid Waste Fund is a business-like fund used in the Town to record special assessment revenues to be used to pay for the removal of solid waste materials for the town citizens. The assessments are slated to remain at the same level for a single-family resident at \$256.27 per year based on the preliminary rate proposed by the Town Council. Due to staff efforts, we are seeing a slight increase in revenue due to locating more units that are residential within the Town. The Council is able to keep the annual rate at the same level as last year due to the contribution the Council is providing from the Town’s General Fund.

Solid Waste Fund

Title	Current Budget	Tentative Budget	Changes
Solid Waste Assessments	\$337,253	\$348,014	\$10,762
Discount Fees	(\$10,118)	(\$10,118)	(\$1)
SWA Recycling Income	\$5,500	\$4,000	(\$1,500)
Interest	\$0	\$0	\$0
Contribution from General Fund	\$115,583	\$120,302	\$4,719
Transfer from Fund Balance	\$0	\$0	\$0
Total Estimated Revenues and Other Sources	\$448,218	\$462,198	\$13,980.00

As you will read below, the Town has anticipated performing a solid waste stream or similar study in order to determine the contribution that all parcels should provide for the removal of solid waste. Currently, only residential property is assessed; however, expenditures occur throughout the year to remove waste products that have been dumped within the town. The solid waste removal contract is increased 2%.

Solid Waste Fund

Title	Current Budget	Tentative Budget	Changes
Contractual - Waste Oversight	\$0	\$0	\$0
Other Sanitation Service	\$14,622	\$20,000	\$5,378
Solid Waste Contractor	\$428,645	\$437,218	\$8,573
Legal Advertising	\$500	\$500	\$0
PBC Administration Fee - 1%	\$3,373	\$3,480	\$107
Postage & Freight	\$1,078	\$1,000	(\$78)
Total Appropriations	\$448,218	\$462,198	\$13,980

Council Actions

Specifically, at the July 22nd Town Council meeting, the Council modified specific programs in the Proposed budget. Those changes are now incorporated into the FY 2017 Proposed budget. Specifically, the budget implemented the following:

- Maintain the millage rate at 1.4718 mills which is the same millage rate as last year and produces \$49,477 in additional revenue. This extra revenue is used to help reduce the solid waste assessment burden.
- Increase General Fund revenue and other sources by including \$20,000 from Unassigned Fund Balance for ultimate transfer to the Solid Waste Fund.
- Increase the Town Council budget for the 10th anniversary of incorporation by reallocating \$2,000 from the account for special events/contributions items of other unscheduled events.
- Modified the Financial Services Department by moving \$1,800 from Computer Services to Legal Advertising.
- Increase Planning and Zoning Department for Comprehensive Planning by \$25,000 to \$40,000 to accommodate increased activity to modify the Comprehensive Plan and the Unified Land Development Code (ULDC).
- Decreased the Non-departmental Department by \$5,000. The reduction is due to Council action to reallocate \$25,000 from Contingency to the Planning and Zoning Department for Comprehensive Plan changes. Additionally, the department had an increase of \$20,000 from Unassigned Fund Balance allocated to the Transfer to Solid Waste Fund to pay for a waste stream study that affects all properties within the Town.

SUMMARY

Of course, the Town Council will have the two subsequent hearings in September to further modify the budget presented herein. During the next fiscal year, through the implementation of this budget, the Council and staff will continue to move forward with the development of road improvements, development of horse trails as directed, continued replacement of traffic control signage, grading, mowing, watering, and tree trimming maintenance on Town roads.

We believe this proposed budget meets or exceeds many of the community needs that will be met through implementation.

- The Town's millage rate remains at 1.4718 mills.
- The Town's residential solid waste rate stays at \$256.27 per residential unit.



CERTIFICATION OF TAXABLE VALUE

Reset Form

Print Form

DR-420
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year : 2016	County : PALM BEACH
Principal Authority : LOXAHATCHEE GROVES	Taxing Authority : Loxahatchee Groves

SECTION I : COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	247,327,177	(1)
2.	Current year taxable value of personal property for operating purposes	\$	10,926,328	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	0	(3)
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	258,253,505	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	4,466,868	(5)
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	253,786,637	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	221,087,392	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0 (8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, <i>Certification of Voted Debt Millage</i> forms attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0 (9)

Property Appraiser Certification	I certify the taxable values above are correct to the best of my knowledge.		
SIGN HERE	Signature of Property Appraiser:	Date :	
	Electronically Certified by Property Appraiser	6/29/2016 8:32 AM	

SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-

10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>		1.4718	per \$1,000 (10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	325,396	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	0	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	325,396	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	0	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	253,786,637	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>		1.2822	per \$1000 (16)
17.	Current year proposed operating millage rate		1.4718	per \$1000 (17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$	380,098	(18)

19.	TYPE of principal authority (check one)	<input type="checkbox"/> County	<input type="checkbox"/> Independent Special District	(19)
		<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Water Management District	
20.	Applicable taxing authority (check one)	<input checked="" type="checkbox"/> Principal Authority	<input type="checkbox"/> Dependent Special District	(20)
		<input type="checkbox"/> MSTU	<input type="checkbox"/> Water Management District Basin	
21.	Is millage levied in more than one county? (check one)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(21)

DEPENDENT SPECIAL DISTRICTS AND MSTUs		STOP HERE - SIGN AND SUBMIT
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22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>	\$	325,396	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>		1.2822 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>	\$	331,133	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>	\$	380,098	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>		1.4718 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, minus 1, multiplied by 100)</i>		14.79 %	(27)

First public budget hearing	Date :	Time :	Place :
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S I G N H E R E	Taxing Authority Certification		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer :			Date :	
	Title :		Contact Name and Contact Title :		
	William F. Underwood, II, TOWN MANAGER		Virginia Walton, TOWN CLERK		
	Mailing Address :		Physical Address :		
155 F Road		155 F Road			
City, State, Zip :		Phone Number :	Fax Number :		
LOXAHATCHEE GROVES, FLORIDA 33470		5617932418	5617932420		



Reset Form

Print Form

MAXIMUM MILLAGE LEVY CALCULATION PRELIMINARY DISCLOSURE

For municipal governments, counties, and special districts

DR-420MM-P
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year: 2016	County: PALM BEACH
Principal Authority : LOXAHATCHEE GROVES	Taxing Authority: Loxahatchee Groves
1. Is your taxing authority a municipality or independent special district that has levied ad valorem taxes for less than 5 years?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (1)
IF YES, STOP HERE. SIGN AND SUBMIT. You are not subject to a millage limitation.	
2. Current year rolled-back rate from Current Year Form DR-420, Line 16	1.2822 per \$1,000 (2)
3. Prior year maximum millage rate with a majority vote from 2015 Form DR-420MM, Line 13	1.5006 per \$1,000 (3)
4. Prior year operating millage rate from Current Year Form DR-420, Line 10	1.4718 per \$1,000 (4)
If Line 4 is equal to or greater than Line 3, skip to Line 11. If less, continue to Line 5.	
Adjust rolled-back rate based on prior year majority-vote maximum millage rate	
5. Prior year final gross taxable value from Current Year Form DR-420, Line 7	\$ 221,087,392 (5)
6. Prior year maximum ad valorem proceeds with majority vote <i>(Line 3 multiplied by Line 5 divided by 1,000)</i>	\$ 331,764 (6)
7. Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value from Current Year Form DR-420 Line 12	\$ 0 (7)
8. Adjusted prior year ad valorem proceeds with majority vote <i>(Line 6 minus Line 7)</i>	\$ 331,764 (8)
9. Adjusted current year taxable value from Current Year form DR-420 Line 15	\$ 253,786,637 (9)
10. Adjusted current year rolled-back rate <i>(Line 8 divided by Line 9, multiplied by 1,000)</i>	1.3073 per \$1,000 (10)
Calculate maximum millage levy	
11. Rolled-back rate to be used for maximum millage levy calculation <i>(Enter Line 10 if adjusted or else enter Line 2)</i>	1.3073 per \$1,000 (11)
12. Adjustment for change in per capita Florida personal income <i>(See Line 12 Instructions)</i>	1.0375 (12)
13. Majority vote maximum millage rate allowed <i>(Line 11 multiplied by Line 12)</i>	1.3563 per \$1,000 (13)
14. Two-thirds vote maximum millage rate allowed <i>(Multiply Line 13 by 1.10)</i>	1.4919 per \$1,000 (14)
15. Current year proposed millage rate	1.4718 per \$1,000 (15)
16. Minimum vote required to levy proposed millage: (Check one) (16)	
<input type="checkbox"/> a. Majority vote of the governing body: Check here if Line 15 is less than or equal to Line 13. The maximum millage rate is equal to the majority vote maximum rate. Enter Line 13 on Line 17.	
<input checked="" type="checkbox"/> b. Two-thirds vote of governing body: Check here if Line 15 is less than or equal to Line 14, but greater than Line 13. The maximum millage rate is equal to proposed rate. Enter Line 15 on Line 17.	
<input type="checkbox"/> c. Unanimous vote of the governing body, or 3/4 vote if nine members or more: Check here if Line 15 is greater than Line 14. The maximum millage rate is equal to the proposed rate. Enter Line 15 on Line 17.	
<input type="checkbox"/> d. Referendum: The maximum millage rate is equal to the proposed rate. Enter Line 15 on Line 17.	
17. The selection on Line 16 allows a maximum millage rate of <i>(Enter rate indicated by choice on Line 16)</i>	1.4718 per \$1,000 (17)
18. Current year gross taxable value from Current Year Form DR-420, Line 4	\$ 258,253,505 (18)

Continued on page 2

19.	Current year proposed taxes <i>(Line 15 multiplied by Line 18, divided by 1,000)</i>	\$ 380,098	(19)
20.	Total taxes levied at the maximum millage rate <i>(Line 17 multiplied by Line 18, divided by 1,000)</i>	\$ 380,098	(20)

DEPENDENT SPECIAL DISTRICTS AND MSTUs		STOP HERE. SIGN AND SUBMIT.
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21.	Enter the current year proposed taxes of all dependent special districts & MSTUs levying a millage. <i>(The sum of all Lines 19 from each district's Form DR-420MM-P)</i>	\$ 0	(21)
22.	Total current year proposed taxes <i>(Line 19 plus Line 21)</i>	\$ 380,098	(22)

Total Maximum Taxes

23.	Enter the taxes at the maximum millage of all dependent special districts & MSTUs levying a millage <i>(The sum of all Lines 20 from each district's Form DR-420MM-P)</i>	\$ 0	(23)
24.	Total taxes at maximum millage rate <i>(Line 20 plus Line 23)</i>	\$ 380,098	(24)

Total Maximum Versus Total Taxes Levied

25.	Are total current year proposed taxes on Line 22 equal to or less than total taxes at the maximum millage rate on Line 24? (Check one)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	(25)
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S I G N H E R E	Taxing Authority Certification	I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer :		Date :	
	Title : William F. Underwood, II, TOWN MANAGER		Contact Name and Contact Title : Virginia Walton, TOWN CLERK	
	Mailing Address : 155 F Road		Physical Address : 155 F Road	
	City, State, Zip : LOXAHATCHEE GROVES, FLORIDA 33470		Phone Number : 5617932418	Fax Number : 5617932420

Complete and submit this form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure, to your property appraiser with the form DR-420, Certification of Taxable Value.

Statement of Estimated Changes in Fund Balances

General Fund			
CAFR UNASSIGNED FUND BALANCE			
9/30/15 Fund Balance	\$454,232		
FY 2016 Estimated Change	<u>\$160,000</u>		
FY 2016 Est. Total Fund Balance	\$614,232		
FY2017 Fiscal Policy Reserve @ 25%	<u>(\$341,481)</u>		
FY 2017 Est. Total Fund Balance Change	<u>(\$20,000)</u> Revised pursuant to TC approval 7/19/2016 meeting		
FY 2017 Est. Total Fund Balance	\$252,751		
Transportation Fund			
CAFR UNASSIGNED FUND BALANCE			
9/30/15 Fund Balance	\$314,007		
FY 2016 Estimated Change	<u>(\$240,000)</u>		
FY 2016 Est. Total Fund Balance	\$74,007		
5 cent Fund Balance	6 cent Fund Balance		
9/30/15 Fund Balance	\$419,622	9/30/15 Fund Balance	\$533,044
FY 2016 Estimated Change	<u>(\$390,000)</u>	FY 2016 Estimated Change	<u>(\$510,000)</u>
FY 2016 Est. Total Fund Balance	\$29,622	FY 2016 Est. Total Fund Balance	\$23,044
FY 2017 Appropriated (Budgeted) Fund Balance	\$0	FY 2017 Appropriated (Budgeted) Fund Balance	\$0
FY 2017 Est. Total ASSIGNED Fund Balance	\$29,622	FY 2017 Est. Total ASSIGNED Fund Balance	\$23,044
FY 2017 Est. Total ASSIGNED Fund Balance		\$126,673	
Solid Waste Fund			
CAFR UNASSIGNED FUND BALANCE			
9/30/15 Fund Balance	\$29,594		
FY 2016 Estimated Change	-		
FY 2016 Est. Total Fund Balance	\$29,594		
Fiscal Policy Reserve @ 0% to 10%	\$0		
FY 2016 Est. Total Fund Balance	\$29,594		
FY 2017 Appropriated (Budgeted) Fund Balance	\$0		
FY 2017 Est. Total ASSIGNED Fund Balance	\$29,594		
Capital Improvement Program			
CAFR ASSIGNED FUND BALANCE			
9/30/15 Fund Balance	\$1,113,081		
9/30/15 Fund Balance - North Road Trail	\$40,000		
FY 2016 Estimated Change	<u>\$929,000</u>		
FY 2016 Est. Total ASSIGNED Fund Balance	\$2,082,081		
Rollover Reserve - South D Road Contribution	<u>(\$100,000)</u>		
FY 2017 Appropriated (Budgeted) Fund Balance	<u>(\$1,518,893)</u> Revised pursuant to TC approval 7/19/2016 meeting added \$800,000		
FY 2017 Est. Total ASSIGNED Fund Balance	\$463,188		



Town of Loxahatchee Groves, Florida

Estimated Revenues

Fiscal Year 2016-2017

General Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description									
	31000	Ad Valorem Taxes	\$208,173	\$229,355	\$311,616.00	\$294,428.00	\$361,093	\$361,093	\$361,093
		Florida Statutes §166.211 authorizes the Town, in a manner not inconsistent with general law, to levy Ad Valorem taxes on real and tangible personal property in an amount not to exceed 10 mills less the 3.4581 mills, levied by PBC Fire MSTU, leaving a Town available millage rate of 6.5419 mills. Ad Valorem Taxes are also known as property taxes.							
		Preliminary budget based on 2016 Estimate of taxable value of \$255,889,549 is up \$33,022,709 from \$222,866,840. The July 1, 2016 current final gross taxable value is \$258,253,505 which is \$35,386.665 more than the prior year. Management proposes no changes in millage rate of 1.4718 mills, and proposed amount represents 95% of total Ad Valorem taxes and is an additional \$49,477.					\$361,093	\$361,093	\$361,093
		Subtotal Ad Valorem Taxes	\$208,173	\$229,355	\$311,616	\$294,428	\$361,093	\$361,093	\$361,093
	31410	Electric Utility Tax	\$255,191	\$257,661	\$233,000.00	\$190,077.00	\$275,000	\$275,000	\$275,000
		Town Ordinance 2007-04 grants Florida Power & Light the non-exclusive right to collect a 10% utility tax on behalf of the Town.							
		Historical data has shown an indication of improved economic factors.					\$275,000	\$275,000	\$275,000
	31500	Communications Services	\$100,688	\$91,442	\$91,919.00	\$67,443.00	\$88,143	\$88,143	\$88,143
		Florida Statutes §202.19 authorizes the Town to adopt Local Communication Services Tax (CST). The Town adopted Ordinance 2007-04 on August 7, 2007 establishing 5.10% tax.							
		Current trend rate of receipts, contribution continues to decrease. Estimate based on FY2016 year state revenue estimating conference projections. FY2017 projections were made available July 13, 2016.					\$88,143	\$88,143	\$88,143
	31600	County Occupational License	\$8,098	\$10,528	\$6,000.00	\$4,837.00	\$6,000	\$6,000	\$6,000
		The Town does not collect a business tax receipt, but does charge a \$20 processing fee on all new business tax receipt applications for submission to PBC. The Town receives a proportional business tax distribution from PBC.							
		No anticipated increase.					\$6,000	\$6,000	\$6,000
		Subtotal Public Service Tax	\$255,191	\$257,661	\$330,919	\$262,357	\$369,143	\$369,143	\$369,143
	30430	FPL Franchise Fee	\$204,892	\$210,515	\$200,000.00	\$136,726.00	\$200,000	\$200,000	\$200,000
		Ordinance 2007-01 granting Florida Power & Light Company an electric franchise was effective May 1, 2007. Town received 5.9% of the net revenue generated to FP&L from the Town.							
		Using the audited FY15 actual, the current receipts do not reflect user increase of electric. No increase is anticipated.					\$200,000	\$200,000	\$200,000
	31900	Hauler's Franchise Fee	\$3,805	\$1,525	\$1,050.00	\$1,515.00	\$1,500	\$1,500	\$1,500
		Ordinance No. 2012-03 relating to disposal and use of Manure. Transporters Annual Permit Fees of \$500.00.							
		No increase is estimated.					\$1,500	\$1,500	\$1,500



Town of Loxahatchee Groves, Florida

Estimated Revenues Fiscal Year 2016-2017

General Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description									
	32330	PBC Water Utility Franchise	\$11,548	\$9,206	\$14,000.00	\$14,417.00	\$25,000	\$25,000	\$25,000
		Water Utility Franchise Agreement with Palm Beach County of February 2, 2009 provides a 10% utility franchise fee to all Town utility customers.							
		Increase estimated for next year as a result of the new development connections to PBC Water Utilities					\$25,000	\$25,000	\$25,000
	32900	Building Permits	\$7,224	\$9,612	\$7,000.00	\$20,864.00	\$12,500	\$12,500	\$12,500
		Resolution No. 2016-14 adopted April 2016 set new permit/application fees as it relates to planning and zoning, building, and miscellaneous charges.							
		The Town does not issue Building Permits, but does charge a building permit application review fee in the amount of \$60. All improvements that requires a PBC permit must first submit all permits and plans to the Town for review and approval prior to acceptance by PBC. Current trend rate of receipts continues to increase.					\$12,500	\$12,500	\$12,500
		Subtotal Permits, Fees, Spc Assess	\$204,892	\$210,515	\$222,050	\$173,522	\$239,000	\$239,000	\$239,000
	35150	State Revenue Sharing	\$79,818	\$82,036	\$90,890.00	\$60,199.00	\$87,559	\$87,559	\$87,559
		Created under the Florida Revenue Sharing Action of 1972 whereby a portion of monies collected by the State are returned to counties and municipalities based on population. The proportional contribution of each source during the state fiscal year ending 2015, as determined by the DOR, is also noted. 1.3517 percent of sales and use tax collections = 75.14% of total funding One-cent municipal fuel tax on motor fuel = 24.86% of total funding							
		Estimate based on state revenue estimating conference projections for FY2017 provided on July 11, 2016.					\$87,559	\$87,559	\$87,559
	35180	Half Cent Sales Tax	\$232,071	\$246,420	\$260,461.00	\$188,131.00	\$262,128	\$262,128	\$262,128
		Authorized in 1982, the Local Government Half-cent Sales Tax Program generates the largest amount of revenue for local governments among the state-shared revenue sources currently authorized by the Legislature. The program includes three distributions of state sales tax revenues collected pursuant to ch. 212, F.S. The ordinary distribution to eligible county and municipal governments is possible due to the transfer of 8.8854 percent of net sales tax proceeds to the Local Government Half-cent Sales Tax Clearing Trust Fund Revenue generated from the State of Florida sales tax distributed to local municipalities in direct proportion to the relationship and are unrestricted in their use.							
		Estimate based on state revenue estimating conference projections for FY2017 provided on June 28, 2016.					\$262,128	\$262,128	\$262,128
		Subtotal Intergovernmental	\$79,818	\$82,036	\$351,351	\$248,330	\$349,687	\$349,687	\$349,687
	34000	General Government Charges	\$3,808	\$4,660	\$3,000.00	\$4,435.00	\$3,500	\$3,500	\$3,500
		Resolution No. 2016-14 adopted April 2016 set new fees for miscellaneous charges.							
		Charges include fees for lien searches, foreclosure registrations, room rental charges, public record requests, and photo copy charges.					\$3,500	\$3,500	\$3,500



Town of Loxahatchee Groves, Florida

Estimated Revenues

Fiscal Year 2016-2017

General Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description									
	34190	Cost Recovery Fees	\$27,858	\$100,519	\$47,000.00	\$50,477.00	\$35,000	\$35,000	\$35,000
		Escrow account are required for development to include preliminary plat review, special exception, site plan, future land use, and rezoning matters. All planning, legal, engineering, advertising, and other related costs relative to a request to be funded completed by applicant.							
		Estimate used will be for appropriation to perform this function.					\$35,000	\$35,000	\$35,000
		Subtotal Charge for Service	\$3,808	\$4,660	\$50,000	\$54,912	\$38,500	\$38,500	\$38,500
	35150	Court Fines	\$0	\$0	\$0.00	\$0.00	\$0	\$0	\$0
		Used to account for funds received through traffic violations within the Town's limits.							
	35400	Code Enforcement Fines	\$9,647	\$7,014	\$1,000.00	\$0.00	\$1,000	\$1,000	\$1,000
		The Town has a reactive code enforcement system and fees generated can not be predicted with any level of confident accuracy					\$1,000	\$1,000	\$1,000
		Subtotal Fines & Forfeitures	\$0	\$0	\$1,000	\$0	\$1,000	\$1,000	\$1,000
	36110	Interest	\$158	\$50	\$200.00	\$33.00	\$200	\$200	\$200
		Interest earnings continue to languish; however, slightly improved earnings should occur with the investments into FMIvT and LGIT investment pools.					\$200	\$200	\$200
	36990	Other Misc. Income	\$42,991	\$150	\$300.00	\$240.00	\$300	\$300	\$300
		Election filing fees, insurance reimbursements, and other non-classified revenues specifically identified.					\$300	\$300	\$300
	36991	Contributions and Donations	\$0	\$0	\$7,000.00	\$0.00	\$7,000	\$7,000	\$7,000
		Private Sources							
		Resolution No. 2015-09 Exhibit D requires for an annual payment in lieu of taxes. Contribution in the amount of \$7000 in the initial year, to escalate at a rate of 3% per year.							
		P. I. L. O. T. funding from Big Dog Ranch.					\$7,000	\$7,000	\$7,000
		Subtotal Miscellaneous	\$158	\$50	\$7,500	\$273	\$7,500	\$7,500	\$7,500
	38100	Transfer from Fund Balance	\$0	(\$25,000)	\$311,621.00	\$0.00	\$0	\$0	\$20,000
		No funds anticipated this FY 2017.							\$20,000
		Town Council approved at the 8/2/2016 meeting to use fund balance for solid waste.							
	38135	Transfer from CIP Fund	\$0	\$1,000,000	\$0.00	\$0.00	\$0	\$0	\$0
	38145	Transfer from Solid Waste Fund	\$0	\$0	\$0.00	\$0.00			
		No funds anticipated this FY17							
		Subtotal Other Sources	\$0	(\$25,000)	\$311,621	\$0	\$0	\$0	\$20,000



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

General Fund

Revenues

0	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
Acct#	- Description							
	Department Total	\$208,173	\$229,355	\$1,586,057	\$1,033,822	\$1,365,923	\$1,365,923	\$1,385,923



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

General Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Fund Total	\$208,173	\$229,355	\$1,586,057	\$1,033,822	\$1,365,923	\$1,365,923	\$1,385,923



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

General Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Report Total	\$208,173	\$229,355	\$1,586,057	\$1,033,822	\$1,365,923	\$1,365,923	\$1,385,923



Town of Loxahatchee Groves, Florida

Estimated Appropriations

Fiscal Year 2016-2017

General Fund

Town Council

10	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description									
	53100	Professional Services	\$650	\$4,613	\$10,400.00	\$0.00	\$20,000	\$20,000	\$20,000
		Used for various services such as legal, lobbying, and other similar services Codification of all Town Ordinances.							
	54000	Travel	\$0	\$0	\$3,000.00	\$4,516.81	\$7,000	\$7,000	\$7,000
		Town Council travel expenses to attend various state and local legislative events as deemed necessary. To include expenses for transportation, hotels, meals, and incidentals.							
		Florida League of Cities Annual Conference					\$7,000	\$7,000	\$7,000
		Palm Beach County Days - Tallahassee, FL							
		Pre Legislative Conference - Orlando, FL							
		Other Local Legislative Events							
	54100	Communication Services	\$0	\$0	\$6,395.00	\$0.00	\$3,000	\$3,000	\$3,000
		Used to pay for cellular services for communications devises.							
		AT&T Cellular communication for iPad @ \$50/mth					\$3,000	\$3,000	\$3,000
	54900	Other Operating Expenses	\$244	\$3,225	\$1,500.00	\$0.00	\$1,500	\$1,500	\$1,500
		Miscellaneous operating expenses							
		Meeting expenses					\$500	\$500	\$500
		Town brand marketing					\$1,000	\$1,000	\$1,000
	54990	Other Current Charges - Council Reimbursement	\$30,000	\$30,000	\$37,500.00	\$15,500.00	\$45,000	\$45,000	\$45,000
		Ordinance No. 2016-01 adopted February 2016 set Town Council compensation at \$750.00.							
		Five (5) Town Council Members @ \$750.00/mth					\$45,000	\$45,000	\$45,000
	55100	Office Supplies	\$350	\$388	\$500.00	\$512.66	\$500	\$500	\$500
		Used for the purchase of miscellaneous consumable supplies							
	55200	Operating Supplies	\$39	\$810	\$500.00	\$35.93	\$500	\$500	\$500
		Used to purchase miscellaneous unspecified supplies.							
		Misc supplies					\$500	\$500	\$500
	55400	Books, Publications & Subscriptions	\$4,400	\$3,958	\$2,500.00	\$2,607.00	\$2,435	\$2,435	\$2,435
		Pay for subscriptions							
		Government Finance Officers Association Annual Membership					\$160	\$160	\$160
		Palm Beach County League of Cities - small cities hosting					\$500	\$500	\$500
		Miscellaneous subscriptions					\$500	\$500	\$500
		Palm West Chamber of Commerce - annual membership					\$225	\$225	\$225
		Palm Beach County League of Cities					\$550	\$550	\$550



Town of Loxahatchee Groves, Florida

Estimated Appropriations

Fiscal Year 2016-2017

General Fund

Town Council

10 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
	- Description							
	Florida League of Cities - annual membership						\$500	\$500
							\$500	\$500
55500	Education & Training	\$190	\$48	\$1,000.00	\$450.00		\$2,000	\$2,000
	Pay for fees relative to training such as the Institute of Elected Municipal Officials							
	Misc Seminars						\$2,000	\$2,000
	Registration Fees							\$2,000
58200	Special Events/Contributions	\$5,500	\$10,786	\$8,700.00	\$4,747.63		\$5,500	\$5,500
	Used to purchase supplies for citizen meetings, community events, and similar events							
	Holiday Parade supplies						\$500	\$500
	10th Anniversary Incorporation						\$3,000	\$3,000
	Town Council allocated funds to this activity at the 8/2/16 meeting							\$5,000
	Other unscheduled events						\$2,000	\$2,000
	Town Council reallocated to 10th Anniversary at 8/2/16 meeting.							
Subtotal Operating Expense		\$650	\$4,613	\$71,995	\$28,370		\$87,435	\$87,435
Town Council	Department Total	\$650	\$4,613	\$71,995	\$28,370		\$87,435	\$87,435



Town of Loxahatchee Groves, Florida

Estimated Appropriations

Fiscal Year 2016-2017

General Fund

Town Manager

12	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
Acct#	- Description							
53400	Other Services	\$264,106	\$269,653	\$280,546.00	\$187,030.00	\$288,964	\$288,964	\$288,964
	Professional Services Agreement of April 5, 2016 approved payment of \$30,364.00/mth representing an annual total for all Town Management company services at \$364,368.00.							
	Administrative Services function portion of Agreement is calculated at \$23,379.00/mth or \$280,548 per year.					\$280,548	\$280,548	\$280,548
	UMSG - Contract Management Services Administrative function up 3.0% to \$24,080.33/mth representing a monthly increase of \$701.37 or \$8,416.00 annually.					\$8,416	\$8,416	\$8,416
54000	Travel	\$861	\$960	\$1,500.00	\$102.97	\$3,000	\$3,000	\$3,000
	Used to pay for management staff travel and mileage reimbursements							
	Town Manager travel to include attendance with Town Council Members at Florida League of Cities Conference, Pre-Legislative Conference in Orlando, and Palm Beach County Days in Tallahassee. Staff mileage reimbursements					\$3,000	\$3,000	\$3,000
54100	Communication Services	\$0	\$0	\$4,399.00	\$0.00	\$1,300	\$1,300	\$1,300
	Used to pay for telecommunications devices for Town Manager							
	Cellular telephone @ \$58/mth.					\$1,300	\$1,300	\$1,300
	Ipad connection @ \$50/mth.							
54200	Postage & Freight	\$469	\$472	\$1,000.00	\$1,736.65	\$3,500	\$3,500	\$3,500
	Used to pay for various printed mailings throughout the year							
	General, Code Enforcement, and Special Magistrate notifications, and direct community wide mailings.					\$3,500	\$3,500	\$3,500
54360	Legal Advertising	\$149	(\$375)	\$700.00	\$4,686.48	\$4,000	\$4,000	\$4,000
	Used to pay for advertising in local papers for legal ads in the Palm Beach Post, El Latino, and Town Crier.							
	General notices, procurement, and ordinance advertising					\$4,000	\$4,000	\$4,000
54900	Other Operating Expenses	\$612	\$446	\$7,044.00	\$539.00	\$2,000	\$2,000	\$2,000
	Miscellaneous expenses not otherwise classified							
	Other misc. items					\$1,000	\$1,000	\$1,000
	Recording Fees					\$1,000	\$1,000	\$1,000
54930	Election Expense	\$247	\$19,467	\$8,010.00	\$10,508.72	\$8,260	\$8,260	\$8,260
	Used to pay poll workers, poll worker meals, legal advertising, and the PBC Supervisor of Elections for election expenses							
	Advertising					\$1,200	\$1,200	\$1,200
	Election Inspectors compensation					\$800	\$800	\$800
	Law Enforcement escort service					\$160	\$160	\$160
	Training and expenses					\$2,500	\$2,500	\$2,500



Town of Loxahatchee Groves, Florida

Estimated Appropriations

Fiscal Year 2016-2017

General Fund

Town Manager

12 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
	- Description							
	Palm Beach County Supervisor of Election charges					\$3,600	\$3,600	\$3,600
55100	Office Supplies	\$12,593	\$31,862	\$12,000.00	\$10,459.13	\$12,000	\$12,000	\$12,000
	Misc. office supplies for Town Hall					\$7,000	\$7,000	\$7,000
	TCl Automation - Per page printing charges - 1 copier					\$5,000	\$5,000	\$5,000
55400	Books, Publications & Subscriptions	\$450	\$381	\$570.00	\$0.00	\$570	\$570	\$570
	Misc. publication					\$250	\$250	\$250
	GFOA for CAFR submission					\$320	\$320	\$320
Subtotal Operating Expense		\$264,106	\$269,653	\$315,769	\$215,063	\$323,594	\$323,594	\$323,594
Town Manager	Department Total	\$264,106	\$269,653	\$315,769	\$215,063	\$323,594	\$323,594	\$323,594



Town of Loxahatchee Groves, Florida

Estimated Appropriations

Fiscal Year 2016-2017

General Fund

Financial Services

14	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
Acct#	- Description							
53200	Accounting and Auditing	\$16,700	\$16,700	\$18,000.00	\$0.00	\$16,700	\$16,700	\$16,700
	Renewed Auditing Services Agreement in March 2014 with Nowlen Holt & Miner at a cost of \$16,700/yr. through term that included one 3 year term, and two 1 year renewals.							
	Nowlen Holt & Miner - auditing services					\$16,700	\$16,700	\$16,700
53460	Legal Advertising	\$910	\$1,776	\$2,000.00	\$1,845.05			
	Used to pay for financial related advertising such as TRIM (Truth In Millage) ads							
54700	Printing and Binding	\$0	\$0	\$1,396.00	\$0.00	\$1,100	\$1,100	\$1,100
	Printing books such as budgets, agendas, public presentations, and supplies, etc.							
	Misc. binding supplies					\$750	\$750	\$750
	Misc. reports and submission					\$350	\$350	\$350
54920	Computer Services	\$0	\$5,883	\$11,820.00	\$5,811.00	\$14,000	\$14,000	\$14,000
	Used to pay for financial hosting and web hosting in offsite data centers							
	Web site design, and hosting					\$5,000	\$5,000	\$5,000
	Miscellaneous hardware and software services					\$3,000	\$3,000	\$3,000
	SaaS Accounting System hosting cost					\$6,000	\$6,000	\$6,000
55400	Books, Publications & Subscriptions	\$0	\$0	\$0.00	\$0.00	\$310	\$310	\$310
	Florida Government Finance Officers Association - 3 members					\$150	\$150	\$150
	Government Finance Officers of the United States and Canada					\$160	\$160	\$160
55500	Education & Training	\$0	\$0	\$0.00	\$0.00	\$3,000	\$3,000	\$3,000
	School of Governmental Finance registration fees only offered by FGFOA for 2							
	Annual Training Conference for financial system offered by Blackbaud					\$3,000	\$3,000	\$3,000
Subtotal Operating Expense		\$16,700	\$16,700	\$33,216	\$7,656	\$35,110	\$35,110	\$35,110
Financial Services	Department Total	\$16,700	\$16,700	\$33,216	\$7,656	\$35,110	\$35,110	\$35,110



Town of Loxahatchee Groves, Florida

Estimated Appropriations

Fiscal Year 2016-2017

General Fund

Legal Services

16 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description								
53100	Professional Services	\$45,527	\$77,922	\$90,000.00	\$60,806.23	\$90,000	\$90,000	\$90,000
	Legal Counsel - Goren Cherof, Doody & Ezrol PA							
	Goren, Cherof, Doody & Ezrol, PA - Legal Counsel					\$90,000	\$90,000	\$90,000
53420	Comprehensive Plan	\$0	\$0	\$0.00	\$0.00			
	Used to record legal services expenditures							
Subtotal Operating Expense		\$45,527	\$77,922	\$90,000	\$60,806	\$90,000	\$90,000	\$90,000
Legal Services	Department Total	\$45,527	\$77,922	\$90,000	\$60,806	\$90,000	\$90,000	\$90,000



Town of Loxahatchee Groves, Florida

Estimated Appropriations Fiscal Year 2016-2017

General Fund

Planning and Zoning

20	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description									
	53100	Professional Services		\$20,000	\$40,000.00		\$0	\$0	\$0
	53400	Other Services	\$79,041	\$80,702	\$83,822.00	\$55,881.36	\$86,334	\$86,334	\$86,334
		Planning and Zoning Services function portion of UMSG Agreement							
		Planning and Zoning Services function portion of Agreement is calculated at \$6,985/mth or \$83,820 per year.					\$83,820	\$83,820	\$83,820
		UMSG - Contract Management Services Planning and Zoning function up 3.0% to \$7,194.55/mth representing a monthly increase of \$209.55 or \$2,514.00 per year.					\$2,514	\$2,514	\$2,514
	53420	Comprehensive Plan	\$0	\$0	\$15,000.00	\$0.00	\$15,000	\$15,000	\$40,000
		Comprehensive plan needs to be updated							
		Modifications - Capital Improvement Element and other textual changes					\$15,000	\$15,000	\$15,000
		Town Council action to allocate funds from Non-departmental Contingency account to perform more work on the Comprehensive Plan at the 8/2/16 meeting.							\$25,000
	53450	Planning & Zoning Contract	\$2,407	\$17,254	\$20,000.00	\$8,583.79	\$20,000	\$20,000	\$20,000
		Town initiated planning services							
		Contract expenditures for Land Research Management					\$20,000	\$20,000	\$20,000
	53460	Legal Advertising	\$12,670	\$6,723	\$10,000.00	\$2,290.56	\$7,000	\$7,000	\$7,000
		Advertising for non-cost recovery planning and zoning changes							
		Planning & Zoning Advertising non-cost recovery matters					\$7,000	\$7,000	\$7,000
	53490	Cost Recovery Expenditure	\$28,154	\$97,085	\$47,000.00	\$57,320.37	\$35,000	\$35,000	\$35,000
		Various projects (TBD)					\$35,000	\$35,000	\$35,000
	Subtotal Operating Expense			\$20,000	\$215,822	\$124,076	\$163,334	\$163,334	\$188,334
	Planning and Zoning	Department Total		\$20,000	\$215,822	\$124,076	\$163,334	\$163,334	\$188,334



Town of Loxahatchee Groves, Florida

Estimated Appropriations Fiscal Year 2016-2017

General Fund

Code Enforcement

22 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description								
53150	Special Magistrate	\$9,126	\$7,054	\$10,000.00	\$345.49	\$7,500	\$7,500	\$7,500
	Legal Services							
	Special Magistrate fees					\$7,500	\$7,500	\$7,500
53400	Other Services	\$0	\$0	\$0.00	\$0.00	\$107,500	\$107,500	\$107,500
	Amendment 1 to Professional Services Agreement dated May 2016 for Code Enforcement services function for \$106,0000 annually.							
	Code Enforcement function portion is calculated at \$8,833.33/mth and include a Code Enforcement Officer and administrative support staff at a cost of \$8,833.33/mth.					\$106,000	\$106,000	\$106,000
	Work performed outside the normal business hours to include weekends and holiday only if necessary as included as part of Amendment No. 1.					\$1,500	\$1,500	\$1,500
53430	Code Compliance	\$21,680	\$24,763	\$20,000.00	\$0.00	\$3,000	\$3,000	\$3,000
	Tew & Taylor Contract for code enforcement services was not renewed but services may be required.							
	Use of specialized professional services in conjunction with specific Special Magistrate cases					\$3,000	\$3,000	\$3,000
54000	Travel	\$0	\$0	\$0.00	\$0.00	\$1,500	\$1,500	\$1,500
	Used to pay for code enforcement staff mileage reimbursements							
	Reimbursement for mileage at current IRS rate @ \$0.54 subject to change					\$1,500	\$1,500	\$1,500
54100	Communication Services	\$0	\$0	\$0.00	\$0.00	\$600	\$600	\$600
	AT&T Cellular communication for iPad @ \$50/mth							
Subtotal Operating Expense		\$9,126	\$7,054	\$30,000	\$345	\$120,100	\$120,100	\$120,100
Code Enforcement	Department Total	\$9,126	\$7,054	\$30,000	\$345	\$120,100	\$120,100	\$120,100



Town of Loxahatchee Groves, Florida

Estimated Appropriations Fiscal Year 2016-2017

General Fund

Police Services

26 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description								
53410	Other Services-PBSO Police	\$280,281	\$282,393	\$298,746.00	\$192,497.36		\$304,521	\$304,521
	Provides local police services							
	2% increase for FY2017						\$294,521	\$294,521
	Misc. detail shifts for PBSO						\$10,000	\$10,000
Subtotal Operating Expense		\$280,281	\$282,393	\$298,746	\$192,497		\$304,521	\$304,521
Police Services	Department Total	\$280,281	\$282,393	\$298,746	\$192,497		\$304,521	\$304,521



Town of Loxahatchee Groves, Florida

Estimated Appropriations

Fiscal Year 2016-2017

General Fund

Public Works

30 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description								
53400	Other Services	\$2,884	\$736	\$5,000.00	\$0.00	\$5,000	\$5,000	\$5,000
	Used for miscellaneous public works type of services when needed.							
	handy-man type services					\$5,000	\$5,000	\$5,000
Subtotal Operating Expense		\$2,884	\$736	\$5,000	\$0	\$5,000	\$5,000	\$5,000
Public Works	Department Total	\$2,884	\$736	\$5,000	\$0	\$5,000	\$5,000	\$5,000



Town of Loxahatchee Groves, Florida

Estimated Appropriations Fiscal Year 2016-2017

General Fund

General Government

32

Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description								
53400	Other Services	\$0	\$4,305	\$4,600.00	\$4,995.50	\$10,000	\$10,000	\$10,000
	Facilities and grounds cleaning and maintenance services. Cleaning Services @ \$360.00/mth							
	Town Hall Lawn Maint. Srvs @ \$200.00/mth							
	Town Entrance Maint @ \$125.00/mth							
	Other services as needed							
54100	Communication Services	\$7,063	\$8,442	\$11,100.00	\$5,103.94	\$12,700	\$12,700	\$12,700
	Earthlink video streaming hosting					\$4,000	\$4,000	\$4,000
	ADT Building Security System and Fire Alarm System					\$1,800	\$1,800	\$1,800
	Comcast - Internet Services					\$3,000	\$3,000	\$3,000
	ATT - 2 telephone lines security and fire alarm systems @ \$110/mth					\$3,900	\$3,900	\$3,900
	Ipfone - 10 lines @ \$220/mth							
54300	Utilities	\$0	\$2,616	\$10,560.00	\$3,557.96	\$7,000	\$7,000	\$7,000
	FPL					\$5,000	\$5,000	\$5,000
	PBC Water					\$2,000	\$2,000	\$2,000
54440	Rentals and Leases	\$18,509	\$18,904	\$10,300.00	\$3,408.20	\$8,000	\$8,000	\$8,000
	Miscellaneous rental or leases					\$2,100	\$2,100	\$2,100
	TCI automation - Toshiba copier rental					\$4,000	\$4,000	\$4,000
	Easy Self-Storage - unit					\$1,900	\$1,900	\$1,900
54500	Insurance	\$15,111	\$21,813	\$31,000.00	\$24,953.25	\$31,000	\$31,000	\$31,000
	Florida League of Cities - General Liability					\$31,000	\$31,000	\$31,000
54600	Repair & Maint - Building	\$4,346	\$16,960	\$4,200.00	\$4,416.51	\$2,500	\$2,500	\$2,500
	Misc repairs and services					\$2,500	\$2,500	\$2,500
54700	Printing and Binding	\$0	\$0	\$0.00	\$0.00			
54800	Promotional Activities	\$0	\$0	\$0.00	\$0.00			
54910	Computer Hardware and Software	\$5,889	\$28,277	\$5,500.00	\$824.57	\$6,000	\$6,000	\$6,000
	Misc. software upgrades					\$1,500	\$1,500	\$1,500
	Update Microsoft software					\$2,500	\$2,500	\$2,500
	Replacement of hardware					\$2,000	\$2,000	\$2,000
54920	Computer Services	\$818	\$2,785	\$7,292.00	\$3,953.04	\$7,500	\$7,500	\$7,500
	Hosting - e-City Services					\$1,500	\$1,500	\$1,500
	Microsoft Exchange 14 - email					\$1,700	\$1,700	\$1,700



Town of Loxahatchee Groves, Florida

Estimated Appropriations

Fiscal Year 2016-2017

General Fund

General Government

32

Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
	- Description							
	Streaming video from eCity Services					\$3,000	\$3,000	\$3,000
	Carbonite					\$50	\$50	\$50
	Dropbox					\$1,250	\$1,250	\$1,250
54940	Inspector General Office	\$2,218	\$2,539	\$5,300.00	\$0.00	\$5,280	\$5,280	\$5,280
	Various contract requirements					\$5,280	\$5,280	\$5,280
Subtotal Operating Expense		\$0	\$4,305	\$89,852	\$51,213	\$89,980	\$89,980	\$89,980
General Government Department Total		\$0	\$4,305	\$89,852	\$51,213	\$89,980	\$89,980	\$89,980



Town of Loxahatchee Groves, Florida

Estimated Appropriations Fiscal Year 2016-2017

General Fund

Non-departmental

90 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description								
54910	Computer Hardware and Software	\$0	\$0	\$0.00	\$0.00			
59990	Contingency	\$0	\$15,524	\$0.00	\$0.00	\$26,286	\$26,286	\$1,286
	Available for unspecified expenses							
	Town Council approved transfer of \$25,000 to Comprehensive Plan preparation at the 8/2/16 meeting.							\$1,286
Subtotal Operating Expense		\$0	\$0	\$0	\$0	\$26,286	\$26,286	\$1,286
56140	Land Acquisition	\$0	\$27,414	\$0.00	\$0.00			
56200	Buildings	\$0	\$487,308	\$21,410.00	\$10,144.50			
Subtotal Capital Outlay		\$0	\$27,414	\$21,410	\$10,145			
58100	Aids to Government Agency	\$0	\$0	\$0.00	\$0.00			
58220	Loxahatchee Groves CERT	\$550	\$537	\$2,000.00	\$37.13	\$2,000	\$2,000	\$2,000
	Annual contribution					\$2,000	\$2,000	\$2,000
Subtotal Grants & Aids		\$0	\$0	\$2,000	\$37	\$2,000	\$2,000	\$2,000
59001	Transfer to Fund Balance	\$0	\$0	\$0.00	\$0.00			
59101	Transfer to Transportation Fund	\$40,000	\$0	\$0.00	\$0.00	\$18,261	\$18,261	\$18,261
	Used to continue transportation improvements					\$18,261	\$18,261	\$18,261
59305	Transfer to Capital Projects	\$0	\$0	\$296,664.00	\$0.00	\$0	\$0	\$0
59405	Transfer to Sanitation Fund	\$0	\$0	\$115,583.00	\$0.00	\$100,302	\$100,302	\$120,302
	Supplement solid waste to perform a waste study analysis for assessment to all Town properties.							\$20,000
	Supplement solid waste rate by maintaining the prior year rate pending final CPI from Waste Pro.					\$100,302	\$100,302	\$100,302
Subtotal Non-Operating		\$0	\$0	\$412,247	\$0	\$118,563	\$118,563	\$138,563
Non-departmental	Department Total	\$0	\$0	\$435,657	\$10,182	\$146,849	\$146,849	\$141,849



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

General Fund

Non-departmental

90	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Fund Total	\$650	\$4,613	\$1,586,057	\$690,209	\$1,365,923	\$1,365,923	\$1,385,923



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

General Fund

Non-departmental

90

Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
	- Description							
	Report Total	\$650	\$4,613	\$1,586,057	\$690,209	\$1,365,923	\$1,365,923	\$1,385,923



Town of Loxahatchee Groves, Florida

Estimated Revenues

Fiscal Year 2016-2017

Transportation Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description									
	34100	1st Local Option Fuel Tax (6c)	\$247,217	\$259,112	\$249,245.00	\$193,841.00	\$272,430	\$272,430	\$272,430
County governments are authorized to levy up to 12 cents of local option fuel taxes in the form of three separate levies. The second is a tax of 1 to 6 cents on every net gallon of motor and diesel fuel sold within a county Estimate based on FY16 year state revenue estimating conference projections. Fy2017 projections due July 1, 2016.									
		State Dept. Fin Svc Estimate provided 7/8/2016					\$272,430	\$272,430	\$272,430
	34200	2nd Local Option Fuel Tax (5c)	\$117,955	\$121,673	\$117,326.00	\$80,586.72	\$125,880	\$125,880	\$125,880
County governments are authorized to levy up to 12 cents of local option fuel taxes in the form of three separate levies. The third tax is a 1 to 5 cents levy upon every net gallon of motor fuel sold within a county, and diesel fuel is not subject to this tax. Estimate based on FY16 year state revenue estimating conference projections.									
		State Dept. Fin Svc Estimate provided 7/8/2016					\$125,880	\$125,880	\$125,880
	Subtotal Sales, Use and Fuel Taxes		\$247,217	\$259,112	\$366,571	\$274,428	\$398,310	\$398,310	\$398,310
	38100	Transfer from Fund Balance	\$0	\$0	\$1,140,000.00	\$0.00			
		5 cent gas tax fund balance reserve							
		6 cent gas tax fund balance reserve							
	38110	Contribution from General Fund	\$40,000	\$0	\$0.00	\$0.00	\$18,261	\$18,261	\$18,261
		Assist in road maintenance program					\$18,261	\$18,261	\$18,261
	Subtotal Other Sources		\$0	\$0	\$1,140,000	\$0	\$18,261	\$18,261	\$18,261
	Department Total		\$247,217	\$259,112	\$1,506,571	\$274,428	\$416,571	\$416,571	\$416,571



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Transportation Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Fund Total	\$247,217	\$259,112	\$1,506,571	\$274,428	\$416,571	\$416,571	\$416,571



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Transportation Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Report Total	\$247,217	\$259,112	\$1,506,571	\$274,428	\$416,571	\$416,571	\$416,571



Town of Loxahatchee Groves, Florida

Estimated Appropriations Fiscal Year 2016-2017

Transportation Fund

Roads - LOGT

40 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description								
54670	Traffic Control Signs-6c	\$4,456	\$4,611	\$15,000.00	\$4,964.40	\$10,000	\$10,000	\$10,000
	Various traffic control signs					\$6,000	\$6,000	\$6,000
	Installation					\$2,000	\$2,000	\$2,000
	Equestrian Signs					\$2,000	\$2,000	\$2,000
54680	Town Roads Maint.-6c	\$53,470	\$51,910	\$322,833.00	\$350,477.91	\$292,000	\$292,000	\$292,000
	Used to maintain Town roads but not necessarily as detailed within.							
	mowing					\$40,000	\$40,000	\$40,000
	Tree trimming					\$50,000	\$50,000	\$50,000
	Road repairs					\$32,000	\$32,000	\$32,000
	Base rock for Town roads and additional road services					\$50,000	\$50,000	\$50,000
	Monthly road maintenance at \$10,000 each					\$120,000	\$120,000	\$120,000
54690	Road Maintenance District-6c	\$152,915	\$93,738	\$93,738.00	\$8,667.50	\$86,432	\$86,432	\$86,432
	Maintenance of District Roads							
	Total District Lane Miles 2016 of 36.118 miles or 31.2% of total miles applied to the 1st Local Option Fuel Tax (6c)					\$77,764	\$77,764	\$77,764
	Repairs to Lettered Roads Quit Claimed by LGWCD					\$8,668	\$8,668	\$8,668
Subtotal Operating Expense		\$4,456	\$4,611	\$431,571	\$364,110	\$388,432	\$388,432	\$388,432
56310	Road and Streets -new construction-5c	\$0	\$0	\$0.00	\$0.00			
56312	Special Projects	\$0	\$60,000	\$75,000.00	\$0.00	\$28,140	\$28,140	\$28,140
	Equestrian Crossings Okeechobee Blvd.					\$28,140	\$28,140	\$28,140
56320	Road and Streets -new construction-6c	\$0	\$0	\$0.00	\$0.00			
Subtotal Capital Outlay		\$0	\$0	\$75,000	\$0	\$28,140	\$28,140	\$28,140
59305	Transfer to Capital Projects	\$15,070	\$40,000	\$1,000,000.00	\$0.00	\$0	\$0	\$0
	5 cent current appropriation							
	5 cent gas tax fund balance reserve							
	6 cent gas tax fund balance reserve							
59935	Transfer to Fund Balance 5ct.	\$0	\$0	\$117,326.00	\$0.00			
59936	Transfer to Fund Balance 6ct.	\$0	\$0	\$0.00	\$0.00			



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Transportation Fund

Roads - LOGT

40	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Subtotal Non-Operating	\$15,070	\$40,000	\$1,117,326	\$0		\$0	\$0
		Roads - LOGT							
		Department Total	\$4,456	\$4,611	\$1,623,897	\$364,110		\$416,571	\$416,571



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Transportation Fund

Roads - LOGT

40	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Fund Total	\$4,456	\$4,611	\$1,623,897	\$364,110	\$416,571	\$416,571	\$416,571



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Transportation Fund

Roads - LOGT

40

Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
	- Description							
	Report Total	\$4,456	\$4,611	\$1,623,897	\$364,110	\$416,571	\$416,571	\$416,571



Town of Loxahatchee Groves, Florida

Estimated Revenues

Fiscal Year 2016-2017

Capital Improvement Fund

Revenues

0	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
Acct#	- Description							
33700	Local Govt Unit Grant - Physical Environment	\$0	\$0	\$0.00	\$0.00			
	Not applicable							
Subtotal Intergovernmental		\$0	\$0	\$0	\$0			
36991	Contributions and Donations Private Sources	\$0	\$0	\$1,211,741.00	\$100,000.00	\$400,000	\$400,000	\$400,000
	Quad Party Agreement					\$400,000	\$400,000	\$400,000
Subtotal Miscellaneous		\$0	\$0	\$1,211,741	\$100,000	\$400,000	\$400,000	\$400,000
38100	Transfer from Fund Balance	\$0	\$1,000,000	\$168,893.00	\$0.00	\$718,893	\$718,893	\$1,518,893
	Existing funding available from assigned fund balance							
	Funding for road acquisition from LGWCD					\$28,893	\$28,893	\$28,893
	Road and drainage improvements to be determined					\$400,000	\$400,000	\$400,000
	Town Council approved allocation of CIP Fund Balance for road and drainage improvements at the 8/2/16 meeting.							\$800,000
	Trail preparations					\$50,000	\$50,000	\$50,000
	Survey additional Town roads					\$100,000	\$100,000	\$100,000
	North Road Equestrian Trail Grant					\$40,000	\$40,000	\$40,000
	D Road Contribution from Big Dog Rescue					\$100,000	\$100,000	\$100,000
38110	Contribution from General Fund	\$0	\$0	\$150,000.00	\$0.00			
	Contribution from General Fund unassigned fund balance							
38111	Contributions from Transportation Fund	\$15,070	\$0	\$1,000,000.00	\$0.00			
	5 cent gas tax fund balance reserve							
	6 cent gas tax fund balance reserve							
Subtotal Other Sources		\$0	\$1,000,000	\$1,318,893	\$0	\$718,893	\$718,893	\$1,518,893
Department Total		\$0	\$0	\$2,530,634	\$100,000	\$1,118,893	\$1,118,893	\$1,918,893



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Capital Improvement Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Fund Total	\$0	\$0	\$2,530,634	\$100,000	\$1,118,893	\$1,118,893	\$1,918,893



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Capital Improvement Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Report Total	\$0	\$0	\$2,530,634	\$100,000	\$1,118,893	\$1,118,893	\$1,918,893



Town of Loxahatchee Groves, Florida

Estimated Appropriations Fiscal Year 2016-2017

Capital Improvement Fund

Community Improvements

60 Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description								
56120	Surveying Town Roads	\$9,653	\$0	\$100,000.00	\$98,470.00	\$100,000	\$100,000	\$100,000
	TBD					\$100,000	\$100,000	\$100,000
56130	Road and Streets -new construction-6c	\$6,000	\$0	\$0.00	\$0.00	\$200,000	\$200,000	\$1,000,000
	Improvements to be determined							
	New road construction		1			\$200,000	\$200,000	\$200,000
	Town Council approved allocation of CIP Fund Balance for road and drainage improvements at the 8/2/16 meeting.							\$800,000
56140	Construct Town Roads - "B" & "D" Road	\$146,251	\$0	\$1,211,741.00	\$15,803.80	\$500,000	\$500,000	\$500,000
	D Road improvement near Big Dog Rescue					\$100,000	\$100,000	\$100,000
	Engineering, Inspection, Construction on portion added by Town for drainage					\$400,000	\$400,000	\$400,000
56400	Drainage	\$0	\$0	\$1,150,000.00	\$49,090.00	\$200,000	\$200,000	\$200,000
	TBD					\$200,000	\$200,000	\$200,000
56500	Trails	\$4,260	\$0	\$40,000.00	\$319.00	\$40,000	\$40,000	\$40,000
	Equestrian trails on North Road					\$40,000	\$40,000	\$40,000
56510	Trails - Town	\$0	\$0	\$130,852.00	\$130,852.00	\$50,000	\$50,000	\$50,000
	Used to reflect improvement to trails							
	TBD					\$50,000	\$50,000	\$50,000
56540	Land Acquisition	\$28,893	\$106,932	\$28,893.00	\$28,893.00	\$28,893	\$28,893	\$28,893
	Amortized cost for road acquisition from LGWCD for remaining 5 fiscal years					\$28,893	\$28,893	\$28,893
Subtotal Capital Outlay		\$9,653	\$0	\$2,661,486	\$323,428	\$1,118,893	\$1,118,893	\$1,918,893
59001	Transfer to Fund Balance	\$0	\$1,000,000	\$0.00	\$0.00			
Subtotal Non-Operating		\$0	\$1,000,000	\$0	\$0			
Community Improvement Department Total		\$9,653	\$0	\$2,661,486	\$323,428	\$1,118,893	\$1,118,893	\$1,918,893



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Capital Improvement Fund

Community Improvements

60	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Fund Total	\$9,653	\$0	\$2,661,486	\$323,428	\$1,118,893	\$1,118,893	\$1,918,893



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Capital Improvement Fund

Community Improvements

60	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Report Total	\$9,653	\$0	\$2,661,486	\$323,428	\$1,118,893	\$1,118,893	\$1,918,893



Town of Loxahatchee Groves, Florida

Estimated Revenues

Fiscal Year 2016-2017

Sanitation Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description									
	32520	Solid Waste Assessments	\$431,725	\$438,788	\$337,253.00	\$317,191.39	\$348,015	\$348,015	\$348,015
		Used to record revenue from solid waste special assessments							
		1,358 res users @ \$256.27					\$348,015	\$348,015	\$348,015
		Slightly discounted							
	32522	Discount Fees	(\$13,728)	(\$13,549)	(\$10,118.00)	(\$10,872.15)	(\$10,119)	(\$10,119)	(\$10,119)
		Reflects cost for PB County to process special assessments							
		Early payment of tax bills @ 3.0% average discount							
	Subtotal Franchise Fees		\$431,725	\$438,788	\$327,135	\$306,319	\$337,896	\$337,896	\$337,896
	34300	SWA Recycling Income	\$3,153	\$3,923	\$5,500.00	\$1,209.94	\$4,000	\$4,000	\$4,000
		Used to record revenue from solid waste authority for recycled materials							
		Recycle income sharing PBC SWA					\$4,000	\$4,000	\$4,000
	Subtotal Charge for Service		\$3,153	\$3,923	\$5,500	\$1,210	\$4,000	\$4,000	\$4,000
	36110	Interest	\$7	\$2,259	\$0.00	\$0.00	\$0	\$0	\$0
		Used to record Interest earnings in invested balances of the fund							
	Subtotal Miscellaneous		\$7	\$2,259	\$0	\$0	\$0	\$0	\$0
	38100	Transfer from Fund Balance	\$0	\$0	\$0.00	\$0.00	\$0	\$0	\$0
	38110	Contribution from General Fund	\$0	\$0	\$115,583.00	\$0.00	\$100,302	\$100,302	\$120,302
		Used when and if the Town Council decides to supplement solid waste assessment rates							
		Transfer in from General Fund excess ad valorem taxes and other revenues					\$100,302	\$100,302	\$100,302
		Town Council approved funding for a waste generation study to create an equitable assessment for all property owners.							\$20,000
	Subtotal Other Sources		\$0	\$0	\$115,583	\$0	\$100,302	\$100,302	\$120,302
	Department Total		\$431,725	\$438,788	\$448,218	\$307,529	\$442,198	\$442,198	\$462,198



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Sanitation Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Fund Total	\$431,725	\$438,788	\$448,218	\$307,529	\$442,198	\$442,198	\$462,198



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Sanitation Fund

Revenues

0	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Report Total	\$431,725	\$438,788	\$448,218	\$307,529	\$442,198	\$442,198	\$462,198



Town of Loxahatchee Groves, Florida

Estimated Appropriations Fiscal Year 2016-2017

Sanitation Fund

Residential Collection

70	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
- Description									
	53401	Contractual - Waste Oversight	\$22,195	\$12,548	\$0.00	\$0.00	\$0	\$0	\$0
		Contract expired in 2015.							
		No longer in use							
	53409	Other Sanitation Service	\$0	\$3,100	\$14,622.00	\$0.00	\$0	\$0	\$20,000
		Town Council approved allocation to perform a waste stream analysis to equitably assess all property owners for waste removal.							\$20,000
	53440	Solid Waste Contractor	\$392,618	\$420,146	\$428,645.00	\$320,276.02	\$437,218	\$437,218	\$437,218
		Used to reflect expenditures for solid waste removal contract with Waste Pro							
		Cost estimated using existing contract price plus a 2.0% increase					\$437,218	\$437,218	\$437,218
	53460	Legal Advertising	\$700	\$0	\$500.00	\$700.00	\$500	\$500	\$500
		Miscellaneous advertising					\$500	\$500	\$500
	53480	PBC Administration Fee - 1%	\$3,743	\$4,182	\$3,373.00	\$2,128.92	\$3,480	\$3,480	\$3,480
		Reflects cost for PB County to process special assessments							
		1% for administration by PBC on \$348,014.66					\$3,480	\$3,480	\$3,480
	54200	Postage & Freight	\$0	\$810	\$1,078.00	\$26.00	\$1,000	\$1,000	\$1,000
		Used to record costs associates with mailing, shipping and handling							
		Miscellaneous mailings					\$1,000	\$1,000	\$1,000
	Subtotal Operating Expense		\$22,195	\$12,548	\$448,218	\$323,131	\$442,198	\$442,198	\$462,198
	Residential Collection Department Total		\$22,195	\$12,548	\$448,218	\$323,131	\$442,198	\$442,198	\$462,198



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Sanitation Fund

Residential Collection

70	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Fund Total	\$22,195	\$12,548	\$448,218	\$323,131	\$442,198	\$442,198	\$462,198



Town of Loxahatchee Groves, Florida
Estimated Appropriations
Fiscal Year 2016-2017

Sanitation Fund

Residential Collection

70	Acct#	Acct Title	Audit FY 14	Audit FY 15	Curr. Bgt	Year to Date	Manager	FAAC/Prelim	Tentative
		- Description							
		Report Total	\$22,195	\$12,548	\$448,218	\$323,131	\$442,198	\$442,198	\$462,198



Town of Loxahatchee Groves
Town Council Meeting
Tuesday, July 7, 2015 - 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.)

TOWN HALL

155 F Road, Loxahatchee Groves, Florida 33470

Mayor David Browning (Seat 4)	Town Manager William F. Underwood, II
Vice-Mayor Ronald D. Jarriel (Seat 1)	Town Clerk Janet K. Whipple
Councilman Tom Goltzené (Seat 5)	Town Planning Consultant Jim Fleischmann
Councilman Ryan Liang (Seat 3)	Town Attorney Michael D. Cirullo, Jr.
Councilman Jim Rockett (Seat 2)	

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 Planning Consultant Jim Fleischmann, Town Attorney Mike Cirullo, and Town Clerk Janet K. Whipple.

b. Pledge of Allegiance & Invocation – Mayor Browning

c. Approval of Agenda

Town Attorney Cirullo pulled 6.c., Ordinance No. 2015-06, from the Agenda.

Mayor Browning added a discussion for 5.b. under Committee Reports, for the Roadway Equestrian Trails Greenway Advisory Committee (RETGAC).

Motion: Councilman Liang 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. Consideration for Renewal of Hurricane Disaster Debris Removal and Monitoring Agreements.

Motion: Councilman Rockett made a motion to approve the Consent Agenda, as submitted. Vice-Mayor Jarriel seconded the motion. upon vote, the motion passed 5/0.

3. PUBLIC COMMENTS

Doreen Baxter, had documents to submit under Item Number 9, Old Business, concerning a reference to Ethics. She listed violations Councilman Liang had been sited for.

Marge Herzog, 966 A Road, reported there would be a Loxahatchee Groves Landowners Meeting on July 23, 2015. The topic will be Invasive Plant Control. She also directed those watching the live video streaming of the Town Council Meeting tonight, to watch the body language of everyone at the meeting.

Karen Piesley, 2201 D Road, spoke on clean up matters throughout the Town.

Bob Bentz, Atlantic Land Realty, representing the new shopping center on B Road, would like to work with the Town on development of B Road, and possibly allow modifying the Agreement concerning B Road as a backup.

Joe Lelonek, Atlantic Land Realty, also representing the shopping center, provided updated surveys of which approvals are not complete as yet. The surveys still have to go to the Water Control District, then to Recording. Construction should start after the first of the year.

Virginia Standish, 15410 North Road, stated there are many residents and landowners in this Town who have a good living. Resident expect the Town Council to not commit fraud or interfere in their personal lives. She is in support of the current Management Team, and she would like Legal Council to be more thorough.

Phyllis Maniglia, 359 West D Road, was afraid of this Council making such big decisions, and addressed removal of committee members. She noted, some committee members were replaced with family members of District personnel. Town Council has made some bad decisions, and she requested they keep this Management Team.

4. PRESENTATIONS – NONE

5. COMMITTEE REPORTS

- a. Lung Chiu, Chair of Financial Advisory and Audit Committee (FAAC) to provide May Fiscal Year 2015 Financial Report.

Lung Chiu provided financial report for May Fiscal Year 2015 Financial Report. He asked for a waiver of other government entities. (inaudible). He also addressed the new financial software, and changes to the Request for Proposal for the Management Team, which he called Vice-Chair Greg Tindall to explain.

Clerk Note: The April Financials were incorporated in the May Report.

Motion: Councilman Rockett Jim made a motion to have a separate document provided for the April Fiscal Year 2015 Financial Report. Council Liang seconded the motion.

Discussion ensued.

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

Newly added 5.b.

Bill Louda, provided a report for the Roadway, Equestrian Trails and Greenway Advisory Committee (RETGAC) Meeting of June 24, 2015.

6. ORDINANCES

- a. **ORDINANCE NO. 2015-04: PUBLIC HEARING/SECOND/FINAL READING**
(Date Changes for the 2016 Municipal Election)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SCHEDULING THE DATE OF THE TOWN'S 2016 GENERAL MUNICIPAL ELECTION, PURSUANT TO SECTION 101.75, FLORIDA STATUTES, TO MARCH 15, 2016 TO COINCIDE WITH THE 2016 PRESIDENTIAL PREFERENCE PRIMARY; PROVIDING FOR THE QUALIFYING PERIOD FOR THE 2016 MUNICIPAL GENERAL ELECTION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Underwood provided information on Ordinance No. 2015-04.

Town Attorney Cirullo read the title of Ordinance No. 2015-04, and announced this would be a Public Hearing.

No discussion.

Motion: Councilman Rockett made a motion to adopt Ordinance No. 2015-04 on Second and Final Reading. Vice-Mayor Jarriel seconded the motion. Upon roll call vote the motion passed 5/0.

b. **ORDINANCE NO. 2015-05: PUBLIC HEARING/SECOND/FINAL READING**
(Okeechobee Boulevard Moratorium Extension)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ORDINANCE 2014-08, WHICH IMPOSED A MORATORIUM ON THE PROCESSING AND REVIEW OF APPLICATIONS FOR AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS AND TEXT AMENDMENTS, RELATING TO COMMERCIAL LAND USES ON PROPERTIES FRONTING ON OKEECHOBEE BOULEVARD WITHIN THE CORPORATE BOUNDARIES OF THE TOWN, TO EXTEND THE MORATORIUM UNTIL DECEMBER 31, 2015 TO ENABLE THE ADOPTION OF APPROPRIATE AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Underwood explained Ordinance No. 2015-05.

Town Attorney Cirullo read the title of Ordinance No. 2015-05.

No discussion.

Motion: Councilman Rockett made a motion to adopt Ordinance No. 2015-05 on Second and Final Reading. Upon roll call vote, the motion passed 5/0.

Clerk Note: 6.c., Ordinance No. 2015-06 was removed from the Agenda.

c. **ORDINANCE NO. 2015-06: PUBLIC HEARING/FIRST READING** *(ULDC Agricultural Changes)*

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE TOWN'S UNIFIED LAND DEVELOPMENT CODE; AMENDING PART I, ENTITLED "ADMINISTRATION AND DEFINITIONS," ARTICLE 10 ENTITLED "DEFINITIONS, ABBREVIATIONS, AND CONSTRUCTION OF TERMS", SECTION 10-015, ENTITLED "DEFINITIONS," TO REVISE THE DEFINITION OF AGRICULTURE, BONA FIDE, AND ADD THE DEFINITION OF AGRICULTURE, HOBBYIST; TO AMEND ARTICLE 20 ENTITLED "RESIDENTIAL ZONING DISTRICTS" PART II, ENTITLED "ZONING DISTRICTS" SECTION 20-015 "PERMITTED USES"; TO REVISE PART III, ENTITLED "SUPPLEMENTAL REGULATIONS," ARTICLE 65 ENTITLED "AGRICULTURAL USES," SECTION 65 ENTITLED "PURPOSE AND INTENT, SECTION 65-010 ENTITLED "DETERMINATION OF VALID AGRICULTURAL USE", AND SECTION 65-015, ENTITLED "NONAGRICULTURAL USES AND

STRUCTURES WITH A BONAFIDE AGRICULTURAL USE”; PROVIDING FOR INTENT OF THE TOWN TO COMPLY WITH THE STATE’S PREEMPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTIONS

a. **RESOLUTION NO. 2015-20:** *(1st Amendment to B Road Improvement Agreement)*

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE FIRST AMENDMENT TO B ROAD IMPROVEMENT AGREEMENT BETWEEN THE TOWN OF LOXAHATCHEE GROVES, LOXAHATCHEE EQUESTRIAN PARTNERS AND SOLAR SPORTSYSTEMS, INC., ATLANTIC LAND INVESTMENTS, LLC, AND PALM BEACH STATE COLLEGE; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE AGREEMENT; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Town Manager Underwood explained Resolution No. 2015-20.

Councilman Goltzené left the dais at 7:40 p.m. as he had a Conflict of Interest.

Town Attorney Cirullo read the title of Resolution No. 2015-20.

Motion: Vice-Mayor Jarriel made a motion to adopt Resolution No. 2015-20. Councilman Rockett seconded the motion. Upon roll call vote, the motion passed 4/0.

Councilman Goltzené returned to the dais at 7:50 p.m.

b. **RESOLUTION NO. 2015-21:** *(Council to ratify Anita Kane as Councilman Goltzené’s appointment to the Finance Audit and Advisory Committee (FAAC) replacing Virginia Standish who has submitted her resignation).*

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPOINTING ANITA KANE TO REPLACE AND SERVE THE REMAINING TERM OF VIRGINIA STANDISH AS A VOTING MEMBER OF THE FINANCE ADVISORY AND AUDIT COMMITTEE; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Town Manager Underwood explained Resolution No. 2015-21.

Town Attorney Cirullo read the title of Resolution No. 2015-21.

Motion: Councilman Goltzené made a motion to adopt Resolution No. 2015-21. Vice-Mayor Jarriel seconded the motion. Upon roll call vote, the motion passed 5/0.

8. MANAGER'S REPORT – Town Manager Underwood

- a. **Agenda Item Report (AIR)** - Updates on various activities and issues concerning the Town.

Town Manager Underwood provided updated information on matters concerning the Town.

- b. Palm Beach County Fire Rescue May, 2015, Response Time Report (*on file*)

Mayor Browning called for a break 7:55 to 8:00 p.m.

9. OLD BUSINESS

- a. Forfeiture Hearing contemplated under the Charter.

Town Attorney Cirullo explained procedures for Forfeiture of Office. Each attorney is allowed fifteen (15) minutes apiece; i.e. ten (10) minutes to speak with five (5) minutes more to conclude their arguments. Councilman Liang will not participate or vote. Mr. Cirullo reviewed what had been discussed, and noted there was no specific reference in the Charter. Richard (Rick) Jarolem, attorney with Traub, Lieberman, Straus and Shrewsbury LLP, will speak first as he brought the charges. Public may speak, then Council will deliberate and vote on the Charter requirements. Mr. Jarolem can give guidance. This is the notice under the Charter. Vote must be done by resolution and he will prepare, if need be, on a vote for forfeiture.

Councilman Liang recused himself, and left the dais at 8:07 p.m.

Rick Jarolem, Attorney hired by Mr. Keith Harris, noted “an elephant in the room”, as there were Council Members still voting who were involved in the election misconduct. Mr. Jarolem requested Councilman Rockett recuse himself of the proceedings, as this will avoid another fight on another day. Having said that, he went on to the matter at hand. He noted violations Councilman Liang committed concerning lobster traps many years ago. Mr. Jarolem discussed various sections of the Charter which were applicable.

John Whittles, Mathison Whittles, LLP, Attorney for Councilman Liang, noted Council is still obligated to follow the law. Mr. Whittles referenced that an Elected Official could not be removed from office for an incident which occurred prior to being elected.

Mayor Browning opened Public Comments at 8:30 p.m.

Dennis Lipp, 13402 North Road, reported the Village of Wellington and the City of Boca Raton have the same forfeiture clause. He also addressed persons having a conviction not having the

ability to join the Armed Forces, and he mentioned criminal background checks.

Joyce Batcheler, 760 E Road, felt no one should be above the law as long as the law exists. If his Civil Rights have not been restored, Councilman Liang should not hold office. That also goes for those voting. She cannot support those who feel they are above the law.

Tim Hart-Woods, 15201 Timberlane Place, expressing his concern, wanted to know why the Town Council should be involved. Councilman Liang should make the right decision and step down from his position.

Thais Hagen Gonzalez, 13090 Raymond Drive, agreed with Mr. Hart-Woods, but felt he failed to mention that Councilman Liang's Mother was also involved in fraud during the election. Ms. Gonzalez also referenced an agreement Town Attorney Cirullo created and how it will tie into this case.

Phyllis Maniglia, 359 West D Road, felt Councilman Rocket should recuse himself. Ms. Maniglia provided Councilman's Liang's rap sheet, and stated this would be the Council's opportunity to start mopping up the mess.

Ken Johnson, 15409 Collecting Canal Road, referred to the election fraud, and produced four (4) pages of absentee ballots which the police will investigate. He mentioned the votes that were cast during the election, and the votes after the absentee ballots were cast.

John Ryan, 3508 A Road, referenced Section Thirty-Three (33) of the Town Charter, stating there was no mention of felonies, absentee ballots, or absentee ballots as an alternate form of voting. He continued with issues concerning the Supervisor of Elections.

Councilman Goltzené suggested the absentee ballots be checked for violations.

Mayor Browning explained the procedure for absentee ballots and wanted everyone to stay on point.

Frank Schiola, 13434 Marcella Boulevard, stated there was not anyone in the room who can be impartial. This matter should be deferred to an impartial decision maker, out of our area.

Bill Louda, 1300 E Road, stated he had backed Councilman Liang during the last election, and explained why. He expressed his concerns with Keith Harris. Mr. Louda also stated that if he were Councilman Liang, and his family was involved, he would have stepped down.

Marcia Newell, 3508 C Road, received an absentee ballot and explained how. She referred to Former Town Manager Mark Kutney and wondered if the ethics violation against Vice-Mayor Jarriel caused the problem with the Management Company.

Vice-Mayor Jarriel said "no".

Todd McLendon 3481 D Road, referenced deferring the decision to another, and the Town

Charter. Councilman Liang should not be on the Town Council, and he hopes the Council will make the right decision.

Mayor Browning read a number of Comment Cards in support of Councilman Liang.

Council Comments:

Councilman Goltzené requested the attorneys sum up their cases, he explained adjudication, and noted the decision needed to be made during this meeting.

Attorney John Whittles recapped the law, and stated an individual cannot be thrown out of office for a prior incident. The Town Council needs to follow the Charter.

Attorney Rick Jarolem stated Council has to follow the law, it delineates the time frame.

Vice-Mayor Jarriel will follow the law of the Town Charter, he personally feels his decision will be based on the Charter.

Councilman Rockett stated he takes his responsibility seriously, and his decision will be based on what he feels is right, and based on the Charter.

Mayor Browning noted there are challenges. He explained forfeiture and the need for a basis to make a decision. The Charter is clear, and he will follow it.

Vice-Mayor Jarriel requested clarification, and asked if the decision could be placed in the hands of a Judge.

Town Attorney Cirullo, stated the decision has to be made by the Town Council.

Motion: Upon roll call vote: (Yes for forfeiture, and No for no forfeiture)

Councilman Goltzené voted Yes; Councilman Rockett voted No; Mayor Browning voted No; Vice-Mayor Jarriel voted No. The vote was 4/1 for no forfeiture.

Councilman Liang returned to the dais.

10. NEW BUSINESS

- a. Town Management Services Request for Proposal (RFP).

Town Attorney Cirullo explained the Request for Proposal (RFP) procedure, and provided time frames for discussion. He will have to have direction, and wanted to know what the comments were by the Financial Audit and Advisory Committee (FAAC) concerning Planning and Zoning services performed by the new management company.

Lung Chiu, Chair of the Finance Audit and Advisory Committee (FAAC), stated the contract

looked acceptable.

Council discussed at length, the need to hire a firm with experience, the interaction between Staff and Council, needing a different system of management by possibly having multiple contracts and the feasibility of that option.

Town Attorney Cirullo, requested leaving the Planning and Zoning (P&Z) language the same.

Councilman Goltzené left the dais at 9:40 p.m.

Disaster Management was discussed.

Town Attorney Cirullo requested the inventory for maintenance of the current software and hardware, and noted if the information could not be provided within this timeframe it will have to be removed from the original Request for Proposal.

Councilman Goltzené returned to the dais at 9:46 p.m.

Town Attorney Cirullo referenced sections in the Request for Proposal, and stated Council needs to allow him to sign for authorization.

Motion: Councilman Rockett made a motion to allow Town Attorney Cirullo to sign on behalf of the Town.

Discussion followed concerning generating a shortlist of seven (7) or less proposals for potential Management Services, and meeting dates.

Motion: Councilman Rockett amended his motion to accept all of the discussed changes and to let Town Attorney Cirullo sign for the Town. Councilman Goltzené seconded the motion. Upon vote, the motion passed 5/0.

Vice-Mayor Jarriel left dais at 9:55 p.m.

Town Attorney Cirullo will publish the Request for Proposal (RFP) with various entities.

Councilman Goltzené requested this not be a Code of Silence, as he does not want someone making a choice without his knowledge.

Vice-Mayor Jarriel returned to the dais at 10:58 p.m.

Meeting dates were discussed.

Motion: Councilman Liang made a motion to include an extra date for review if there are more than seven (7) proposals. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 5/0.

Council continued to discuss Management Services, separate contracts if the current Management Team consults, overlap in services, and dates for commencement.

Motion: Upon Mayor Browning's suggestion, Councilman Goltzené made a motion to defer 10.b., Eighth Addendum to the Law Enforcement Service Agreement and 10.c., Interlocal Agreements (ILA) with the Loxahatchee Groves Water Control District, to a date certain of July 21, 2015. Councilman Liang seconded the motion. Upon vote, the motion passed 5/0.

Motion: Councilman Rockett made a motion to extend the meeting time over the 10:30 p.m. deadline, in order to finish 10.a. discussion. Councilman Liang seconded the motion. Upon vote the motion passed 5/0.

10.a. Public Comments

Karen Piesley, 2201 D Road, presented a PowerPoint Presentation comparing the Town of Loxahatchee Groves (Town) and the Loxahatchee Groves Water Control District (District).

Virginia Standish, 15410 North Road, quoted dollar amounts the Town pays the District. She supports the current Town Management, and noted, Council has never mentioned the reason they do not want the Underwoods to continue as the Management Team. She also stated Council is responsible to the State, and mentioned the Office of Inspector General (OIG).

Joyce Batcheler, 760 E Road, would like to keep the current Management Team for another year, and felt the District should come under the direction of the Town.

Pat Johnson, 15409 Collecting Canal Road, expressed concern over the churning of management companies, and would also like to see the current Management Team remain for another year.

John Ryan, 3508 A Road, spoke of \$75,000 and needing one more person.

Dennis Lipp, 13402 North Road, felt that since the Town has an opportunity, he suggested hiring a permanent Town Manager and Town Clerk, then proceeding from there.

Todd McLendon, 3481 D Road, felt the Town Council was dividing the Town residents, and that the current Management Team was doing a fantastic job. He also noted Council has not spoken of reasons for the removal of the Underwoods.

Elise Ryan, 3508 A Road, requested clarification for the function of the Planning and Zoning Board, and suggested a separate Request for Proposal (RFP) for a Town Planner.

Councilman Goltzené asked if the Town was removing the current Town Planning Consultant, Jim Fleischmann.

Mayor Browning said "no".

Thais Hagen Gonzales, 13090 Raymond Drive, encouraged Council to make the right decision,

and hoped all the Comment Cards in support for Councilman Liang were residents, not just relatives.

Seth Brier, wanted to know if Jim Fleischmann was included in the Management Team or had a separate contract. The response: Mr. Fleischmann was a separate vendor.

Discussion continued on the Management Team matter.

Mayor Browning suggested the resident call any of the Council Members individually to find out the reasoning behind their decisions.

Keith Harris, 2580 C Road, reported the District held the Interlocal (Horse Trail) Agreement (ILA) longer than the Town, so not to blame the Town for delays.

Speed bumps were discussed.

Thais Hagen Gonzalez, 13090 Raymond Drive, brought up concerns over election certification.

Don Borovy, 14270 Tripp Road, referenced the numerous speed bumps on his road, and a solution to correct them. He also mentioned the use of allowing fireworks, and celebrating the Fourth of July.

Todd McLendon, 3481 D Road, reference the comment by Mr. Underwood not wanting to go out as part of the Request for Proposal (RFP) for Management Services.

Clerk Note: 10.b. and 10.c. deferred to a date certain of July 21, 2016.

- b. Discussion, and direction, on the Eighth Addendum to the Law Enforcement Service Agreement between The Town of Loxahatchee Groves and Ric L. Bradshaw, Sheriff of Palm Beach County Florida; and also potential solutions to immediate law enforcement coverage within the Town of Loxahatchee Groves.
- c. Discussion, and direction, on an Interlocal Agreements (ILA) with the Loxahatchee Groves Water Control District for accessory road maintenance services.

11. COUNCIL REPORTS - NONE

12. CLOSING COMMENTS

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

Members of Council extended a brief thank you to the audience.

13. ADJOURNMENT

There being no further business to come before the Town Council, Mayor Browning adjourned the meeting at 11:00 p.m.

For: Janet K. Whipple, Town Clerk

David Browning, Mayor

These minutes were approved during the _____Town Council Meeting.



Town of Loxahatchee Groves
Town Council Meeting
Tuesday, July 21, 2015 - 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.)

TOWN HALL

155 F Road, Loxahatchee Groves, Florida 33470

Mayor David Browning (Seat 4)	Town Manager William F. Underwood, II
Vice-Mayor Ronald D. Jarriel (Seat 1)	Town Clerk Janet K. Whipple
Councilman Tom Goltzené (Seat 5)	Town Planning Consultant Jim Fleischmann
Councilman Ryan Liang (Seat 3)	Town Attorney Michael D. Cirullo, Jr.
Councilman Jim Rockett (Seat 2)	

MINUTES

1. OPENING

- a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:00 p.m. Present were Mayor David Browning, Vice-Mayor Ron Jarriel, Councilmen Tom Goltzené and Jim Rockett. Also present were Town Manager Bill Underwood, Town Attorney Mike Cirullo, and Town Clerk Janet K. Whipple. Councilman Liang was not present at this time.

- b. Pledge of Allegiance & Invocation – Mayor Browning

- c. Approval of Agenda

Town Manager Underwood provided three (3) addendums to the Agenda.: 1) Add a memo to Consent Agenda 2.a.; 2) 7.a.b. discussion on millage memo/budget, 3) Add 10.c. concerning Vinceremos Therapeutic Riding Center.

Motion: Councilman Rockett made a motion to approved the Agenda as amended. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 4/0.

2. CONSENT AGENDA -~~NONE~~

- a. Memo from June 2015 added per Town Manager Underwood addendum (do not have the subject).

Motion: Councilman Rockett made a motion to approve the Consent Agenda as amended. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 4/0.

3. PUBLIC COMMENTS

Bill Louda, 1300 E Road, spoke on the Management Request for Proposal (RFP) versus extending the current Town Management contract, and requested an explanation.

Councilman Liang arrived at 7:06 p.m.

Clerk Note: Recorder commenced at 7:09 p.m.

Mayor Browning read a Public Comment Card into the record, requesting that Vice-Mayor Jarriel reconsider the Request for Proposal (RFP).

Tim Hart-Woods, 15201 Timberlane Place, explained why he felt Council was an embarrassment, spoke about resignations, and the loss of the Town's integrity. He asked Councilman Rockett and Councilman Liang to resign; and asked those who voted for Councilman Liang to reconsider their vote.

Virginia Standish, 15410 North Road, referenced the Audit Report, noted one of the three (3) Members of Council who voted for the Management Request for Proposal could reconsider their vote, and hoped the Palm Beach County Sheriff's Office (PBSO) will work within the Town boundaries in order for the Town can get revenue on tickets issued. She also requested Council please include horse crossings in the budget.

Jo Siciliano, 1530 B Road, requested Councilman Rockett reconsider his vote for the Request for Proposal. It is all about trust, and is like training horses with consistency, is important to gain the trust.

4. PRESENTATIONS

- a. Joe Lelonek, Partner Atlantic Land Companies, to make a presentation on B Road Construction.

Joe Lelonek, Atlantic Land Realty, made his presentation on the B Road Development. The contract with all entities is in place, except the section missing for the Town to complete the OGEM portion of B Road. Residents would like B Road to be completed. In the event B Road is not completed, the developer would like the ability to have self-help rights as an alternative.

They want to ensure the road is build in a timely fashion. Mr. Lelonek asked the Council their thoughts on self-help rights, exact deadline, or a compromise. He asked for their direction.

Council, discussed options with Town Attorney Cirullo concerning self-help, deadlines, alternatives, guarantee of B Road being completed, the request for a project timeline, and the request for an outside completion date which was estimated to be October 2017, pending commitment.

- b. Terry Morton, Partner at Nowlen, Holt & Miner, P.A., to present the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2014.

Terry Morton, Town Outside Auditor from Nowlen, Holt & Miner P.A., provided an overview of the Comprehensive Annual Financial Report (CAFR) and responded to questions from Council.

Motion: Councilman Rockett made a motion to Receive and File the Comprehensive Annual Financial Report (CAFR). Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 5/0.

5. COMMITTEE REPORTS - ~~NONE~~

Dennis Lipp, 13402 North Road, and Chair of the Planning and Zoning Board, provided a report concerning a resident from D Road. Apparently the neighbor next to her was raising the elevation of her property to a point that the resident making the report; her property will be flooded. Mr. Lipp read from the Palm Beach County Unified Land Development Code (ULDC) which states that the individual owner is responsible for containment of rain water and disbursement.

6. ORDINANCES - NONE

7. RESOLUTIONS

- a. **RESOLUTION NO. 2015-23** (*Tentative Solid Waste Assessment*)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES AND FACILITIES AND PROGRAMS ("SOLID WASTE COLLECTION SERVICES") IN THE TOWN OF LOXAHATCHEE GROVES, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE SOLID WASTE COLLECTION SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL;

AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Town Manager Underwood explained Resolution No. 2015-23, and provided a comprehensive Power Point Presentation to explain the rough draft of the Fiscal Year 2016 Budget Proposal.

Council discussed various issues concerning \$100,000 which Big Dog Ranch was giving to the Town, the proposed millage rate, Solid Waste, and leaving money in the contingency fund.

Motion: Councilman Goltzené made a motion to charge \$300.00 per residential unit for the Solid Waste Collection Service Assessment. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 5/0.

Town Attorney Cirullo added \$300.00 per residential unit for the proposed Solid Waste Collection Services Assessment into Resolution No. 2015-23, and noted the Special Assessment date for the Resolution needs to be submitted by September 11, 2015.

Town Manager Underwood continued with other dates required by law.

Town Attorney Cirullo read the title of Resolution No. 2015-23.

Motion: Councilman Liang made a motion to adopt Resolution No. 2015-23. Vice-Mayor Jarriel seconded the motion. Upon roll call vote, the motion passed 5/0.

b. **RESOLUTION NO. 2015-24** (*Proposed Millage for Fiscal Year 2015/2016*)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA ADOPTING A PROPOSED OPERATING MILLAGE RATE OF _____ FOR GENERAL OPERATING BUDGET PURPOSES FOR FISCAL YEAR 2015/2016; APPROVING AND AUTHORIZING TRANSMITTAL OF THE FORM DR-420 TO THE PROPERTY APPRAISER; PROVIDING FOR THE ESTABLISHMENT OF AND SETTING FORTH THE DATE, TIME AND PLACE OF THE PUBLIC HEARING TO CONSIDER THE FISCAL YEAR 2015/2016 PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Councilman Rockett made a motion for a proposed millage rate of 1.2. Councilman Liang seconded the motion. Upon vote, the motion failed 2/3, with Councilman Goltzené, Vice-Mayor Jarriel, and Mayor Browning casting the dissenting votes.

Motion: Vice-Mayor Jarriel made a motion for a proposed millage rate of 1.478. Councilman Goltzené seconded the motion. Upon roll call vote, the motion passed 3/2 with Councilman Rockett and Councilman Liang casting the dissenting votes.

The Proposed Operating Millage Rate will be 1.4718. The roll back rate will be .0759. The Final Millage Meeting will be Tuesday, September 1, 2015.

Town Attorney Cirullo read the title of Resolution No. 2015-24.

Motion: Councilman Liang made a motion to adopt Resolution No. 2015-24. Council Goltzené seconded the motion. Upon roll call vote the motion passed 4/1 with Councilman Rockett casting the dissenting vote.

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 Loxahatchee Groves Monthly Report: June 2015 (*on file*)
- c. Palm Beach County Fire Rescue June Response Time. (*on file*)

Town Manager Underwood provided his report.

Council discussed speed humps on B Road, requested a report from the Town Engineer concerning B Road, new developers in the western communities and that a coalition was commencing against the development.

8. OLD BUSINESS – NONE

9. NEW BUSINESS

- a. Discussion, and direction, on the Eighth Addendum to the Law Enforcement Service Agreement between The Town of Loxahatchee Groves and Ric L. Bradshaw, Sheriff of Palm Beach County Florida; and also potential solutions to immediate law enforcement coverage within the Town of Loxahatchee Groves. (*Carried over from 07/07/2015 TC meeting*)

Motion: Vice-Mayor Jarriel made a motion the approve the Eight Addendum to the Law Enforcement Service Agreement. Councilman Liang seconded the motion. Upon roll call vote, the motion passed 5/0.

- b. Discussion, and direction, on an Interlocal Agreements (ILA) with the Loxahatchee Groves Water Control District for accessory road maintenance services. (*Carried over from 07/07/2015 TC Meeting*)

Town Manager Underwood stated the District Administrator requested this item be pulled.

Although the District Administrator wanted to pull this item, Council discussed the matter and decided to proceed with the Interlocal Agreement (ILA).

Motion: Councilman Goltzené made a motion to approve the the Interlocal Agreement, and extend to a Request for Proposal (RFP) within a six (6) month term if need be. Vice-Mayor Jarriel seconded the motion. Upon vote the motion passed 5/0.

10. c. Discussion on Vinceremos Therapeutic Riding Center, and a contribution to the Special Olympics. (Addendum #3 added to the Agenda.)

Council discussed Vinceremos and a contribution toward a participating resident attending the Equestrian Special Olympics.

Motion: Councilman Goltzené made a motion to donate \$500.00 in support of the Equestrian Special Olympics through Vinceremos Therapeutic Riding Center. Vice-Mayor Jarriel seconded the motion.

Council continued discussing the pros and cons, and suggestions, for making such a donation.

Members of the audience also expressed their opinions.

Upon vote, the motion passed 5/0.

COUNCIL REPORTS – NONE

10. CLOSING COMMENTS

- a. Public

Phyllis Maniglia, 359 West D Road, spoke more about the Palm Beach County Sheriff's Office (PBSO), and different incidences that have occurred at the Palms West Plaza.

Bill Louda, 1300 E Road, spoke on the Assessment for the Solid Waste Authority, a sea level rise symposium, and that the Roadway Equestrian Trails and Greenway Advisory Committee (RETGAC) should start meeting again. Mr. Louda was not happy with the development of the Day Property concerning the equestrian trails. He noted the Town was being swamped with developers, and suggested possibly bringing a lawsuit against Palm Beach County for increasing

the Agricultural Exemption. He mentioned the Management Services, Request for Proposal (RFP), and why it was being proposed.

Thais Hagen Gonzalez, 13090 Raymond Drive, discussed the Management Contract, and reminded Council that the Residents come first on the Town's Organizational Chart.

Todd McLendon, 3481 D Road, discussed removing the item about the slush fund, and thanked Town Clerk Whipple for her service, as it was her last Town Council Meeting.

b. Town Attorney

Town Attorney Cirullo had no further comments.

c. Town Council Members

Councilman Rockett stated, statements are only opinions and they are allowed to be expressed.

Councilman Liang thanked everyone for coming, and noted the need to focus on the new projects to come.

Vice-Mayor Jarriel wished everyone to be safe going home.

Councilman Goltzené supported what Vice-Mayor Jarriel said and good night.

Mayor Browning mentioned the Town Clerk, the Management Team, and the financial matters.

11. ADJOURNMENT

There being no further business to come before the Town Council, Mayor Browning adjourned the meeting at 9:11 p.m.

For: Janet K. Whipple, Town Clerk

David Browning, Mayor

These minutes were approved during the _____Town Council Meeting.



Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, August 2, 2016 at 6:00 p.m.

MINUTES

1. OPENING

a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 6:00 p.m. Present were Mayor David Browning, Vice Mayor Tom Goltzené and Council Member Todd McLendon. Council Members Ronald Jarriel and Ryan Liang were absent. Also present was Town Manager Bill Underwood, Town Attorney Michael D. Cirullo, Jr. and Town Clerk Virginia Walton.

b. Pledge of Allegiance & Invocation – Mayor Browning

Mayor Browning announced that the Town had lost one of the original “Loxahatchee 11”, who founded the Town, Jamie Yudel. Mayor Browning spoke of Mr. Yudel and his love for the Town and efforts to keep the original rural atmosphere alive.

c. Approval of Agenda

Council Member McLendon asked that an item be added under his discussions as item #10(a) “Council direction for ULDC Committee”.

Motion: a motion to approve the agenda as revised was made by Council Member McLendon and seconded by Vice Mayor Goltzené. Motion passed 3 – 0.

2. PUBLIC COMMENTS

Karen Piesley, D Road, provided a powerpoint presentation on the Publix landscaping inspection and deficiencies. Virginia Standish, North Road, added that the Town should consider hiring a landscape reviewed to assist the Town’s Plan’s Reviewer.

Dennis Lipp, North Road, commented that he was saddened to hear of Mr. Yudels’ passing. Also, he had received calls from two neighbors this past week asking that he fill code complaints for them on a commercial business in the neighborhood pretending to be residential. They were afraid of retaliation. Mr. Lipp suggested the Town develop a protocol that would give code enforcement permission to look at these issues without waiting for a formal complaint.

Council Member McLendon responded that the Council had already adopted a policy regarding code enforcement for commercial properties, but it doesn’t cover residential acting as commercial. The Town should consider expanding the policy, and requested that this be brought back on the next agenda. Council agreed.

Maureen Leftkowitz, D Road, stated there was a part of the Town's website that was bothering her. There was a phrase used on the website that she felt was not favorable and let people to think they can do whatever they want here with no regard for neighbors. She suggested it might be changed to "pursue our dreams with respect for our neighbors" or something similar. Also, she had been unaware that the Town now had a code officer and wanted to know when her long standing code complaint would be handled. Manager Underwood responded that they had over 85 cases they were reviewing and were starting with the oldest case and working forward.

Brett Taylor, from the Acreage, stated he was part of the organization that was working on incorporation for the Acreage and asked if one or more of the council members would consider attending their next meeting to discuss the pros and cons and what the Town had gone thru to accomplish incorporation. The meeting was on September 6th at the Acreage Library. Mayor Browning stated a good resource for them would be Dennis Lipp, who was part of that process and on the first Town Council elected.

Bill Louda, E Road, stated he agreed with Karen and Virginia on the Publix landscape issues and sticking with the rural vista guidelines. The royal palms were dangerous. He asked that someone explain the ballot question regarding the Manager's duties. He was informed the ordinances fully explaining the charter amendment questions on the August 30th ballot were on the website.

Simon Fernandez, Tangerine Drive, stated that a new center had been reviewed at the last P&Z Board Meeting and he hoped not to see the same problems as with Big Dog. He had concerns about the park and the wall separating the center from residential properties. Also, he was concerned about traffic onto Tangerine Drive.

Ken Johnson, Collecting Canal Road made comments supporting the annexation of the properties north of Walgreens and Wild West Diner and west of Folsom and Crestwood; the speed limit signs for Okeechobee and Folsom; the need for PBSO for speed control for the trailers and signage on B Road and Collecting Canal.

Maryann Miles, B Road, stated she watched the meetings usually on live streaming and was disappointed in some things she heard. Lower speed limits and roundabouts were not the answer. What was needed was a reliever road and police enforcement.

3. CONSENT AGENDA

(Public Comment will be permitted on consent agenda items prior to Council vote)

- a. Minutes: July 19, 2016 Town Council Meeting
- b. July Invoices for Goren, Cherof, Doody & Ezrol, PA
- c. RESOLUTION NO. 2016-58 (PBSO Agreement)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE AGREEMENT BETWEEN THE TOWN OF LOXAHATCHEE GROVES AND RIC L. BRADSHAW, SHERIFF OF PALM BEACH

COUNTY, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE AGREEMENT; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Motion: a motion to approve the consent agenda as presented was made by Council Member McLendon and seconded by Vice Mayor Goltzené. Motion passed 3 – 0.

4. PRESENTATIONS – none scheduled

5. COMMITTEE REPORTS

a. Planning and Zoning Board – Dennis Lipp, Chair

Dennis Lipp, Chair of Planning & Zoning Board, stated that the Board has been discussing commercial development at recent meetings. He went back to the Visioning Program that had been written about 10 years ago when the Town first incorporated. In that plan, Tangerine was to be Main Street from D Road to E Road and E. Citrus at the northern point. Maybe the Town needed to have a new Visioning Workshop. Mr. Lipp suggested that this neighborhood could be rezoned as commercial and create an overlay with boardwalks/sidewalks type atmosphere. Something like the Mt. Dora artsy communities.

Council Member McLendon responded that he agreed with the concept and realized the Town Council had in the past approved things in conflict with the Comp Plan. Vice Mayor Goltzené agreed there was need to make some changes, possibly in the norther portion of E. Citrus; but the artsy communities in towns like Mt. Dora, he felt, were created because nothing else retail or commercial was being used there.

6. ORDINANCES – none scheduled

7. MANAGER’S REPORT – Town Manager Underwood

a. Agenda Item Report – Updates on various activities and issues concerning the Town

Manager Underwood updated the Council on the following items:

- Another repair run was being done on the roads. The last one was 90 days ago.
- Waiting for response from the County on the new speed signs for Okeechobee and Folsom roads.
- Code officer continues to work on active code cases and closing out old cases
- Letter of Interest was being advertised for Special Magistrate Hearing Services with deadline of August 16th at 1:00pm
- Legal still working one issue to exclude PBSC property from trails with WCD
- Permits for trails – need 25 feet from water’s edge, therefore need 40 foot R/O/W on west side of canals
- Culvert replacement projects ongoing
- IGC Meeting – discussed changing meeting location from WCD to Town Hall
- 8th Place North – attorneys are working on resolution
- Water Utilities Meeting – waiting for new date

- B Road construction moved to north end then going southerly
- Town received payment for solid waste lien plus interest for 1666 C Road
- Folsom Road annexation would be heard at next P&Z Board meeting, but have not heard from Cramer property yet
- ULDC Committee met for organizational meeting and set first review meeting
- Make sure WCD and Town boundaries along Folsom match
- Need a resolution to establish intent to annex all properties from our border to Wellington's border, including 230 acres in Natural Preserve, Southern Boulevard, Folsom Road and G Road. Not buy the preserve land, just annex

Town Attorney Cirullo wanted to clarify that Southern Boulevard was a State Road and could not be annexed, but Folsom, G Road and the Preserve could be included. Mayor Browning added that he hoped one day the Town could annex the hospital.

Motion: a motion to bring forward a resolution establishing intent to annex properties as clarified by Town Attorney was made by Vice Mayor Goltzené and seconded by Council Member McLendon. Motion passed 3 – 0.

b. House Appropriations Request Form

Manager Underwood asked the Council to consider what capital projects they would their representatives in Tallahassee to know are important for the Town. After discussion, the following three top priorities were established:

- Road improvements
- Guard rails improvements
- Water lines improvements

Council Member McLendon stated he was in agreement with items #1 and #3; but regarding #2 guard rails, if 25 foot easements were needed for trails, then maybe they could mitigate the canals for the trails. Vice Mayor Goltzené reminded him that the Town did not own the canals.

c. Committee Vacancies – Council was reminded that there are still openings on several committees.

8. OLD BUSINESS

a. RESOLUTION NO. 2016-57

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXHATCHEE GROVES, FLORIDA, ADOPTING A ROAD IMPROVEMENT PRIORITIZATION POLICY FOR ROADWAYS WITHIN THE TOWN; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT SUCH POLICIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to adopt the resolution and road improvement prioritization policy for roadways within the Town was made by Council Member McLendon and seconded by Vice Mayor Goltzené. Motion passed 3 – 0.

Mayor Browning called a break at 8:00pm. The meeting re-convened at 8:08pm.

9. NEW BUSINESS

a. Fiscal Year 2016/2017 Budget Recommendations

Manager Underwood advised that there were some new departments added, as well as the new accounting software system.

Vice Mayor Goltzené stated his review showed the General Fund, Transportation and Solid Waste were the big ticket line items and they were covered by outside contracts. He suggested that the Town take more Capital Improvement Funds and move possibly \$800,000 to Roads since there did not appear to be enough there now to finish. Maybe some of that could be used for drainage as well.

Council Member McLendon agreed that the Town needed to get serious about the roads, as this would increase property values.

Mayor Browning agreed also and commented that the Town was in a unique timing right now with asphalt being cheaper than rock, and the Town should proceed and quit just moving dirt around.

Motion: a motion to add \$800,000 to the Roads Fund was made by Vice Mayor Goltzené and seconded by Council Member McLendon. Motion passed 3 – 0.

Council Member McLendon stated that on page 63 in “unscheduled events”, the Town should move \$3,000 of that to the 10th Anniversary fund. Also, on page 68 Comp Plan, more would be needed for the amendments being reviewed and they should take \$25,000 from the “Contingency Fund” on page 74. Also, on page 59 the study to collect waste from vacant land that was needed should be moved from General Fund to Sanitation. Also, under WCD, the lane miles amount should be recalculated since 6th Court N. was never a district road. Mayor Browning agreed the Town should reclaim 6th Court N. Their agreement states “up to \$77,000, but the Town only pays what they bill. The bill would be paid on lane miles only.

Virginia Standish, North Road, commented that she owns property to the canal and the Town and WCD had worked together when her road was paved. What are the plans for the north side of North Road Canal? Would the Town get back the \$40,000 from the WCD?

Vice Mayor Goltzené and Council Member McLendon both agreed that in the past things happened that should not have happened, but it was time to move forward.

10. COUNCIL REPORTS

a. Council Member McLendon

1. Discussion and direction for ULDC members

Council Member McLendon stated that it appeared the UDC members had no idea what they were supposed to be doing and felt Council needed to give some direction. Vice Mayor Goltzené responded that they were advisory and we should let them give ideas and get input. He would like to see landscape and buffers, and Tangerine area.

Manager Underwood responded that his approach was to take specific topics rather than just go from beginning to end, and also get the Comp Plan and the ULDC to match.

Mayor Browning stated one thing he felt was critical was billboards. Town Attorney Cirullo stated that the Town could have some conditions, such as color, size and placement; however, the Town could not compel indirectly or regulate the content of the message. Mayor Browning agreed that the committee should get the topics done first and then look at other issues.

11. CLOSING COMMENTS

a. Public

Bill Louda, E Road, stated he was in favor of the annexations mentioned; the trails needed sloping and drainage; the Town should try to get a 15 foot trail from the Day property; and wanted to know who fills in the holes on E & Okeechobee.

Ken Johnson, Collecting Canal Road, stated a property in question for code violations also serves food along with the other convenience store type sales they are conducting; the roads and trails were joined at the hip and can't do one without the other; and the intersection of B Road and Collecting Canal required 90 degree turns and should be looked at during construction.

Laura Danowski, E Road, stated as a resident she was fed up listening to the contempt and disdain run on about other elected officials. The gas tax money for 6th Ct N was a Town Council problem and they should just do so without venom and untruths, and leave the past behind.

Joe Lelonek, owner of the Publix Center, responded to the comments on their landscape from the residents and would work with Staff on the issues since they intended to be good neighbors. Tractor Supply would be opening this Saturday and Publix in two weeks.

Maryann Miles, B Road, stated they should not be concentrating on plants, but rather getting rid of the holly and melaleucas and spending money piping into the canals for drainage.

b. Town Attorney – no report

c. Town Council Members

Vice Mayor Goltzené stated that it was not venomous to say that the antiquated road system would save money for residents and lower assessments if they were turned over to the Town. The State does not give the WCD gas tax money, it gives the money to the Town. Vice Mayor Goltzené added that possibly a statement should be posted on the website explaining the charter amendments, particularly the one about borrowing money. The Town would not raise taxes, but rather use the gas tax money to repay the loans. If the amendment doesn't pass, then the Town doesn't borrow the money and continues to do a few streets at a time. Mayor Browning suggested an open letter from a Council Member to the residents.

Town Attorney Cirullo reminded the Town that they could put out information to educate on the amendments, but not advocate. He had never heard of an open letter, but a statement on the website could be possible.

Motion: a motion to authorize a statement be placed on the website educating the residents on the ballot questions was made by Vice Mayor Goltzené. The motion failed for lack of a second.

Council Member McLendon stated the royal palms at the new plaza on B Road and Southern don't fit in with the Loxahatchee Groves esthetics. Regarding the District Funds, the factual dollars don't add up and that was not trying to bash the WCD, but just the facts; regarding the Brazilian peppers clogging the roads and canals, the maintenance crews were now using a herbicide that would destroy them so they would not be a problem in the future.

Mayor Browning stated there were two sides with District Roads and Town Roads. The taxpayers had paid the full bill prior to incorporation. Now the Town gets the gas tax money, count all the roads and give the WCD the amount for theirs. Regarding debt and borrowing, the original incorporation group had never wanted to be in debt or borrow money; however, now to be able to borrow enough to fix all the roads and pay the debt off with only the gas tax money was a good idea with no burden to the taxpayers.

12. ADJOURNMENT

Hearing no further business, a motion to adjourn the meeting was made at 9.18 PM.

Virginia Walton, Town Clerk

David Browning, Mayor

These minutes were approved by the Town Council on Tuesday, _____ 2016.

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Telephone (954) 771-4500

TOWN OF LOXAHATCHEE GROVES
155 F Road
Loxahatchee Groves FL 33470

ACCOUNT NO:
STATEMENT NO:

Page: 1
08/31/2016
1574-0702400
11183

Attn: William F. Underwood, II - Town Manager

General Matters

MDC

HOURS

07/27/2016	SCW	Research regarding annexation. Prepare research for meeting with Mike Cirullo.	2.00
	MDC	Review status of agenda items; review emails on Okeechobee Blvd, telephone conference with BU on pending items.	0.90
07/28/2016	MDC	Continue reviewing agenda items for 8/2 meeting; review materials on pending zoning matters.	0.80
08/01/2016	MDC	Review agenda materials for 8/2 meeting; review draft procurement and manual per Bill Underwood, telephone conference with BU Re: status of ALI approvals.	1.50
08/02/2016	MDC	Review materials, miscellaneous telephone conference with council; continue reviewing procurement matters; prepare for and attend council meeting.	4.60
08/03/2016	SCW	Prepare for meeting with Mike Cirullo. Research regarding annexation of non-contiguous land.	2.20
	MDC	Review matters from 8/2 meetings; continue reviewing and preparing Alcoholic Beverage ordinance per BU.	1.20
08/04/2016	SCW	Meeting with Mike Cirullo regarding annexation and Comp plan.	1.00
	MDC	Continue reviewing procurement ordinance; Telephone conference with BU on pending code matters; meet with SW Re: Annexation issues, review materials for ULDC presentation.	1.10
08/05/2016	MDC	Review materials, present Sunshine/Public Records to ULDC Committees; continue reviewing Alcoholic Beverage ordinance per BU; confer with BU on pending items, Telephone conference with BU, JF Re: Okeechobee Comp Plan, ULDC	3.90
08/08/2016	MDC	Continue reviewing proposed alcoholic beverages ordinance, review correspondence on zoning interpretation, Telephone conference with BU, review letter from PB County; prepare draft response letter.	1.00
08/09/2016	MDC	Continue reviewing status of Okeechobee, prepare letter for WU to send to county; telephone conference with BU on pending items.	0.90

General Matters

HOURS

08/10/2016	MDC	Telephone conference with BU and BT on code matters; continue preparing B Road easements, review revisions; continue revising alcohol consumption ordinance, forward to BU and BT to review.	1.10
08/12/2016	MDC	Miscellaneous telephone conference with Re: OIG matters, review correspondence on PZ matters.	0.70
08/16/2016	MDC	Review B road easements, review miscellaneous pending items, prepare annexation resolution, forward to BU for review.	1.20
08/17/2016	MDC	Miscellaneous telephone conference on Okeechobee; review ULDC materials per JF and BU; review status of OIG matters.	1.20
08/22/2016	MDC	Review emails on pending items, follow up with BU on pending items for 9/8 agenda.	0.30
08/23/2016	MDC	Review pending items for 9/8 meeting; miscellaneous telephone conference on items with BU, PU; review PZ Board issues, begin preparing resolution per BU (Legislative Appropriations)	1.70
08/24/2016	MDC	Review code matters and correspondence, confer with DJD; review draft resolutions for 9/8 meeting.	1.00
	DJD	Address code violation and status of order.	0.60
08/25/2016	MDC	Prepare resolutions for 9/8 meeting; Telephone conference with BU on agenda materials, roads, district, OIG matters and COs for Atlantic Lands.	1.70
08/26/2016	MDC	Review and revise resolutions for 9/8 meeting; review emails on miscellaneous code matters; telephone conference with BU Re: Loxahatchee Groves Commons CO	1.00
08/29/2016	MDC	Review correspondence on Lox Groves CO, prepare B Road easement letter to BU, check with BU on status of annexation resolution; Telephone conference with BU on pending items, revise annexation resolutions per BU; review millage resolution; review budget resolution, provide comments to BU and PU.	1.90
08/30/2016	MDC	Review and revise Resolution for House Appropriation Form; review status of agenda items for 9/8 meeting; review status of easement maps; review annexation maps; revise annexation resolutions; telephone conference with BU on agenda, pending matters.	2.00
FOR CURRENT SERVICES RENDERED			35.50
			6,567.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D.J. DOODY	0.60	\$185.00	\$111.00
MICHAEL D. CIRULLO	29.70	185.00	5,494.50
SHARI C. WALLEN	5.20	185.00	962.00

General Matters

Color photocopies	3.85
Photocopies	<u>130.20</u>
TOTAL EXPENSES THRU 08/30/2016	134.05
TOTAL CURRENT WORK	6,701.55
BALANCE DUE	<u>\$6,701.55</u>

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TOWN OF LOXAHATCHEE GROVES
 155 F Road
 Loxahatchee Groves FL 33470

Page: 1
 08/31/2016
 ACCOUNT NO: 1574-0706600
 STATEMENT NO: 11184

Attn: William F. Underwood, II - Town Manager

Solid Waste Special Assessment

			HOURS	
08/30/2016	MDC	Review Annual Assessment Resolution, provide comments to Perla Underwood.	0.80	
		FOR CURRENT SERVICES RENDERED	0.80	148.00
RECAPITULATION				
	<u>TIMEKEEPER</u>		<u>HOURS</u>	<u>HOURLY RATE</u>
	MICHAEL D. CIRULLO		0.80	\$185.00
				<u>TOTAL</u>
				\$148.00
		TOTAL CURRENT WORK		148.00
		BALANCE DUE		<u>\$148.00</u>

MDC

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TOWN OF LOXAHATCHEE GROVES
155 F Road
Loxahatchee Groves FL 33470

Page: 1
08/31/2016
ACCOUNT NO: 1574-1107585
STATEMENT NO: 11185

Attn: William F. Underwood, II - Town Manager

Big Dog Ranch/ Special Exception

07/31/2016	Prestige Reporting Service - Invoice 16-41679	<u>995.80</u>
		995.80
	TOTAL ADVANCES THRU 08/30/2016	<u>995.80</u>
	TOTAL CURRENT WORK	995.80
	BALANCE DUE	<u><u>\$995.80</u></u>

MDL

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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TOWN OF LOXAHATCHEE GROVES
155 F Road
Loxahatchee Groves FL 33470

Page: 1
08/31/2016
ACCOUNT NO: 1574-1107600
STATEMENT NO: 11187

Attn: William F. Underwood, II - Town Manager

adv. Big Dog Ranch (Litigation)

		HOURS	
08/02/2016	MDC Review witness and document disclosures,update council.	0.50	
08/10/2016	MDC Miscellaneous Telephone conference with MBurke to review status of case and discovery matters.	0.40	
	FOR CURRENT SERVICES RENDERED	0.90	166.50
RECAPITULATION			
	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>
	MICHAEL D. CIRULLO	0.90	\$185.00
			<u>TOTAL</u>
	TOTAL CURRENT WORK		166.50
	BALANCE DUE		<u>\$166.50</u>

MDC

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TOWN OF LOXAHATCHEE GROVES
155 F Road
Loxahatchee Groves FL 33470

Page: 1
08/31/2016
ACCOUNT NO: 1574-1107604
STATEMENT NO: 11188

Attn: William F. Underwood, II - Town Manager

Dunkin Donuts Sign Variance

			HOURS	
08/23/2016	MDC	Review notice for variance hearing, advise JF it is acceptable.	0.20	
08/30/2016	MDC	Review form of resolution for 9/8 meeting.	0.70	
		FOR CURRENT SERVICES RENDERED	0.90	<u>166.50</u>

RECAPITULATION			
<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	0.90	\$185.00	\$166.50

TOTAL CURRENT WORK 166.50

BALANCE DUE \$166.50

MDC

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TOWN OF LOXAHATCHEE GROVES
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Page: 1
08/31/2016
ACCOUNT NO: 1574-1107605
STATEMENT NO: 11189

Attn: William F. Underwood, II - Town Manager

Lox Groves Commons SPA-Atlantic Land (Medical)

		HOURS	
08/23/2016	MDC Review notices for QJ hearings, provide comments to JF	0.20	
08/30/2016	MDC Review form of resolution for 9/8 meeting, review staff and agenda report.	0.50	
	FOR CURRENT SERVICES RENDERED	0.70	129.50
RECAPITULATION			
	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>
	MICHAEL D. CIRULLO	0.70	\$185.00
	TOTAL CURRENT WORK		129.50
	BALANCE DUE		\$129.50

MDC

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TOWN OF LOXAHATCHEE GROVES
 155 F Road
 Loxahatchee Groves FL 33470

Page: 1
 08/31/2016
 ACCOUNT NO: 1574-1107606
 STATEMENT NO: 11190

Attn: William F. Underwood, II - Town Manager

Lox Groves Commons SPA-Atlantic Land (Chlorine)

			HOURS	
08/23/2016	MDC	Review proposed notice, related correspondence.	0.20	
08/30/2016	MDC	Review form of resolution for 9/8 meeting; review staff and agenda report.	0.60	
		FOR CURRENT SERVICES RENDERED	0.80	148.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
MICHAEL D. CIRULLO	0.80	\$185.00	\$148.00

TOTAL CURRENT WORK 148.00

BALANCE DUE \$148.00

mpl

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TOWN OF LOXAHATCHEE GROVES
155 F Road
Loxahatchee Groves FL 33470

Page: 1
08/31/2016
ACCOUNT NO: 1574-1107607
STATEMENT NO: 11191

Attn: William F. Underwood, II - Town Manager

adv. FDOT (Drysdale eminent domain)

		HOURS	
08/30/2016	MDC Review complaint, meet with KLE Re: Town Response	0.40	
	KLE Review petition and related documents; prepare for and attend meeting with MDC.	0.70	
	FOR CURRENT SERVICES RENDERED	1.10	203.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
KERRY L. EZROL	0.70	\$185.00	\$129.50
MICHAEL D. CIRULLO	0.40	185.00	74.00

TOTAL CURRENT WORK 203.50

BALANCE DUE \$203.50

(MDC)

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

AGENDA ITEM NO. 4 e

MEETING DATE: 09/08/2016

PREPARED BY: Perla Underwood

SUBJECT: Use of Town Logo by the Loxahatchee Groves Landowners Association

1.BACKGROUND/HISTORY

Problem Statement: The Loxahatchee Groves Land Owners Association is requesting permission to use the Town Logo in conjunction with a Town 10th Anniversary DVD they have created.

Problem Solution: Approval for the use of the Town Logo by the Loxahatchee Groves Landowners Association for its use in preparation of a DVD cover for the Town's 10th Anniversary video they have created.

The Town Council currently has not established guidelines that allow the use of the Town Logo by other entities.

2.CURRENT ACTIVITY

The LGLA has created a DVD in commemoration of the Town of Loxahatchee Groves upcoming 10th Anniversary. They have requested permission to use the Town Logo on the DVD Cover. Staff to work with the Town Attorney in the development of an ordinance for future Town Council consideration on criteria for use of the Town Logo by other entities.

3.ATTACHMENTS

None

4.FINANCIAL IMPACT

None

5.RECOMMENDED ACTION

Motion to approve of the request by the Loxahatchee Groves Landowners Association.

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-62

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA EXPRESSING ITS CONTINUING SUPPORT FOR THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT ACTIVITIES TO ELIMINATE FENCES AND GATES WITHIN THE DISTRICT'S MAINTENANCE BERMS; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Loxahatchee Groves' residents and businesses rely on the ability of the Water Control District to keep the waterway berms clear and in good condition in order to maintain proper drainage throughout the Town; and

WHEREAS, on August 24, 2016, the Intergovernmental Coordinating Committee met and discussed the ongoing issues revolving around the District's lack of access to the maintenance berms in order to keep the canals and drainage at top efficiency; and

WHEREAS, there was unanimous approval at the meeting for the efforts of the Water Control District to take whatever steps are necessary to give them clear access to the maintenance berms; and

WHEREAS, the Town Council of the Town of Loxahatchee Groves finds it to be in the best interests of the Town, and the health, safety and welfare of the residents, to support the actions of the Water Control District.

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. The Town Council of the Town of Loxahatchee Groves, Florida, will continue its support the actions and activities of the Water Control District to have clear access to

the maintenance berms and canals within the Town, and urges all residents to cooperate with the Water Control District in giving clear access to all maintenance berms.

Section 3. The Town Clerk is directed to transmit a copy of this Resolution to the Loxahatchee Groves Water Control District.

Section 4. 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.

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

Section 6. This Resolution shall become effective immediately upon its passage and adoption.

Council Member _____ offered the foregoing resolution. 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>
DAVIS 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, FLORIDA, this _____ day of SEPTEMBER 2016.

ATTEST:

Virginia Walton, Town Clerk

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

Mayor David Browning

Vice-Mayor Tom Goltzené

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. 4g
MEETING DATE: 09/08/2016

PREPARED BY: William F. Underwood, II

SUBJECT: House Appropriations Requests Form for FY 2017

1.BACKGROUND/HISTORY

Problem Statement: The Town Council must approve the completed House Appropriations Request form for FY 2017.

Problem Solution: Approved and authorize the transmission of the FY 2017 House Appropriations Requests Forms.

The Town Council identified three (3) specific funding requests for FY 2017 and instructed the forms be completed and returned at the next regular meeting. The three projects were approved by Town Council at the July 19th regular Town Council meeting. The three items were road and drainage improvements, guardrails, and trunk water lines.

2.CURRENT ACTIVITY

Pursuant to Council direction, this office prepared three House appropriation request forms for the three requests the Council stated they would like to make for the upcoming legislative session beginning on March 7, 2017. Filing deadline to submit requests for draft bills is January 27, 2017, at 5:00 p.m..

3.ATTACHMENTS

House Appropriation Request Form for Road and Drainage Improvements
House Appropriation Request Form for Guardrail Improvements
House Appropriation Request Form for Trunk Water Line Improvements

4.FINANCIAL IMPACT

No financial impact until matching grant funding is provided. The amount of matching funds required is approximately \$2.5 million if appropriations are approved during the legislative session.

5.RECOMMENDED ACTION

Motion to adopt resolution 2016-69

RESOLUTION NO. 2016-69

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THREE HOUSE APPROPRIATIONS REQUEST FORMS FOR FISCAL YEAR 2017, ATTACHED HERETO AND IDENTIFIED AS (1) HOUSE APPROPRIATION REQUEST FORM FOR ROAD AND DRAINAGE IMPROVEMENTS, (2) HOUSE APPROPRIATION REQUEST FORM FOR GUARDRAIL IMPROVEMENTS, AND (3) HOUSE APPROPRIATION REQUEST FORM FOR TRUNK WATER LINE IMPROVEMENTS; PROVIDING FOR DELIVERY OF THE REQUEST FORMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Loxahatchee Groves finds it in the best interest of the Town to request funding from the Florida Legislature for road and drainage improvements, guardrail improvements, and trunk water line improvements.

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. The Town Council of the Town of Loxahatchee Groves hereby approves the following Fiscal Year 2017 House Appropriations Request Forms, attached hereto and incorporated herein:

- (1) House Appropriation Request Form for Road and Drainage Improvements
- (2) House Appropriation Request Form for Guardrail Improvements
- (3) House Appropriation Request Form for Trunk Water Line Improvements

SECTION 3. The Town Council designates and authorizes the Town Manager to deliver the House Appropriations Request Forms identified herein to appropriate officials for consideration by the Florida Legislature.

SECTION 4. Conflicts. That all resolutions or parts of resolution in conflict herewith, are repealed to the extent of such conflict.

SECTION 5. Severability. Should any section or provision of this Resolution or portion hereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of this Resolution.

SECTION 6. Effective Date. This Resolution shall become effective immediately upon passage.

Council Member _____ offered the foregoing resolution. 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS _____ DAY OF _____, 2016.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

Mayor David Browning

Virginia Walton, Town Clerk

Vice-Mayor Tom Goltzené

APPROVED AS TO
LEGAL FORM:

Council Member Ron Jarriel

Office of the Town Attorney

Council Member Ryan Liang

Council Member Todd McLendon

HOUSE APPROPRIATION REQUEST FORM

1. Title of the budget issue: **Road and Drainage Improvement Project**

2. The date of submission: September 10, 2016

3. The following detail of recent funding history:

a. The most recent year in which the issue received an appropriation from the state budget: None

b. If applicable, how much funding was appropriated in FY 2015-16? N/A _____

c. Of the funds appropriated in FY 2015-16, how much of the appropriation was recurring? N/A _____

d. If there was an appropriation in the FY 2015-16 state budget, was it vetoed? YES _____ NO X_____

4. The following detail regarding the funding request for FY 2016-17:

a. Is request for Fixed Capital Outlay, other one-time costs or operating expenses? Fixed capital outlay

b. How much of the funding request is for non-recurring funds? 100%

c. How much of the funding request is for recurring funds? 0%

*Note: If recurring funds are requested, please note only the recurring funds requested in addition to any recurring funds appropriated in FY 2015-16.

d. Detail on how the funds requested will be spent - for example how much will be spent on positions and associated salaries, specifics on capital costs, and detail of operational expenses. Include the type and amount of services as well as the number of the specific target population that will be served (such as number of home health visits to X, etc.):

The Town is requesting funding in the amount of \$13,000,000 for capital construction road improvements within the Town. This request is for a 90% grant and 10% local match. The attached exhibit reflects the proposed detail expenditures for these projects. The Town has proposed an FY 2017 appropriation of \$1.918 million for road and drainage improvements.

e. A description of matching funds expected from other sources (federal, state, or local):

f. Will the issue require future state appropriations beyond the 2016-2017 Fiscal Year? If so, please detail future year funding implications:

Future funding will only be required and requested if sufficient funds are not appropriated during FY 2017.

g. Contact names and numbers for further information:

h. The name of the organization receiving the funds:

TOWN OF LOXAHATCHEE GROVES

House Members, please email the summary in a Word document together with other attachments supporting your budget issue to the Appropriations Committee or Subcommittee having jurisdiction over the issue requested (please use the appropriate email address that was provided in the initial email to all House Members).

*****NOTE: The summary must be signed with your electronic signature and submitted from your House e-mail account.**

HOUSE APPROPRIATION REQUEST FORM

1. Title of the budget issue: **Guardrail**
2. The date of submission: September 10, 2016
3. The following detail of recent funding history:
 - a. The most recent year in which the issue received an appropriation from the state budget: None
 - b. If applicable, how much funding was appropriated in FY 2015-16? N/A _____
 - c. Of the funds appropriated in FY 2015-16, how much of the appropriation was recurring? N/A _____
 - d. If there was an appropriation in the FY 2015-16 state budget, was it vetoed? YES _____ NO X _____
4. The following detail regarding the funding request for FY 2016-17:
 - a. Is request for Fixed Capital Outlay, other one-time costs or operating expenses? Fixed capital outlay
 - b. How much of the funding request is for non-recurring funds? 100%
 - c. How much of the funding request is for recurring funds? 0%

*Note: If recurring funds are requested, please note only the recurring funds requested in addition to any recurring funds appropriated in FY 2015-16.
 - d. Detail on how the funds requested will be spent - for example how much will be spent on positions and associated salaries, specifics on capital costs, and detail of operational expenses. Include the type and amount of services as well as the number of the specific target population that will be served (such as number of home health visits to X, etc.):

The Town is requesting funding in the amount of \$6,900,000 for capital construction of guardrails along 25.9 miles of canal and roads improvements within the Town. This request is for a 90% grant and 10% local match. Guardrail cost to purchase and install is approximately \$50 per lineal foot.
 - e. A description of matching funds expected from other sources (federal, state, or local):

Funding is available to match 10% of the total project cost and can be appropriated from unassigned fund balances. The Town can amend its FY 2017 appropriation to accommodate the \$690,000 local match.
 - f. Will the issue require future state appropriations beyond the 2016-2017 Fiscal Year? If so, please detail future year funding implications:

Future funding will only be required and requested if sufficient funds are not appropriated during FY 2017.

g. Contact names and numbers for further information:

William F. Underwood, II, Town Manager; 155 F Road, Loxahatchee Groves FL 33470 Telephone:
561-793-2418

h. The name of the organization receiving the funds:

TOWN OF LOXAHATCHEE GROVES

House Members, please email the summary in a Word document together with other attachments supporting your budget issue to the Appropriations Committee or Subcommittee having jurisdiction over the issue requested (please use the appropriate email address that was provided in the initial email to all House Members).

*****NOTE: *The summary must be signed with your electronic signature and submitted from your House e-mail account.***

HOUSE APPROPRIATION REQUEST FORM

1. Title of the budget issue: **Water Line Trunks**
2. The date of submission: September 10, 2016
3. The following detail of recent funding history:
 - a. The most recent year in which the issue received an appropriation from the state budget: None
 - b. If applicable, how much funding was appropriated in FY 2015-16? N/A _____
 - c. Of the funds appropriated in FY 2015-16, how much of the appropriation was recurring? N/A _____
 - d. If there was an appropriation in the FY 2015-16 state budget, was it vetoed? YES _____ NO X_____
4. The following detail regarding the funding request for FY 2016-17:
 - a. Is request for Fixed Capital Outlay, other one-time costs or operating expenses? Fixed capital outlay
 - b. How much of the funding request is for non-recurring funds? 100%
 - c. How much of the funding request is for recurring funds? 0%

*Note: If recurring funds are requested, please note only the recurring funds requested in addition to any recurring funds appropriated in FY 2015-16.
 - d. Detail on how the funds requested will be spent - for example how much will be spent on positions and associated salaries, specifics on capital costs, and detail of operational expenses. Include the type and amount of services as well as the number of the specific target population that will be served (such as number of home health visits to X, etc.):

The Town is requesting funding in the amount of \$6,600,000 for capital construction of water line trunks 26.5 miles of water line improvements within the Town. This request is for a 90% grant and 10% local match. Guardrail cost to purchase and install is approximately \$50 per lineal foot.
 - e. A description of matching funds expected from other sources (federal, state, or local):

Funding is available to match 10% of the total project cost and can be appropriated from unassigned fund balances. The Town can amend its FY 2017 appropriation to accommodate the \$660,000 local match.
 - f. Will the issue require future state appropriations beyond the 2016-2017 Fiscal Year? If so, please detail future year funding implications:

Future funding will only be required and requested if sufficient funds are not appropriated during FY 2017.

g. Contact names and numbers for further information:

William F. Underwood, II, Town Manager; 155 F Road, Loxahatchee Groves FL 33470 Telephone:
561-793-2418

h. The name of the organization receiving the funds:

TOWN OF LOXAHATCHEE GROVES

House Members, please email the summary in a Word document together with other attachments supporting your budget issue to the Appropriations Committee or Subcommittee having jurisdiction over the issue requested (please use the appropriate email address that was provided in the initial email to all House Members).

*****NOTE: *The summary must be signed with your electronic signature and submitted from your House e-mail account.***

Town of Loxahatchee Groves, FLORIDA
Town Council AGENDA ITEM REPORT
AGENDA ITEM NO. 5a, 5b, 5c

MEETING DATE: 09/08/2016

PREPARED BY: William F. Underwood, II

SUBJECT: Annexation Intentions

1 BACKGROUND/HISTORY

Problem Statement: Annex contiguous parcels to the Town of Loxahatchee Groves.

Problem Solution: Initiate voluntary annexations

The Council has expressed a desire to incorporate into its geographic boundaries several parcels that are contiguous and compact to the Town's corporate limits. Specifically, the Town Council delineated parcels to the northeast border, southeast border, and Southern Boulevard.

2. CURRENT ACTIVITY

The Town Attorney and staff have prepared resolutions that provide authority for the Town staff to undertake activities that are necessary to promote the voluntary annexation of the identified parcels into the Town.

Three resolutions and maps have been prepared for Town Council consideration and are included in the September 8, 2016, agenda as items no. 5a, no. 5b and no. 5c.

3. ATTACHMENTS

Resolution 2016-66
Resolution 2016-67
Resolution 2016-68

4. FINANCIAL IMPACT

Not applicable

5. RECOMMENDED ACTION

Motion to adopt resolution 2016-66
Motion to adopt resolution 2016-67
Motion to adopt resolution 2016-68

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-66

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, EXPRESSING THE DESIRE OF THE TOWN TO HAVE COUNTY-OWNED PROPERTY GENERALLY BOUNDED ON THE NORTH BY 40TH STREET NORTH, ON THE EAST BY THE WESTERN BOUNDARY OF ROYAL PALM BEACH, ON THE SOUTH BY NORTH ROAD AND ON THE WEST BY THE EASTERN BOUNDARY OF THE TOWN OF LOXAHATCHEE GROVES (COUNTY PROPERTY) VOLUNTARILY ANNEX INTO THE TOWN OF LOXAHATCHEE GROVES; WAIVING COST RECOVERY FOR ANNEXATION APPLICATIONS SUBMITTED FOR THE PROPERTY SUBJECT TO THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes, provides a process for voluntary annexation for owners of property eligible for annexation to petition the Town to be annexed into the Town; and;

WHEREAS, the Town Council finds it fair and reasonable to waive cost recovery for annexation applications filed for property that is the subject of this resolution, as the annexation of the property would be beneficial to the Town; and,

WHEREAS, the Town Council believes that the annexation of the County-owned property generally bounded on the north by 40th Street North, on the east by the western boundary of Royal Palm Beach, on the south by North Road and on the west by the eastern boundary of the Town of Loxahatchee Groves (County Property) would be in the best interest of the Town.

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

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

Section 2. The Town Council hereby expresses its desire for the County-owned property generally bounded on the north by 40th Street North, on the east by the western boundary of Royal Palm Beach, on the south by North Road and on the west by the eastern boundary of the Town of Loxahatchee Groves (County Property), and located in unincorporated Palm Beach County and adjacent to the Town, as identified on the attached exhibit "A", to voluntarily annex into the Town of Loxahatchee Groves,

Section 3. The Town Council authorizes the waiver of all costs associated with an application for annexation filed for the property that is the subject of this resolution as described in Section 2 and the attached exhibit "A".

Section 4. The Town Manager is authorized to take all necessary actions to implement this Resolution, including contacting Palm Beach County, and its departments and agencies, as well as other affected parties, to advise them of the Town Council's desire to have the County Property annexed into the Town, and advise them of the process for applying for voluntary annexation, coordinating communications with Palm Beach County, and engaging the Town's Planning Consultant, as well working with the Town Attorney, to implement the necessary approval processes with the Town's Planning and Zoning Board and Town Council, including necessary ordinances for the annexation, and amendments to the Comprehensive Plan and Zoning Changes for affected properties.

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

Section 6. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 7. This Resolution shall become effective upon adoption.

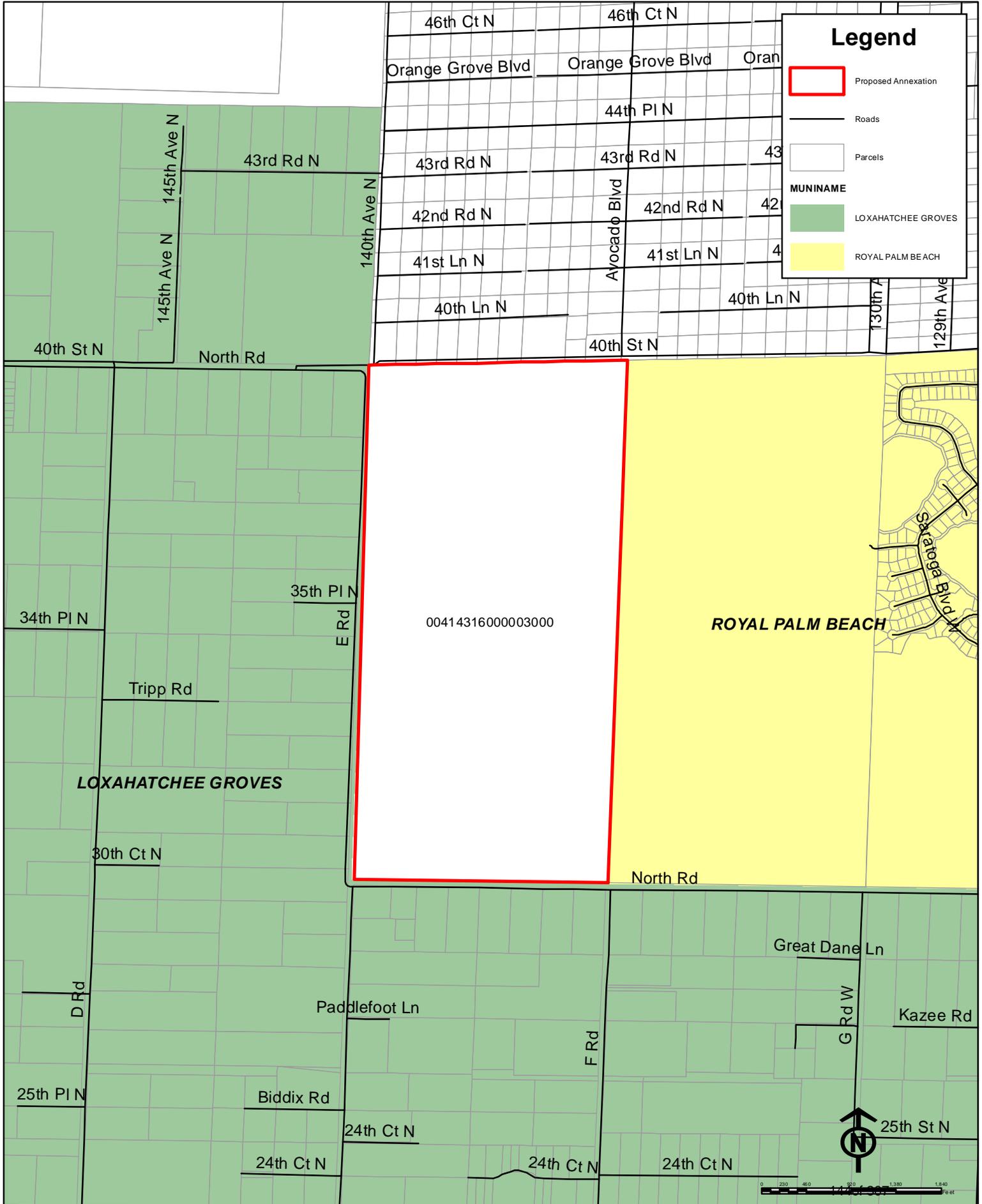
Council Member _____ offered the foregoing resolution. Council Member _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLVED AND ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida on this _____ day of _____, 2016.

<p>ATTEST:</p> <p>_____ Virginia Walton, Town Clerk</p> <p>APPROVED AS TO LEGAL FORM:</p> <p>_____ Office of the Town Attorney</p>	<p>TOWN OF LOXAHATCHEE GROVES, FLORIDA</p> <p>_____ Mayor David Browning</p> <p>_____ Vice Mayor Tom Goltzene</p> <p>_____ Council Member Ron Jarriel</p> <p>_____ Council Member Todd McLendon</p> <p>_____ Council Member Ryan Liang</p>
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Town of Loxahatchee Groves Proposed Annexation



TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-67

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, EXPRESSING THE DESIRE OF THE TOWN TO HAVE THE SOUTHERN BOULEVARD RIGHT OF WAY FROM THE WESTERN BOUNDARY OF THE TOWN TO THE WESTERN BOUNDARY OF ROYAL PALM BEACH VOLUNTARILY ANNEX INTO THE TOWN OF LOXAHATCHEE GROVES; WAIVING COST RECOVERY FOR ANNEXATION APPLICATIONS SUBMITTED FOR THE PROPERTIES SUBJECT TO THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes, provides a process for voluntary annexation for owners of property eligible for annexation to petition the Town to be annexed into the Town; and;

WHEREAS, the Town Council finds it fair and reasonable to waive cost recovery for annexation applications filed for property that is the subject of this resolution, as the annexation of the property would be beneficial to the Town; and,

WHEREAS, the Town Council believes that the annexation of the Southern Boulevard right-of way from the western boundary of the Town to the western boundary of Royal Palm Beach would be in the best interest of the Town.

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

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

Section 2. The Town Council hereby expresses its desire for the Southern Boulevard right-of-way from the western boundary of the Town to the western boundary of Royal Palm

Beach, and located in unincorporated Palm Beach County and adjacent to the Town, as identified on the attached exhibit “A”, to voluntarily annex into the Town of Loxahatchee Groves,

Section 3. The Town Council authorizes the waiver of all costs associated with an application for annexation filed for the property that is the subject of this resolution as described in Section 2 and the attached exhibit “A”.

Section 4. The Town Manager is authorized to take all necessary actions to implement this Resolution, including contacting the State of Florida and its departments and agencies, as well as other affected parties, to advise them of the Town Council’s desire to have the property annexed into the Town, and advise them of the process for applying for voluntarily annexation, coordinating communications with Palm Beach County, and engaging the Town’s Planning Consultant, as well working with the Town Attorney, to implement the necessary approval processes with the Town’s Planning and Zoning Board and Town Council, including necessary ordinances for the annexation, and amendments to the Comprehensive Plan and Zoning Changes for affected properties.

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

Section 6. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 7. This Resolution shall become effective upon adoption.

Council Member _____ offered the foregoing resolution. 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>
DAVIS 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLVED AND ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida on this _____ day of _____, 2016.

ATTEST:

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

TOWN CLERK

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Tom Goltzene

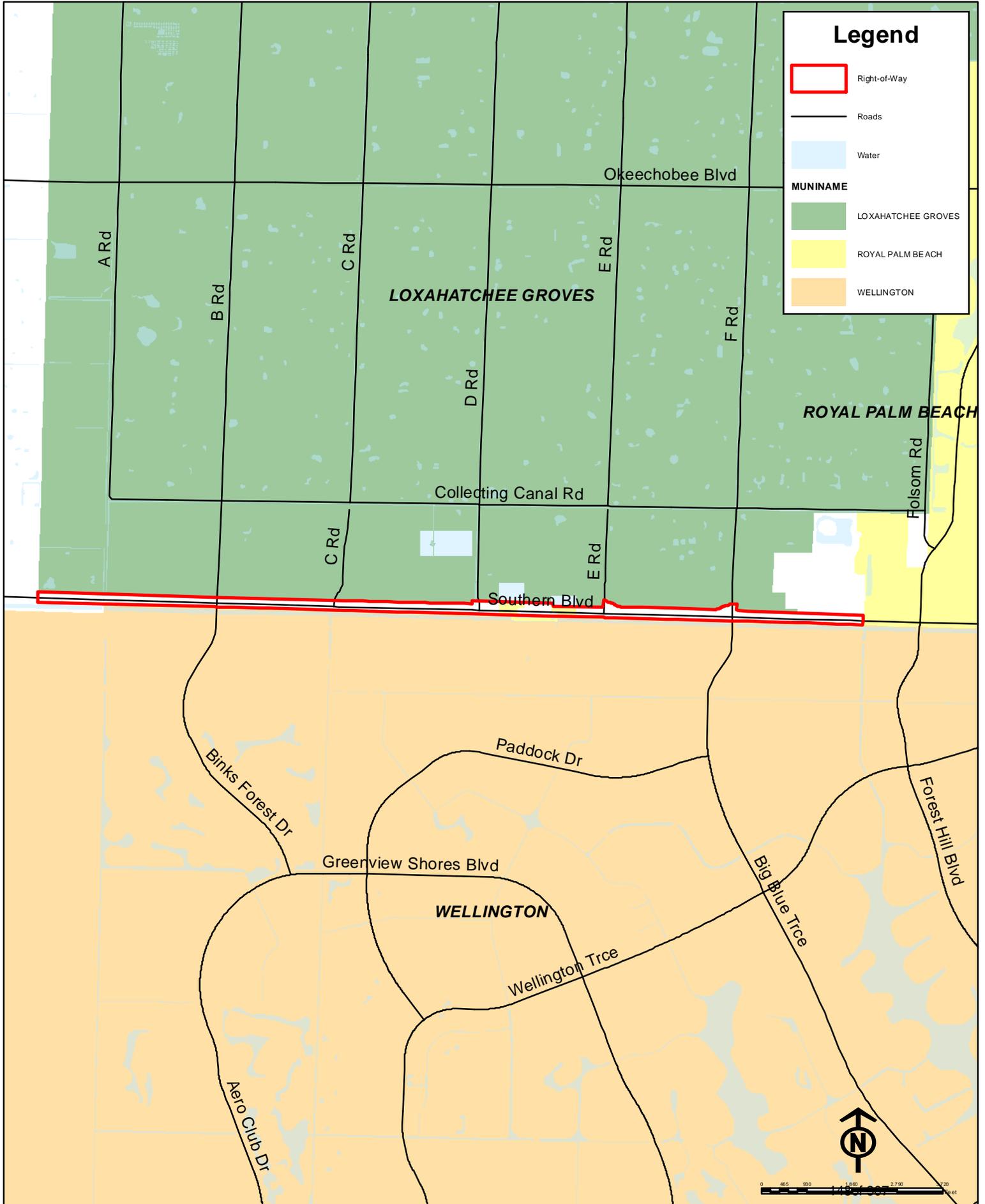
Office of the Town Attorney

Council Member Ron Jarriel

Council Member Todd McLendon

Council Member Ryan Liang

Town of Loxahatchee Groves Proposed Annexation



TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-68

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, EXPRESSING THE DESIRE OF THE TOWN TO HAVE CERTAIN PROPERTIES LOCATED IN UNINCORPORATED PALM BEACH COUNTY AND ADJACENT TO THE SOUTHEAST BOUNDARIES OF THE TOWN AND ALONG FOLSOM ROAD VOLUNTARILY ANNEX INTO THE TOWN OF LOXAHATCHEE GROVES; WAIVING COST RECOVERY FOR ANNEXATION APPLICATIONS SUBMITTED FOR PROPERTIES SUBJECT TO THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes, provides a process for voluntary annexation for owners of property eligible for annexation to petition the Town to be annexed into the Town; and;

WHEREAS, the Town Council finds it fair and reasonable to waive cost recovery for annexation applications filed for properties that are the subject of this resolution, as the annexation of these properties would be beneficial to the Town; and,

WHEREAS, the Town Council believes that the annexation of properties located in unincorporated Palm Beach County and adjacent to the Town's boundaries, generally along the southeast boundaries of the Town, and also Folsom Road, would be in the best interest of the property owners and the Town.

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

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

Section 2. The Town Council hereby expresses its desire for properties located in unincorporated Palm Beach County and adjacent to the Town, generally along the southeast border of the Town and along the Town's border on Folsom Road, in the locations identified on the attached exhibit "A"(1) and "A"(2), to voluntarily annex into the Town of Loxahatchee Groves,

Section 3. The Town Council authorizes the waiver of all costs associated with an application for annexation filed for properties that are the subject of this resolution as described in Section 2 and the attached exhibit "A"(1) and "A"(2).

Section 4. The Town Manager is authorized to take all necessary actions to implement this Resolution, including contacting property owners to advise them of the Town Council's desire to have them annexed into the Town and advise them of the process for applying for voluntary annexation, coordinating communications with Palm Beach County, and engaging the Town's Planning Consultant, as well working with the Town Attorney, to implement the necessary approval processes with the Town's Planning and Zoning Board and Town Council, including necessary ordinances for the annexation, and amendments to the Comprehensive Plan and Zoning Changes for affected properties.

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

Section 6. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 7. This Resolution shall become effective upon adoption.

Council Member _____ offered the foregoing resolution. 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>
DAVIS 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLVED AND ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida on this _____ day of _____, 2016.

ATTEST:

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

TOWN CLERK

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Tom Goltzene

Office of the Town Attorney

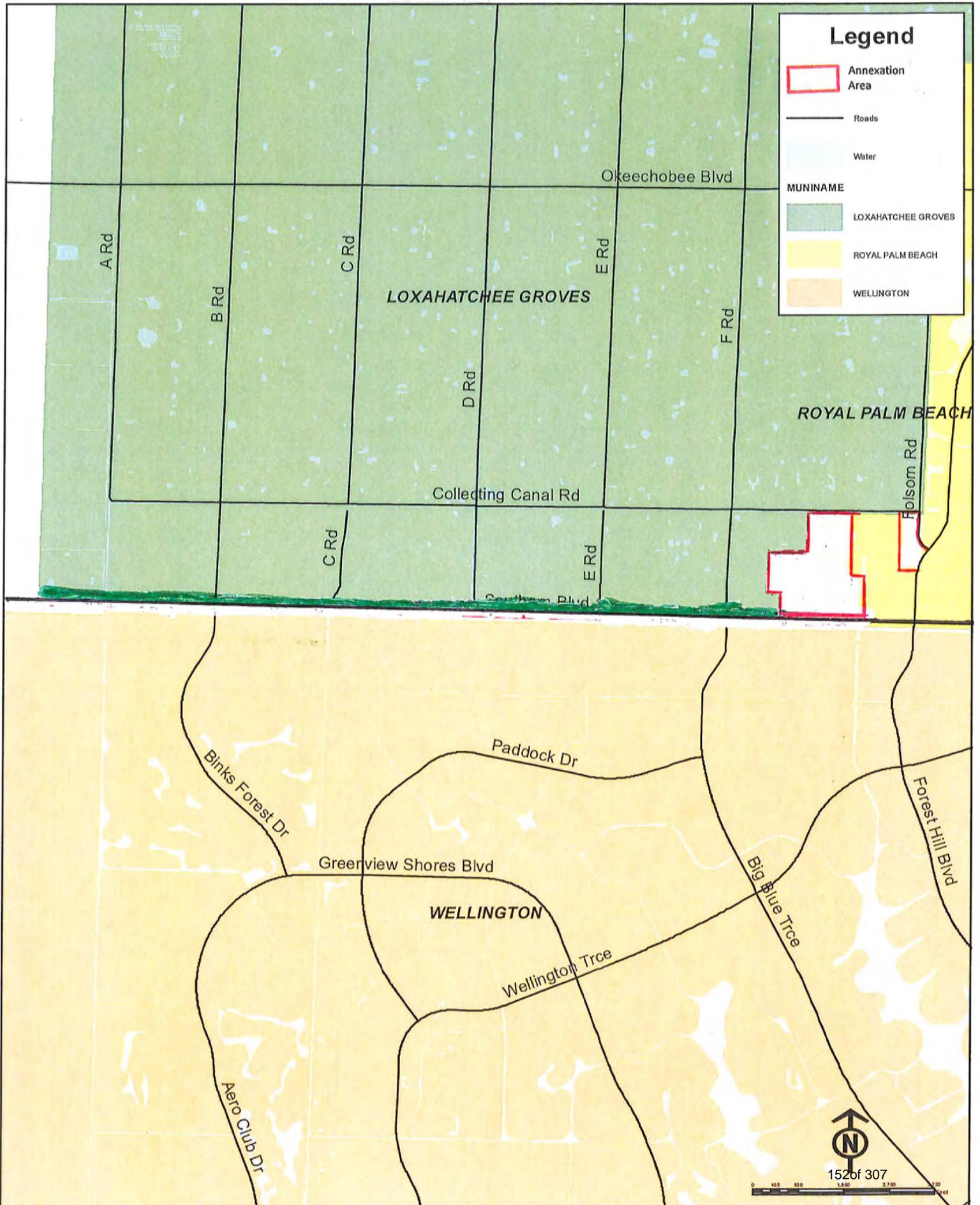
Council Member Ron Jarriel

Council Member Todd McLendon

Council Member Ryan Liang

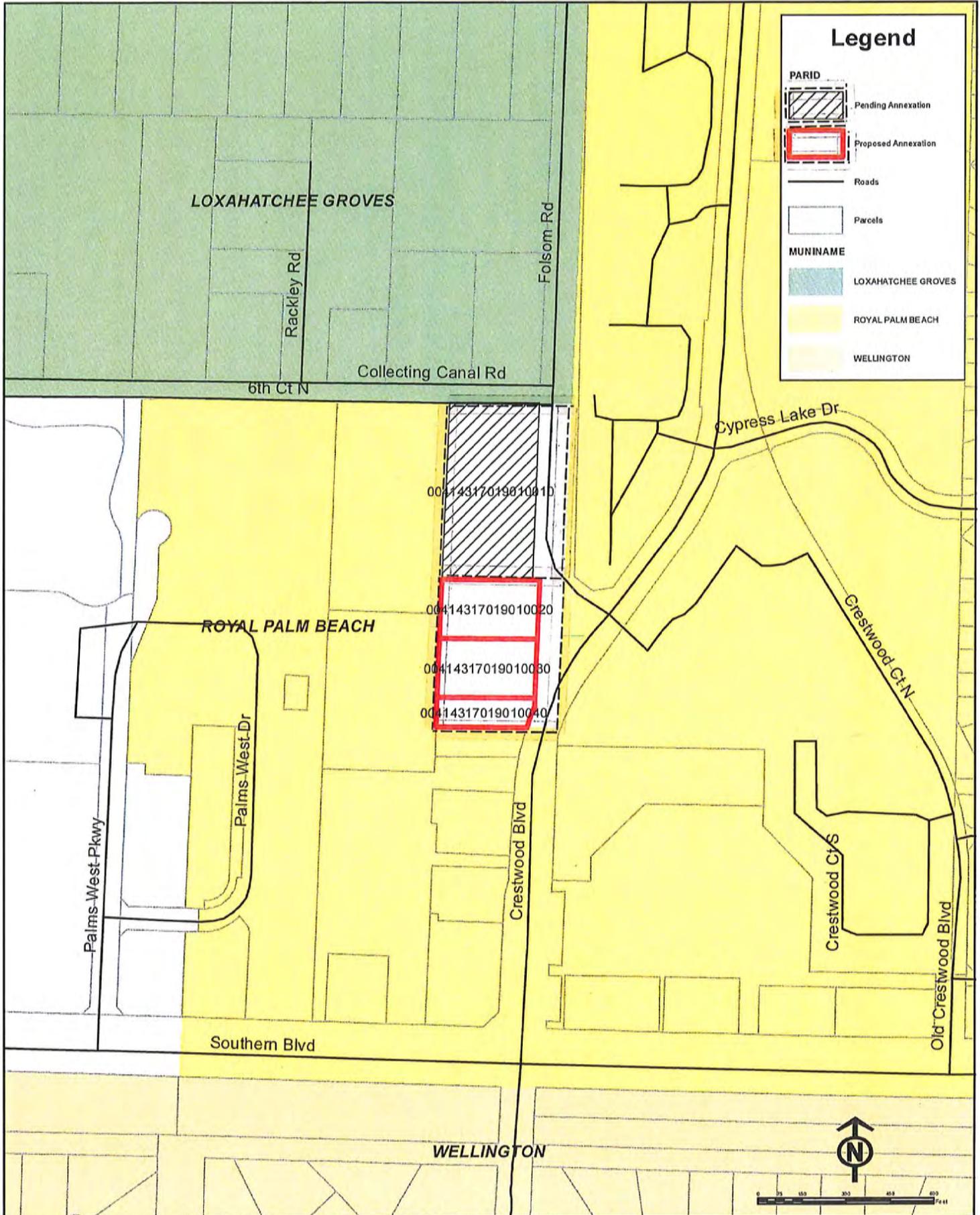
Town of Loxahatchee Groves Proposed Annexation

Exhibit "A"(1)



Town of Loxahatchee Groves Proposed Annexation

Exhibit "A" (2)



Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT
AGENDA ITEM NO. 6d

MEETING DATE: 09/08/2016

PREPARED BY: Virginia Walton, Town Clerk

SUBJECT: Selection of Special Magistrate

1. BACKGROUND/HISTORY

Problem Statement: The Town has been without a Special Magistrate to hear Code Enforcement Cases for over a year and code violations cases have been left dormant during that time.

Problem Solution: Select a new Special Magistrate and reconvene code violation hearings

2. CURRENT ACTIVITY

The new Code Enforcement Officer is reviewing all outstanding code violation cases, as well as investigating new code complaints. It is necessary to appoint a new Special Magistrate to hear those code violation cases which the code officer feels warrant a hearing for final resolution.

Pursuant to Town Council instructions, a Letter of Interest for Special Magistrate Code Hearing Services was advertised and posted on the Town's Website. Upon reaching the deadline of August 16, 2016 at 1:00pm, there were three (3) Letters of Interest resumes submitted for Council review and selection.

3. ATTACHMENTS

RLI2016-001 Summary Sheet

Letter of Interest from Gary M. Brandenburg, Brandenburg & Associates, P.A.

Letter of Interest from Paul J. Nicoletti, Attorney at Law

Letter of Interest from Keith W. Davis, Corbett, White, Davis and Ashton, P.A.

4. FINANCIAL IMPACT

Hourly Rate for Monthly Code Hearings

5. RECOMMENDED ACTION

Town Council to selection a Special Magistrate and instruct the Town Manager and Town Attorney to negotiate a contract with Council's selection.

Town of Loxahatchee Groves Proposal Summary Sheet

Proposal for: Special Magistrate Code Hearing Services Letter of Interest No. 2016-001

Date:

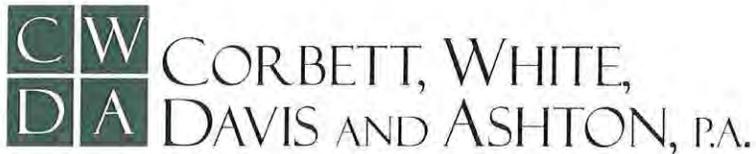
No. of Proposals Received: 3

155 of 307

DESCRIPTION	VENDORS			
Requirements:	Brandenburg & Associations, P.A. Gary M. Brandenburg 11891 US Hwy 1 N. Palm Bch, FL	Paul J. Nicoletti, Esq. Attorney at Law 1445 SE Lark Blvd Stuart, FL 34996	Corbett, White, Davis and Ashton, P.A. Keith W. Davis or Jennifer Ashton 701 Northpoint Parkway W. Palm Bch, FL 33407	
Experience background including at least 3 clients and contact info	Yes	yes	yes	
Affirm an attorney and in good standing with Florida Bar for min. 5 years	yes	yes	yes	
Has experience in zoning/land use law, bldg. control, code enforcement/admin law	yes	yes	yes	
Readily available to perform services	yes	yes	yes	
Submit detailed billing statements at hourly rate down to increments of tenth of an hour	\$225/hour, including travel time	\$200/hour plus \$40 flat rate r/t travel expense	\$175/hour plus 4% admin fee for expenses	
Attend and preside over code hearings	yes	yes	yes	
Promptly review, approve & sign Orders from Hearing findings and decisions	Did not mention	Yes – included sample of recent Orders	Did not mention	
Deadline August 16, 2016 @ 1:00pm	Rec'd 8/12/16 at 9:40 am	Rec'd 8/15/16 at 12:45 pm	Rec'd 8/16/2016 at 9:15 am	
Rec'd with 7 copies and electronic copy	yes	7 copies – no electronic	yes	

Signatures of Town of Loxahatchee Groves Personnel Present:

Virginia M. Walter - Town Clerk



ATTORNEYS AT LAW

KEITH W. DAVIS*
JENNIFER G. ASHTON
AMITY R. BARNARD
JOHN CORBETT+
TRELA J. WHITE+
ERIN L. DEADY, P.A. +
ERIN L. DEADY **

*Board Certified in City, County and Local Government Law
**AICP, LEED AP
+Of Counsel

August 16, 2016

Virginia M. Walton, Town Clerk
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, Florida 33470

Re: Request for Letters of Interest, Municipal Code Enforcement Magistrate and Hearing Services

Dear Ms. Walton:

I am pleased to submit this letter of transmittal and supporting documentation in response to the Town of Loxahatchee Groves' ("TOLG") Request for Letters of Interest for Municipal Code Enforcement Magistrate and Hearing Services. The Law Firm of Corbett, White, Davis and Ashton, P.A. has a team of experienced attorneys with the expertise to assure the provision of superior special magistrate and hearing officer services that the TOLG is seeking. Our attorneys are highly experienced in all aspects of code enforcement, including the provision of special magistrate services. We propose to offer either my services, or those of Jennifer Ashton, Esq. as Special Magistrate, with support and back-up to be provided by the other; in whatever arrangement is preferred by TOLG.

The law firm of Corbett, White, Davis and Ashton, P.A. currently serves as general counsel for six (6) municipalities in Palm Beach County, the Palm Beach County League of Cities, Inc., the Florida Green Finance Authority (a state-wide special district) and the Treasure Coast Regional Planning Council (comprised of by Indian River, St. Lucie, Martin and Palm Beach Counties). In addition, we serve as Code Enforcement Special Magistrate for the City of West Palm Beach and the Town of Ocean Ridge. We also serve as Special Magistrate for zoning related "reasonable accommodation requests" for Martin County and the Town of Juno Beach.

I am a Board Certified Specialist in City, County and Local Government Law. Over the course of the past 14 years, I have actively prosecuted hundreds of code enforcement cases before code enforcement boards and special magistrates in Teques-

August 8, 2016

Request for Letters of Interest, Municipal Code Enforcement Magistrate and Hearing Services

Page 2

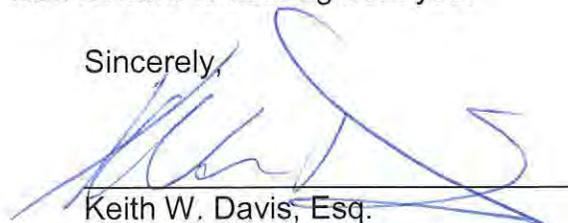
ta, Palm Beach Gardens, Palm Beach Shores, Mangonia Park, Lantana, Atlantis and Royal Palm Beach. I have personally served as Special Magistrate in West Palm Beach, Juno Beach, and Martin County. My experience in the code enforcement realm with zoning and land use codes, building codes, minimum property standard codes, and business tax codes is extensive. I have authored procedural manuals for code enforcement which are currently being used in Atlantis, Lantana, Mangonia Park, Manalapan, Palm Beach Gardens, Palm Beach Shores and Tequesta. From time to time, I have been a speaker at various seminars for code enforcement professionals. Over the years, I have successfully defended a number of appeals of code enforcement orders both at the circuit court and at the district court of appeal. I successfully defended Town of Manalapan code enforcement orders that found respondents to be in violation of zoning ordinances and that assessed fines for those violations all the way through the Florida Supreme Court. I have successfully defended Palm Beach Shores against claims brought before federal administrative agencies for alleged housing and zoning discrimination. I have also successfully prosecuted many lien foreclosure cases for my clients, resulting in the collection of hundreds of thousands of dollars in code enforcement liens.

In addition to my personal experience and skill, Ms. Ashton is likewise experienced and knowledgeable with municipal code enforcement. Ms. Ashton has regularly served as Code Enforcement Special Magistrate for the City of West Palm Beach since 2013, and was recently retained by the Town of Ocean Ridge to serve as its Special Magistrate. She has also prosecuted hundreds of code enforcement cases, most notably in the Village of Royal Palm Beach.

Both Ms. Ashton's and my land use and zoning experience is equally extensive. Since our municipal clients have such unique and different characteristics, we are experienced with zoning for residential, industrial, commercial and mixed use areas, as well as overlay districts, preservation districts, agricultural areas, etc. We have written, and regularly update, zoning codes for our municipal clients. Finally, we are both familiar with the Florida Building Code and its local administrative amendments, and we understand the relationship between code enforcement and building official authority. We have utilized building official expertise many times in code enforcement cases involving permit issues and other administrative matters associated with building codes.

Thank you for your consideration; I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Keith W. Davis", is written over a horizontal line. The signature is stylized and somewhat cursive.

Keith W. Davis, Esq.

Corbett, White, Davis and Ashton, P.A.

Enclosures



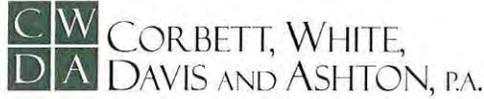
**Request for Letter of Interest
for
Municipal Code Enforcement Magistrate
and Hearing Services**

August 16, 2016

Prepared By:

CW
DA CORBETT, WHITE,
DAVIS AND ASHTON, P.A.

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Keith W. Davis, Esq.	
Jennifer Ashton, Esq.	

Firm Qualifications

CW CORBETT, WHITE,
DA DAVIS AND ASHTON, P.A.

Corbett, White, Davis and Ashton, P.A. has a long history of working on local government issues throughout South Florida that has included interfacing with all levels of government and agencies including Federal, State, Regional and local. The Firm has an exemplary reputation in managing matters for clients that primarily focus on the public sector. Helping government decision-makers and staff navigate the process to successful conclusions is what we do. The breadth and depth of experience in handling all variety of governmental issues we possess is critical for a code enforcement special magistrate to be successful. One cannot hope to sit as an impartial adjudicator of code related disputes between a local government and the property owners in its jurisdiction without being able to understand local government issues, how local government operates, how codes are written and implemented, and how these issues actually impact people and property.

Corbett, White, Davis and Ashton, P.A. is highly regarded as a premier law firm and its attorneys have extensive experience as detailed in their attorney profiles and resumes attached to this proposal. To further demonstrate our wealth of experience, the following table describes significant relevant public sector issues in which Corbett, White, Davis and Ashton, P.A. has been at the forefront and which further qualifies the Firm to provide code enforcement special magistrate and hearing officer legal services to the Town of Loxahatchee Groves:

Public Sector Issue	Firm's Role and Responsibility
<i>Countywide School Concurrency:</i>	<ul style="list-style-type: none"> • Played a significant role in creating a three (3) way agreement with Palm Beach County, the Palm Beach County School Board and all municipalities, other than those exempted under state law, which set forth a School Concurrency program looked upon as a model for the State of Florida. • The interlocal agreements signed by all parties helped ensure that schools would be built in a timely manner. • This required construction schedule helped municipalities in attracting families and quality development projects to locate in their communities.
<i>Amendment of Local Option Gas Tax Agreements:</i>	<ul style="list-style-type: none"> • Instrumental in the preparation of the relevant documents for the amendments to the Local Option Gas Tax Agreements and assisted in making certain each municipality placed the agreements on their agendas for approval.

	<ul style="list-style-type: none"> • Amendments provided that if a new municipality is incorporated, its share of the gas tax will come from the County’s portion and the municipal portion on a pro-rata basis. • Prior to these amendments, a new municipality’s <u>entire</u> share of the money came from the municipal portion, thus decreasing each of the other municipality’s share accordingly, with no contribution from the County. With these agreements in place, this did not happen with the incorporation of Loxahatchee Groves and cannot happen again.
<p><i>Road Reduction Interlocal Agreement:</i></p>	<ul style="list-style-type: none"> • Negotiated and drafted an interlocal agreement to provide for notice to other local governments whenever a municipality or county proposes to reduce lane miles on the County’s thoroughfare plan or to remove roads from the plan. • Agreement was drafted as an alternative to the County’s proposal to put this issue on the ballot, which would have given the County complete control of all roads on the County’s thoroughfare plan even if they were located within municipalities.
<p><i>Growth Management Litigation:</i></p>	<ul style="list-style-type: none"> • As general counsel for the Palm Beach County League of Cities, Inc., appeared as Amicus Curiae on behalf of the City of Boca Raton, in appellate proceedings challenging the lower court’s misunderstanding and misapplication of the comprehensive plan amendment process set forth in Chapter 163, <i>Florida Statutes</i>. • Specifically challenged the court’s interpretation and application of Section 163.3167(12), <i>Florida Statutes</i>, concerning the prohibition of an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment that affects five (5) or fewer parcels of land. • Brief was instrumental in persuading the Fourth District Court of Appeal to reverse the lower court’s ruling, which allowed a citizen’s initiative petition relative to a proposed comprehensive plan amendment that affected a single parcel of land.
<p><i>Code Enforcement Training and Manual Preparation</i></p>	<ul style="list-style-type: none"> • Our attorneys regularly participate in general, large scale training of code enforcement officers via speaking engagements at seminars, and one-on-one training with code enforcement officers in the municipalities we represent. • We have authored code enforcement policy and procedures manuals for all of our municipal clients. These manuals provide code enforcement officers with step-by-step direction on investigating violations, creating cases and case files, providing proper notice to respondents, presenting evidence at special magistrate hearings, and preserving the municipality’s interests via lien recording. We regularly update our manuals to keep them in conformance with changes in state law.

<p><i>Challenge to Intoxicating Liquor Ordinance After Annexation:</i></p>	<ul style="list-style-type: none"> • As general counsel for the Palm Beach County League of Cities, Inc., appeared as Amicus Curiae on behalf of the Village of North Palm Beach, in appellate proceedings challenging the lower court’s ruling that the Village could not enforce its intoxicating liquor ordinance against a tenant pub after the pub was voluntarily annexed into the Village with the consent of the property owner. • We successfully challenged the court’s incorrect interpretation of the tenant’s lease agreement, Chapter 171, <i>Florida Statutes</i> (regulating annexations), and Chapter 562, <i>Florida Statutes</i> (providing that municipalities have the right to set hours of sale for alcoholic beverages). • We successfully argued that the lower court’s ruling violated the Village’s authority to apply its reasonable police power regulations, which included the hours of sale for alcoholic beverages, to annexed properties.
<p><i>Keeping Palm Beach County as a Member of TCRPC:</i></p>	<ul style="list-style-type: none"> • In late 2014, as general counsel for the Palm Beach County League of Cities, Inc., we wrote and revised resolutions advocating that Palm Beach County remain as a member of the TCRPC and not move its membership to the South Florida Regional Planning Council. • Assisted in making certain each municipality placed the resolutions on their agendas for approval, and transmitted the approved resolutions to the Palm Beach County Board of County Commissioners. • This effort successfully resulted in Palm Beach County remaining with the TCRPC; a significant “win” for both the municipalities of Palm Beach County as well as the TCRPC.
<p><i>Code Writing; Ordinances and Resolutions</i></p>	<ul style="list-style-type: none"> • Regularly assist municipalities in drafting a wide range of ordinances and resolutions, ranging from special event ordinances to ordinances governing all-City citizen participation committees. • Regularly write new code or revise and amend existing code to improve enforceability, keep current with changes in state law, and assure that regulations reflect actual practices.
<p><i>Sunshine Law and Ethics Compliance:</i></p>	<ul style="list-style-type: none"> • Assist local governments regarding compliance with Florida’s Code of Ethics, Florida’s public records law, and Florida’s Government-in-the-Sunshine law. • Regularly provide advice and counsel to a variety of elected officials regarding ethics issues. • Assist local governments in responding to public records requests and navigating the complexities of Florida’s Sunshine law.

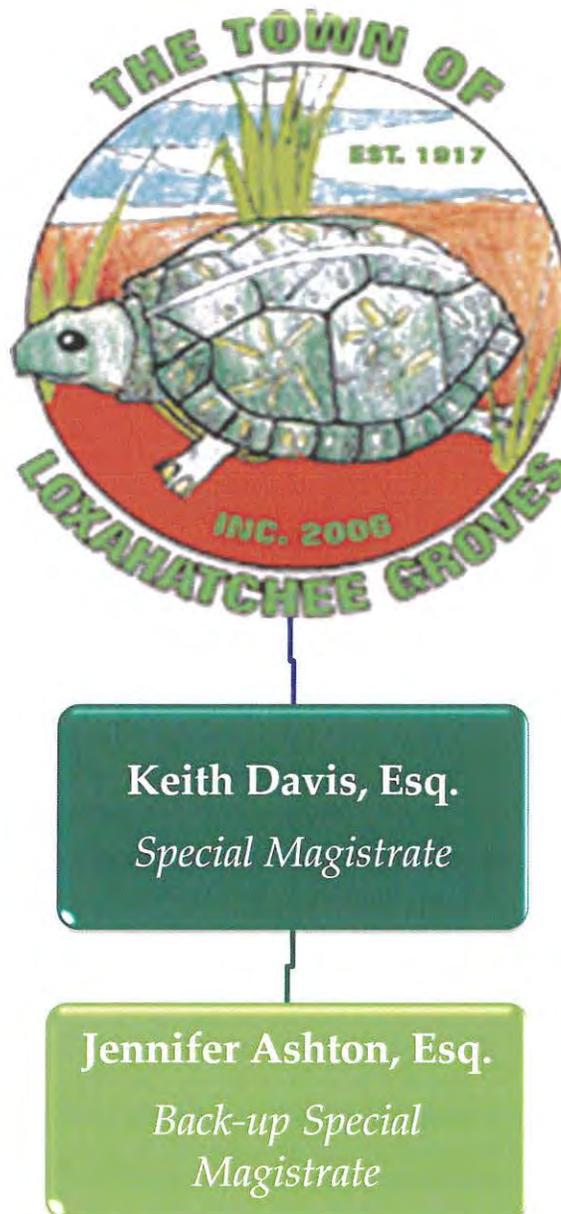
Corbett, White, Davis and Ashton, P.A. is a full service municipal law firm with three (3) attorneys and an administrative assistant. Erin L. Deady, P.A. is Of Counsel with our Firm, expanding the Firm’s capabilities and experience. Our office is located in West Palm Beach, Florida. We are fully equipped with all necessary technology in order to

provide efficient and superior special magistrate and hearing officer legal services. The Firm utilizes "Lexis/Nexis" as its library and legal research support and, through that service, has access to the latest case law and legislation including United States Supreme Court cases, State and Federal legislation, Federal Court Cases, state court opinions, Attorney General Opinions, and administrative hearing reports and orders.

Our office is equipped with state of the art support equipment and is capable of handling any requirements for scanning, reproducing and transmitting orders or other documents. Our in-house computer network allows our attorneys and administrative staff to create original legal documents and transmit those documents as needed. We provide documents to our clients by fax, e-mail, regular mail, overnight express mail, hand delivery and/or courier, as necessary or as desired by the client. All Firm attorneys carry iPhones and are accessible at all times.

Proposed Organizational Chart

The organizational chart below depicts the Firm's proposed structure for providing legal services to the Town of Loxahatchee Groves, as the Town of Loxahatchee Groves desires.



Individual Appointed as Special Magistrate

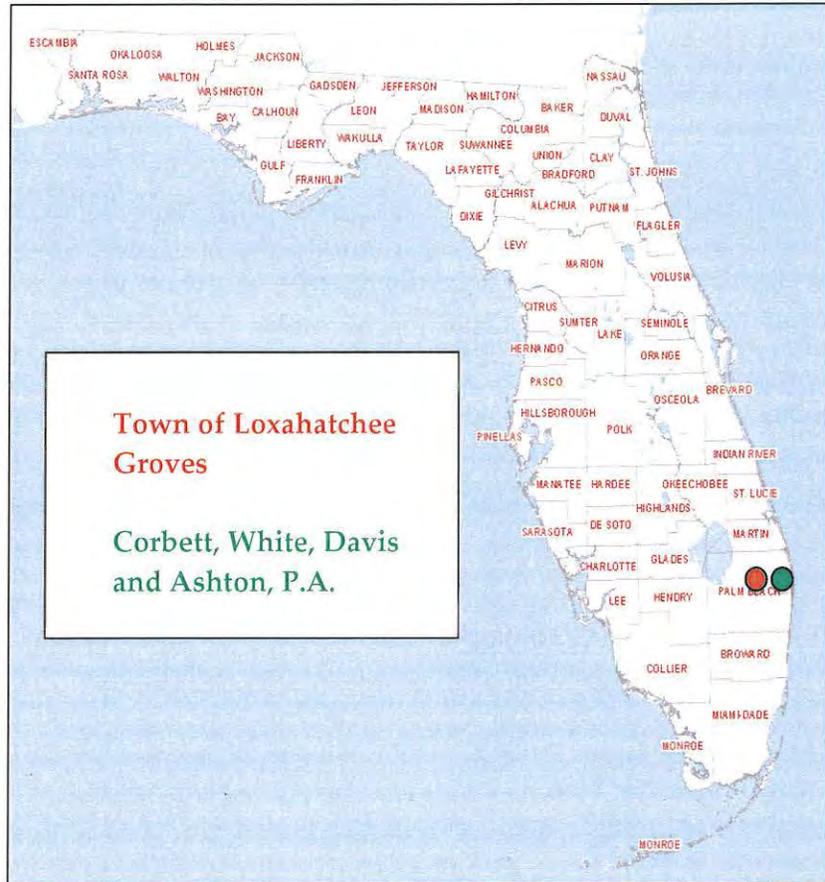
Keith W. Davis, Esq. is available for appointment as Special Magistrate. Serving as General Counsel for a number of municipalities, the Treasure Coast Regional Planning Council and the Florida Green Finance Authority, Mr. Davis both works with special magistrates, and serves as special magistrate in jurisdictions throughout Palm Beach and Martin Counties. As detailed in his attorney profile, Mr. Davis is well-versed in all procedural aspects of government operations including meeting procedure, ethics, sunshine law and public records; and intergovernmental relations. Additionally, Mr. Davis is highly experienced with code enforcement hearing procedures, and with code enforcement orders, having written hundreds and hundreds of orders and prosecuting a like number of cases over the years.

Individual Appointed as Back-Up Special Magistrate

Jennifer Ashton, Esq. is available for appointment as Back-Up Special Magistrate. As General Counsel for the Village of Royal Palm Beach, Ms. Ashton works regularly with one of the most experienced and efficient code enforcement teams in all of Palm Beach County. She regularly prosecuted in excess of 100 code enforcement cases on a monthly basis, and oversees the preparation of each associated order. Moreover, as Special Magistrate for the City of West Palm Beach, Ms. Ashton regularly presides over lengthy code enforcement hearing agendas, ruling on every aspect of each code enforcement case.

Office Location

Corbett, White, Davis and Ashton, P.A. has offices in West Palm Beach, Florida. We routinely serve clients throughout Palm Beach County and into the Treasure Coast.



Hourly Rate

We propose an hourly rate of \$175.00 per hour for all code enforcement special magistrate and hearing officer legal work. We will bill in time increments of one tenth of an hour, and will only bill for actual time spent performing services for the Town of Loxahatchee Groves, with no minimum time requirement, regardless of actual hearing length. Detailed invoices will be submitted monthly and will be fully itemized for ease of review. Typically, we also charge a 4% administrative fee to cover the cost of copies, faxes, and other administrative activities. Of course, we are open to negotiating any fee structure that the Town of Loxahatchee Groves prefers.

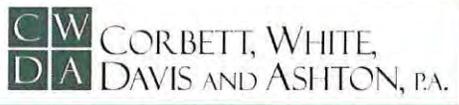
Professional Liability and Malpractice Insurance

Corbett, White, Davis and Ashton, P.A. carries all required professional liability and malpractice insurance. We will provide the Town of Loxahatchee Groves with the required proof of said coverage with appropriate certificates of insurance, prior to establishing a contractual relationship with the Town.

Corbett, White, Davis and Ashton, P.A. agrees that it will indemnify and hold harmless the Town of Loxahatchee Groves, its officers, agents, and employees from any and all claims and losses accruing or resulting from any acts or omissions of the persons engaged in work for the Town.

Clients

Current and previous public clients of the Firm are provided in the table below:

	
Current Public Clients:	Previous (Past 5 Years) Public Clients:
City of Atlantis	Village of Golf
Town of Manalapan	Town of Lantana
Town of Mangonia Park	City of Palm Beach Gardens
Town of Palm Beach Shores	Town of South Palm Beach
Village of Royal Palm Beach	
Village of Tequesta	
City of Fort Lauderdale – Special Counsel	
City of Homestead – Special Counsel	
City of Miramar – Special Counsel	
City of Riviera Beach – Special Counsel	
City of West Palm Beach – Special Magistrate	
Town of Ocean Ridge – Special Magistrate	
Town of Juno Beach – Zoning Magistrate	
Martin County – Zoning Magistrate	
Florida Green Finance Authority	
Treasure Coast Regional Planning Council	

Specific client references and contact information are provided on the individual attorney Resumes and Bios.

Appendix A – Attorney Resumes and Bios

Attorney resumes and bios for each available attorney are provided in this appendix.

Keith W. Davis, Esq.

Board Certified Specialist in City, County and Local Government Law

Managing Shareholder - Corbett, White, Davis and Ashton, P.A.



Keith W. Davis, Esq., is the Managing Shareholder of Corbett, White, Davis and Ashton, P.A. Mr. Davis is Board certified by the Florida Bar in the area of City, County, & Local Government Law. He obtained his law degree from the College of William and Mary in Virginia in 1992 and was admitted to the Florida Bar that same year. Prior to joining the Firm in 2002, Mr. Davis served as an Assistant State Attorney for the 15th Judicial Circuit of Florida, prosecuting numerous misdemeanor, juvenile and felony cases.

Current Local Government Representation:

- Town of Manalapan – General Counsel
- Town of Mangonia Park – General Counsel
- Town of Palm Beach Shores – General Counsel
- Village of Tequesta – General Counsel
- City of Fort Lauderdale – Special Counsel
- City of Homestead – Special Counsel
- City of Miramar – Special Counsel
- City of Riviera Beach – Special Counsel

Current Special District/Regional Representation:

- Florida Green Finance Authority – General Counsel
- Treasure Coast Regional Planning Council – Gen. Counsel

Past Local Government Representation:

- City of Palm Beach Gardens
- Town of Lantana
- Town of South Palm Beach

Representative Successful Litigation Matters:

- *Navellier v. Town of Manalapan*, U.S. SC 14-1678
- *Byrd Family Trust v. Town of Jupiter*, 4DCA 13-2570
- *City of Lake Worth v. Save our Neighborhood*, 4DCA 07-5027
- *City of Delray Beach v. St. Juste*, 4DCA 07-2985
- *City of Atlantis v. FRIMA Group, Inc.*, 502007CA000022
- *Town of Lantana v. Bre Sky Bo Holdings*, 502004CA002312
- *Village of Royal Palm Beach v. Royal Palm Beach Jaycees*, 502003CA004647

Length of Practice/Employment:

24 year member in good standing with the Florida Bar.

14 years practicing with Corbett, White, Davis and Ashton, P.A.

References:



Michael Couzzo, Village Manager
Village of Tequesta
345 Tequesta Drive
Tequesta, FL 33469
(561) 768-0460
mcouzzo@tequesta.org



Michael Busha, Executive Director
Treasure Coast Regional Planning Council
421 SW Camden Avenue
Stuart, FL 34994
(772) 221-4060
mbusha@tcrpc.org



Linda Stumpf, Town Manager
Town of Manalapan
600 South Ocean Boulevard
Manalapan, FL 33462
(561) 383-2540
lstumpf@manalapan.org

Attorney Experience – Keith W. Davis

Mr. Davis is a Florida Bar Board Certified Specialist in City, County and Local Government Law. He is a member of the City, County and Local Government Section of the Florida Bar and the Florida Municipal Attorneys Association. He is admitted to practice in all Florida courts as well as the Federal Southern and Northern Districts of Florida. He has had no disciplinary action ever imposed upon him by any Bar including the Florida Bar and the Federal Bar. Mr. Davis has never been sued for malpractice and has never been involved in any manner with a malpractice proceeding. The same can be said for all members of his Firm and the Team he has assembled for purposes of responding to this RFQ. For the past 13 years, Mr. Davis has successfully focused his practice on representing local government entities including municipalities and special districts, and has developed a reputation as an exceedingly professional and talented attorney among both clients and peers. Mr. Davis is a regular speaker at local and statewide seminars on a variety of topics involving local government.

In the area of land use, Mr. Davis is extremely experienced with comprehensive plan requirements and zoning codes. He has prepared both Evaluation and Appraisal Reports and plan amendments based thereon for several of his clients. Additionally, he regularly works with local government staff in the upkeep and revision of all aspects of his clients' comprehensive plans, from future land use elements to capital improvement updates and everything in between, constantly keeping up with the changes in law to Chapter 163, *Florida Statutes*. He has overseen and directed numerous re-zonings, subdivisions and plat approvals, and is currently working on such projects in both the Village of Tequesta and the City of Atlantis. Mr. Davis has completely re-written zoning codes for the Towns of Manalapan and Palm Beach Shores, and has seen to the legal sufficiency of countless plan and code amendments over the years. He has prepared floodplain management codes for all of his clients. Mr. Davis has also successfully defended the Town of Mangonia Park against environmental hazard violations alleged by the Environmental Protection Agency, resulting in the ultimate dismissal of all charges. Mr. Davis has assisted his clients with TCRPC projects and most recently has been involved with the Village of Tequesta's U.S. 1 project. In the past Mr. Davis assisted the Town of Mangonia Park in working with TCRPC to present a conceptual "Transit Oriented Development" concept for the former jai alai site.

In the area of contracts, Mr. Davis has negotiated and prepared many contracts with both private entities and with other governments on behalf of his clients. Notably, Mr. Davis has negotiated and written complex contracts for cellular tower siting between the Village of Tequesta and several telecommunications providers, as well as complex contracts for the erection and use of billboard signs in the Town of Mangonia Park. Mr. Davis has also negotiated and written employment contracts for police and fire chiefs in several of the towns he represents, and has negotiated and written town manager contracts. Mr. Davis has also negotiated, written and revised countless interlocal agreements between various governmental

entities. Recently, working with Erin L. Deady, P.A., Mr. Davis assisted in the drafting of the interlocal agreement that created the Florida Green Finance Authority, a special district that facilitates PACE financing in municipalities and counties throughout the state. Mr. Davis has also revised or prepared interlocal agreements for the provision of fire rescue service, law enforcement service and utility service.

In the area of intergovernmental conflicts and relations, Mr. Davis was recently involved with closing interlocal agreements between the Village of Tequesta and the Town of Jupiter Inlet Colony for both fire rescue service and utility service. He also recently worked to close the restatement and renewal of an interlocal agreement between the Town of Manalapan and the Town of South Palm Beach for wastewater service. Presently, Mr. Davis is working with the Town of Palm Beach Shores for the renewal of its interlocal agreement with the City of Riviera Beach for EMS and Supplemental Fire service. Mr. Davis has worked on many successful annexations on behalf of his clients; both voluntary and via interlocal agreement with Palm Beach County. Finally, Mr. Davis works with the Town of Mangonia Park to foster intergovernmental relations with both The City of Riviera Beach and the City of West Palm Beach regarding the Town's water service interconnect arrangements. As General Counsel for the Treasure Coast Regional Planning Council, he advises officials throughout the Treasure Coast and Palm Beach County on regional issues that have varied impacts on the many associated jurisdictions.

Mr. Davis has written and reviewed hundreds of ordinances and resolutions for his clients. In 2014, Mr. Davis concluded a two year project for the Village of Tequesta virtually re-writing and updating the Village's entire code of ordinances. This project required the drafting and adopting of dozens of ordinances. Mr. Davis has also authored and updated code enforcement operational manuals and ordinances for most of his municipal clients.

Mr. Davis is well versed on topics of sunshine law, public records, procurement, ethics and meeting procedure, and 501(c)(3) operations. He regularly advises the governing bodies that he represents on many of these topics, and has been a speaker both locally and for the Florida League of Cities on these topics as well. Between 2003 and 2007, Mr. Davis helped create, and served on the Board of Directors, of two 501(c)(3) charter school non-profit corporations and is familiar with these type of organizations.

As general counsel for his various clients, in addition to the experience described above, Mr. Davis is also well versed in matters of constitutional law (speech and religious issues), civil rights (fair housing and ADA discrimination issues), personnel issues (especially the relationships between elected officials and municipal staff that arise in the council-manager form of municipal government), and public finance (taxation and borrowing).

Jennifer G. Ashton, Esq.

Shareholder - Corbett, White, Davis and Ashton, P.A.



Jennifer G. Ashton, Esq., is a Shareholder of Corbett, White, Davis and Ashton, P.A. Ms. Ashton obtained her law degree and graduated Magna Cum Laude from The Florida State University College of Law in 2005. She was admitted to the Florida Bar that same year. Ms. Ashton specializes in local government law, land use, civil litigation and appellate law.

Current Local Government Representation:

- Village of Royal Palm Beach – General Counsel
- City of Atlantis – General Counsel
- Palm Beach County League of Cities, Inc. – General Counsel
- City of West Palm Beach – Code Enforcement Special Magistrate
- Town of Ocean Ridge – Code Enforcement Special Magistrate

Past Local Government Representation:

- Town of Lantana – Assistant General Counsel
- Town of South Palm Beach – Assistant General Counsel

Representative Successful Litigation Matters:

- *West Construction, Inc. v. The Village of Royal Palm Beach, Florida, Case No. 502013CA015011XXXXMB (15th Judicial Circuit In And For Palm Beach County, Florida) (Construction/Contract Litigation)*
- *Cielo Madera Land Trust v. Town of Manalapan, Case No. 502012CA013455XXXXMB (15th Judicial Circuit In And For Palm Beach County, Florida) (Building Permit Litigation)*
- *Amicus Briefs filed by the Palm Beach County League of Cities, Inc. on behalf of North Palm Beach (Case No. 4D10-4721 – Vested Rights After Annexation), and Boca Raton (Case No. 4D12-4554 – Referendum Process for Development Orders)*
- *City of Lake Worth vs. City of Atlantis, Town of Manalapan, Town of Lantana, Town of Palm Beach, Village of Palm Springs, Town of South Palm Beach, and Palm Beach State College, Case No. 502010CA020435XXXXMB (15th Judicial Circuit In And For Palm Beach County, Florida) (Utilities/Contract Litigation)*
- *Mark Hewitt v. Town of South Palm Beach, Case No. 502010AP900031AXXXMB (Appellate Division for the 15th Judicial Circuit In And For Palm Beach County, Florida) (Cyclist Rights Appeal)*

Length of Practice/Employment:

11 year member in good standing with the Florida Bar

Over 6 years practicing with Corbett, White, Davis and Ashton, P.A.

References:



Raymond C. Liggins, Village Manager
Village of Royal Palm Beach
1050 Royal Palm Beach Blvd.
Royal Palm Beach, FL 33411
(561) 790-5100
rliggins@royalpalmbeach.com



Richard Radcliffe, Executive Director
Palm Beach County League of Cities, Inc.
P.O. Box 1989 Governmental Center
West Palm Beach, FL 33402
(561) 355-4484
RRadcliffe@pbcgov.org



Mo Thornton, City Manager
City of Atlantis
260 Orange Tree Drive
Atlantis, FL 33462
(561) 965-1744
mthornton@atlantisfl.gov

Attorney Experience – Jennifer G. Ashton

Ms. Ashton is a member of the City, County and Local Government Section of the Florida Bar and the Florida Municipal Attorneys Association. She is admitted to practice in all Florida courts as well as the Federal Southern District of Florida. She has had no disciplinary action ever imposed upon her by any Bar including the Florida Bar and the Federal Bar. Ms. Ashton has never been sued for malpractice and has never been involved in any manner with a malpractice proceeding. In 2009, Ms. Ashton was named a “Rising Star” in Law and Politics by Florida Super Lawyers Magazine. In 2011, she received the Palm Beach County League of Cities “Home Rule Award” for her service on the Palm Beach County Inspector General and Ethics Commission Ordinance Drafting Committee. Since 2010, Ms. Ashton has successfully focused her practice on representing local government entities, as well as the Palm Beach County League of Cities, Inc., and has developed a reputation as an exceedingly professional and talented attorney among both clients and peers.

Ms. Ashton regularly serves as the code enforcement special magistrate for the City of West Palm Beach and the Town of Ocean Ridge. She presides over dozens of code enforcement cases each month and is well versed in serving in this capacity. In addition, she prepares, and finalizes associated code enforcement orders on a regular basis.

In the area of land use, Ms. Ashton has extensive experience in overseeing numerous future land use map amendments, re-zonings, plat approvals, and comprehensive plan and zoning code text amendments for the Village of Royal Palm Beach and the Town of Mangonia Park.

In the area of conflicts, Ms. Ashton has extensive experience in litigation and appellate matters. By way of example, Ms. Ashton successfully assisted in the representation of six local governments in litigation against the City of Lake Worth. This case involved a dispute regarding the City of Lake Worth’s charges to its municipal partners for the Subregional Wastewater Transmission Facilities. During this litigation, Ms. Ashton helped coordinate the Chapter 164 conflict resolution proceedings for the governing bodies involved. Ms. Ashton also assisted in drafting the interlocal agreement/settlement agreement that resolved the case.

In the area of ordinance/resolution preparation, Ms. Ashton has drafted numerous ordinances and resolutions on behalf of the Firm’s municipal clients and the Palm Beach County League of Cities, Inc. These ordinances and resolutions involve a wide range of topics from general land use matters to seeking support from state agencies for certain development and road projects.

Ms. Ashton is well versed in the Public Records Act, the Sunshine Law, and the Florida Code of Ethics for Public Officers and Employees. Ms. Ashton regularly advises and trains municipal elected and appointed officials and employees on these topics. In 2011, Ms. Ashton further assisted in drafting the Palm Beach County Code of Ethics on behalf of the Palm Beach County League of Cities, Inc.

PAUL J. NICOLETTI
Attorney at Law
1445 SE Lark Boulevard
Stuart, Florida 34996-2609

August 11, 2016

Virginia M. Walton, Town Clerk
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, Fl. 33470

Re: Letter of Interest for Municipal Code Enforcement Magistrate and Hearing Services

Dear Ms. ~~Walton~~: VIRGINIA —

This letter indicates my interest in the position of Code Enforcement Magistrate to hear code enforcement cases for the Town of Loxahatchee Groves. Over the years, I have served as a magistrate for several jurisdictions beginning in 2001. My proposed rate is \$200 per hour for hearings and all legal research and writing time, if any. I do not charge for "travel time," but instead propose a round trip fee of \$40 to defray my vehicle expense. I do not charge for copies or faxes.

I have enclosed a detailed resume, and a writing sample. I am a sole practitioner, and I have also enclosed a copy of my current professional malpractice insurance declarations page. My contract with the City of Stuart, where I am employed full-time, allows me to accept minor, non-conflicting representations such as this Magistrate position. It is my desire to assume the part-time role as Loxahatchee Grove's Magistrate, and I believe that I have ample legal knowledge, the right temperament, and demeanor to serve in this position. I enjoy performing this work because it allows me to ascertain what allegations are being made, determine that due process is being observed, along with the proof and evidence being submitted, and then permits me to apply the town's code to that set of circumstances.

At the current time, I also serve as a magistrate in Martin County, where from 2004 until this past month, I was the sole magistrate. During that time, I have heard and ruled on many land use, environmental, building code, and licensing cases. The County just employed another magistrate to assist with the anticipated additional case load. Martin County is also a part-time position, and I hear cases usually one morning each month. In addition, I have heard cases for the Town of Jupiter when their magistrate had a conflict.

I have been Board Certified by The Florida Bar as an expert in City, County and Local Government Law, since the inception of the program in 1996. I believe board certification is an important indicator of knowledge and experience in this field. I have also chaired The Florida Bar committee which establishes the criteria and written examination for this certification program.

August 11, 2016

Virginia M. Walton, Town Clerk

Re: Letter of Interest for Municipal Code Enforcement Magistrate and Hearing Services

If the Town Council or Town Attorney would like, I am also ready, willing, and able to assist in setting up the code enforcement forms and system that enable the code enforcement process to be most effective.

I look forward to hearing from you, and hope you will favorably consider me for this position.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul J. Nicoletti", with a large, stylized initial "P" and a long, sweeping tail.

PAUL J. NICOLETTI

Attachments:

Personal Resume
Professional Liability Declarations Sheet
List of References
Writing Samples (2)

PAUL J. NICOLETTI
1445 SE Lark Boulevard
Stuart, Florida 34996-2609

Tel. 772-288-5312 (daytime)
Tel. 772-260-3276 (cell)
Tel. 772-600-5581 (evenings)
Personal email: pnicoletti@comcast.net
City email: pnicoletti@ci.stuart.fl.us

PROFESSIONAL EXPERIENCE

CITY OF STUART, FLORIDA
121 SW Flagler Avenue
Stuart, Florida 34994

September, 2005 to Present

City Manager. May 28, 2011 to Present. Appointed by the City Commission and responsible for all operational activities of the City government; employ and supervise 5 department heads, and other senior staff members. Responsible for the preparation of the Annual Budget for the City; and other duties according to the City Charter.

Interim City Manager. April 1, 2006 to September 1, 2006. Responsible to the City Commission for all operational activities of the City government. Supervised 5 department heads, and other senior staff members. Prepared the 2006-2007 Annual Budget for the City.

City Attorney. September 1, 2005 to May 28, 2011. Responsible to the City Commission for all legal activities of the City government. Drafted all ordinances and resolutions; prepared or reviewed all contracts; conducted or supervised all litigation; give legal opinions to Commission and staff members; prosecute code enforcement and county court violations; and supervised legal office staff.

MOYLE FLANIGAN KATZ
RAYMOND & SHEEHAN, P.A.
625 North Flagler Drive, 9th Floor
West Palm Beach, Florida 33401-4085

December, 2003 to August, 2005

Shareholder. Individually rated "AV Pre-Eminent" by Martindale-Hubbell within a law firm with 20 attorneys, specializing in administrative, corporate, governmental and land use law including general representation of individuals, corporations, municipalities and other governmental entities; commercial & residential real estate, business transactions, wills, trusts and probate, and administrative trial practice.

PAUL J. NICOLETTI, P.A.
and NICOLETTI BLOCK DUFFY PONCY
KOHN & EDWARDS, P.A.
West Palm Beach, Florida

June 1991 to December, 2003

Sole Shareholder. Martindale-Hubbell "AV" rated law firm of up to six (6) attorneys, specializing in administrative, corporate, governmental and land use law including general representation of individuals, corporations, municipalities and other governmental entities; commercial & residential real estate, business transactions, wills, trusts and probate, and administrative trial practice.

UNITED STATES ARMY (ACTIVE DUTY)
Fort Stewart, Georgia

August 1990 to May 1991

Chief, Administrative Law. Commanded operations of a six (6) attorney administrative law office in support of *Operations Desert Shield and Desert Storm*, including governmental contracting, employment practices, and environmental law; served as legal counsel for Commander, Fort Stewart, and senior staff.

EDUCATION

NOVA SOUTHEASTERN UNIVERSITY
Fort Lauderdale, Florida

Juris Doctor
Vice President of Student Bar Association

FLORIDA ATLANTIC UNIVERSITY
Boca Raton, Florida

Master of Public Administration
Graduate Teaching Assistant -- GPA 3.9/4.0

La SALLE UNIVERSITY
Philadelphia, Pennsylvania

Bachelor of Arts in Political Science
Minor in Theology

MILITARY

United States Army Reserve
Colonel, Judge Advocate General's Corps (Retired)

MEMBERSHIPS, ACTIVITIES AND BAR ADMISSIONS

Attorneys Title Insurance Fund
- Agent Member #7765 (Not Active)

District of Columbia Bar #418545 (Active, in good standing)

Florida City County Management Association
Full Member

Federal Court Bars (Active, in good standing)
- United States District Court, Southern District of Florida
- United States Army Court of Military Review
- United States Court of Appeals for the Armed Forces
- United States Court of Appeals, Eleventh Judicial Circuit
- United States Supreme Court

The Florida Bar #366269 (Active, in good standing)
- Board Certified in Local Government Law
- Member, Local Government Law Section
- Member, Real Property, Probate and Trust Law Section
- Member, Local Government Law Certification Committee
- Chair, Local Government Law Certification Committee

First American Title Insurance Company
- Title Insurance Agent #FL073-2099A (Not Active)

Guild of Catholic Lawyers of Palm Beach Diocese

- **Member** & Former President

Other Religious Activities

- Eucharistic Minister and Lay Reader
- Order of St. John, Knight of Grace, Knight Commander

International City Management Association

- Former Full Member

Leadership Palm Beach County

- Class of 2000

Martin County Bar Association

- Member

Palm Beach County Bar Association

- Former Member

Palm Beach County Solid Waste Authority

- Citizens Advisory Board (Former) Member

Palm Beach County-City Management Association

- **Former** President

Rotary International

- Downtown West Palm Beach Club, Former Member
- Downtown Stuart, Former Member

PERSONAL

I am married to **Paula P. Nicoletti**, a retired Physical Therapist; we have two sons, **Peter**, a Managing Director of Stifel-Nicolaus Financial Advisors in the Palm Beach office, who is married to Tara Callaghan Nicoletti; and **Andrew**, a Deputy Sheriff with Palm Beach County Sheriff's Office, and a Captain, Florida Army National Guard, who is married to Nicole Musco Nicoletti.

GOVERNMENTAL CLIENTS

Loxahatchee Council of Governments –

Martin County

Town of Jupiter

Town of Lake Park

Town of Ocean Ridge

Town of South Palm Beach

Village of Palm Springs

Former General Counsel

Code Compliance Magistrate

Periodic Special Magistrate

Former Special Magistrate

Former Town Attorney

Former Town Attorney

Former Village Attorney

Lawyers' Professional Liability Insurance

CLAIMS MADE NOTICE FOR DECLARATIONS: THIS POLICY PROVIDES COVERAGE ON A CLAIMS MADE AND REPORTED BASIS SUBJECT TO ITS TERMS. THIS POLICY APPLIES ONLY TO ANY CLAIM FIRST MADE AGAINST THE INSURED AND REPORTED TO THE INSURER DURING THE POLICY PERIOD OR ANY EXTENDED REPORTING PERIOD THAT MAY APPLY.

PLEASE READ AND REVIEW THE POLICY CAREFULLY AND DISCUSS THE COVERAGE WITH YOUR INSURANCE AGENT OR BROKER.

Whenever printed in this Declarations Page, the boldface type terms shall have the same meanings as indicated in the Policy.

Policy Form: LPL 39400 (rev. 12-14)

Policy Number: 1440529

Item 1. Name and Address of Named Insured:

Paul J. Nicoletti
1445 Southeast Lark Boulevard
Stuart FL 34996-2609

Person designated to receive all correspondence from the Insurer:
Paul Nicoletti
Sole Proprietor

Item 2. Policy Period: From February 1, 2016 (inception date) to February 1, 2017 (expiration date)
(Both dates at 12:01 a.m. Standard Time at the address of the Named Insured)

Item 3. Limits of Liability for the Policy Period :
A. \$250,000 each **Claim**, but in no event exceeding
B. \$500,000 in the aggregate for all **Claims**

Item 4. Supplemental Coverages Limit of Liability:
\$62,500 in the aggregate for all Supplemental Coverages during the **Policy Period**

Item 5. Claim Expenses for the Policy Period:
 A. **Claim Expenses** Reduce the Limit of Liability in Item 3. above
 B. **Claim Expenses** in Addition to the Limit of Liability in Item 3. above
Claim Expense Limit: N/A in the aggregate for all **Claims** during the **Policy Period**

Item 6. Deductible:
 A. Aggregate Deductible - All **Claims** N/A
 B. Each **Claim** Deductible \$5,000
 i. The Deductible applies to **Damages and Claim Expenses**
 ii. The Deductible applies only to **Damages**

Item 7. Death or Disability and Non-Practicing Extended Reporting Period Limit of Liability
(inclusive of Damages and Claim Expenses):
A. \$250,000 each **Claim**, but in no event exceeding
B. \$500,000 in the aggregate for all **Claims**

Item 8. Premium: \$921

Item 9. Endorsements attached:
LPL 101901 (05-14) Addition of Prior Acts Date
LPL 504901 (07-14) Addition to Section V. D. Other Insurance
LPL 604102 (05-14) Modification to Non-Practicing Extended Reporting Period
LPL-FL-PAE (05-14) Florida Policy Amendatory Endorsement
LPL-FL-PHN (05-14) Florida Policyholder Notice

Item 10. Notice to the Insurer as provided in section V. A. shall be sent to:
Monitor Liability Managers, Claims Department
Address: 233 S. Wacker Drive, Suite 3900, Chicago, IL 60606
Toll Free: (844) 465-6256 Fax: (312) 207-1839
Email: newclaim@monitorliability.com
All other notices required to be given to the **Insurer** under this **Policy** shall be sent to:
Monitor Liability Managers
Address: 233 S. Wacker Drive, Suite 3900, Chicago, IL 60606
Toll Free: (800) 446-2100

List of References

Thomas J. Baird, Esquire
Town of Jupiter

Jones, Foster, Johnston & Stubbs, P.A.
4741 Military Trail, Ste 200
Jupiter, FL 33458-4842

Office: 561-650-8233
Fax: 561-746-1703
Email: tbaird@jonesfoster.com

Town Attorney

Michael D. Durham, Esquire

Martin County Attorney's Office
2401 SE Monterey Rd
Stuart, FL 34996-3322

Office: 772-288-5442
Fax: 772-288-5439
Email: mdurham@martin.fl.us

County Attorney

Terence P. McCarthy, Esquire

McCarthy, Summers, Bobko, Wood et al
2400 SE Federal Hwy Fl 4
Stuart, FL 34994-4556

Office: 772-286-1700
Fax: 772-283-1803
Email: Tpm@Mccarthysummers.com

Respondent's Attorney

EXAMPLE OF A SIMPLE CASE ORDER

MARTIN COUNTY, FLORIDA
CODE ENFORCEMENT MAGISTRATE

CASE NO. 08-0025410

MARTIN COUNTY, FLORIDA,
Petitioner,

vs.

MORROW, B.

Respondent.

PCN 35-38-40-002-000-0036.0-40000

FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER

The Petitioner and Respondent hereby freely stipulate and agree to the following:

THIS MATTER having come before the Magistrate on March 10, 2010, and having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances, and based upon a preponderance of the evidence, does find as follows:

1. This Fine Reduction Stipulation and Agreed Order involves the property located at 6752 SW Lasso Lane, Palm City, Martin County, Florida and further described as:

Tract 36, COUNTRY PLACE, PHASE TWO, according to the plat thereof recorded in Plat Book 7, Page 53, Public Records of Martin County, Florida.

2. On January 21, 2009, the Code Enforcement Magistrate entered an Order against B. Morrow for a violation of Sections 67.201.A-Nuisance Declared: Weeds, Undergrowth and 67.201.B-Nuisance Declared: Trash, Etc., General Ordinances, Martin County Code. Compliance was required by February 23, 2009. On December 29, 2009, an Affidavit of Compliance/Accrued Fine and Costs was issued establishing an accrued fine in the amount of \$60,800.00, plus costs in the amount of \$500.00.

3. Staff has determined that a lien reduction is warranted in view of the efforts of the current owner, Real Property Solutions Group LLC (Real Property) to bring the property into compliance and its offer to pay \$6,580.00 to resolve the outstanding fine and costs which have accrued. In consideration for the proposed fine reduction, Real Property has already paid \$2,000.00 and offered to pay the remaining \$4,580.00 within sixty days of the approval of the fine reduction by the Board of County Commissioners.

4. The parties represent, under penalty of perjury that that they have read this Stipulation; that they have full authority to enter into this Stipulation; that the facts contained herein are the truth, the whole truth and nothing but the truth; and that they are signing this agreement freely and voluntarily and are under no duress to execute it.

MARTIN COUNTY, FLORIDA CODE ENFORCEMENT MAGISTRATE
CASE NO. 08-0025410
MORROW, B., Respondent.
FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER

REAL PROPERTY SOLUTIONS LLC

PETITIONER: MARTIN COUNTY, FLORIDA

(Signature)

By: _____
(Printed Name and Title)

By: **Michelle Owen**
Code Enforcement Supervisor

Date _____

Date _____

AGREED RECOMMENDED ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES SET FORTH ABOVE, IT IS HEREBY RECOMMENDED TO THE BOARD OF COUNTY COMMISSIONERS, as follows:

Given Real Property's offer for payment in the total amount of \$6,580.00 and Staff's determination that a reduction in the lien amount from \$61,300.00 is warranted, Real Property should be ordered to pay the remaining amount of \$4,580.00 within sixty (60) days of Board of County Commissioners' approval and in the event said amount is not paid within sixty (60) days, the fine should revert to the accrued amount prior to the reduction. If the full amount of \$6,580.00 is not paid within sixty (60) days of Board of County Commissioners' approval, any payments made shall be retained by the County, and the fine shall be restored to the original amount of \$61,300.00, less the amount paid.

DONE AND ORDERED this _____ day of March, 2010.

PAUL J. NICOLETTI
Magistrate

Copies Furnished to the Parties by _____

EXAMPLE OF A COMPLICATED CASE ORDER

**THE CODE ENFORCEMENT MAGISTRATE
IN AND FOR MARTIN COUNTY, FLORIDA**

MARTIN COUNTY, FLORIDA,
a political subdivision,

Case No. 13-0070121
MAGISTRATE NICOLETTI

Petitioner,

v.

JONATHAN W. MILTON,

Respondent.

_____ /

FINAL ORDER OF VIOLATION

THIS CAUSE came before the Magistrate for a trial on a Notice of Violation brought by Martin County, Florida against the Respondent for alleged violation of Section 4.1.B, Land Development Regulations, Martin County Code, dated May 24, 2013 (Pet. Exhibit 7), and Notice of Hearing dated August 6, 2013 for a Violation Hearing to be held on October 16, 2013 (Pet. Exhibit 9). The Magistrate, having taken testimony and received documentary evidence beginning on October 16, 2013, and continuing, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The Magistrate has jurisdiction over the subject matter and the parties.
2. The Respondent is the fee simple owner of that certain 5 acre tract of real property located on South West Quail Hollow Street, Palm City, assigned Parcel Control No. 27-38-40-002-000-00291-5 in Martin County, Florida (the "Subject Property") (Pet. Exhibit 1).

CODE ENFORCEMENT MAGISTRATE IN AND FOR MARTIN COUNTY, FLORIDA

Case No. 13-0070121

JONATHAN W. MILTON, Respondent

VIOLATION ORDER

3. Based upon a prior flooding of the Subject Property and its inundation on September 8, 2012 (See Resp. Exhibits #3A and #3B), on or about October 17, 2012, the Respondent by and through its consulting engineer, The Milcor Group, Inc., applied for a County Right of Way (“ROW”) Use Permit to “construct 1,115 linear feet of 15-inch corrugated HDPE pipe in the County ROW, but not under pavement.” (Resp. Exhibit 7, pg 1). Subsequently, the Martin County Engineer issued a Right of Way Use Permit (Pet. Exhibit 4A) on April 24, 2013 for work pursuant to the application and technical drawing submitted (Pet. Exhibit 4B).

4. The Respondent’s Right of Way Permit Application anticipated a certain amount of vegetation removal and re-grading (See Note #8 and compare Detail Sections #1 and #2, Pet. Exhibit 4B) in performing the work.

5. On or about May 20, 2013, the work was stopped by the County (Engineering Department) which revoked the Right of Way Use Permit because “After the permit was issued, it was determined that the proposed construction plans submitted in support of the application did not sufficiently address the secondary / offsite impacts caused by the proposed construction.” (Pet. Exhibit #6). The “stop work” notice also indicated that “Should the applicant wish to pursue the proposed construction, a new Right-of-way Use Permit application must be submitted with additional detail and information regarding the offsite conditions for review and approval.”

6. On or about May 24, 2013, the County (Code Enforcement Division) issued a Notice of Violation for “Direct impacts to wetlands on the property, more specifically construction adjacent to the Quail Hollow Street Right-of-Way including clearing, ditching, draining and piling cleared material and fill in the wetland. These activities are not permitted in Martin

CODE ENFORCEMENT MAGISTRATE IN AND FOR MARTIN COUNTY, FLORIDA

Case No. 13-0070121

JONATHAN W. MILTON, Respondent

VIOLATION ORDER

County per section 4.1.B, Wetlands Applicability, Land Development Regulations, Martin County Code.” (Pet. Exhibit #7).

7. Petitioner’s witnesses gave un-refuted testimony that in addition to the permitted underground pipe installation, the Respondent had exceeded its Right of Way Permit by removing exotics, filling and grading the Subject Property on the frontage along SW Quail Hollow Street (Pet. Exhibits 3B, 3C, 3D, and 3E).

8. The linear frontage of the Subject Property is partly (approx. ½) within a wetland as determined by reviewing a Non-Binding Jurisdictional Wetland Determination issued by the Florida Department of Environmental Regulation on January 12, 2007 to a prior owner of the Subject Property (Pet. Exhibit #5B).

9. The Respondent’s witnesses gave un-refuted testimony that the area of wetlands disturbed was 1,380 square feet, which was termed by the Respondent's engineer as *de minimus* compared to the Subject Property of 5 acres. By calculation, the area of the Subject Property is 217,800 square feet.

10. Photographic evidence was submitted by each party and was unrefuted.

11. The Respondent submitted a “Restoration & Maintenance Plan” prepared by Crossroads Environmental Consultants, Inc., dated October, 2013(Resp. Exhibit #1), which was rejected by the Petitioner as not meeting the County staff’s requirement of a Preserve Area Management Plan (PAMP) (Pet. Exhibit #7). The Magistrate was not asked, and does not make, a finding as to the suitability of the Restoration and Maintenance Plan.

VIOLATION ORDER

DISCUSSION OF THE CASE

12. As pointed out by the Respondent's attorney, this case is believed to be a matter of first impression within Martin County, and therefore deserves full consideration of the facts and the law.

13. However, very few (if any) facts are in dispute in this case. The case centers around the Petitioner's requirement that the Respondent must file and comply with a PAMP, while the Respondent argues the County's insistence on a PAMP is not a requirement of the law, and also works an economic and practical hardship on the Respondent.

14. Each party argues various sections of the County's Land Development Regulations (LDRs) and the Martin County Comprehensive Growth Management Plan (Comp Plan). The Petitioner charges that Section 4.1.B, LDR, and Section 9.1G, Comp Plan, are dispositive of the case, and together require that the county staff protect wetlands and wetland buffers, that a "clearing permit shall be required, for any clearing in order to demonstrate compliance with this division," and further that Sec. 9.1G.2(3) specifically requires (in part) that "Restoration of buffers, habitat and hydrology of the original wetland area shall be required, and the restored wetland shall be protected as a natural wetland." [Emphasis supplied by the Magistrate]. The Petitioner then argues that the way the County has an applicant "demonstrate" protection, or in this case "compliance" is by requiring a PAMP.

15. The Respondent argues that the clearing performed on the Subject Property was incidental to the maintenance being done pursuant to a Right of Way Permit granted by the County, and is *de minimus*, and should not trigger the requirement of a PAMP, or even constitute a violation of the Code. In support, Petitioner states he did not apply for any development permit

CODE ENFORCEMENT MAGISTRATE IN AND FOR MARTIN COUNTY, FLORIDA

Case No. 13-0070121

JONATHAN W. MILTON, Respondent

VIOLATION ORDER

to do work on the Subject Property, rather it was only for installation of 1,115 linear feet of 15-inch drainage pipe within the County's right of way, which is partially a public benefit, and that any incidental clearing of the Subject Property may require restoration, but not a PAMP.

Petitioner points to Section 4.3.G, LDR, which states in part, "the maintenance of existing legal uses, if done in accordance with this division, shall not be considered a violation of the requirements of this division. Maintenance shall not include fill and shall be done so as to create minimal impacts to wetlands and buffers." Petitioner also cites Sections 4.7A and 4.7B, LDR, as the proper means to correct any perceived violation. The text of Section 4.7A begins "Correction of a violation of applicable wetland preservation regulations and violations of approved PAMPs, shall consist of the following:" The code section then goes on to elaborate as to how violations are to be cured. The last sentence of Section 4.7A.2 states "The wetland shall be protected as a natural wetland."

16. This case, as a matter of first impression, is unique, and no one should surmise that any other or future incursion into a wetland or a buffer would result in the same findings as this case. Each such case must be determined on its own merits.

CONCLUSIONS OF LAW

17. The County had every right (both regulatory and proprietary) to stop work within its right of way, if it later discovered, as it did, that permitted work spilled over onto the Subject Property.

18. The work done on the Subject Property is *de minimus*. However, the work did disturb a wetland, and was not done in "accordance with the requirements of the division" (Sec. 4.3.G, LDRs), and therefore does require restoration. However, based upon a fair reading of the County

CODE ENFORCEMENT MAGISTRATE IN AND FOR MARTIN COUNTY, FLORIDA

Case No. 13-0070121

JONATHAN W. MILTON, Respondent

VIOLATION ORDER

Code, it cannot be determined that the Respondent was performing development work or doing any other work on the Subject Property that was more than incidental to the maintenance of the Right of Way.

19. The Petitioner has not proven by a preponderance of the evidence that work done on the Subject Property was anything other than incidental to the County Right of Way Permit and “a minimal impact to wetlands” pursuant to maintenance activities.

20. Notwithstanding the finding in Paragraph 19, the Petitioner did violate Section 4.1B, LDR, by causing a “direct impact to wetlands” on the Subject Property. However, the Magistrate finds as a matter of fact and law, it was a *de minimus* violation... one which requires restoration, but which does not trigger the requirement of a incorporating a PAMP on the entire property.

21. Under the circumstances, the County's requirement of a PAMP is an extraordinary remedy that is beyond that prescribed by the County Code, including the LDRs. There is nothing in Section 4.6, Preserve Area Management Plan (PAMP), LDR, or in Section 4.7, Violations; Restoration and Set-aside; Correction; Hearings, LDR, which would require the filing of a PAMP for this violation. On the contrary, the LDRs seem to say that any violation affirmatively requires restoration, and that “restoration shall be required before any development permits or orders are issued or within 90 days after receiving a notice of violation.”

VIOLATION ORDER

Based upon the Findings of Fact and Conclusions of Law, the Magistrate hereby finds that a violation of Section 4.1B, LDR does exist on the property and pursuant to County Code, and Section 162.08(5), Florida Statutes,

CODE ENFORCEMENT MAGISTRATE IN AND FOR MARTIN COUNTY, FLORIDA

Case No. 13-0070121

JONATHAN W. MILTON, Respondent

VIOLATION ORDER

IT IS ORDERED that the Respondent shall:

- A. Come into compliance with Section 4.1.B, LDR, by submitting a reasonable restoration plan, and once approved by the County, shall comply with and complete the reasonable restoration required in the plan, and obtain an Affidavit of Compliance not later than sixty (60) days following receipt of the County's written approval of the restoration plan.
- B. Failing to achieve the compliance required in paragraph A. above, it is further ordered that the Respondent shall pay a fine in the amount of \$500.00 per day, until such time as compliance is achieved.
- C. The Magistrate also finds that costs in the amount of \$575.00 have been incurred by the County, and such costs shall be paid to the county at the conclusion of this hearing.

DONE AND ORDERED at Martin County, Florida, on January ____, 2014.

PAUL J. NICOLETTI
MAGISTRATE

A copy of this **Final Order of Violation** was emailed to the attorneys for the parties on January ____, 2014 by *{clerk or designee}* _____.

BRANDENBURG & ASSOCIATES, P.A.

11891 U.S. Highway One, Suite 100
North Palm Beach, Florida 33408
(561) 799-1414
www.BrandenburgPA.com

Gary M. Brandenburg

Gary@BrandenburgPA.com

ATTORNEY AT LAW

August 10, 2016

Virginia M. Walton, Town Clerk
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

Dear Ms. Walton:

Please accept this letter as a response to the Town's RLI for a Special Magistrate.

I am a sole practitioner, practicing as Brandenburg & Associates, P.A. for the past 13 years. My office address is 11891 U.S. Highway One, Suite 100, North Palm Beach, FL 33408. I would serve as the Special Magistrate, if desired by the Town.

I have attached a resume showing my experience in Municipal Law. I have served as Special Magistrate for the following communities:

Palm Beach County
City of West Palm Beach
City of Pahokee
City of Boca Raton,
City of Delray Beach
City of Stuart
Town of Jupiter Island
Town of Gulf Stream
Town of Lake Park

The names and contact information of three clients is:

Town of Lake Park
535 Park Avenue
Lake Park, FL 33403
(561) 881-3300

Contact: Tom Baird, Esq.
Town Attorney
(561) 650-8233

Town of Gulf Stream
100 Sea Road
Gulf Stream, FL 33483
(561) 276-5116

Contact: John Randolph, Esq.
Town Attorney
(561) 650-0458



Virginia M. Walton, Town Clerk
Town of Loxahatchee Groves
August 10, 2016
Page 2

City of Boca Raton
201 West Palmetto Park Road
Boca Raton, FL 33432
(561) 393-7700

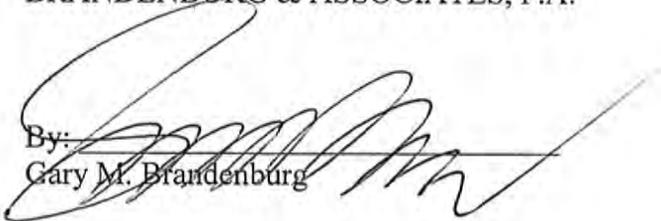
Contact: Joshua Koehler, Esq.
City Attorney
(561) 393-7716

My rate is \$225 per hour, including travel time. I will not charge for any other expenses unless approved in advance by the Town. I have attached proof of professional liability insurance.

Thank you for your consideration.

Very truly yours,

BRANDENBURG & ASSOCIATES, P.A.

By: 
Gary M. Brandenburg

GMB/slm
Enclosures

RESUMÉ

Gary M. Brandenburg, Esq.
Gary@BrandenburgPA.com

Brandenburg & Associates, P.A.
11891 U.S. Highway One
Suite 100
North Palm Beach, FL 33408
(561) 799-1414
(561) 622-2841 fax

Qualifications/Experience

- President, Brandenburg & Associates, P.A., concentrating on all aspects of municipal and County governmental law, contract procurement, zoning, permitting, land use, code enforcement (2003 to Present)
- Shareholder, Carlton Fields, P.A., specializing in Governmental, Environmental, Land Use and Administrative Law, Managing Partner of West Palm Beach office (10 years), member of Board of Directors, Compensation Committee and Executive Committee, Chairman of the Land Use, Environmental and Government Practice Group (1991 to 2003)
- General Counsel, Tri-County Commuter Rail Authority (Tri-Rail), responsible for all legal representation for commuter rail system including Federal Funding, acquisition of property for Railroad Stations, contracts with all vendors, personnel matters and general governmental law (1994 – 2002)
- Associate, Gunster, Yoakley & Stewart, P.A., in the Environmental, Land Use and Administrative Law Department, specializing in governmental law, administrative law, land development law and water and sewer utility acquisitions and public finance, representation of Private Interests and Government Agencies, including Palm Beach County for the formation of Seacoast Utilities and Acquisition of Water and Sewer Utilities (1988 to 1991)

- Palm Beach County Attorney, managing an in-house legal staff of nineteen attorneys and forty employees. Responsible for all legal representation of the Board of County Commissioners of Palm Beach County (1985 to 1988)
- Indian River County Attorney, responsible for the operation and management of the Indian River County Attorney's Office, which provides total legal representation for the Board of County Commissioners and selected constitutional officers, established first in-house County Attorney's Department for the County (1981 to 1985)
- Special Magistrate for the City of West Palm Beach Code Enforcement
- Special Magistrate for Palm Beach County Code Enforcement
- Special Master for the City of Pahokee Code Enforcement and Traffic Violations
- Special Magistrate for the Town of Lake Park
- Special Master for the City of Boca Raton
- Special Magistrate for the Town of Jupiter Island
- Special Magistrate for the Town of Gulf Stream
- Special Magistrate for the City of Stuart
- Special Magistrate for the City of Delray Beach
- City Attorney for City of Pahokee
- AV Rating with Martindale Hubbell

EDUCATION

- Admitted to practice law in the State of Florida
- Admitted to practice law in the U.S. District Court, Southern District of Florida
- University of Detroit School of Law – Juris Doctor Degree
- Michigan State University - Bachelor of Science Degree

BRANDENBURG & ASSOCIATES, P.A.

11891 U.S. Highway One, Suite 100
North Palm Beach, Florida 33408
(561) 799-1414
www.BrandenburgPA.com

Gary M. Brandenburg

Gary@BrandenburgPA.com

ATTORNEY AT LAW

August 10, 2016

Virginia M. Walton, Town Clerk
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

Dear Ms. Walton:

Please accept this letter as a response to the Town's RLI for a Special Magistrate.

I am a sole practitioner, practicing as Brandenburg & Associates, P.A. for the past 13 years. My office address is 11891 U.S. Highway One, Suite 100, North Palm Beach, FL 33408. I would serve as the Special Magistrate, if desired by the Town.

I have attached a resume showing my experience in Municipal Law. I have served as Special Magistrate for the following communities:

Palm Beach County
City of West Palm Beach
City of Pahokee
City of Boca Raton,
City of Delray Beach
City of Stuart
Town of Jupiter Island
Town of Gulf Stream
Town of Lake Park

The names and contact information of three clients is:

Town of Lake Park
535 Park Avenue
Lake Park, FL 33403
(561) 881-3300

Contact: Tom Baird, Esq.
Town Attorney
(561) 650-8233

Town of Gulf Stream
100 Sea Road
Gulf Stream, FL 33483
(561) 276-5116

Contact: John Randolph, Esq.
Town Attorney
(561) 650-0458



Virginia M. Walton, Town Clerk
Town of Loxahatchee Groves
August 10, 2016
Page 2

City of Boca Raton
201 West Palmetto Park Road
Boca Raton, FL 33432
(561) 393-7700

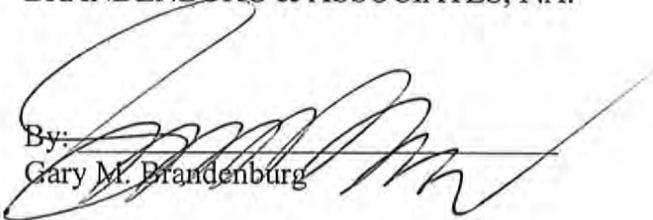
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Very truly yours,

BRANDENBURG & ASSOCIATES, P.A.

By: 
Gary M. Brandenburg

GMB/slm
Enclosures

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- University of Detroit School of Law – Juris Doctor Degree
- Michigan State University - Bachelor of Science Degree

**LAWYERS PROFESSIONAL LIABILITY INSURANCE
POLICY DECLARATIONS**

Policy Number
15MCFL000845

Issuing Company
Medmarc Casualty Insurance Company
14280 Park Meadow Drive, Suite 300
Chantilly, VA 20151-2219

1 Named Insured and Address

Brandenburg & Associates, P.A.
11891 US Highway One, Suite 100
North Palm Beach, FL 33408

2 Policy Period

Effective Date: 8/26/2015
Expiration Date: 8/26/2016

12:01 A.M. Standard Time at the address
of the Named Insured as stated herein.

3 Retroactive Date

8/26/2010

Unless indicated otherwise in an
Endorsement attached to this policy

4 Limit of Liability

\$1,000,000.00	Each Claim
\$1,000,000.00	Aggregate

5 Deductible

\$2,500.00	Each Claim
\$2,500.00	Aggregate

6 Premium

\$2,721.00

7 Fees (if applicable)

\$0.00

Issue Date: 8/28/2015

**LAWYERS PROFESSIONAL LIABILITY INSURANCE
POLICY DECLARATIONS**

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15MCFL000845

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Medmarc Casualty Insurance Company
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\$1,000,000.00 Aggregate

5 Deductible

\$2,500.00 Each Claim
\$2,500.00 Aggregate

6 Premium

\$2,721.00

7 Fees (if applicable)

\$0.00

Issue Date: 8/28/2015

Town of Loxahatchee Groves, Florida
Town Council
Agenda Item Report Loxahatchee Groves Commons
Outparcel “F” Medical Office Application

PREPARED BY: Jim Fleischmann

August 25, 2016

SUBJECT: The following application for Loxahatchee Groves Commons

1. Site Plan Amendment Approvals: SP(A) 2016-04

1. BACKGROUND/HISTORY

History: The initial Loxahatchee Groves Commons Site Plan (94,655 sq. ft.) was approved by Town Council Resolution 2015-05. The approved Site Plan included the following three outparcels; Building “E”: Retail – 4,000 sq. ft. + Building “F”: Bank – 4,000 sq. ft. + Building “G”: Fast-food – 4,000 sq. ft.

The following Outparcel Site Plan revisions were approved by Town Resolution 2015-22:

- Revision to Outparcel Building “E” (reduction from 4,000 sq. ft. to 3,010 sq. ft. and change in use from retail to gas station/convenience store).
- Revision to Outparcel Building ”F” (increase from 4,000 sq. ft. to 5,200 sq. ft. and change in use from bank to retail/restaurant)
- Revision to Outparcel Building “G” (reduction from 4,000 sq. ft. 3,767 sq. ft. and change in use from retail to fast-food restaurant)

The Applicant has currently submitted an application for the following amendment to Outparcel Building “F”:

- SP(A) 2016-04 - Revision to Outparcel Building F: change in use from “Retail/Restaurant” to “Retail/Restaurant/Medical Office”.

Application SP(A) 2016-04 petitions approval of a change in use for Outparcel Building “F”. An approval will not increase the size (5,200 sq. ft.) of Building “F” or the approved floor-area-ratio of Loxahatchee Groves Commons. The Application will result in a reduction in daily traffic generated by Loxahatchee Groves Commons and not require additional parking spaces.

Problem Statement: The Town Council should hear testimony at a quasi-judicial public hearing and consider s motion regarding Site Plan SP(A) 2016-04.

Problem Solution: The Town Council should should approve, approve with conditions, or deny proposed Site Plan Amendment SP(A) 2016-04.

2. CURRENT ACTIVITY

The Applicant has prepared the Site Plan Amendment SP(A) 2016-04 application which staff has reviewed (Ref: Attached Agenda Item Staff Summary).

The Planning & Zoning Board, at its August 18, 2016 meeting, reviewed and recommended approval of SP(A) 2016-04 by a 4 – 0 vote.

3. ATTACHMENTS

1. Agenda Item Staff Summary: Loxahatchee Groves Commons Outparcel Building F Site Plan Amendment SP(A) 2016-04
2. Clear Medicine, Inc. Zoning Confirmation Response
3. Proposed Resolution 2016-59

4. FINANCIAL IMPACT

Work on this project is funded by Applicant's Cost Recovery Account

5. RECOMMENDED ACTIONS:

1. That the Town Council approve Resolution 2016-59 (SP(A) 2016-04).

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL
AUGUST 25, 2016**

**AGENDA ITEM STAFF SUMMARY:
Loxahatchee Groves Commons Outparcel Building F Site Plan
Amendment(SP(A) 2016-04**

A. Site and Applicant Information

Project Name	Loxahatchee Groves Commons Outparcel Building F Use Amendment
Project No.	SP(A) 2016-04
Agent	Jeff Zito, Atlantic Land Investments LLC
Applicant	Atlantic Land Investments, LLC
Owner	Atlantic Land Investments, LLC – Joseph D. Lelonek, Managing Partner
Parcel Control No.	41-41-43-31-09-000-0020
Location	Outparcel F of Loxahatchee Groves Commons located at the Northwest corner of Southern Boulevard and “B” Road
Size (Acreage)	0.82 acre Outparcel “F” of 21.73 acre Loxahatchee Groves Commons shopping center.
Zoning	Commercial Low Planned Unit Development (CL/PUD)
Future Land Use	Commercial Low
Existing Use	Vacant/under construction
Approved Use	Prior Site Plan Approval – Town Resolution 2015-22; 5,200 sq. ft. outparcel building consisting of retail and restaurant uses
Proposed Use	5,200 sq. ft. outparcel building consisting of retail, restaurant and medical office uses

B. Submitted Support Documents

ITEM	CONTENT
Revised Site Plan	Revision to Outparcel Building “F” indicating retail/restaurant/medical office uses.
Revised Statement of Use and Traffic Statement	Description of proposed use of Outparcel Building “F” and impacts upon current approval. Traffic generation reduced from previous approval. No additional parking spaces required.

C. Narrative Information

1. Property History

The following description summarizes the components of the Final Site Plan approved by Resolution 2015-22:

Building	Approved Site Plan Amendment	
	Use	Sq. Ft.
A	Grocery	46,031
B + D	In-Line Retail	17,550
C	Ag Indoor Sales	19,097
E	Gas/Convenienc	3,010
F	Retail/Restauran	5,200
G	Fast Food	3,767
Totals		94,655

2. Proposed Amendment SP(A) 2016-04

Revise the approved use of Outparcel Building “F” to “Retail/Restaurant/Medical Office”. The approved size of Building “F” will not change. The anticipated medical office tenant is an urgent care facility to be licensed by the Florida Agency for Health Care Administration (AHCA). Details of the proposed operation are presented in the attached staff Zoning Confirmation Response dated July 27, 2016.

D. Planning & Zoning Board Recommendation

The Planning & Zoning Board, at its August 18, 2016 meeting, reviewed and recommended approval of SP(A) 2016-04 by a 4 – 0 vote.

E. Staff Finding and Recommendation

Outparcel “F” is located within the Loxahatchee Groves Commons commercial planned unit development. Although the proposed medical office use is determined to be a permitted use within the CL zoning district, the Loxahatchee Groves Commons site plan approval has assigned a Retail/Restaurant use to Outparcel Building “F”. As a result, in order to gain approval of the proposed use, a site plan amendment must be approved by the Town.

Staff finds the proposed Site Plan Amendment SP(A) 2016-04 dated August 10, 2016 consistent with the Town’s Comprehensive Plan and land development regulations and the Final Site Plan (Resolution 2015-22) and recommends approval.



Town of Loxahatchee Groves

155 "F" Road • Loxahatchee Groves, Florida 33470 • Telephone (561) 793-2418 • Fax (561) 793-2420

To: Bill Underwood
Town Manager

From: Jim Fleischmann
Town Planning Consultant

Re: Loxahatchee Groves Commons (Clear Medicine, Inc.) Zoning
Confirmation Response

Date: July 27, 2016

MEMO

This Response is based solely on, and in reliance of, the information provided by Requestor, and any independent review specifically discussed herein. Should any of the information provided by Requestor be incomplete, or inaccurate and such affects the analysis herein, this Response may be revoked by the Town.

I. Summary of Inquiry

Clear Medicine, Inc. (Requestor) has requested zoning confirmation on the 21.73 acre Loxahatchee Groves Commons property located at 15597 Southern Boulevard The zoning confirmation request is directed to "Building F" (Property), as identified on the Loxahatchee Groves Commons Site Plan.

According to Palm Beach County Property Appraiser data, the property is currently owned by Atlantic Land Investments, Inc. whose mailing address is 360 Columbia Drive, Suite 102, West Palm Beach, Florida 33409.

On January 20, 2015, the Town Council approved Ordinance 2013-09 assigning a Commercial Low/Planned Unit Development (CL/PUD) zoning designation to the 21.73 acre Loxahatchee Groves Commons property. On February 17, 2015, the Town Council approved (Resolution 2015-05) the Loxahatchee Groves Commons Site Plan.

Property is located on Outparcel F within the approved 94,655 sq. ft. Loxahatchee Groves Commons commercial center. Outparcel F is identified as a separate parcel on the Loxahatchee Groves Commons Replat of Lot 2, Simon Trust Boundary Plat dated March 16, 2016 (PB 121, Pages 95 – 98). Per the Site Plan, Outparcel F is approved for a 5,200 sq. ft. retail/restaurant use.

According to Palm Beach County Property Appraiser data, the 21.73 acre Loxahatchee Groves Commons parcel, including the 5,200 sq. ft. "Building F" outparcel, is currently vacant.

In relation to Property, Requestor has asked for verification of the following:

1. The zoning classification of Property;
2. Is an "Urgent Care" medical use allowed on Property; and
3. If an "Urgent Care" use is not allowed on Property, what is the zoning that will allow such use?

Based upon a request by Town Staff, Requestor has provided the following additional detail regarding the proposed "urgent care" use:

1. There will be no overnight patient stays;
2. The facility will be open 365 days per year according to the following schedule: Monday to Friday - 8:00 a.m. to 8:00 p.m.; and Saturday and Sunday – 8:00 a.m. to 5:00 p.m.
3. Only minimal surgery will be performed; suture of small lacerations, abscess drainage, or foreign body removal.

The following urgent care services will be provided: Non life-threatening illnesses (flu and respiratory infections, ear/eye infections, sore throat, urinary tract infections, gastrointestinal infections, dehydration, low/high blood glucose, minor burns, asthma, allergic reactions, STDs, back pain, etc.); and non life-threatening injuries (e.g. cuts, fractures and sports injuries). X-ray, EKG and laboratory equipment and facilities will be housed onsite to aid in diagnostic services.

The property is currently assigned a 1000 (Vacant Commercial) Use Code by the Palm Beach County Property Appraiser. The Use Code is valid for calendar year 2016.

II. Staff Analysis

The following Staff analysis is oriented to providing responses to the three request items:

1. The zoning classification of Property is Commercial Low/Planned Unit Development (CL/PUD);
2. "Urgent Care" is not specifically included in the list of permitted uses in the CL zoning district in Section 25-015 *Permitted uses* in the Town's Unified Land Development Code (ULDC). However, based upon Requestor's description, the proposed "Urgent Care" use can be included within the "Offices (e.g. business, professional, medical)" permitted use category in Section 25-015. On this basis, it is determined that the "Urgent Care" use is permitted within the CL zoning district.

Although "Urgent Care" is determined to be a permitted use in the CL zoning district, the Loxahatchee Groves Commons site plan currently indicates a Retail/Restaurant" use for "Building F". As a result, it is determined that an "Urgent Care" use is not currently permitted on Property.

3. An "Urgent Care" use may be requested on Property by means of a site plan amendment application.

III. Staff Conclusion

For the purposes of zoning confirmation, Property is located on Outparcel F within the Loxahatchee Groves Commons commercial planned unit development. Although "Urgent Care" is determined to be a permitted use within the CL zoning district, the Loxahatchee Groves Commons site plan approval has assigned a Retail/Restaurant use to Property. As a result, in order to gain approval of the "Urgent Care" use, a site plan amendment application must be submitted to the Town of Loxahatchee Groves.



Jim Fleischmann
Town Planning Consultant

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-59

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE LOXAHATCHEE GROVES COMMONS OUTPARCEL “F” MEDICAL OFFICE SITE PLAN AMENDMENT, FOR LAND OWNED BY ATLANTIC LAND INVESTMENTS LLC, CONSISTING OF 21.73 ACRES MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT “A” TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council, on February 17, 2015, adopted Ordinance 2013-09 approving the rezoning of the property from the Agricultural Residential (AR) zoning district to Commercial Low Planned Unit Development (CL/PUD), including the Final Conceptual Master Plan and Final Conditions of Approval ; and

WHEREAS, the Town Council, on February 17, 2015, adopted Resolution 2015-05 approving Final Site Plan 2014-02, including the Final Site Plan, Statement of Use and Final Conditions of Approval ; and

WHEREAS, the Town Council, on August 4, 2015, adopted Resolution 2015-22 approving Site Plan Amendment SP(A) 2015-22, including the expansion of the Loxahatchee Groves Commons Outparcel “F” building from 4,000 sq. ft. to 5,200 sq. ft. and amending the approved use from Bank to Retail/Restaurant; and

WHEREAS, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida (“Town”), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider applications relating to site plans and amendments to site plans for development on property within the Town; and

WHEREAS, the notice and hearing requirements, as provided for in Article 115 (Public Hearing Notices) of the Town of Loxahatchee Groves Unified Land Development Code have been satisfied; and

WHEREAS, the Town Planning and Zoning Board (P&Z Board), at its meeting of August 18, 2016 recommended approval of the Loxahatchee Groves Commons Outparcel “F” Medical Office Site Plan Amendment Application SP(A) 2016-04; and

WHEREAS, the Loxahatchee Groves Commons Outparcel “F” Medical Office Site Plan Amendment Application SP(A) 2016-04, was presented to the Town Council at a quasi-judicial public hearing conducted on September 8, 2016; and

WHEREAS, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of Town staff and Town P&Z Board; and

WHEREAS, this approval is subject to Section 155-030 (Effect of approval) of the Town of Loxahatchee Groves Unified Land Development Code (Town ULDC) and other provisions requiring that development commence in a timely manner.

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

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

Section 2. The Town Council has considered the findings in the staff report dated August 26, 2016 and Town Planning and Zoning Board recommendation and makes the following findings of fact:

1. Site Plan SP(A) 2016-04 is consistent with the Final Conceptual Master Plan approved by the Town Council in Town Ordinance 2013-09.
2. Site Plan SP(A) 2016-04 is consistent with the purposes, goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan, including standards for building and structural intensities and intensities of use.
3. Site Plan SP(A) 2016-04 as presented in Exhibit B hereto, complies with relevant and appropriate portions of applicable Town of Loxahatchee Groves land development regulations. This Site Plan, complies with standards imposed on it by all other applicable provisions of the Town ULDC.
3. Site Plan SP(A) 2016-04, as presented in Exhibit B hereto, is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. The proposed design minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. Site Plan SP(A) 2016-04, as presented in Exhibit B hereto, minimizes environmental impacts, including but not limited to water, air, storm water management, wildlife, vegetation, wetlands and the natural functioning of the environment.
6. Site Plan SP(A) 2016-04, as presented in Exhibit B hereto, will result in logical, timely and orderly development patterns.

Section 3. The Town of Loxahatchee Groves Unified Land Development Code requires that the action of the Town Council of Loxahatchee Groves be adopted by resolution. Therefore, the Town Council of the Town of Loxahatchee Groves approves the Loxahatchee Groves Commons Site Plan Amendment SP(A) 2016-04 for the purpose of revising the use of Outparcel Building “F” from “Retail/Restaurant” to “Retail/Restaurant/Medical Office”, for the parcel of land legally described in Exhibit A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in Exhibit A, attached hereto and

made a part hereof. A copy of the Amended Site Plan, is attached hereto as Exhibit B and made a part hereof.

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

Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 6. This Resolution shall become effective upon adoption.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
DAVIS 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA this ____ day of SEPTEMBER 2016.

ATTEST: TOWN OF LOXAHATCHEE GROVES, FLORIDA

Virginia Walton, Town Clerk

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Tom Goltzene

Town Attorney

Council Member Ron Jarriel

Council Member Ryan Liang

Council Member Todd McLendon

EXHIBIT A

LEGAL DESCRIPTION AND LOCATION MAP

The following Legal Description is applicable to Resolution 2016-59:

Parcel Control Number: 41-41-43-31-09-000-0020

DESCRIPTION:

Outparcel F, of LOXAHATCHEE GROVES COMMONS, according to the plat thereof as recorded in Plat Book 121, Pages 95-98, Public Records of Palm Beach County, Florida

LOCATION MAP

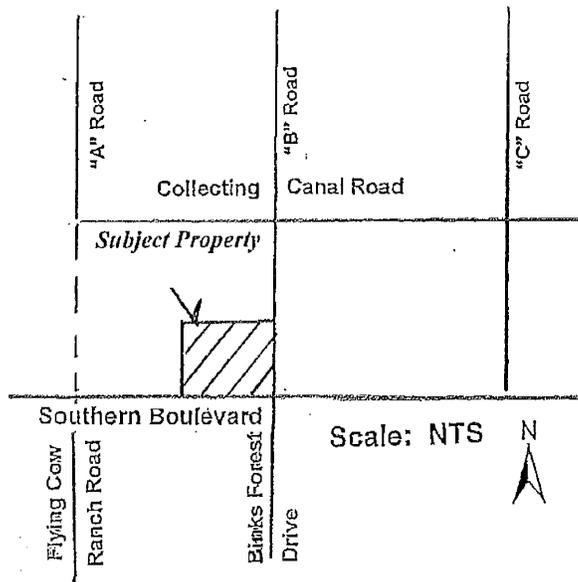


EXHIBIT B

LOXAHATCHEE GROVES COMMONS FINAL SITE PLAN SP(A) 2016-04

Town of Loxahatchee Groves, Florida
Town Council Agenda Item Report
Loxahatchee Groves Commons
Building “B” Outdoor Chlorine Tank Application

PREPARED BY: Jim Fleischmann

August 25, 2016

SUBJECT: The following application for Loxahatchee Groves Commons

1. Site Plan Amendment Approval: SP(A) 2016-05

1. BACKGROUND/HISTORY

History: The initial Loxahatchee Groves Commons Site Plan (94,655 sq. ft.) was approved by Town Council Resolution 2015-05. The approved Site Plan included 17,527 sq. ft. of inline local retail space in Buildings “B” and “D”. Several Site Plan revisions were approved by Town Resolution 2015-22, including an increase in inline local retail space (Buildings “B” and “D” combined) to 17,550 sq. ft.

The Applicant has currently submitted an application for the following amendment to Inline Local Retail Building “B”:

- SP (A) 2016-05 – Approval of an outdoor chlorine tank to serve the pool supply tenant located in Retail Building “B”.

An approval will not increase the size (14,550 sq. ft.) of Building “B” or the approved floor-area-ratio of Loxahatchee Groves Commons. The Application will not result in an increase in daily traffic generated by Loxahatchee Groves Commons and nor will it require additional parking spaces.

Problem Statement: The Town Council should hear testimony at a quasi-judicial public hearing and consider s motion regarding Site Plan SP (A) 2016-05.

Problem Solution: The Town Council should should approve, approve with conditions, or deny proposed Site Plan Amendment SP (A) 2016-05.

2. CURRENT ACTIVITY

The Applicant has prepared the Site Plan Amendment SP (A) 2016-05 application which staff has reviewed (Ref: Attached Agenda Item Staff Summary).

The Planning & Zoning Board, at its August 18, 2016 meeting, reviewed and recommended approval of SP(A) 2016-04 by a 4 – 0 vote subject to the following conditions of approval:

1. The chlorine tank shall be situated on a permanent concrete slab.

2. The chlorine tank shall be completely enclosed by a combination of the following to prevent public access: (1) an 8-foot high retaining wall permanently affixed to the concrete slab on the north side of the enclosure; and (b) an 8-foot high coated screened and locked chain link fence on the south, east and west sides of the enclosure.
3. The retaining wall and chain link fence shall be screened by a continuous solid opaque hedge a minimum, to be maintained at maturity, of 6 feet in height.
4. A Hazardous Materials Management Plan shall be filed with the Town of Loxahatchee Groves prior to submittal of the chlorine tank building permit application
5. Landscaping removed for construction of the storage tank shall be relocated or replaced at another location, to be approved by Town staff, on the Loxahatchee Groves Commons site.
6. Prior to submittal, the building permit application shall be reviewed and approved by the Town Consulting Engineer to ensure consistency with: (1) previously issued Loxahatchee Groves environmental permits; and (2) additional required environmental permits and hazardous waste requirements.

3. ATTACHMENTS

1. Agenda Item Staff Summary: Loxahatchee Groves Commons Outparcel Building “B” Site Plan Amendment SP(A) 2016-05: Outdoor Chlorine Tank
2. Proposed Resolution 2016-60

4. FINANCIAL IMPACT

Work on this project is funded by Applicant’s Cost Recovery Account

5. RECOMMENDED ACTIONS:

1. That the Town Council approve Resolution 2016-60 (SP (A) 2016-05). Recommended Conditions of Approval are included in Exhibit C of Resolution 2016-60.

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL
SEPTEMBER 8, 2016**

**AGENDA ITEM STAFF SUMMARY:
Loxahatchee Groves Commons Inline Retail Building B Site Plan
Amendment(SP(A) 2016-05: Outdoor Chlorine Tank**

A. Site and Applicant Information

Project Name	Loxahatchee Groves Commons Building B Chlorine Tank
Project No.	SP(A) 2016-05
Agent	Jeff Zito, Atlantic Land Investments LLC
Applicant	Atlantic Land Investments, LLC
Owner	Atlantic Land Investments, LLC – Joseph D. Lelonek, Managing Partner
Parcel Control No.	41-41-43-31-09-000-0020
Location	Local Retail Building B of Loxahatchee Groves Commons located at the Northwest corner of Southern Boulevard and “B” Road
Size (Acreage)	21.73 acre Loxahatchee Groves Commons shopping center.
Zoning	Commercial Low Planned Unit Development (CL/PUD)
Future Land Use	Commercial Low
Existing Use	Under construction
Approved Use	Prior Site Plan Approval – Town Resolution 2015-22; Tenant bay within Building B (14,550 sq. ft.) of Loxahatchee Groves Commons (94,655 sq. ft.)
Proposed Use	Addition of an outdoor chlorine tank for use by a swimming pool supply tenant in Building B.

B. Submitted Support Documents

ITEM	CONTENT
Revised Site Plan	Revision to the approved Site Plan indicating the location of the proposed outdoor chlorine tank.

C. Narrative Information

1. Property History

The following description summarizes the components of the Final Site Plan approved by Resolution 2015-22:

Building	Approved Site Plan Amendment	
	Use	Sq. Ft.
A	Grocery	46,031
B + D	In-Line Retail	17,550
C	Ag Indoor Sales	19,097
E	Gas/Convenienc	3,010
F	Retail/Restauran	5,200
G	Fast Food	3,767
Totals		94,655

2. Proposed Amendment SP(A) 2016-05

Revise the approved Site Plan to indicate the location of a proposed outdoor chlorine tank to the rear of tenant bay #110 in Retail Building B. A proposed swimming pool supply tenant is to locate in bay #110.

D. Planning & Zoning Board Recommendation

The Planning & Zoning Board, at its August 18, 2016 meeting, reviewed and recommended approval of SP(A) 2016-05 by a 4 – 0 vote, subject to the conditions of approval that have been incorporated within the Staff Finding and Recommendation.

E. Staff Finding and Recommendation

Building B, including spaces for 10 inline local tenants, is located within the Loxahatchee Groves Commons commercial planned unit development. The anticipated swimming pool supply business is determined to be a permitted use within the CL zoning district. However, the approved Loxahatchee Groves Commons site plan does not include an outdoor chlorine tank. As a result, in order to gain approval of the proposed storage tank, a site plan amendment must be approved by the Town.

In completing the Staff review of the proposal, the following have been contacted for review and comment: Palm Beach County Health Department; Florida Department of Environmental Protection; Palm Beach County Fire Rescue; South Florida Water Management District; and the Town Consulting Engineer. Recommendations from these entities have been incorporated within the recommended conditions of approval.

Staff finds proposed Site Plan Amendment SP(A) 2016-05 dated August 10, 2016 (Site Plan Amendment for Chlorine Tank), consistent with the Town's Comprehensive Plan and land development regulations and Town Resolution 2015-22 and recommends approval, subject to the following conditions:

1. The chlorine tank shall be situated on a permanent concrete slab.

2. The chlorine tank shall be completely enclosed by a combination of the following to prevent public access: (1) an 8-foot high retaining wall permanently affixed to the concrete slab on the north side of the enclosure; and (b) an 8-foot high coated screened and locked chain link fence on the south, east and west sides of the enclosure.
3. The retaining wall and chain link fence shall be screened by a continuous solid opaque hedge a minimum, to be maintained at maturity, of 6 feet in height.
4. A Hazardous Materials Management Plan shall be filed with the Town of Loxahatchee Groves prior to submittal of the chlorine tank building permit application.
5. Landscaping removed for construction of the storage tank shall be relocated or replaced at another location, to be approved by Town staff, on the Loxahatchee Groves Commons site.
6. Prior to submittal, the building permit application shall be reviewed and approved by the Town Consulting Engineer to ensure consistency with: (1) previously issued Loxahatchee Groves environmental permits; and (2) additional required environmental permits and hazardous waste requirements.

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-60

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE LOXAHATCHEE GROVES COMMONS LOCAL RETAIL BUILDING “B” CHLORINE TANK SITE PLAN AMENDMENT, FOR LAND OWNED BY ATLANTIC LAND INVESTMENTS LLC, CONSISTING OF 21.73 ACRES MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT “A” TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council, on February 17, 2015, adopted Ordinance 2013-09 approving the rezoning of the property from the Agricultural Residential (AR) zoning district to Commercial Low Planned Unit Development (CL/PUD), including the Final Conceptual Master Plan and Final Conditions of Approval ; and

WHEREAS, the Town Council, on February 17, 2015, adopted Resolution 2015-05 approving Final Site Plan 2014-02, including the Final Site Plan, Statement of Use and Final Conditions of Approval ; and

WHEREAS, the Town Council, on August 4, 2015, adopted Resolution 2015-22 approving Site Plan Amendment SP(A) 2015-22, including the expansion of the Loxahatchee Groves Commons Buildings “B” and “D” from a total of 17,527 sq. ft. to a total of 17,550 sq. ft.; and

WHEREAS, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida (“Town”), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider applications relating to site plans and amendments to site plans for development on property within the Town; and

WHEREAS, the notice and hearing requirements, as provided for in Article 115 (Public Hearing Notices) of the Town of Loxahatchee Groves Unified Land Development Code have been satisfied; and

WHEREAS, the Town Planning and Zoning Board (P&Z Board), at its meeting of August 18, 2016 recommended approval of the Loxahatchee Groves Commons Inline Retail Building “B” Site Plan Amendment Application SP(A) 2016-05 to allow an outdoor chlorine tank subject to conditions of approval; and

WHEREAS, the Loxahatchee Groves Common Inline Retail Building “B” Site Plan Amendment Application SP(A) 2016-05 to allow an outdoor chlorine tank, was presented to the Town Council at a quasi-judicial public hearing conducted on September 8, 2016; and

WHEREAS, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of Town staff and Town P&Z Board; and

WHEREAS, this approval is subject to Section 155-030 (Effect of approval) of the Town of Loxahatchee Groves Unified Land Development Code (Town ULDC) and other provisions requiring that development commence in a timely manner.

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

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

Section 2. The Town Council has considered the findings in the staff report dated August 26, 2016 and Town Planning and Zoning Board recommendation and makes the following findings of fact:

1. Site Plan SP(A) 2016-05 is consistent with the Final Conceptual Master Plan approved by the Town Council in Town Ordinance 2013-09.
2. Site Plan SP(A) 2016-05 is consistent with the purposes, goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan, including standards for building and structural intensities and intensities of use.
3. Site Plan SP(A) 2016-05 as presented in Exhibit B hereto and subject to Conditions of Approval presented in Exhibit C hereto, complies with relevant and appropriate portions of applicable Town of Loxahatchee Groves land development regulations. This Site Plan complies with standards imposed on it by all other applicable provisions of the Town ULDC.
3. Site Plan SP(A) 2016-05, as presented in Exhibit B hereto and subject to Conditions of Approval presented in Exhibit C hereto, is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. The proposed design minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. Site Plan SP(A) 2016-05, as presented in Exhibit B hereto and subject to Conditions of Approval presented in Exhibit C hereto, minimizes environmental impacts, including but not limited to water, air, storm water management, wildlife, vegetation, wetlands and the natural functioning of the environment.
6. Site Plan SP(A) 2016-05, as presented in Exhibit B hereto and subject to Conditions of Approval presented in Exhibit C hereto, will result in logical, timely and orderly

development patterns.

Section 3. The Town of Loxahatchee Groves Unified Land Development Code requires that the action of the Town Council of Loxahatchee Groves be adopted by resolution. Therefore, the Town Council of the Town of Loxahatchee Groves approves the Loxahatchee Groves Commons Site Plan Amendment SP(A) 2016-05 to allow an outdoor chlorine tank to be located behind Building “B”, subject to Conditions of Approval, attached hereto in Exhibit C and made a part hereof for the parcel of land legally described in Exhibit A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in Exhibit A, attached hereto and made a part hereof. A copy of the Amended Site Plan, is attached hereto as Exhibit B and made a part hereof.

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

Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 6. This Resolution shall become effective upon adoption.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
DAVIS 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA THIS _____ day of SEPTEMBER 2016.

ATTEST:	TOWN OF LOXAHATCHEE GROVES, FLORIDA
_____ TOWN CLERK	_____ Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Tom Goltzene

Town Attorney

Council Member Ron Jerriel

Council Member Ryan Liang

Council Member Todd McLendon

EXHIBIT A

LEGAL DESCRIPTION AND LOCATION MAP

The following Legal Description is applicable to Resolution 2016-59:

Parcel Control Number: 41-41-43-31-09-000-0020

DESCRIPTION:

Tract A of LOXAHATCHEE GROVES COMMONS, according to the plat thereof as recorded in Plat Book 121, Pages 95-98, Public Records of Palm Beach County, Florida

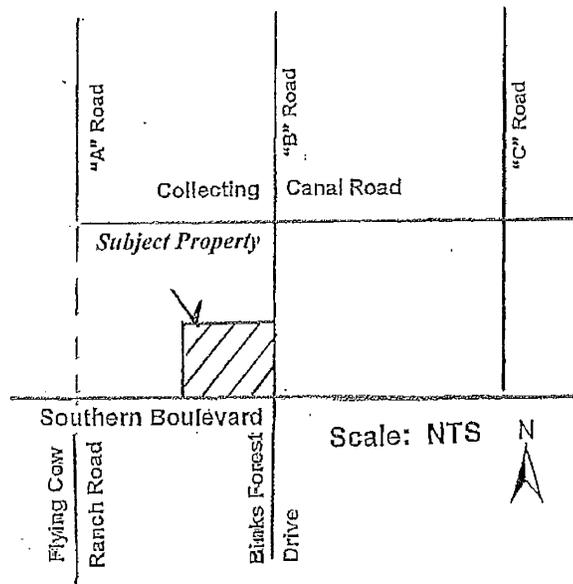


EXHIBIT B

LOXAHATCHEE GROVES COMMONS FINAL SITE PLAN SP(A) 2016-05

EXHIBIT C

**LOXAHATCHEE GROVES COMMONS FINAL SITE PLAN SP(A) 2016-05
CONDITIONS OF APPROVAL**

A. GENERAL

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.
2. The Final Conditions of Approval of Town Ordinance 2013-09 which assigned a Commercial Low Planned Unit Development (CL/PUD) zoning designation to the site, are adopted by reference and incorporated herein. Conditions of approval assigned by Resolution 2015-22 approving Final Site Plan SP(A) 2015-04 are adopted by reference and incorporated herein and shall remain in effect unless updated or supplemented herein.

B. SITE SPECIFIC

1. The chlorine tank shall be situated on a permanent concrete slab.
2. The chlorine tank shall be completely enclosed by a combination of the following to prevent public access: (1) an 8-foot high retaining wall permanently affixed to the concrete slab on the north side of the enclosure; and (b) an 8-foot high coated screened and locked chain link fence on the south, east and west sides of the enclosure.
3. The retaining wall and chain link fence shall be screened by a continuous solid opaque hedge a minimum, to be maintained at maturity, of 6 feet in height.
4. A Hazardous Materials Management Plan shall be filed with the Town of Loxahatchee Groves prior to submittal of the chlorine tank building permit application
5. Landscaping removed for construction of the storage tank shall be relocated or replaced at another location, to be approved by Town staff, on the Loxahatchee Groves Commons site.
6. Prior to submittal, the building permit application shall be reviewed and approved by the Town Consulting Engineer to ensure consistency with: (1) previously issued Loxahatchee Groves environmental permits; and (2) additional required environmental permits and hazardous waste requirements.

Town of Loxahatchee Groves, Florida
Town Council Agenda Item Report
Dunkin Donuts Sign Variance VA 2016-03

PREPARED BY: Jim Fleischmann

August 26, 2016

SUBJECT: Increase the size of the sign face of the Dunkin' Donuts outparcel secondary sign (menu board) above the maximum allowed by the Town Code.

1. BACKGROUND/HISTORY

History: The Loxahatchee Groves Commons Site Plan, including restaurant/retail uses on Outparcel F, was approved by Town Council Resolution 2015-22. An 1,800 sq. ft. Dunkin' Donuts is currently under construction within the 5,200 sq. ft. Outparcel F building. The Site Plan has an approved outparcel monument sign on Southern Boulevard, in front of Outparcel Building F, and a menu board on the northwest corner of the building in the drive-thru lane.

Problem Statement: The Town Council should consider the Applicant's variance request to increase the sign face of the menu board sign (secondary sign) to a size greater than the maximum the ULDC currently permits. ULDC Section 90-40 (B) (5) a *Secondary Signs* currently permits a maximum sign face on an outparcel secondary sign of 12 sq. ft., while the Applicant proposes to increase the sign face to 45 sq. ft.; a variance of 33 sq. ft.

Problem Solution: A variance will not be contrary to the public interest if the Applicant has demonstrated, by competent and substantial evidence, that each of five review criteria in ULDC Section 150-020 is met. In order to recommend approval of the proposed variance, the Town Council should find that the application meets each of the five criteria.

2. CURRENT ACTIVITY

The Applicant has prepared Variance Application VA 2016-03 which staff has reviewed (Ref: Attached Agenda Item Staff Summary) to make a recommendation as to whether or not the five ULDC Section 150-020 criteria have been met by the Applicant. Staff finds that the Applicant has not demonstrated, by competent and substantial evidence, that each of five review criteria in ULDC Section 150-020 has been met and therefore recommends denial of Variance Application VA 2016-03.

The Applicant presented VA 2016-03 to the Planning and Zoning Board (PZ&B) at its meeting on August 18, 2016. PZ&B recommended approval of a variance not to exceed a sign face maximum of 24 sq. ft. (i.e. 12 sq. ft. variance). A summary of the PZ&B justification is presented in the attached Agenda Item Staff Summary.

3. ATTACHMENTS

1. Agenda Item Staff Report: Variance Application 2016-03.
2. Resolution 2016-61

4. FINANCIAL IMPACT

Work on this project is funded by Applicant's Cost Recovery Account

5. RECOMMENDED ACTION

1. Denial of VA 2016-03; or
2. Approval of a maximum 12 sq. ft. menu board sign face variance not to exceed a total sign face of 24 sq. ft.

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL
SEPTEMBER 8, 2016**

**AGENDA ITEM STAFF SUMMARY:
Loxahatchee Groves Commons Outparcel Building F: Dunkin' Donuts
Sign Variance Application VA 2016-03**

A. Site and Applicant Information

Project Name	Dunkin' Donuts Secondary Sign Variance
Project No.	VA 2016-03
Agent	<i>Steven Rubiano</i> , Kemp Signs and Service, Inc.
Applicant	Dunkin' Donuts
Owner	Atlantic Land Investments, LLC – Joseph D. Lelonek, Managing Partner
Parcel Control No.	41-41-43-31-09-000-0020
Location	Outparcel G of Loxahatchee Groves Commons located at the Northwest corner of Southern Boulevard and "B" Road
Size (Acreage)	0.80 acre outparcel of 21.73 acre Loxahatchee Groves Commons shopping center.
Zoning	Commercial Low Planned Unit Development (CL/PUD)
Future Land Use	Commercial Low
Existing Use	Vacant/under construction
Approved Use	Site Plan Approval – Outparcel G: 3,767 sq. ft. fast-food restaurant One monument sign and one secondary sign (no dimensions indicated). Condition of Approval requires sign permits. Code allows a maximum secondary sign of 12 sq. ft.
Proposed Use	3,767 sq. ft. Dunkin' Donuts fast-food restaurant. Secondary sign (menu sign) of 45 sq. ft.

B. Submitted Support Documents

ITEM	CONTENT
Variance Application	Statement of Consistency with ULDC Sections 150-010(A) – (C) Variance Authority and Section 150-020 Consistency with Variance Considerations

C. Narrative Information

1. Property History

The following description summarizes the components of the Final Site Plan approved by Resolution 2015-22:

Building	Approved Site Plan Amendment	
	Use	Sq. Ft.
A	Grocery	46,031
B + D	In-Line Retail	17,550
C	Ag Indoor Sales	19,097
E	Gas/Convenienc	3,010
F	Retail/Restauran	5,200
G	Fast Food	3,767
Totals		94,655

One monument sign (southwest corner of Outparcel F on Southern Boulevard) and one secondary sign (menu board) located on the drive-thru lane at the northwest corner of Building F) are indicated on the Site Plan. A Condition of Approval requires that sign permits be procured. ULDC Section 90-040(5) allows one secondary sign (including a menu sign) of 12 sq. ft.

2. Variance VA 2016-03 Request

Permit a menu board sign (secondary sign) of 45 sq. ft. at the location indicated on the approved Site Plan; a variance of 33 sq. ft.

D. STAFF REVIEW

The requested variance is to allow a menu board sign (secondary sign) to exceed the sign-face maximum size. Per ULDC Section 90-040(5) a, the sign-face maximum is 12 sq. ft. The Applicant has proposed 45 sq. ft., as illustrated in Attachment A.

Variance procedures and requirements are contained in Article 150 *Variances* of the Town's ULDC. Per ULDC Section 150-010(B), the Town Council may grant a variance provided that such approval will not result in a use which is specifically or by inference prohibited in the zoning district.

Further, per ULDC Section 150-010(C), variance applications will not be considered with respect to the following:

1. Where plans have been submitted and approved and permits issued, and additional work not shown on the approved plans has been performed. Previous plans have not been submitted and approved, permits issued and additional work completed for signs on the property.

2. Where a property has been subdivided and as a result an existing structure is in violation of the provisions of the ULDC. The property has been subdivided since incorporation of the Town; however, no structure is in violation of ULDC provisions.

Brief descriptions of abutting properties are presented in the following table. Loxahatchee Groves Commons property borders the subject site on the north and east. Palm Beach State College borders the subject site on the west. Southern Boulevard, followed by the C-51 Canal right-of-way, borders to the south.

Inventory of Abutting Properties

Direction	Description
North	Under construction – Loxahatchee Groves Commons shopping center
South	Southern Boulevard followed by C-51 Canal
East	Under construction – Loxahatchee Groves Commons shopping center
West	Under Construction – Palm Beach State College

Per ULDC Section 150-020 of the ULDC, a variance will not be contrary to the public interest if the Applicant has demonstrated, by competent and substantial evidence, that each of five review criteria is met. The five criteria and the Applicant’s responses are presented below:

Criterion 1: That special conditions and circumstances exist which are unique to the property, or the intended use of the property, that do not generally apply to other properties in the same zoning district.

Applicant’s Response: The business will not prosper without the full use of a standard menu board congruent with marketing research done by Dunkin brands. The current size limitations will not allow enough products to be displayed and business will suffer by not allowing food diversification for all tastes and national marketing effort.

Criterion 2: That any alleged hardship is not self-created is not self-created by any person having an interest in the property and is not the result of mere disregard for, or ignorance of, the provisions of the Code, but is instead the result of one or more of the special condition(s) found above.

Applicant’s Response: The proposed sign is a national model and is not self-created by the franchisee.

Criterion 3: That literal interpretation of the Code would deprive the applicant of reasonable use of the property, in that the applicant would be deprived of rights commonly enjoyed by properties in the same zoning district, and would thereby cause an unnecessary and undue hardship.

Applicant’s Response: The Town only allows a 12 sq. ft. menu sign. All surrounding drive-thru locations allow larger signs and the Applicant proposes to be allowed to offer a level of food service on par with neighboring communities while bringing more tax money to the Town.

Criterion 4: The Variance proposed is the minimum variance that will make possible the reasonable use of the property and it will not confer on the applicant any special privilege that is denied to any other properties in the same zoning district.

Applicant's Response: The variance will not create any special privilege other than more square footage to maintain profitability.

Criterion 5: That the granting of the variance will be in harmony with the general intent and purpose of the Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant's Response: A larger menu board will not be injurious or detrimental to the public welfare.

E. STAFF FINDINGS

Based upon its review, Staff finds that Variance Application VA 2016-03 may be acted upon by the Town Council, as it meets the requirements of ULDC Sections 150-010(B) and ULDC Section 150-010(C).

Staff finds that proposed Variance VA 2016-02 is not contrary to the public interest; however, adequate justification, per the requirements of ULDC Section 150-020 "Consideration for variances", has not been provided by the Applicant. Specifically, the following Staff responses and staff replies are summarized:

1. Special conditions and circumstances do exist which are unique to the property, or the intended use of the property. The Town's ULDC specifically cites menu sign as included in the sign category of "Secondary Signs" and limits the sign face of this category of signs to 12 sq. ft. The unique circumstance cited is that the size limitation on the sign will not allow all of the products to be listed which will result in a loss of potential sales and not reflect national marketing efforts.

2. There are self-created hardships and those not self-created. ULDC. The proposed sign is based on a national model created by Dunkin' Donuts corporate, not the Applicant and is therefore not self-created. The ULDC allows a maximum 12 sq. ft. secondary sign on an outparcel. This requirement has been in the ULDC since 2010; prior to the approval of the Loxahatchee Groves Site Plan. Location on Outparcel F was a decision made by the Applicant after the ULDC requirement was effective.

3. Literal and appropriate interpretation of the Code will not deprive the applicant of reasonable use of the property. All surrounding drive-thru locations allow larger signs and the Applicant proposes to be allowed to offer a level of food service on par with neighboring communities. The Applicant has not provided any examples of what surrounding communities allow. Further, Loxahatchee Groves is a unique community that does not attempt to mirror surrounding communities. Town standards are oriented to preserving the unique character of Loxahatchee Groves.

4. It has not been determined that the Variance proposed is the minimum that will make possible the reasonable use of the property. The Applicant has requested that the sign face of menu sign be increased from a maximum of 12 square feet to 45 sq.

Dunkin' Donuts

4

Variance Application VA 2016-03

August 25, 2016

ft. The Applicant has not demonstrated that the request is the minimum necessary to insure reasonable use of the property.

5. It has not been demonstrated that granting of the variance will be in harmony with the general intent and purpose of the Code. Per Section 90-005(C) *Compatibility of the ULDC*, signs should be made compatible with the overall objectives of the Comprehensive Plan by ensuring compatibility with surrounding land uses. ULDC sign standards have been designed to insure compatibility with the character of the Town. The Applicant has not demonstrated how approval of the 45 sq. ft. sign will maintain compatibility insured by ULDC standards.

E. PLANNING & ZONING BOARD (PZ&B) FINDINGS

The PZ&B reviewed Variance Application VA 2016-03 at its meeting of August 18, 2016. At the meeting, PZ&B determined that a variance to allow a 45 sq. ft. menu board was not justified. However, PZ&B did determine that a menu board sign not to exceed 24 sq. ft. (maximum variance of 12 sq. ft.) is appropriate for the following reasons.

1. The menu board is located at the rear (north side) of Building F and is blocked from view from Southern Boulevard.
2. Due to the location of the sign and type (all commercial) and distance (a minimum of 500 feet) to neighboring buildings, the proposed sign is not incompatible with surrounding uses.
3. Due to the distances involved and view obstructions, the menu board does not interfere with the quiet enjoyment of any neighboring residential properties.
4. The menu board is a proprietary sign intended for the exclusive use of drive-thru customers of Dunkin' Donuts. A 24 sq. ft. sign will appropriately serve drive-thru customers.
5. The proposed variance to 24 sq. ft. will serve to expedite traffic flow through the drive-thru lane and prevent excessive queuing.

F. RECOMMENDATION

1. Staff Recommendation: It is concluded the Applicant has not demonstrated, by competent and substantial evidence, that each of five review criteria in ULDC Section 150-020 has been met. Based upon this conclusion, Staff recommends denial of Variance Application VA 2016-03.

2. PZ&B Recommendation: Based upon its findings, the PZ&B recommends approval of a maximum 12 sq. ft. sign face menu board variance, not to exceed a total menu board sign face of 24 sq. ft.

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-61

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE LOXAHATCHEE GROVES COMMONS OUTPARCEL “F” SIGN VARIANCE, FOR LAND OWNED BY ATLANTIC LAND INVESTMENTS, CONSISTING OF 21.73 ACRES MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND “B” ROAD LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT “A” TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida (“Town”), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider applications relating to variances from land development regulations for development on property within the Town; and

WHEREAS, the Council, pursuant to Section 150-010 (Authority) of the Town of Loxahatchee Groves Unified Land Development Code (ULDC) is granted the authority to permit a variance to the provisions of the ULDC related to: (1) height; (2) yards; (3) parking and loading; (4) landscaping and buffers; (5) separation of uses; (6) plot coverage; and/or (7) such other provisions of the Code which do not specifically prohibit such requests; and

WHEREAS, the notice and hearing requirements, as provided for in Article 115 (Public Hearing Notices) of the Town of Loxahatchee Groves Unified Land Development Code have been satisfied; and

WHEREAS, the Dunkin’ Donuts Variance Application VA 2016-03 was presented to the Town Planning and Zoning Board (P&Z Board), at its meeting of August 18, 2016. At that meeting, the P&Z Board recommended approval of a variance to allow a Dunkin’ Donuts menu board sign face not to exceed 25 sq. ft.; and

WHEREAS, the Dunkin’ Donuts. Application VA 2016-03, was presented to the Town Council at a quasi-judicial public hearing conducted on September 8, 2016; and

WHEREAS, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of Town staff and Town P&Z Board; and

WHEREAS, this approval is subject to Section 150-030 (Time limits) of the Town of Loxahatchee Groves Unified Land Development Code (Town ULDC) and other provisions requiring that development commence in a timely manner.

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

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

Section 2. The Town Council has considered the analysis and findings of the report entitled “Agenda Item Staff Summary Loxahatchee Groves Commons Outparcel Building F: Dunkin’ Donuts Sign Variance Application VA 2016-03”, dated August 25, 2016 and Town Planning and Zoning Board recommendation and makes the following findings of fact:

1. VA 2016-03 is a request to increase the maximum sign face of a menu board sign of 12 sq. ft. to a maximum sign face of 45 sq. ft., a variance of 33 sq. ft., for the Dunkin’ Donuts Outparcel Building F tenant of Loxahatchee Groves Commons shopping center.
2. VA 2016-03, complies with relevant and appropriate portions of applicable Town of Loxahatchee Groves land development regulations, including Sections 150-010(B) and 150-010(C).
3. The Applicant has demonstrated, based upon responses to the requirements of Section 150-020 (Considerations for variances) of the Town of Loxahatchee Groves land development regulations, that VA 2016-03 is not contrary to the public interest.

Section 3. The Town of Loxahatchee Groves Unified Land Development Code requires that the action of the Town Council of Loxahatchee Groves be adopted by resolution. Therefore, the Town Council of the Town of Loxahatchee Groves approves the Dunkin’ Donuts Variance Application VA 2016-03 for the parcel of land legally described in Exhibit A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in Exhibit A, attached hereto and made a part hereof.

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

Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 6. This Resolution shall become effective upon adoption.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
DAVIS 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 MCLENDEN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA this ____ day of September 2016.

ATTEST:

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

Virginia Walton, Town Clerk

Mayor David Browning

APPROVED AS TO LEGAL FORM:

Vice Mayor Tom Goltzene

Town Attorney

Council Member Ron Jarriel

Council Member Ryan Liang

Council Member Todd McLendon

EXHIBIT A

LEGAL DESCRIPTION AND LOCATION MAP

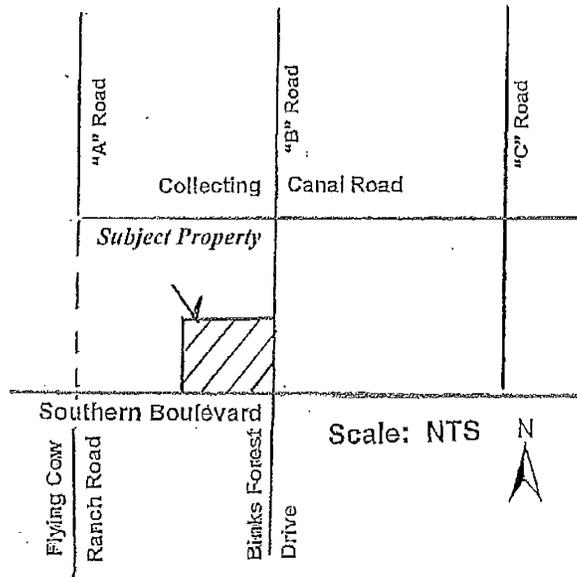
The following Legal Description is applicable to Resolution 2016-61:

Parcel Control Number: 41-41-43-31-09-000-0020

DESCRIPTION:

Outparcel F, of LOXAHATCHEE GROVES COMMONS, according to the plat thereof as recorded in Plat Book 121, Pages 95-98, Public Records of Palm Beach County, Florida

LOCATION MAP



**Town of Loxahatchee Groves, FLORIDA
Town Council**

**AGENDA ITEM REPORT
AGENDA ITEM NO. 6d**

MEETING DATE: 9/08/2016

PREPARED BY: Barry Trombley

SUBJECT: Commercial Enterprise Enforcement Policy

1. BACKGROUND/HISTORY-

Problem Statement:

There is no definition of commercial enterprises allowed to operate within the Town on residential zoned parcels.

Problem Solution:

Clarify the definition of what is considered to be a Commercial Enterprise which is allowed to operate on residential parcels

At the August 2nd 2016 Council meeting it was brought up and discussed to develop a protocol for Code enforcement to look into issues of proactively investigating a commercial business in a neighborhood under the guise of being residential. Research completed by staff and information gathered (attached) requires direction and clarification on how to proceed.

2. CURRENT ACTIVITY-

There are currently no proactive Code Enforcement actions directed toward Commercial Enterprises on residential parcels. Staff has compiled and identified Standard Industrial Classification Codes (SIC CODES) in which we would like to be considered.

3. ATTACHMENTS-

SIC CODES

4. FINANCIAL IMPACT-

No financial impact can be calculated at this time.

5. RECOMMENDED ACTION-

It is recommended that the Town Council determine the definition of commercial enterprises which the Council desires to implement proactive Code Enforcement procedures against.

STANDARD INDUSTRIAL CLASSIFICATION CODES (SIC CODES)

General Directory Listing

1. Agriculture Forestry & Fishing

- AG Prod Livestock / Animal Specialty
- Agricultural Production / Crops
- Agricultural Services
- Fishing, Hunting & Trapping
- Forestry

2. Categories Not Elsewhere Classified

3. Construction

- Building Constr / General Contractors
- Construction - Spec Trade Contractors
- Heavy Constr Not Building - Contractors

4. Finance, Insurance & Real Estate

- Depository Institutions
- Holding & Other Investment Offices
- Insurance Agents / Brokers / Service
- Insurance Carriers
- Nondepository Institutions
- Real Estate

5. Government

- Administration of Economic Programs
- Administration of Human Resources
- Environmental Quality & Housing
- Executive / Legislative / General
- Finance / Taxation & Monetary Policy
- Justice / Public Order / Safety
- National Security / International Affairs

6. Manufacturing

- Apparel & Other Textile Products
- Chemicals & Allied Products
- Electronic & Other Electric Equipment
- Fabricated Metal Products
- Food & Kindred Products
- Furniture & Fixtures NEC
- Industrial Machinery & Equipment
- Instruments & Related Products
- Leather & Leather Products
- Lumber & Wood Products
- Miscellaneous Manufacturing Industries
- Paper & Allied Products
- Petroleum & Coal Products
- Primary metal Industries
- Printing & Publishing
- Rubber & Miscellaneous Plastic Products
- Stone / Clay / Glass Products
- Textile Mill Products
- Tobacco Products
- Transportation Equipment

7. Mining

- Metal Mining
- Nonmetallic Minerals
- Oil & Gas Extraction

8. Retail Trade

- Apparel & Accessory Stores
- Auto Dealers & Service Stations
- Building Materials & Garden Supplies
- Eating & Drinking Places
- Food Stores
- Furniture & Homefurnishings Stores
- General Merchandise Stores
- Miscellaneous Retail

9. Services

- Amusement & Recreation Services
- Auto Repair / Services / Parkings
- Business Services
- Educational Services
- Engineering & Management Services
- Health Services
- Hotels & Other Lodging Places
- Legal Services
- Membership Organizations
- Miscellaneous Repair Services
- Miscellaneous Services
- Motion Pictures
- Museums / Botanical / Zoological Gardens
- Personal Services
- Private Households
- Social Services

10. Transportation / Communications / Utilities

- Communications
- Electric / Gas / Sanitary Services
- Local / Interurban Passenger Transit
- Pipelines Exc Natural Gas
- Railroad Transportation
- Transportation by Air
- Transportation Services
- Trucking & Warehousing
- US Postal Service
- Water Transportation

11. Wholesale Trade

- Durable Goods
- Nondurable Goods

SIC Code Description
1. AGRICULTURE FORESTRY & FISHING
AG Prod Livestock / Animal Specialty

0273 Animal Aquaculture
 0279 Animal Specialties NEC
 0212 Beef Cattle Exc Feedlots
 0211 Beef Cattle Feedlots
 0251 Broiler, Fryer & Roaster Chickens
 0252 Chicken Eggs
 0241 Dairy Farms
 0271 Fur-Bearing Animals & Rabbits
 0291 General Farms -- Primarily Animal
 0219 General Livestock
 0213 Hogs
 0272 Horses & Other Equines
 0259 Poultry & Egg NEC
 0254 Poultry Hatcheries
 0214 Sheep & Goats
 0253 Turkeys & Turkey Eggs

Agricultural Production / Crops

0171 Berry Crops
 0119 Cash Grains NEC
 0174 Citrus Fruits
 0115 Corn
 0131 Cotton
 0175 Deciduous Tree Fruits
 0139 Field Crops, Exc Cash Grains, NEC
 0182 Food Crops Grown Under Cover
 0179 Fruits & Tree Nuts NEC
 0191 General Farms Primarily Crops
 0172 Grapes
 0134 Irish Potatoes
 0181 Ornamental Nursery Products
 0112 Rice
 0116 Soybeans
 0133 Sugarcane & Sugar Beets
 0132 Tobacco
 0173 Tree Nuts
 0161 Vegetables & Melons
 0111 Wheat

Agricultural Services

0752 Animal Specialty Services Exc Vet
 0724 Cotton Ginning
 0722 Crop Harvesting
 0721 Crop Planting Protecting
 0723 Crop Prep Services for Market
 0761 Farm Labor Contractors
 0762 Farm Management Services
 0781 Landscape Counseling & Planning
 0782 Lawn & Garden Services
 0751 Livestock Services Exc Veterinary
 0783 Ornamental Shrub & Tree Services
 0711 Soil Preparation Services
 0741 Veterinary Services For Livestock
 0742 Veterinary Services, Specialties

Fishing, Hunting & Trapping

0912 Fin Fish
 0921 Fish Hatcheries & Preserves
 0971 Hunting & Trapping / Game Propagation
 0919 Miscellaneous Marine Products
 0913 Shellfish

Forestry

0831 Forest Products
 0851 Forestry Services
 0811 Timber Tracts

2. CATEGORIES NOT ELSEWHERE CLASSIFIED
Nonclassifiable Establishment

9999 Nonclassifiable Establishment

3. CONSTRUCTION

Building Constr / General Contractors

1541 Industrial Buildings & Warehouses
 1542 Nonresidential Construction NEC
 1531 Operative Builders

6289 Security & Commodity Services NEC
 6211 Security Brokers & Dealers
 6153 Short-Term Business Credit

SIC Code Description
 1522 Residential Construction NEC
 1521 Single-Family Housing Construction
Construction - Spec Trade Contractors

1751 Carpentry Work
 1771 Concrete Work
 1731 Electrical Work
 1794 Excavation Work
 1752 Floor Laying / Floor Work NEC
 1793 Glass & Glazing Work
 1796 Installing Building Equipment NEC
 1741 Masonry & Other Stone Work
 1721 Painting & Paper Hanging
 1742 Plastering / Drywall & Insulation
 1711 Plumbing / Heating / Air Conditioning
 1761 Roofing / Siding / Sheet Metal Work
 1799 Special Trade Contractors NEC
 1791 Structural Steel Erection
 1743 Terrazzo / Tile / Marble / Mosaic Work
 1781 Water Well Drilling
 1795 Wrecking & Demolition Work

Heavy Constr Not Building -- Contractors

1622 Bridge / Tunnel / Elevated Highway
 1629 Heavy Construction NEC
 1611 Highway & Street Construction
 1623 Water / Sewer / Pipeline / Commun & Power

4. FINANCE, INSURANCE & REAL ESTATE

Depository Institutions

6019 Central Reserve Depository NEC
 6029 Commercial Banks NEC
 6061 Federal Credit Unions
 6011 Federal Reserve Banks
 6035 Federal Savings Institutions
 6081 Foreign Banks / Branches / Agencies
 6082 Foreign Trade & International Banks
 6099 Functions Related To Deposit Banking
 6021 National Commercial Banks
 6091 Nondeposit Trust Facilities
 6036 Savings Institutions Exc Federal
 6022 State Commercial Banks
 6062 State Credit Unions

Holding & Other Investment Offices

6712 Bank Holding Companies
 6732 Educational, Religious Etc Trusts
 6719 Holding Companies NEC
 6726 Investment Offices NEC
 6799 Investors NEC
 6722 Management Investment, Open-End
 6792 Oil Royalty Traders
 6794 Patent Owners & Lessors
 6798 Real Estate Investment Trusts
 6733 Trusts NEC

Insurance Agents / Brokers / Service

6411 Insurance Agents / Brokers / Service
Insurance Carriers
 6321 Accident & Health Insurance
 6331 Fire / Marine / Casualty Insurance
 6324 Hospital & Medical Service Plans
 6399 Insurance Carriers NEC
 6311 Life Insurance
 6371 Pension / Health / Welfare Funds
 6351 Surety Insurance
 6361 Title Insurance

Nondepository Institutions

6221 Commodity Contracts Brokers / Dealers
 6111 Federal / Federally-Sponsored Credit
 6282 Investment Advice
 6163 Loan Brokers
 6159 Misc Business Credit Institutions
 6162 Mortgage Bankers & Correspondents
 6141 Personal Credit Institutions
 6231 Security & Commodity Exchanges

2397 Schiffli Machine Embroideries
 2393 Textile Bags
 2385 Waterproof Outerwear

SIC Code	Description
	Real Estate
6513	Apartment Building Operators
6553	Cemetery Subdividers & Developers
6514	Dwelling Operators Exc Apartments
6515	Mobile Home Site Operators
6512	Nonresidential Building Operators
6517	Railroad Property Lessors
6531	Real Estate Agents & Managers
6519	Real Property Lessors NEC
6552	Subdividers & Developers NEC
6541	Title Abstract Offices

5. GOVERNMENT

Administration of Economic Programs

9611	Admin of General Economic Programs
9641	Regulation, Agricultural Marketing
9651	Regulation, Misc Commercial Sectors
9621	Regulation / Admin of Transportation
9631	Regulation / Admin of Utilities
9661	Space Research & Technology

Administration of Human Resources

9411	Admin of Education Programs
9431	Admin of Public Health Programs
9441	Admin of Social & Manpower Programs
9451	Admin of Veterans' Affairs

Environmental Quality & Housing

9511	Air / Water / Solid Waste Management
9531	Housing Programs
9512	Land / Mineral / Wildlife Conservation
9532	Urban & Community Development

Executive / Legislative / General

9131	Executive & Legislative Combined
9111	Executive Offices
9199	General Government NEC
9121	Legislative Bodies

Finance / Taxation & Monetary Policy

9311	Finance / Taxation / Monetary Policy
------	--------------------------------------

Justice / Public Order / Safety

9223	Correctional Institutions
9211	Courts
9224	Fire Protection
9222	Legal Counsel & Prosecution
9221	Police Protection
9229	Public Order & Safety NEC

National Security / International Affairs

9721	International Affairs
9711	National Security

6. MANUFACTURING

Apparel & Other Textile Products

2389	Apparel & Accessories NEC
2387	Apparel Belts
2396	Automotive & Apparel Trimmings
2342	Bras, Girdles & Allied Garments
2394	Canvas & Related Products
2391	Curtains & Draperies
2381	Fabric Dress & Work Gloves
2399	Fabricated Textile Products NEC
2371	Fur Goods
2361	Girls' & Children's Dresses / Blouses
2369	Girls' & Children's Outerwear NEC
2353	Hats, Caps & Millinery
2392	House Furnishing NEC
2386	Leather & Sheep Lined Clothing
2329	Men's & Boys' Clothing NEC
2323	Men's & Boys' Neckwear
2321	Men's & Boys' Shirts
2311	Men's & Boys' Suits & Coats
2325	Men's & Boys' Trousers & Slacks
2322	Men's & Boys' Underwear & Nightwear
2326	Men's & Boys' Work Clothing
2395	Pleating & Stitching
2384	Robes & Dressing Gowns

Fabricated Metal Products

3483	Ammunition Exc Small Arms NEC
3446	Architectural Metal Work
3465	Automotive Stampings
3452	Bolts / Nuts / Rivets / Washers
3466	Crowns & Closures

SIC Code	Description
2341	Women's & Children's Underwear
2331	Women's & Misses' Blouses & Shirts
2339	Women's & Misses' Outerwear NEC
2337	Women's & Misses' Suits & Coats
2335	Women's / Juniors / Misses' Dresses
	Chemicals & Allied Products
2891	Adhesives & Sealants
2879	Agricultural Chemicals NEC
2812	Alkalies & Chlorine
2836	Biological Products, Exc Diagnostic
2895	Carbon Black
2823	Cellulose Man-Made Fibers
2899	Chemical Preparations NEC
2865	Cyclic Crudes & Intermediates
2892	Explosives
2875	Fertilizers, Mixing Only
2861	Gum & Wood Chemicals
2835	In Vitro / In Vivo Diagnostic Substance
2813	Industrial Gases
2819	Industrial Inorganic Chemicals NEC
2869	Industrial Organic Chemicals NEC
2816	Inorganic Pigments
2824	Organic Fibers / Noncellulose
2833	Medicinal Chemicals / Botanical Prod
2873	Nitrogenous Fertilizers
2851	Paints & Allied Products
2834	Pharmaceutical Preparations
2874	Phosphatic Fertilizers
2821	Plastics Materials & Resins
2842	Polishes & Sanitation Goods
2893	Printing Ink
2841	Soap & Other Detergents
2843	Surface Active Agents
2822	Synthetic Rubber
2844	Toilet Preparations
	Electronic & Other Electric Equipment
3624	Carbon & Graphite Products
3646	Commercial Lighting Fixtures
3669	Communications Equipment NEC
3643	Current-Carrying Wiring Devices
3634	Electric Housewares & Pans
3641	Electric Lamps
3699	Electrical Equipment & Supplies NEC
3629	Electrical Industrial Apparatus NEC
3671	Electron Tubes
3675	Electronic Capacitors
3677	Electronic Coils & Transformers
3679	Electronic Components NEC
3678	Electronic Connectors
3676	Electronic Resistors
3694	Engine Electrical Equipment
3639	Household Appliances NEC
3651	Household Audio & Video Equipment
3631	Household Cooking Equipment
3633	Household Laundry Equipment
3632	Household Refrigerators & Freezers
3635	Household Vacuum Cleaners
3648	Lighting Equipment NEC
3695	Magnetic & Optical Recording Media
3621	Motors & Generators
3644	Noncurrent-Carrying Wiring Devices
3652	Prerecorded Records & Tapes
3692	Primary Batteries Dry & Wet
3672	Printed Circuit Boards
3663	Radio & TV Communication Equipment
3625	Relays & Industrial Controls
3645	Residential Lighting Fixtures
3674	Semiconductors & Related Devices
3691	Storage Batteries
3613	Switchgear & Switchboard Apparatus
3661	Telephone & Telegraph Apparatus
3612	Transformers Exc Electronic
3647	Vehicular Lighting Equipment
2011	Meat Packing Plants
2035	Pickles / Sauces / Salad Dressings
2015	Poultry Slaughtering & Processing
2048	Prepared Feeds NEC
2045	Prepared Flour Mixes & Doughs
2061	Raw Cane Sugar

SIC Code	Description
3421	Cutlery
3499	Fabricated Metal Products NEC
3498	Fabricated Pipe & Fittings
3443	Fabricated Plate Work (Boiler Shops)
3441	Fabricated Structural Metal
3492	Fluid Power Valves & Hose Fittings
3423	Hand & Edge Tools NEC
3429	Hardware NEC
3433	Heating Equipment Exc Electric
3491	Industrial Valves
3462	Iron & Steel Forgings
3412	Metal Barrels / Drums / Pails
3411	Metal Cans
3479	Metal Coating & Allied Services
3442	Metal Doors / Sash / Trim
3497	Metal Foil & Leaf
3431	Metal Sanitary Ware
3469	Metal Stampings NEC
3496	Misc Fabricated Wire Products
3449	Misc Metal Work
3463	Nonferrous Forgings
3489	Ordinance & Accessories NEC
3471	Plating & Polishing
3432	Plumbing Fixture Fittings & Trim
3448	Prefabricated Metal Buildings
3425	Saw Blades & Handsaws
3451	Screw Machine Products
3444	Sheet Metal Work
3484	Small Arms
3482	Small Arms Ammunition
3493	Steel Springs Exc Wire
3494	Valves & Pipe Fittings NEC
3495	Wire Springs
Food & Kindred Products	
2077	Animal & Marine Fats / Oils
2063	Beet Sugar
2086	Bottled & Canned Soft Drinks
2051	Bread / Cakes & Related Products
2064	Candy / Confectionery Products
2062	Cane Sugar Refining
2091	Canned & Cured Fish / Seafoods
2033	Canned Fruits & Vegetables
2032	Canned Specialties
2043	Cereal Breakfast Foods
2022	Cheese Natural & Processed
2067	Chewing Gum
2096	Chips & Similar Snack Foods
2066	Chocolate / Cocoa Products
2052	Cookies & Crackers
2074	Cottonseed Oil Mills
2021	Creamery Butter
2034	Dehy Fruits / Vegetables / Soups
2085	Distilled & Blended Liquors
2047	Dog & Cat Food
2023	Dry / Condensed / Evaporated Products
2079	Edible Fats & Oils NEC
2087	Flavoring Extracts & Syrups NEC
2041	Flour & Other Grain Mill Products
2026	Fluid Milk
2099	Food Preparations NEC
2053	Frozen Bakery Products Exc Bread
2037	Frozen Fruits & Vegetables
2038	Frozen Specialties NEC
2024	Ice Cream & Frozen Desserts
2098	Macaroni & Spaghetti
2083	Malt
2082	Malt Beverages
2097	Manufactured Ice
3559	Special Industry Machinery NEC
3566	Speed Changers / Drives / Gears
3552	Textile Machinery
3511	Turbines & Turbine Generator Sets
3548	Welding Apparatus
3553	Woodworking Machinery
Instruments & Related Products	
3826	Analytical Instruments
3843	Dental Equipment & Supplies

SIC Code	Description
2044	Rice Milling
2095	Roasted Coffee
2068	Salted & Roasted Nuts / Seeds
2013	Sausages & Other Prepared Meats
2075	Soybean Oil Mills
2076	Vegetable Oil Mills NEC
2046	West Corn Milling
2084	Wines / Brandy / Brandy Spirits
Furniture & Fixtures NEC	
2591	Drapery Hardware / Blinds / Shades
2599	Furniture & Fixtures NEC
2519	Household Furniture NEC
2515	Mattresses & Bedsprings
2514	Metal Household Furniture
2522	Office Furniture Exc Wood
2542	Partitions & Fixtures Exc Wood
2531	Public Building & Related Furniture
2512	Upholstered Household Furniture
2511	Wood Household Furniture
2521	Wood Office Furniture
2541	Wood Partitions & Fixtures
2517	Wood TV & Radio Cabinets
Industrial Machinery & Equipment	
3563	Air & Gas Compressors
3581	Automatic Vending Machines
3562	Ball & Roller Bearings
3564	Blowers & Fans
3578	Calculating & Accounting Equipment
3592	Carburetors / Pistons / Rings / Valves
3582	Commercial Laundry Equipment
3577	Computer Peripheral Equipment NEC
3572	Computer Storage Devices
3575	Computer Terminals
3531	Construction Machinery
3535	Conveyors & Conveying Equipment
3571	Electronic Computers
3534	Elevators & Moving Stairways
3523	Farm Machinery & Equipment
3593	Fluid Power Cylinders & Actuators
3594	Fluid Power Pumps & Motors
3556	Food Products Machinery
3569	General Industrial Machinery NEC
3536	Hoists / Cranes / Monorails
3567	Industrial Furnaces & Ovens
3599	Industrial Machinery NEC
3543	Industrial Patterns
3537	Industrial Trucks & Tractors
3519	Internal Combustion Engines NEC
3524	Lawn & Garden Equipment
3545	Machine Tool Accessories
3541	Machine Tools, Metal Cutting Types
3542	Machine Tools, Metal Forming types
3586	Measuring & Dispensing Pumps
3549	Metalworking Machinery NEC
3532	Mining Machinery
3579	Office Machines NEC
3533	Oil & Gas Field Machinery
3565	Packaging Machinery
3554	Paper Industries Machinery
3546	Power Driven Hand Tools
3568	Power Transmission Equipment NEC
3555	Printing Trades Machinery
3561	Pumps & Pumping Equipment
3585	Refrigeration & Heating Equipment
3547	Rolling Mill Machinery
3596	Scales & Balances Exc Laboratory
3589	Service Industry Machinery NEC
3544	Special Dies / Tools / Jigs / Fixture
Paper & Allied Products	
2673	Bags, Plastic / Laminated & Coated
2674	Bags, Uncoated Paper & Multiwall
2679	Converted Paper Products NEC
2653	Corrugated & Solid Fiber Boxes
2675	Die-Cut Paper & Board
2677	Envelopes
2655	Fiber Cans / Drums & Similar Products
2657	Folding Paperboard Boxes

SIC Code	Description
3845	Electromedical Equipment
3822	Environmental Controls
3824	Fluid Meters & Counting Devices
3825	Instruments to Measure Electricity
3821	Laboratory Apparatus & Furniture
3829	Measure & Controlling Devices NEC
3851	Ophthalmic Goods
3827	Optical Instruments & Lenses
3861	Photographic Equipment & Supplies
3823	Process Control Instruments
3812	Search & Navigation Equipment
3841	Surgical & Medical Instruments
3842	Surgical Appliances & Supplies
3873	Watches / Clocks / Watch Cases / Parts
3844	X-Ray Apparatus & Tubes
Leather & Leather Products	
3149	Footwear Exc Rubber NEC
3131	Footwear, Cut Stock
3142	House Slippers
3151	Leather Gloves & Mittens
3199	Leather Goods NEC
3111	Leather Tanning & Finishing
3161	Luggage
3143	Men's Footwear Exc Athletic
3172	Personal Leather Goods NEC
3144	Women's Footwear Exc Athletic
3171	Women's Handbags & Purses
Lumber & Wood Products	
2426	Hardwood Dimension & Flooring Mills
2435	Hardwood Veneer & Plywood
2411	Logging
2431	Millwork
2451	Mobile Homes
2441	Nailed Wood Boxes & Shook
2452	Prefabricated Wood Buildings
2493	Reconstituted Wood Products
2421	Sawmills & Planing Mills, General
2436	Softwood Veneer & Plywood
2429	Special Product Sawmills NEC
2439	Structural Wood Members NEC
2449	Wood Containers NEC
2434	Wood Kitchen Cabinets
2448	Wood Pallets & Skids
2491	Wood Preserving
2499	Wood Products NEC
Miscellaneous Manufacturing Industries	
3991	Brooms & Brushes
3995	Burial Caskets
3955	Carbon Paper & Inked Ribbons
3961	Costume Jewelry
3942	Dolls & Stuffed Toys
3965	Fasteners / Buttons / Needles / Pins
3944	Games / Toys / Children's Vehicles
3996	Hard Surface Floor Coverings NEC
3915	Jewelers' Materials & Lapidary Work
3911	Jewelry, Precious Metal
3952	Lead Pencils & Art Goods
3999	Manufacturing Industries NEC
3953	Marking Devices
3931	Musical Instruments
3951	Pens & Mechanical Pencils
3993	Signs & Advertising Specialties
3914	Silverware & Plated Ware
3949	Sporting & Athletic Goods NEC
Plastics, Foam Products	
3086	Plastics, Foam Products
3084	Plastics, Pipe
3088	Plastics, Plumbing Fixtures
3021	Rubber & Plastics Footwear
3052	Rubber & Plastics Hose & Belting
3011	Tires & Inner Tubes
3081	Unsupported Plastics / Film & Sheet
3082	Unsupported Plastics / Profile Shapes
Stone / Clay / Glass Products	
3291	Abrasive Products
3292	Asbestos Products
3251	Brick & Structural Clay Tile

SIC Code	Description
2672	Paper Coated & Laminated NEC
2671	Paper Coated & Laminated Packaging
2621	Paper Mills
2631	Paperboard Mills
2611	Pulp Mills
2656	Sanitary Food Containers
2676	Sanitary Paper Products
2652	Set-Up Paperboard Boxes
2678	Stationery Products
Petroleum & Coal Products	
2952	Asphalt Felts & Coating
2951	Asphalt Paving Mixtures & Blocks
2992	Lubricating Oils & Greases
2999	Petroleum & Coal Products NEC
2911	Petroleum Refining
Primary Metal Industries	
3363	Aluminum Die-Castings
3354	Aluminum Extruded Products
3365	Aluminum Foundries
3355	Aluminum Rolling & Drawing NEC
3353	Aluminum Sheet / Plate / Foil
3312	Blast Furnaces & Steel Mills
3316	Cold Finishing of Steel Shapes
3366	Copper Foundries
3351	Copper Rolling & Drawing
3313	Electrometallurgical Products
3321	Gray & Ductile Iron Foundries
3322	Malleable Iron Foundries
3398	Metal Heat Treating
3364	Nonferrous Die-Castings Exc Aluminum
3369	Nonferrous Foundries NEC
3356	Nonferrous Rolling & Drawing NEC
3357	Nonferrous Wire Drawing / Insulating
3334	Primary Aluminum
3331	Primary Copper
3399	Primary Metal Products NEC
3339	Primary Nonferrous Metals NEC
3341	Secondary Nonferrous Metals
3325	Steel Foundries NEC
3324	Steel Investment Foundries
3317	Steel Pipe & Tubes
3315	Steel Wire & Related Products
Printing & Publishing	
2782	Blankbooks & Loose-leaf Binders
2732	Book Printing
2731	Book Publishing
2789	Bookbinding & Related Work
2759	Commercial Printing NEC
2754	Commercial Printing / Gravure
2752	Commercial Printing / Lithographic
2771	Greeting Cards
2761	Manifold Business Forms
2741	Miscellaneous Publishing
2711	Newspapers
2721	Periodicals
2796	Plate Making Services
2791	Typesetting
Rubber & Miscellaneous Plastic Products	
3087	Custom Compound Purchased Resins
3069	Fabricated Rubber Products NEC
3053	Gaskets / Packing & Sealing Devices
3083	Laminated Plastics / Plate & Sheet
3061	Mechanical Rubber Goods
3089	Plastics Products NEC
3085	Plastics, Bottles
Railroad Equipment	
3743	Railroad Equipment
3731	Ship Building & Repairing
3764	Space Propulsion Units & Parts
3769	Space Vehicle Equipment NEC
3795	Tanks & Tank Components
3799	Transportation Equipment NEC
3792	Travel Trailers & Campers
3713	Truck & Bus Bodies
3715	Truck Trailers

7. MINING

Metal Mining

SIC Code	Description
3241	Cement, Hydraulic
3253	Ceramic Wall & Floor Tile
3255	Clay Refractors
3271	Concrete Block & Brick
3272	Concrete Products NEC
3281	Cut Stone & Stone Products
3211	Flat Glass
3221	Glass Containers
3275	Gypsum Products
3274	Lime
3296	Mineral Wool
3295	Minerals, Ground or Treated
3297	Nonclay Refractors
3299	Nonmetallic Mineral Products NEC
3264	Porcelain Electrical Supplies
3269	Pottery Products NEC
3229	Pressed and Blown Glass NEC
3231	Products of Purchased Glass
3273	Ready-Mixed Concrete
3263	Semimvitreous Table & Kitchenware
3259	Structural Clay Products NEC
3262	Vitreous China Table & Kitchenware
3261	Vitreous Plumbing Fixtures
Textile Mill Products	
2211	Broadwoven Fabric Mills, Cotton
2221	Broadwoven Fabric Mills, Man-Made
2231	Broadwoven Fabric Mills, Wool
2273	Carpets & Rugs
2295	Coated Fabrics Not Rubberized
2298	Cordage & Twine
2269	Finishing Plants NEC
2261	Finishing Plants, Cotton
2262	Finishing Plants, Man-Made
2252	Hosiery NEC
2253	Knit Outerwear Mills
2254	Knit Underwear & Nightwear Mills
2259	Knitting Mills NEC
2258	Lace & Warp Knit Fabric Mills
2241	Narrow Fabric
2297	Nonwoven Fabrics
2299	Textile Goods NEC
2284	Thread Mills
2282	Throwing & Winding Mills
2296	Tire Cord & Fabrics
2257	Weft Knit Fabric Mills
2251	Women's Hosiery Exc Socks
2281	Yarn Spinning Mills
Tobacco Products	
2131	Chewing & Smoking Tobacco
2111	Cigarettes
2121	Cigars
2141	Tobacco Stemming / Redrying
Transportation Equipment	
3721	Aircraft
3724	Aircraft Engines & Engine Parts
3728	Aircraft Parts & Equipment NEC
3732	Boat Building & Repairing
3761	Guided Missiles & Space Vehicles
3716	Motor Homes
3714	Motor Vehicle Parts & Accessories
3711	Motor Vehicles & Car Bodies
3751	Motorcycles / Bicycles / Parts
Food Stores	
5441	Candy / Nut / Confectionery Stores
5451	Dairy Products Stores
5431	Fruit & Vegetable Markets
5411	Grocery Stores
5421	Meat & Fish Markets
5499	Miscellaneous Food Stores
5461	Retail Bakers
Furniture & Homefurnishings Stores	
5734	Computer & Software Stores
5714	Drapery & Upholstery Stores
5713	Floor Covering Stores
5712	Furniture Stores
5722	Household Appliance Stores
5719	Miscellaneous Home Furnishings Stores

SIC Code	Description
1231	Anthracite Mining
1222	Bituminous Coal Underground
1221	Bituminous Coal / Lignite Surface
1241	Coal Mining Services
1021	Copper Ores
1061	Ferroalloy Ores Exc Vanadium
1041	Gold Ores
1011	Iron Ores
1031	Lead & Zinc Ores
1081	Metal Mining Services
1099	Metal Ores NEC
1044	Silver Ores
1094	Uranium / Radium / Vanadium Ores
Non Metallic Minerals	
1479	Chemical & Fertilizer Mineral NEC
1459	Clay & Related Minerals
1442	Construction Sand & Gravel
1423	Crushed & Broken Granite
1422	Crushed & Broken Limestone
1429	Crushed & Broken Stone NEC
1446	Industrial Sand
1455	Kaolin & Ball Clay
1499	Misc Nonmetallic Minerals Services NEC
1481	Nonmetallic Minerals Services NEC
1475	Phosphate Rock
1474	Potash / Soda / Borate Minerals
Nonmetallic Minerals Exc Fuels	
1411	Dimension Stone
Oil & Gas Extraction	
1311	Crude Petroleum & Natural Gas
1381	Drilling Oil & Gas Wells
1321	Natural Gas Liquids
1382	Oil & Gas Exploration Service
1389	Oil & Gas Field Services NEC
8. RETAIL TRADE	
Apparel & Accessory Stores	
5641	Children's & Infants' Wear Stores
5651	Family Clothing Stores
5611	Men's & Boys' Clothing Stores
5699	Miscellaneous Apparel & Accessory Stores
5661	Shoe Stores
5632	Women's Accessory / Specialty Stores
5621	Women's Clothing Stores
Auto Dealers & Service Stations	
5531	Auto & Home Supply Stores
5599	Automotive Dealers NEC
5551	Boat Dealers
5541	Gasoline Service Stations
5571	Motorcycle Dealers
5511	New & Used Car Dealers
5561	Recreational Vehicle Dealers
5521	Used Car Dealers
Building Materials & Garden Supplies	
5251	Hardware Stores
5211	Lumber & Other Building Materials
5271	Mobile Home Dealers
5231	Paint / Glass / Wallpaper Stores
5261	Retail Nurseries & Gardens
Eating & Drinking Places	
5813	Drinking Places
5812	Eating Places
Business Services	
7322	Adjustment & Collection Services
7311	Advertising Agencies
7319	Advertising NEC
7349	Building Maintenance Services NEC
7389	Business Services NEC
7336	Commercial Art & Graphic Design
7335	Commercial Photography
7376	Computer Facilities Management
7373	Computer Integrated Systems Design
7378	Computer Maintenance & Repair
7371	Computer Programming Services
7379	Computer Related Services NEC
7377	Computer Rental & Leasing
7323	Credit Reporting Services

SIC Code	Description
5736	Musical Instruments Stores
5731	Radio / TV / Electronic Stores
5735	Record & Prerecorded Tape Stores
	General Merchandise Stores
5311	Department Stores
5399	Miscellaneous General Merchandise Stores
5331	Variety Stores
	Miscellaneous Retail
5942	Book Stores
5946	Camera & Photographic Supply Stores
5961	Catalog & Mail Order Houses
5993	Cigar Stores & Stands
5963	Direct Selling Organizations
5912	Drugstores & Proprietary Stores
5992	Florists
5983	Fuel Oil Dealers
5947	Gift / Novelty / Souvenir Shops
5945	Hobby / Toy / Game Shops
5944	Jewelry Stores
5984	Liquefied Petroleum Gas Dealers
5921	Liquor Stores
5948	Luggage & Leather Goods Stores
5962	Merchandising Machine Operators
5999	Miscellaneous Retail Stores NEC
5994	News Dealers & Newsstands
5995	Optical Goods Stores
5949	Sewing / Needlework / Piece Goods
5941	Sporting Goods & Bicycle Shops
5943	Stationery Stores
5932	Used Merchandise Stores

9. SERVICES

Amusement & Recreation Services

7999	Amusement & Recreation NEC
7996	Amusement Parks
7933	Bowling Centers
7993	Coin-Operated Amusement Devices
7911	Dance Studios / Schools / Halls
7997	Membership Sports / Recreation Clubs
7991	Physical Fitness Facilities
7992	Public Golf Course
7948	Racing, Including Track Operation
7941	Sports Clubs / Managers / Promoters
7922	Theatrical Producers & Services

Auto Repair / Services / Parkings

7533	Auto Exhaust System Repair Shops
7537	Auto Transmission Repair Shops
7521	Automobile Parking
7536	Automotive Glass Replacement Shops
7539	Automotive Repair Shops NEC
7549	Automotive Services NEC
7542	Car Washes
7538	General Automotive Repair Shops
7515	Passenger Car Leasing
7514	Passenger Car Rental
7534	Tire Retreading & Repair Shops
7532	Top / Body Repair & Paint Shops
7513	Truck Rental & Leasing / No Drivers
7519	Utility Trailer Rental

Hotels & Other Lodging Places

7011	Hotels & Motels
7041	Membership - Basis Organization Hotel
7021	Rooming & Boarding Houses
7032	Sporting & Recreational Camps
7033	Trailer Parks & Campsites

Legal Services

8111	Legal Services
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Membership Organizations

8611	Business Associations
8641	Civic & Social Associations
8631	Labor Organizations
8699	Membership Organizations NEC
8651	Political Organizations
8621	Professional Organizations
8661	Religious Organizations

Miscellaneous Repair Services

7694	Armature Rewinding Shops
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SIC Code	Description
7374	Data Processing Services
7381	Detective & Armored Car Services
7331	Direct Mail Advertising Services
7342	Disinfecting & Pest Control Services
7361	Employment Agencies
7359	Equipment Rental & Leasing NEC
7353	Heavy Construction Equipment Rental
7363	Help Supply Services
7375	Information Retrieval Services
7352	Medical Equipment Rental
7383	News Syndicates
7312	Outdoor Advertising Agencies
7334	Photocopying & Duplicating Services
7384	Photofinishing Laboratories
7372	Prepackaged Software
7313	Radio / TV Publisher Representatives
7338	Secretarial & Court Reporting
7382	Security Systems Services
	Educational Services
8244	Business & Secretarial Schools
8221	Colleges & Universities
8243	Data Processing Schools
8211	Elementary & Secondary Schools
8222	Junior Colleges
8231	Libraries
8299	Schools & Educational Services NEC
8249	Vocational Schools NEC
	Engineering & Management Services
8721	Accounting / Auditing / Bookkeeping
8712	Architectural Services
8748	Business Consulting NEC
8732	Commercial Nonphysical Research
8731	Commercial Physical Research
8711	Engineering Services
8744	Facilities Support Services
8741	Management Services
8733	Noncommercial Research Organization
8743	Public Relations Services
8713	Surveying Services
8734	Testing Laboratories
	Health Services
8072	Dental Laboratories
8062	General Medical & Surgical Hospitals
8099	Health & Allied Services NEC
8082	Home Health Care Services
8052	Intermediate Care Facilities
8092	Kidney Dialysis Centers
8071	Medical Laboratories
8059	Nursing & Personal Care NEC
8041	Offices & Clinics, Chiropractors
8021	Offices & Clinics, Dentists
8011	Offices & Clinics, Medical Doctors
8042	Offices & Clinics, Optometrists
8043	Offices & Clinics, Podiatrists
8049	Offices, Health Practitioners NEC
8031	Offices, Osteopathic Physicians
8063	Psychiatric Hospitals
8051	Skilled Nurse Care Facilities
8069	Specialty Hospitals Exc Psychiatric
8093	Specialty Outpatient Clinics NEC
	Gas & Other Services Combined
4932	Gas Production and / or Distribution
4925	Gas Transmission & Distribution
4923	Irrigation Systems
4971	Natural Gas Distribution
4924	Natural Gas Transmission
4922	Refuse Systems
4953	Sanitary Services NEC
4959	Sewerage Systems
4952	Steam & Air Conditioning Supply
4961	Water Supply
4941	
	Local / Interurban Passenger Transit
4142	Bus Charter Service Exc Local
4173	Bus Terminal & Service Facilities
4131	Intercity / Rural Bus Transportation
4111	Local & Suburban Transit
4141	Local Bus Charter Service
4119	Local Passenger Transportation NEC

SIC Code	Description
7629	Electrical Repair Shops NEC
7622	Radio & Television Repair
7623	Refrigeration Service & Repair
7699	Repair Services NEC
7641	Reupholstery & Furniture Repair
7631	Watch / Clock / Jewelry Repair
7692	Welding Repair
	Miscellaneous Services
8999	Services NEC
	Motion Pictures
7833	Drive-In Motion Picture Theaters
7822	Motion Picture & Tape Distribution
7812	Motion Picture & Video Production
7829	Motion Picture Distribution Services
7832	Motion Picture Theaters Exc Drive-Ins
7819	Services Allied to Motion Pictures
7841	Video Tape Rental
	Museums / Botanical / Zoological Gardens
8422	Botanical & Zoological Gardens
8412	Museums & Art Galleries
	Personal Services
7241	Barber Shops
7231	Beauty Shops
7217	Carpet & Upholstery Cleaning
7215	Coin-Operated Laundries & Cleaning
7216	Dry Cleaning Plants Exc Rug
7261	Funeral Services & Crematories
7212	Garment Pressing & Cleaners' Agents
7218	Industrial Launderers
7219	Laundry & Garment Services NEC
7213	Linen Supply
7299	Miscellaneous Personal Services NEC
7221	Photographic Studios, Portrait
7211	Power Laundries Family & Commercial
7251	Shoe Repair & Shoeshine Shops
7291	Tax Return Preparation Services
	Private Households
8811	Private Households
	Social Services
8351	Child Day Care Services
8322	Individual & Family Services
8331	Job Training & Related Services
8361	Residential Care
8399	Social Services NEC

10. TRANSPORT / COMMUNICATIONS / UTILITIES

SIC Code	Description
	Communications
4841	Cable & Other Pay TV Services
4899	Communication Services NEC
4832	Radio Broadcasting Station
4812	Radiotelephone Communications
4822	Telegraph & Other Communications
4813	Telephone Communications Exc Radio
4833	Television Broadcasting Stations
	Electric / Gas / Sanitary Services
4939	Combination Utilities NEC
4931	Electric & Other Services Combined
4911	Electric Services
5099	Durable Goods NEC
5063	Electrical Apparatus & Equipment
5064	Electrical Appliances / TV / Radios
5065	Electronic Parts & Equipment
5083	Farm & Garden Machinery
5021	Furniture
5072	Hardware
5023	Home Furnishings
5084	Industrial Machinery & Equipment
5085	Industrial Supplies
5094	Jewelry & Precious Stones
5031	Lumber / Plywood / Millwork
5047	Medicinal & Hospital Equipment
5051	Metals Service Centers & Offices
5015	Motor Vehicle Parts, Used
5013	Motor Vehicle Supplies & New Parts
5044	Office Equipment
5048	Ophthalmic Goods
5043	Photographic Equipment & Supplies
5074	Plumbing / Hydronic Health Supplies
5049	Professional Equipment NEC

SIC Code	Description
4151	School Buses
4121	Taxicabs
	Pipelines Exc Natural Gas
4612	Crude Petroleum Pipelines
4619	Pipelines NEC
4613	Refined Petroleum Pipelines
	Railroad Transportation
4011	Railroads, Line-Haul Operating
4013	Switching & Terminal Devices
	Transportation by Air
4513	Air Courier Services
4522	Air Transportation Nonscheduled
4512	Air Transportation Scheduled
4581	Airports / Flying Fields / Services
	Transportation Services
4731	Freight Transport Arrangement
4785	Inspection & Fixed Facilities
4783	Packing & Crating
4729	Passenger Transport Arrangements NEC
4741	Rental of Railroad Cars
4725	Tour Operators
4789	Transportation Services NEC
4724	Travel Agencies
	Trucking & Warehousing
4215	Courier Services Exc by Air
4221	Farm Product Warehousing & Storage
4225	General Warehousing & Storage
4214	Local Trucking With Storage
4212	Local Trucking Without Storage
4222	Refrigerated Warehousing & Storage
4226	Special Warehousing & Storage NEC
4213	Trucking Exc Local
4231	Trucking Terminal Facilities
	US Postal Service
4311	US Postal Service
	Water Transportation
4424	Deep Sea Domestic Transport / Freight
4412	Deep Sea Foreign Transport / Freight
4481	Deep Sea Passenger Transport Exc Freight
4482	Ferries
4432	Freight Transportation / Great Lakes
4493	Marinas
4491	Marine Cargo Handling
4492	Towing & Tugboat Service
4489	Water Passenger Transportation NEC
4499	Water Transportation Services NEC
4449	Water Transportation / Freight NEC

11. WHOLESALE TRADE

SIC Code	Description
	Durable Goods
5012	Automobiles & Other Motor Vehicles
5032	Brick / Stone / Related Materials
5052	Coal & Other Minerals & Ores
5046	Commercial Equipment NEC
5045	Computers / Peripherals / Software
5082	Construction & Mining Machinery
5039	Construction Materials NEC
	Nondurable Goods
5181	Beer & Ale
5192	Books / Periodicals / Newspapers
5169	Chemicals & Allied Products NEC
5145	Confectionery
5143	Dairy Products Exc Dried or Canned
5122	Drugs / Proprietarys / Sundries
5159	Farm Product Raw Materials NEC
5191	Farm Supplies
5146	Fish & Seafoods
5193	Flowers & Florists' Supplies
5148	Fresh Fruits & Vegetables
5153	Grain & Field Beans
5149	Groceries & Related Products NEC
5141	Groceries General Line
5113	Industrial & Personal Service Paper
5154	Livestock
5147	Meats & Meat Products
5136	Men's & Boys' Clothing
5199	Nondurable Goods NEC
5142	Packaged Frozen Foods

SIC Code	Description
5078	Refrigeration Equipment & Supplies
5033	Roofing / Siding / Insulation
5093	Scrap & Waste Materials
5087	Service Establishment Equipment
5091	Sporting & Recreational Goods
5014	Tires & Tubes
5092	Toys & Hobby Goods / Supplies
5088	Transportation Equipment & Supplies
5075	Warm Air Heating & Air Conditioning

SIC Code	Description
5198	Paints / Varnishes / Supplies
5171	Petroleum Bulk Stations & Terminals
5172	Petroleum Products NEC
5131	Piece Goods & Notions
5162	Plastics Materials & Basic Shapes
5144	Poultry & Poultry Products
5111	Printing & Writing Paper
5112	Stationery & Office Supplies
5194	Tobacco & Tobacco Products
5182	Wines & Distilled Beverages

Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT AGENDA
MANAGER'S REPORT ITEM NO. 7a
MEETING DATE: 09/08/2016

Roads: Speed limit reduction on Okeechobee and Folsom

Filming and surveying Folsom and Okeechobee for baseline condition and signs

August 23, 2016

Ordering speed limit signs for Okeechobee and Folsom. Signs are expected to arrive in two to three weeks.

July 27, 2016

Staff is expecting information shortly from the County regarding the installation of 30 MPH signs on the roads.

Traffic: Staff is working with Minto to draft an agreement between Minto and the Town for the funding of the traffic light at Okeechobee Boulevard and D Road.

August 31, 2016

No activity

July 27, 2016

No activity on this item

July 14, 2016

No activity

May 10, 2016

No activity on this item

April 27, 2016

No activity

April 13, 2016

No activity on this item

March 29, 2016

No activity on this item

February 24, 2016

No activity on this item

February 10, 2016

No activity on this item

January 26, 2016

No activity on this item

January 12, 2016

No activity on this item

December 29, 2015

No activity on this item

November 25, 2015

Will be setting a teleconference the week of 11/30/2015

November 13, 2015

Emailed bullets and report to G. Webb

October 29, 2015

Provided J. Easton copy of bullet points and report

October 27, 2015

No activity on this item

October 13, 2015

Telephone call to Mr. George Webb, County engineer, and left a message for a return call.

October 8, 2015

Simmons & White submitted an analysis of the traffic light cost (attached) based on the Minto Proposal.

September 29, 2015

The town's traffic engineer should finish the costing during this week and can be available on the agenda of 10/20/2015.

September 1, 2015

Town traffic engineer determining cost for items not included in the Minto proposal. This is needed in order to determine amount of Town funding needed.

August 25, 2015

Received email and will look to analyzing potential cost to implement light at D Road and Okeechobee. Transmitted information to Town Engineer for very preliminary estimates of cost.

Town of Loxahatchee Groves, Florida
Town Council
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August 12, 2015	No activity on this item
July 15, 2015	No activity on this item
June 30, 2015	No activity on this item
May 11, 2015	No activity on this item
April 15, 2015	This office met with representatives from Minto. Discussion points were covered regarding the proposed funding of the traffic control appurtenances for D Road and Okeechobee. Staff will review the information and report progress at the June 16 Town Council meeting.
April 1, 2015	No activity on this item
March 1, 2015	This office has received communication and we are trying to establish a date and time during the week of March 9 th .
February 10, 2015	No activity on this item
January 26, 2015	No activity on this item
January 14, 2015	No activity on this item
December 29, 2014	A discussion with Minto's attorney indicated Palm Beach County would agree for the Town and Minto to enter into a funding agreement which may exclude the County.

Code Enforcement: CEO is working to close old open cases

August 31, 2016	All case files from 2007 to present have been reviewed and catalogued. 30 cases have been closed, 12 are scheduled to be closed due to lack of information, 9 older cases remain open, 15 new cases have been filed.
July 27, 2016	Code officer continues to work on active cases and is closing cases.
July 14, 2016	Staff is closing or taken specific action on more than 15 cases. Many are simply closed for lack of an issue and others are pending the parties action or inaction over a specified time period.

Code Enforcement: Need a Special Majistrate

August 16, 2016	Town received three (3) responses for majistrate services: BRANDENBURG & ASSOCIATES, P.A.; CORBETT, WHITE, DAVIS AND ASHTON, P.A.; PAUL J. NICOLETTI Council direction is requested at the 9/8/2016 regular meeting
July 27, 2016	Bid is prepared for advertising and responses are to be received by 1:00 PM August 16, 2016
July 14, 2016	It has been nearly a year since the Town had a code enforcement officer. Presently, the CEO does not require a majistrate. Staff has requested that PBC contract with the Town for the provision of a majistrate. In the meantime, the Town should consider engaging a majistrate to hear and rule on cases

Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT AGENDA
MANAGER'S REPORT ITEM NO. 7a
MEETING DATE: 09/08/2016

Trails: Permit to all non-motorized trails

August 24, 2016	LGWCD Administrator will be taking an agenda item to the board at their 9/12/2016 meeting to remove the PBSC from the perpetual permit
July 27, 2016	Legal continues to work through methodology to exclude PBSC property
July 14, 2016	No activity
May 10, 2016	No activity
April 27, 2016	LGWCD has declined to meet with the Palm Beach State College stating they believe the issue is with the Town and potential trail on the property. We have provided a letter from the College's attorney and email on the subject under Councilman Jarriel's reports on 5/3/2016.
April 13, 2016	No activity on this item
March 29, 2016	No activity on this item. Based on discussion at the last IGC meeting, the perpetual permit offered by the LGWCD is not offered in segments. In other words, the Town accepts all the berms for trails or none.
February 24, 2016	No activity
February 10, 2016	No activity on this item
February 8, 2016	Town Council removed trails agenda item and staff requested the LGWCD provide better detail information to Exhibit A of the trail permit

Trails: 6th Court North, Red Clover Nursery

July 27, 2016	No activity on this item
July 14, 2016	No activity
May 10, 2016	No activity on this item
April 27, 2016	No activity
April 13, 2016	No activity on this item
March 29, 2016	No activity
February 24, 2016	No activity
February 10, 2016	No activity on this item
January 26, 2016	No activity on this item
January 12, 2016	No activity on this item
December 29, 2015	No activity on this item
October 12, 2015	Preparing scope of project to survey needed property for trails on 6th Court North
October 29, 2015	No activity on this item
September 17, 2015	Met with owners, Denise & Marcel Bosse, of Red Clover Nursery to discuss potential of expanding the trail easement along the northern boundary of their property. The owners were general receptive. I advised the Town would prepare a survey after the Town receives the survey from the LGWCD.

Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT AGENDA
MANAGER’S REPORT ITEM NO. 7a
MEETING DATE: 09/08/2016

Roads/Culvert Replacement: Attended a meeting at West C Road and Timberlane to meet the District

July 27, 2016	No activity
July 14, 2016	No activity
May 10, 2016	No activity on this item
April 27, 2016	No activity
April 13, 2016	No activity on this item
March 29, 2016	No activity on this item
February 24, 2016	No activity
February 10, 2016	No activity
January 26, 2016	Town Council adopted a culvert replacement policy that can be used for this area of concern.
December 29, 2015	No activity on this item
November 25, 2015	Formulating policy for Council consideration delayed from 11/03/2015 meeting.
October 29, 2015	No activity on this item
October 29, 2015	No activity on this item. Due to return to Council for further consideration.
October 6, 2015	Town Council requested this item for the 10/20/15 agenda for culvert replacement policy postponed to 11/6/15 A culvert appears to be collapsed under the road leading into C canal. Property Owners are looking for relief in fixing the culvert and road after the repair. The Town collects gas tax for this road; however, the road is not the same as Compton, Marcella, and Bryan.
September 22, 2015	

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

August 31, 2016	No activity on this item
July 27, 2016	No activity
July 14, 2016	This office executed an administrative amendment to the property to allow a phasing in of the building development.
June 30, 2015	All funds have been received in this cost recovery accounts.
May 20, 2015	Staff began working with the owner to remediate the outstanding balance from the cost recovery that occurred prior to the settlement.
May 19, 2015	Town Council approved the site plan
May 19, 2015	The site plan with conditions supported by staff is being presented to the Town Council at its May 19, 2015 meeting. Town Attorney spoke with Day’s counsel.

Town of Loxahatchee Groves, Florida

Town Council

AGENDA ITEM REPORT AGENDA

MANAGER'S REPORT ITEM NO. 7a

MEETING DATE: 09/08/2016

The Town Attorney has received comments regarding the requested trail easement and will be providing a response soon.

February 19, 2015 The February 19th P&Z and RETGAC joint meeting placed additional conditions upon the site plan such as an equestrian trail on the north boundary of the property from east to west and the Town's engineer provide a review of the conclusions of the traffic study and acceptance.

February 19, 2015 This item is due to be presented to the P&Z and RETGAC committees jointly at their meeting.

January 12, 2015 Staff and Mr. Lipp, met with representatives reviewing Rural Vista guidelines assisting the representatives determine the guidelines.

December 16, 2014 No Activity

December 9, 2014 Discussed the site plan specifically the following:

- Timing of submittal and hearings

- addressing conditions of approval

- perimeter landscaping buffer requirements

- horse trail potential

- 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.

- We reviewed the site plan submission requirements

Roads: Balance of District Roads

August 16, 2016 A joint workshop is being scheduled for a date in October. The district offered October 10, which is a holiday, so I recommended October 4 before the Town Council meeting. We have no response to the counter proposal

July 14, 2016 At the LGWCD meeting on July 11, 2016, the Board of Supervisors again discussed roads under the districts control.

February 9, 2016 LGWCD denied the request of Town Council to place all district roads under the operation and maintenance of the Town

Roads: Tree trimming

August 31, 2016 LGWCD has been advised verbally that trees need to be trimmed on North Road east of D road intersection.

Town of Loxahatchee Groves, Florida
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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 43rd. 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.

July 27, 2016	No activity
July 14, 2016	No activity on this item
May 10, 2016	No activity
April 27, 2016	No activity on this item
April 13, 2016	No activity
March 29, 2016	No activity on this item
February 24, 2016	No activity on this item
February 10, 2016	No activity on this item
January 26, 2016	No activity on this item
January 12, 2016	No activity on this item
December 29, 2015	No activity on this item
November 25, 2015	No response as of this date to request for meeting.
November 13, 2015	Email to SFWMD staff to set a meeting.
October 29, 2015	No activity on this item
October 14, 2015	Staff was unable to contact SFWMD to set a meeting to review letter to property owners on 43rd
September 30, 2015	No activity on this item. Staff will reach out to the SFWMD during the week of October 5.
September 7, 2015	No activity on this item
August 12, 2015	No activity on this item
July 15, 2015	No meeting has been set by SFWMD and the Town to discuss the contents of the letter.
June 30, 2015	No meeting has been set by SFWMD and the Town to discuss the contents of the letter.
June 11, 2015	Staff received a proposed letter from SFWMD to the property owners on 43rd
May 27, 2015	Received a telephone call from Ken Mudd regarding a draft letter that will be sent and establishing a meeting date. It is believed the draft letter will be forthcoming in the next week or two.
May 11, 2015	No activity.
April 14, 2015	No activity on this item.
April 1, 2015	No activity.

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February 23, 2015	Ms. Hendrichsen Sandoval stated that this office will be notified in advance of a letter will be drafted informing residents of a meeting to discuss the matter.
February 11, 2015	No activity.
January 15, 2015	This office received communication from SFWMD regarding their internal work to plan their path forward. Upon completing their planning effort, they will be in touch with staff.
January 14, 2015	No activity from SFWMD representative
December 16, 2015	No activity

Manure Dumping: We continue to monitor equestrian waste hauling

August 24, 2016	Attended Equestrian Waste Management - Staff Level Meeting at Clayton Hutchinson Agricultural Center - 559 North Military Trail, WPB
March 29, 2016	No activity on this item
February 24, 2016	Received a concern regarding dumping and contacting PBSO
February 10, 2016	We have received no more complaints and no activity from PBSO
January 26, 2016	We have received no more complaints and no activity from PBSO
January 12, 2016	Special detail has been ordered and awaiting further details.
December 29, 2015	We have contact PBSO to implement a targeted effort to put a stop to this activity.

IGC Meeting:

August 24, 2016	Meeting held in the Council Chambers at Town Hall. The district's proposed fill management policy needed additional research before further consideration; code enforcement violation on North A Road canal maintenance berm was discuss but no action currently; the perpetual trail permit excluding the Palm Beach State College will be presented to their board at the 9/12/2016 meeting; tire amnesty program is not moving forward; discussed the Town's and the district's standard permitting process.
July 27, 2016	Meeting held; advised Council approved ILA for FY 2017; discussed having the perpetual permit ILA modified to eliminate PBSC property and we send a letter to LGWCD for their consideration; changing the IGC meeting location from the LGWCD to Town Hall.
July 14, 2016	No activity on this item
April 27, 2016	No activity on this item

Town of Loxahatchee Groves, Florida
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March 23, 2016

This office, Vice Mayor Jarriel, and LGWCD representative met 3/23/2016. Discussion concerning quit claim deeds for North and South F Road and South B Road occurred and it was determined the LGWD would hold off for several months before submitting the quit claim deed to the Town. In other action, Vice Mayor Jarriel placed on the agenda discussion regarding the Town's standard permit for the LGWCD or anyone performing work on Town roads. The discussion surrounded the matter the LGWCD had not submitted the permit for work they were doing on North A Road and others. The Administrator requested that the Town forgo having plans submitted to the Town in advance for approval, however, the LGWCD would submit as-built plans. In reciprocity, the Town would not have to submit plans to the LGWCD for road work. Currently, the Town is not or should not be required to submit plans on Town roads. Only when or if the work has direct impact on the canal system would such a permit be necessary under the current program. I requested the reciprocity be extended to the future trail network and I was discussed the current ILA with the LGWCD requires the permit from them. I recommended the LGWCD undertake a change in the ILA to allow similar treatment of Town trail projects as the LGWCD desires to have on the work they perform on Town roads. There was no resolution at this time.

February 23, 2015

This office, Vice Mayor Jarriel, and LGWCD representative met 2/23/2016. Some discussion occurred regarding the LGWCD fill policy. No action is recommended regarding the issue between Palm Beach State College and the LGWCD. No presentation regarding culvert replacement. 40th North was closed with no discussion. Dust control program had no action.

Roads: 8th Place North

August 29, 2016

Pursuant to Council direction, staff removed from the public road on 8th Place North, a gate intruding into the right-of-way. On Friday August 29, about 11 a.m., Mr Jackson claimed the gate to be his property. We asked him to execute a statement acknowledging the gate was in good condition and the Town, henceforth, would consider items located within the road would be considered abandoned property. Mr. Jackson refused to execute the notice; however, the statement was read to him in the presence of two witnesses. Mr. Jackson asked the gate be returned to the road and we asked for another location. He stated it could be returned to his property which was done.

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July 27, 2016 Records submitted to Town Attorney and he is working with their attorney to resolve the matter.

July 14, 2016 Staff continues research for work on this road. The LGWCD provided records back to January 2012 and stated that records before that date are not as complete

Staff has worked to locate records requested by Mr. Kurtz, Attorney for Mark Jackson. Records have been transmitted; however, more research and cost would be incurred. Staff presented the Town Attorney with records, some of which date back seven years, and due to the billing methodology at that time, we presume that billing provided by the LGWCD providing for non-district road grading or "courtesy grading" was for all Town roads.

May 3, 2016 The Town Attorney will advise counsel for Mr. Jackson the road is a public road and for Mr. Jackson to remove the pole and gate from hindering vehicular ROW. In the event the items are not moved, staff, under the auspices of the Town Council, will remove the pole and open the gate now hindering access to properties to the north and west on 8th Place North, no later than Friday, May 13, 2017.

Water Utility: Franchise fee to Royal Palm Beach Work to avoid Town residents from paying an extra 10% for potable water service to Royal Palm Beach Request for Proposals for Public Works related functions.

August 29, 2016 Mayor Browning and Town Manager met with the Royal Palm Beach Mayor and Village Manager to discuss the 10% franchise fee charged Town properties by the PBC Utilities for all water sales in the Town on Tuesday, August 30, 2016 . Further investigation should be pursued to correct the matter.

July 27, 2016 Meeting set for 7/25/16 temporarily postponed to be reset

July 14, 2016 No activity on this item

May 10, 2016 No activity

April 13, 2016 No activity

March 29, 2016 No activity on this item

February 24, 2016 No activity on this item

February 10, 2016 No activity on this item

February 10, 2016 No activity on this item

January 26, 2016 No activity on this item

January 12, 2016 No activity on this item

December 29, 2015 No activity on this item

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November 25, 2015 No activity on this item
November 13, 2015 Teleconference with Ed Lowrey; teleconference with Shannon LaRoque RE: funding and large user agreement.
October 29, 2015 Met with Jim Stiles, PBC Utility Director for preliminary discussions.
October 14, 2015 No activity as of this date. Will work to contact PBC utility before the 10/20/15 Town Council meeting.

Adopted Millage:

July 19, 2016 Town Council adopts the same millage rate as its proposed millage rate of 1.4718 mills.
Town Council is scheduled to adopt its tentative millage rate at the 9/8/2016 meeting.
June 29, 2016 Taxable value provided by Property Appraiser \$258,253,505
September 29, 2015 Town Council adopted 1.4718 mills for FY 2016.
September 30, 2015 Property Appraiser reduced assessed taxable value by \$1,546,793 through the value adjustment board. This is a reduction of 0.69%. The budget impact can be about a \$2,100 reduction in ad valorem tax revenue.

Building: Big Dog Ranch Rescue

August 17, 2016 The Town received payment for outstanding cost recovery amount and staff is working to release the request MOT for Big Dog to install a crossing onto Okeechobee Blvd.
July 14, 2016 Attorneys are continuing to work on the matter.
May 10, 2016 Contacted PB County and requested they take appropriate action to cause non-construction activity to cease. My understanding is they have investigated to determine if the operation is more than construction offices. PB County advised them that Big Dog must correct the matter with the Town within 10 working days from May 9, 2016. If non-construction oriented operations do not cease, the electrical services will be terminated.

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Met with PB County Building Department, Doug Wise, and Bradford Brown regarding processing commercial applications in the Town. Near the end of the meeting, we discussed activity occurring in Town at the Big Dog Ranch Rescue site at D Road and Okeechobee Blvd. We were provided a copy of an application and site plan that reflected two (2) temporary office trailers (construction trailers), and a house all located in the southwest quadrant of the property. The copies we received had neither approval on the application nor the site plan. We have asked Lauren Simmons, to please submit the approved documents for our inspection. As of 4/28/2016, the this office has not received confirmation. Electrical services were provided without authorization from the Town. Pursuant to 20-010 (D) CONSTRUCTION TRAILERS. One construction trailer may be placed on the site for up to one year after

April 26, 2016

Additionally, I was advised by Ms. Simmons that one trailer was for medical/veterinary clinic, one trailer was for adoptions, and another for administrative purposes. Additionally, a house is included on the site plan and is being used for another purpose.

Dogs are being processed and housed through the site.

Building: Loxahatchee Groves Commons

August 31, 2016

Met with representative for Taco Bell to review signs, elevations, and other pertinent information. Tara Toto, Jim F., Tina B. attended.
 Issued approval for PBC to move forward, if acceptable, with certificate of occupancy for the Commons.

Financial Software Implementation: Financial Edge software implementation

August 31, 2016

Implementation go-live date is 10/1/2016 and a representative from Blackbaud will be present during/immediately prior to the go-live date.

July 27, 2016

Implementation continues pursuant to the 10/1/2016 go-live date

July 14, 2016

Staff has met with representative of Blackbaud and the new goal is to go live on the software near the beginning of the new fiscal year.

May 10, 2016

No activity

April 27, 2016

Waiting for Blackbaud contract execution and return

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Due to delays in the implementation beyond the staff control, Blackbaud has requested a change order in methodology of payment. For specific implementation tasks being completed. The changes orders are being presented at the April 5, 2016 meeting.

March 29, 2016

Staff continues to push the project forward; however, there have been months of inactivity due to Town Council actions. The attached report reflects tasks and items completed or yet to be completed before full implementation can occur

February 24, 2016

Roads: B Road Improvement

August 31, 2016 Construction was slowed due to weather but we believe the timeline will still be met for completion of the project

July 14, 2016 Construction is progressing and 10 of the 20 catch basins have been installed beginning at the north end of B Road moving south. The project is still on schedule to be completed shortly after the beginning of the new fiscal year.

April 27, 2016 Hardrives has been notified to submit contract documentation for contract award by Town Council

April 13, 2016 Town received and place on the 4/19/2016 agenda a modification to the original four -party agreement for the B Road improvement project to allow the Town to substitute paving for OGEM. Upon Council approval, the Town staff will move forward with contract execution after all elements are in place.

April 4, 2016 Town Council awarded the construction bid to Hardrives, Inc. for \$1,033,008.80

March 29, 2016 No activity on this item

February 24, 2016 Attorney and Manager meeting to review responses, bid results, and multi-party agreement for the construction of B Road improvements.

February 10, 2016 Pre-bid conference held and waiting for questions and answers.

January 26, 2016 Advertisements for contractors was advertised in the Palm Beach Post and on the Town's web site.

December 29, 2015 Per discussion with Randy Wertepny, Town Engineer, significant progress has been made in the design and permitting portion of the improvement. We will receive an update of their progress at the next Town Council meeting. Bid documents are nearing completion which will facilitate meeting the completion date.

Millage: Palm Beach County Fire Rescue Proposed Millage Rate

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MEETING DATE: 09/08/2016

July 12, 2016
7/1/2016

BCC proposed millage rate set at 3.4581 mill for FY 2017
Millage of 3.4581 mills

June 9, 2015

This office received a letter (attached) dated June 1, 2015 from the PBC Fire Rescue Finance Director, Michael Martz. The letter indicates the proposed millage for FY 2016 will be **3.4581 mills**. This rate is **6.05% over** the roll-back rate.

Taxable Value: Palm Beach County Property Appraiser advises estimated taxable value.

July 1, 2016

This office received form DR-420 (Certification of Taxable Value) reflecting a \$37,166,113 increase in Town values from \$221,087,392 to \$258,253,505

May 21, 2015

This office received a letter (attached) dated May 22, 2015 from the PBC Property Appraiser. The letter indicates the estimated taxable value for FY 2016 is **\$217,069,265**. This value is a 10.77% **increase over** the FY 2014 value.

Annexation: 556 FOLSOM RD

August 31, 2016

Scheduled to be back on 9/29/2017

July 27, 2016

Planning and zoning Board heard the applicant and the annexation is continued to the next P&Z meeting.

July 14, 2016

The owner, Dr. Ira Grossman, has requested the Town annex their property into the Town of Loxahatchee Groves. The application has been submitted and thus far, Palm Beach County staff has no objections to the annexation. PBC staff would request the Town include the easterly portion of Folsom Road to the canal berm within the annexed area. We will have a meets and bounds survey prepared for this process.

Annexation: 455 FOLSOM RD

August 31, 2016

No Activity except a telephone call from the applicant

July 14, 2016

The owners, Debra and Gary Cramer, have requested the application for voluntary annexation. Staff is waiting for the submittal.

ULDC/Comp Plan: Committee meets to review ULDC and Comprehensive Plan

August 25, 2016

AR zone discussions continue with proposed language modifications to ULDC and associated chapters and comprehensive plan

August 5, 2016

Begin discussion of permitted, and accessory uses in the Agricultural Residential (AR) zone.

July 28, 2016

Organizational meeting to be held on 8/28/2016 and receive first work program

Town of Loxahatchee Groves, Florida
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RETGAC: Committee meeting

August 31, 2016

Meeting is set for 9/27/2016 at 10:00 a.m. in Town Hall

Legislative Priorities: Town Council needs to develop its legislative priorities for the State of Florida

August 31, 2016

Approval of appropriation requests on the 9/8/2016 agenda

July 14, 2016

Staff would like to begin the process for the development of the next (2017) legislative session in Tallahassee

Emergency Preparedness Plan:

August 25, 2016

This office, Mayor Browning, CERT, PBSO, Pbfd, and LGWCD met to perform an emergency table top exercise under differing scenarios. The results of the exercise indicated the Town should invest in a ham radio antenna for Town Hall location, invest in a generator - preferably natural gas and tap into the line running in front of Town Hall; invest in a satellite telephone which is only billed when used.

3. ATTACHMENTS

House Appropriation Form

4. FINANCIAL IMPACT

Not applicable.

5. RECOMMENDED ACTION

Motion to receive and file report.

Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT
AGENDA ITEM NO. 9b
MEETING DATE: 09/08/2016

PREPARED BY: William F. Underwood, II

SUBJECT: Okeechobee Boulevard and Folsom Road 30 MPH Speed Limit

1.BACKGROUND/HISTORY

Problem Statement: The Town needs to appropriate funds to take over traffic control maintenance for the roads.

Problem Solution: Appropriate funds in FY 2017 for traffic control maintenance.

Based on the Town Council request to exercise its statutory authority to lower the speed limit within residential areas of the Town to 30 MPH, this office has received a response to the Council's resolution. Pursuant to a letter received from Administrator Baker, Palm Beach County, to this office, the County Administrator states the Town of Loxahatchee Groves must take over traffic control maintenance for the roads.

2.CURRENT ACTIVITY

This office prepared a letter requesting clarification to several items identified in their letter. As of Monday, August 22nd, this office had not received a response. An email was prepared and transmitted to Administrator Baker seeking a response from Palm Beach County. Mr. Webb, County Engineer, provided the clarifying response to the issue presented in my request. It appears to staff that additional funds should be appropriated in the FY 2017 budget to accommodate potential traffic control maintenance issues as they arise.

3.ATTACHMENTS

- July 6, 2016 letter to Administrator Baker with attached Resolutions No. 2016-45 and No. 2016-46
- August 4, 2016 letter from Administrator Baker
- August 10, 2016 response to Administrator Baker requesting clarity.
- August 22, 2016 email to Administrator Baker requesting a response for clarity.
- August 22, 2016 email from Mr. Webb, County Engineer providing clarity to issues.

4.FINANCIAL IMPACT

No financial impact for this meeting

5.RECOMMENDED ACTION

Motion to provide direction to staff regarding traffic maintenance on Okeechobee Boulevard and Folsom Road for FY 2017.



155 F Road • Loxahatchee Groves, Florida 33470 • Telephone (561) 793-2418 • Fax (561) 793-2420 •
www.loxahatcheegrovesfl.gov

July 7, 2016

Verdenia C. Baker, County Administrator
Palm Beach County Board of County Commissioners
Robert Weismann Government Center
301 North Olive Avenue, 8th Floor
West Palm Beach, FL 33401

Dear Ms. Baker:

The Loxahatchee Groves Town Council adopted Resolution No. 2016-45 and Resolution No. 2016-46 at its meeting on June 21, 2016.

Resolution No. 2016-45 reduced the speed limit on Folsom Road from 40 miles per hour to 30 miles per hour, pursuant to Section 316.006(2), and Sections 316.183 and 316.189, Florida Statutes.

Resolution No. 2016-46 reduced the speed limit on the portion of Okeechobee Boulevard within the Town boundaries from 45 miles per hour to 30 miles per hour, pursuant to Section 316.006(2), and Sections 316.183 and 316.189, Florida Statutes.

We are enclosing a certified copy of Resolution No. 2016-45 and Resolution No. 2016-46, and request that Palm Beach County Engineering coordinate with the Town of Loxahatchee Groves for the placement of signage reflecting the new speed limits.

If you have any questions, please do not hesitate to contact the Town.

Sincerely,

A handwritten signature in black ink, appearing to read "W. F. Underwood II".

William Underwood II
Town Manager

Enclosures
Resolution No. 2016-45
Resolution No. 2016-45

cc: PBC Board of County Commissioners
301 N. Olive Avenue, Suite 601
West Palm Beach, FL 33401

George Webb, P.E.
Palm Beach County Engineering Department
2300 North Jog Road
West Palm Beach, FL 33411-2745

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-45

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, TO REDUCE THE SPEED LIMIT ON FOLSOM ROAD FROM 40 MILES PER HOUR TO 30 MILES PER HOUR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Folsom Road is a county road located within the Town's jurisdictional limits; and

WHEREAS, section 316.006(2), Florida Statutes, provides that chartered municipalities have original jurisdiction over all streets and highways located within their boundaries, except for state roads, and the Florida Attorney General, in Opinion 2001-06, confirmed this authority includes setting speed limits on county roads within a municipality; and

WHEREAS, in accordance with sections 316.183 and 316.189, Florida Statutes, municipal speed limits, as well as the speed limits on county maintained roads in residential and business districts, are set at 30 miles per hour; and

WHEREAS, pursuant to its statutory authority, the Town has jurisdiction over Folsom Road; and

WHEREAS, the Town finds that the safety, health and welfare of motorists, bicyclists, and pedestrians in the Town would be enhanced if the speed limit on Folsom Road, which is in a residential district in the Town, is reduced from the current forty (40) miles per hour posted speed limit to thirty (30) miles per hour posted speed limit in accordance with sections 316.183 and 316.189, Florida Statutes; and

WHEREAS, the Town Council of the Town hereby finds that it is in the best interests of the town to set the maximum speed limit on Folsom Road to thirty (30) miles per hour.

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

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

Section 2. It is hereby determined that the maximum speed limit on Folsom Road is thirty (30) miles per hour.

Section 3. The Town Manager is authorized to take all necessary actions to implement this Resolution, including coordinating with Palm Beach County on the placement of the signage along Folsom Road to reflect the speed limit of thirty (30) miles per hour.

Section 4. Any person found guilty of violating the speed limits established by this Resolution shall be punished according to the provisions of Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law, Section 316.665, Penalties, and Chapter 318, Disposition of Traffic Infractions.

Section 5. The speed limits established herein shall not take effect until the said signs have been placed on Folsom Road as described in Section 3 of this Resolution.

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 8. This Resolution shall become effective upon adoption.

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

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

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 21ST DAY OF JUNE 2016.

ATTEST:

Virginia M. Walton
TOWN CLERK

APPROVED AS TO LEGAL FORM:

[Signature]
Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

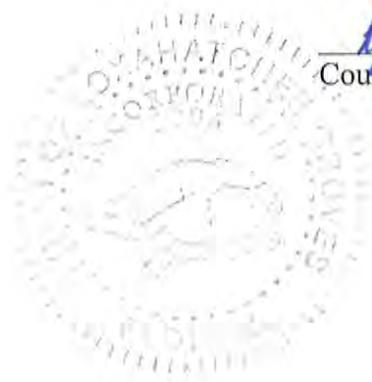
David Browning
Mayor David Browning

Tom Goltzene
Vice Mayor Tom Goltzene

Ronald Jarriel
Council Member Ron Jarriel

[Signature]
Council Member Todd McLendon

Ryan Liang
Council Member Ryan Liang



TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-46

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, TO REDUCE THE SPEED LIMIT ON OKEECHOBEE BOULEVARD FROM 45 MILES PER HOUR TO 30 MILES PER HOUR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Okeechobee Boulevard is a county road located within the Town's jurisdictional limits; and

WHEREAS, section 316.006(2), Florida Statutes, provides that chartered municipalities have original jurisdiction over all streets and highways located within their boundaries, except for state roads, and the Florida Attorney General, in Opinion 2001-06, confirmed this authority includes setting speed limits on county roads within a municipality; and

WHEREAS, in accordance with sections 316.183 and 316.189, Florida Statutes, municipal speed limits, as well as the speed limits on county maintained roads in residential and business districts, are set at 30 miles per hour; and

WHEREAS, pursuant to its statutory authority, the Town has jurisdiction over Okeechobee Boulevard; and

WHEREAS, the Town finds that the safety, health and welfare of motorists, bicyclists, and pedestrians in the Town would be enhanced if the speed limit on Okeechobee Boulevard which is in a residential district in the Town, is reduced from the current forty-five (45) miles per hour posted speed limit to thirty (30) miles per hour posted speed limit in accordance with sections 316.183 and 316.189, Florida Statutes; and

WHEREAS, the Town Council of the Town hereby finds that it is in the best interests of the town to set the maximum speed limit on Okeechobee Boulevard within the Town to thirty (30) miles per hour.

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

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

Section 2. It is hereby determined that the maximum speed limit on Okeechobee Boulevard is thirty (30) miles per hour.

Section 3. The Town Manager is authorized to take all necessary actions to implement this Resolution, including coordinating with Palm Beach County on the placement of the signage along Okeechobee Boulevard to reflect the speed limit of thirty (30) miles per hour.

Section 4. Any person found guilty of violating the speed limits established by this Resolution shall be punished according to the provisions of Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law, Section 316.665, Penalties, and Chapter 318, Disposition of Traffic Infractions.

Section 5. The speed limits established herein shall not take effect until the said signs have been placed on Okeechobee Boulevard as described in Section 3 of this Resolution.

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 8. This Resolution shall become effective upon adoption.

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

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

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 21ST DAY OF JUNE 2016.

ATTEST:

Virginia M. Walton
TOWN CLERK

APPROVED AS TO LEGAL FORM:

[Signature]
Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

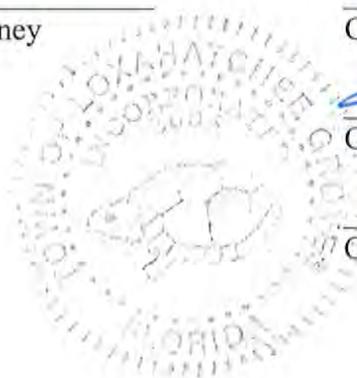
David Browning
Mayor David Browning

Tom Goltzene
Vice Mayor Tom Goltzene

Ronald Jarriel
Council Member Ron Jarriel

[Signature]
Council Member Todd McLendon

Ry Liang
Council Member Ryan Liang





County Administration

P.O. Box 1989

West Palm Beach, FL 33402-1989

(561) 355-2030

FAX: (561) 355-3982

www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Mary Lou Berger, Mayor

Hal R. Valeche, Vice Mayor

Paulette Burdick

Shelley Vana

Steven L. Abrams

Melissa McKinlay

Priscilla A. Taylor

County Administrator

Verdenia C. Baker

August 4, 2016

RECEIVED
RECEIVED
AUG 08 2016
BY: pdw

Mr. William Underwood II
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, Florida 33470

Dear Mr. Underwood:

The County is in receipt of your July 7th correspondence relating to the establishment of speed limits on Okeechobee Boulevard and Folsom Road within the Town limits. We recognize that the Town has traffic control jurisdiction on both of these County maintained roads and that the Town has the ability to establish speed limits. Your Council has chosen to use the Florida Statutes that allow the establishment of 30 miles per hour speed limits in residential areas in lieu of conducting a speed study. County staff informed me that a speed study would show the posted speed of 45/40 miles per hour would be much closer to the current speeds on those two roads and that the proposed speed limit will not be easily met by the users. In our opinion this significant change in the speed limit is anticipated to be a continuing enforcement issue for the Town.

Your resolutions reflect that the new speed limits will not become effective until the signs reflecting the new speed limits are posted. As to the placement of the new signs, we recommend, at a minimum, the existing sign locations should be considered. Given the expected need for enforcement, we would urge the Town to consider the installation of several additional speed limit signs along both roads. We would like the existing county signs be returned to us and on notification we will pick them up.

Since the Town has established traffic control jurisdiction on Okeechobee Boulevard and Folsom Road within the Town limits, you are responsible for all traffic control devices, including signing and pavement markings, stop signs, street name signs, school speed limit flashers, and any future traffic signals on those roads. My staff will cease all work related to traffic control devices along those roadways as of August 26, 2016.

Previously, we sent you copies of a signal warrant study for the intersection of Folsom Road and Okeechobee Road. In our opinion a traffic signal is warranted, and we can provide you with the current preliminary layout drawings we have been working on at no cost. Further, you will have to permit any new traffic signals through the County if it involves construction in the right of way of those two roads.

"An Equal Opportunity
Affirmative Action Employer"



Mr. Underwood II
August 4, 2016
Page 2

Lastly, I will close with the same offer you previously received from Mr. Webb that the County will accept traffic signal maintenance in the future upon the execution of our standard inter-local agreement. Palm Beach County has previously accepted traffic signal maintenance from many other municipalities with the execution of an inter-local agreement. However, in the agreement, the County is transferred traffic control jurisdiction (including the establishment of speed limits) for all county roads within the municipality (in this case Okeechobee Boulevard and Folsom Road). If the Town is interested in considering such an agreement, please let us know.

Sincerely,

A handwritten signature in blue ink that reads "Verdenia C. Baker".

Verdenia C. Baker
County Administrator

c: Commissioner Melissa McKinlay, District 6
George Webb, County Engineer
Tanya McConnell, Deputy County Engineer



Town of Loxahatchee Groves

155 F Road
Loxahatchee Groves, FL 33470

Phone (561) 793-2418
Fax (561) 793-2420
www.loxahatcheegrovesfl.gov

August 10, 2016

Dear Ms. Baker:

I am in receipt of your August 4, 2016, letter relating to the Town Council's decision to implement the statutory speed limits in residential areas on Okeechobee Boulevard and Folsom Road. In your letter, you acknowledge the Town's traffic control jurisdiction on these roads within the Town, and set forth some parameters going forward. I am writing to inquire on a few points in your letter and to confirm my understanding of the County's position.

1. Please provide me with any speed studies done by the County to support the 45/40 miles per hour, as well as the basis for the assertion that County staff would expect a traffic study to show that raising the speed limits on Okeechobee Boulevard and Folsom Road above the statutory speed limit of 30 miles per hour would be appropriate.
2. Please confirm that the Town would be responsible for purchasing and placing the new speed limit signs along Okeechobee Boulevard and Folsom Road, and removing the existing signs; and, that upon the removal of the existing signs, the County will pick them up from Town offices
3. The County is turning over to the Town the maintenance obligations for traffic control devices on Okeechobee Boulevard and Folsom Road. I understand this to mean that the County is transitioning its operation and maintenance obligations of these roads to the Town, as the need for traffic control devices is dictated by the operation and maintenance of the roads. As a result, only the Town could, from this point forward, improve and/or expand these roads, alter intersection configurations, etc., or approve the installation of future traffic control devices such as traffic signals.
4. You indicate that effective August 26, 2016, the County will cease its maintenance obligations for traffic control devices on these roads. As there are currently no traffic signals in the Town, that is not an issue. However, there are school speed limit flashers on these roads. To ensure a smooth transition, please provide me with the specifications and steps for the Town to access these signals, including necessary programming parameters.

I would appreciate your timely response given the County's unilateral transition deadline of August 26, 2016; particularly given that public schools will resume classes on August 15, 2016.

Sincerely,

A handwritten signature in dark ink, appearing to read "W.F. Underwood, II". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

William F. Underwood, II
Town Manager, Town of Loxahatchee Groves

CC: Honorable Mayor and Town Council
Honorable Melissa Mckinlay, District 6
Mike Cirullo, Town Attorney
Virginia Walton, Town Clerk
George Webb, County Engineer
Tanya McConnell, Deputy County Engineer

William (Bill) Underwood, II

From: William (Bill) Underwood, II
Sent: Monday, August 22, 2016 3:06 PM
To: Verdenia Baker
Cc: MCirullo@cityatty.com; Melissa McKinlay; Johnnie Easton; Virginia Walton; David Browning; Ron Jarriel; Ryan Liang; Todd McLendon; Tom Goltzene; William (Bill) Underwood, II
Subject: Response
Importance: High

Ms. Baker,

I am confident by now that you have received my request for clarification on several issues relative to the Town's request to reduce the speed limits on Folsom and Okeechobee. Pursuant to your letter, the County will be turning the traffic control and other aspects of control on those roads over to the Town, effective August 26. Can you advise when we can anticipate a clarifying response to the elements of my letter? Further, I would appreciate it if you would kindly provide pertinent information regarding the maintenance or service for the caution lights near Loxahatchee Groves Elementary school. Your assistance is greatly appreciated. Thank you.

William F. Underwood, II, Town Manager

Town of Loxahatchee Groves

155 F Road

Loxahatchee Groves, FL 33470

Tele: 561.793.2418

Email: wunderwood@loxahatcheegrovesfl.gov

William (Bill) Underwood, II

From: George Webb <GWebb@pbcgov.org>
Sent: Monday, August 22, 2016 4:48 PM
To: William (Bill) Underwood, II
Cc: 'MCirullo@cityatty.com'; Virginia Walton; 'rjarriel@loxahatcheegovesfl.gov'; Melissa McKinlay; Johnnie Easton; David Browning; Todd McLendon; Ryan Liang; Tom Goltzene; Tanya McConnell N.; Cathy Stewart; Verdenia Baker; Faye Outlaw
Subject: Okeechobee and Folsom traffic control responsibilities
Attachments: OKEE C TO D RD 8 2016.pdf; OKEE W OF E RD 10 2011.pdf; FOLSOM - S OF CASEY.PDF
Importance: High

Ms. Baker has asked that I respond to your last letter. I have been out of the office and just got back today, I apologize for not responding sooner. In order of your issues:

- 1) I have attached two Okeechobee speed studies – one from 2011 and one that was just completed last week. The key number to look at in both studies is the 85th percentile speed. In the 2016 study the 85th percentile is 55 mph, while it was 53 mph in 2011. The Florida Speed Zoning Manual says the following: *A speed limit should not differ from the 85th percentile speed or upper limit of the 10- mph pace by more than 3 mph and it shall not be less than 8 mph.* I would expect that posting a speed limit of 30 mph (25 mph lower than this upper limit) would cause a significant issue for drivers along Okeechobee Blvd. I have also attached the most recent Folsom speed study (2015).
- 2) I confirm that the Town would be responsible for the purchasing and placement of the new speed limit signs. The County will pick the existing signs up from the Town offices.
- 3) Your understanding is incorrect. Maintenance of the traffic control devices is different from maintenance of the road surfaces. The County retains ownership and responsibility for the pavement and the right of way for both roads – both remain County roads. The Town could indeed do physical work (reconfiguration or widening) on either, or both, roads, but only after receiving a permit from the County. However, pavement markings would not require a County permit. The installation of new traffic signals would require a County permit, but the Town would have the authority to determine if a new signal is warranted. The County would not require a permit for the installation of traffic signs along either road. However, we, along with other agencies do have underground utilities that could be damaged by the installation of a traffic sign post – in fact our underground facility on Okeechobee Blvd. was just damaged by the installation of a campaign sign along Okeechobee Blvd. Using the 811 system would be the appropriate course of action for future installations. The County retains the right to determine the future number of lanes, and when, or if, there would be any widening of either roadway.
- 4) I have asked Administration to allow us to continue to maintain the school flasher and fire station flashers for the immediate future. They have concurred. As such, we will continue to operate and maintain the flashers unless you immediately want to begin the maintenance. We would work out the transition details over the next few months to allow you to set up the appropriate staff or contractors.

Please let me know if you have any questions.

From: William (Bill) Underwood, II [<mailto:wunderwood@loxahatcheegrovesfl.gov>]
Sent: Monday, August 22, 2016 3:06 PM
To: Verdenia Baker

Cc: MCirullo@cityatty.com; Melissa McKinlay; Johnnie Easton; Virginia Walton; David Browning; Ron Jarriel; Ryan Liang; Todd McLendon; Tom Goltzene; William (Bill) Underwood, II

Subject: Response

Importance: High

Ms. Baker,

I am confident by now that you have received my request for clarification on several issues relative to the Town's request to reduce the speed limits on Folsom and Okeechobee. Pursuant to your letter, the County will be turning the traffic control and other aspects of control on those roads over to the Town, effective August 26. Can you advise when we can anticipate a clarifying response to the elements of my letter? Further, I would appreciate it if you would kindly provide pertinent information regarding the maintenance or service for the caution lights near Loxahatchee Groves Elementary school. Your assistance is greatly appreciated. Thank you.

William F. Underwood, II, Town Manager

Town of Loxahatchee Groves

155 F Road

Loxahatchee Groves, FL 33470

Tele: 561.793.2418

Email: wunderwood@loxahatcheegrovesfl.gov

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

PALM BEACH COUNTY TRAFFIC ENGINEERING

Date Start: 16-Aug-16

Site Code:

Station ID: SP

OKEECHOBEE BL

D RD TO C RD

Latitude: 0' 0.000 Undefined

EA, WA

Start Time	15	20	25	30	35	40	45	50	55	60	65	70	75	999	Total
08/16/1															
6	1	0	0	0	0	0	5	16	26	10	2	1	0	0	61
01:00	1	0	0	0	0	1	0	7	12	9	5	3	2	1	41
02:00	1	0	0	0	0	0	1	9	6	6	0	1	0	0	24
03:00	0	0	0	0	0	1	1	6	8	7	3	3	0	1	30
04:00	2	0	0	0	0	0	2	9	20	11	9	5	1	0	59
05:00	3	0	0	1	1	4	12	39	59	48	15	9	7	1	199
06:00	53	0	0	0	5	36	123	272	219	54	12	2	1	1	778
07:00	57	0	0	2	9	49	176	385	268	64	7	0	0	0	1017
08:00	24	0	2	8	13	51	156	271	205	55	9	3	0	0	797
09:00	25	0	0	2	5	17	78	222	185	56	13	3	0	0	606
10:00	20	1	2	2	7	26	90	185	158	43	10	5	1	0	550
11:00	20	0	0	7	14	18	64	207	174	67	15	3	0	0	589
12 PM	32	0	2	0	1	10	92	221	231	54	14	3	0	0	660
13:00	37	0	0	0	9	21	114	224	191	61	17	3	1	0	678
14:00	39	0	0	1	4	26	122	299	206	47	19	2	0	0	765
15:00	40	0	0	0	12	59	146	292	209	82	15	4	0	0	859
16:00	48	0	0	1	12	37	173	349	276	76	15	2	1	2	992
17:00	52	0	2	1	33	63	195	334	252	100	16	3	0	0	1051
18:00	39	0	0	0	3	9	79	270	305	117	30	6	0	0	858
19:00	14	0	1	2	3	7	53	173	222	102	25	5	4	0	611
20:00	6	0	0	0	1	17	47	145	155	70	12	0	0	1	454
21:00	7	0	0	0	0	4	25	118	92	53	9	4	1	0	313
22:00	4	0	0	0	0	2	23	59	56	45	7	7	2	0	205
23:00	2	0	0	0	0	3	8	29	30	26	5	4	0	3	110
Total	527	1	9	27	132	461	1785	4141	3565	1263	284	81	21	10	12307

Daily

15th Percentile : 40 MPH
 50th Percentile : 48 MPH
 85th Percentile : 55 MPH
 95th Percentile : 59 MPH

Mean Speed(Average) : 47 MPH
 10 MPH Pace Speed : 45-54 MPH
 Number in Pace : 6931
 Percent in Pace : 56.4%
 Number of Vehicles > 45 MPH : 8769
 Percent of Vehicles > 45 MPH : 71.3%

Grand Total	527	1	9	27	132	461	1785	4141	3565	1263	284	81	21	10	12307
-------------	-----	---	---	----	-----	-----	------	------	------	------	-----	----	----	----	-------

Overall

15th Percentile : 40 MPH
 50th Percentile : 48 MPH
 85th Percentile : 55 MPH
 95th Percentile : 59 MPH

Mean Speed(Average) : 47 MPH
 10 MPH Pace Speed : 45-54 MPH
 Number in Pace : 6931
 Percent in Pace : 56.4%
 Number of Vehicles > 45 MPH : 8769
 Percent of Vehicles > 45 MPH : 71.3%

From: Dan Weisberg
Sent: Friday, September 23, 2011 11:48 AM
To: Robert Patane
Cc: Motasem Al-Turk; George Webb; Tanya McConnell N.
Subject: Okeechobee Speed Study

1) Please conduct signal warrant study at Okeechobee Boulevard at D (tubes and turning movements)

2) * And speed limit study on Okeechobee at E

PALM BEACH COUNTY
TRAFFIC ENGINEER

Date Start: 04-Oct-11
Site Code:
Station ID: JD
OKEECHOBEE BL W OF E RD

Latitude: 0' 0.000 Undefined

POSTED 45
MPH

EA, WA	0	16	21	26	31	36	41	46	51	56	61	66	71	76	9999	Total
Start Time	15	20	25	30	35	40	45	50	55	60	65	70	75			
10/4/11	0	0	0	0	0	5	16	40	15	1	1	0	0	1		79
01:00	0	0	0	0	0	2	16	18	6	5	2	1	0	0		50
02:00	0	0	0	0	0	1	2	14	6	2	0	0	0	0		25
03:00	0	0	0	0	0	1	8	7	3	1	1	0	0	0		21
04:00	0	0	0	0	0	3	8	6	5	2	2	1	0	0		27
05:00	0	0	0	0	0	3	13	21	24	3	3	0	1	0		68
06:00	0	0	0	3	5	19	74	106	74	15	3	0	0	4		303
07:00	5	0	1	1	24	105	270	277	55	12	3	2	0	14		769
08:00	10	0	0	1	25	66	191	238	88	15	4	1	3	23		665
09:00	4	0	0	1	8	50	195	207	117	16	3	1	0	10		612
10:00	7	2	1	1	5	52	169	203	88	10	1	1	0	9		549
11:00	0	0	0	1	11	40	139	224	95	19	1	2	1	6		539
12 PM	2	1	1	1	12	38	145	217	92	21	3	1	0	7		541
13:00	3	0	2	1	10	58	169	201	100	17	3	0	0	11		575
14:00	7	0	0	2	6	42	222	230	103	9	4	2	0	13		640
15:00	2	1	0	3	24	77	232	242	105	14	3	0	0	14		717
16:00	14	1	1	4	13	63	220	276	126	23	2	0	0	16		759
17:00	13	1	0	2	13	71	201	300	151	34	4	2	0	15		807
18:00	11	4	0	1	16	56	219	325	172	37	16	4	1	29		891
19:00	6	0	0	3	12	43	173	188	103	16	3	1	0	7		555
20:00	3	0	0	0	2	35	200	126	49	11	2	0	0	5		433
21:00	0	0	0	1	5	18	100	117	56	11	4	1	0	1		314
22:00	1	0	0	0	2	14	67	90	46	6	2	1	0	1		230
23:00	0	0	0	1	2	15	39	61	30	11	0	0	0	0		159
Total	88	10	6	27	195	877	3088	3734	1709	311	70	21	6	186		10328
Grand Total	88	10	6	27	195	877	3088	3734	1709	311	70	21	6	186		10328

15th Percentile : 41 MPH
50th Percentile : 47 MPH
85th Percentile : 53 MPH
95th Percentile : 57 MPH

Statistics
Mean Speed(Average) : 47 MPH
10 MPH Pace Speed : 41-50 MPH
Number in Pace : 6822
Percent in Pace : 66.1%
Number of Vehicles > 45 MPH : 6037
Percent of Vehicles > 45 MPH : 58.5%

PALM BEACH COUNTY
TRAFFIC ENGINEER

Date Start: 04-Oct-11
Site Code:
Station ID: JD
OKEECHOBEE BL W OF E RD

Latitude: 0' 0.000 Undefined

EA	Start Time	0	16	21	26	31	36	41	46	51	56	61	66	71	76	Total
		15	20	25	30	35	40	45	50	55	60	65	70	75	9999	
10/4/11		0	0	0	0	0	3	6	25	13	1	1	0	0	0	49
	01:00	0	0	0	0	0	2	11	12	5	4	1	1	0	0	36
	02:00	0	0	0	0	0	1	2	7	3	2	0	0	0	0	15
	03:00	0	0	0	0	0	1	5	1	2	1	1	0	0	0	11
	04:00	0	0	0	0	0	0	1	2	2	1	0	0	0	0	6
	05:00	0	0	0	0	0	0	4	3	3	0	1	0	0	0	11
	06:00	0	0	0	2	1	9	27	27	14	0	1	0	0	2	83
	07:00	3	0	0	1	15	72	116	86	10	3	1	1	0	8	316
	08:00	4	0	0	1	15	33	49	50	21	2	2	0	0	12	189
	09:00	2	0	0	0	5	27	68	57	30	6	1	0	0	2	198
	10:00	4	1	0	0	1	26	77	75	25	1	0	1	0	3	214
	11:00	0	0	0	1	1	23	60	111	39	7	1	1	0	3	247
	12 PM	1	1	0	0	5	17	69	101	43	8	1	0	0	3	249
	13:00	1	0	1	1	3	36	101	91	48	9	1	0	0	6	298
	14:00	5	0	0	0	2	22	126	124	59	4	1	1	0	6	350
	15:00	0	0	0	0	10	46	126	126	53	4	2	0	0	6	373
	16:00	11	1	1	4	5	26	126	153	70	17	1	0	0	9	424
	17:00	8	1	0	1	9	41	116	183	92	16	1	1	0	8	477
	18:00	6	1	0	1	11	44	148	208	115	19	10	2	1	12	578
	19:00	3	0	0	2	8	30	125	115	62	8	3	0	0	3	359
	20:00	1	0	0	0	0	21	140	76	23	7	1	0	0	2	271
	21:00	0	0	0	1	2	9	71	83	36	8	1	1	0	0	212
	22:00	0	0	0	0	2	6	53	64	35	3	1	0	0	0	164
	23:00	0	0	0	1	1	11	31	40	16	8	0	0	0	0	108
	Total	49	5	2	16	96	506	1658	1820	819	139	33	9	1	85	5238
Grand Total		49	5	2	16	96	506	1658	1820	819	139	33	9	1	85	5238

15th Percentile : 41 MPH
50th Percentile : 46 MPH
85th Percentile : 52 MPH
95th Percentile : 56 MPH

Statistics
Mean Speed(Average) : 47 MPH
10 MPH Pace Speed : 41-50 MPH
Number in Pace : 3478
Percent in Pace : 66.4%
Number of Vehicles > 45 MPH : 2906
Percent of Vehicles > 45 MPH : 55.5%

PALM BEACH COUNTY
TRAFFIC ENGINEER

Date Start: 04-Oct-11
Site Code:
Station ID: JD
OKEECHOBEE BL W OF E RD

Latitude: 0' 0.000 Undefined

WA

Start Time	0	16	21	26	31	36	41	46	51	56	61	66	71	76	Total
Time	15	20	25	30	35	40	45	50	55	60	65	70	75	9999	
10/4/11	0	0	0	0	0	2	10	15	2	0	0	0	0	1	30
01:00	0	0	0	0	0	0	5	6	1	1	1	0	0	0	14
02:00	0	0	0	0	0	0	0	7	3	0	0	0	0	0	10
03:00	0	0	0	0	0	0	3	6	1	0	0	0	0	0	10
04:00	0	0	0	0	0	3	7	4	3	1	2	1	0	0	21
05:00	0	0	0	0	0	3	9	18	21	3	2	0	1	0	57
06:00	0	0	0	1	4	10	47	79	60	15	2	0	0	2	220
07:00	2	0	1	0	9	33	154	191	45	9	2	1	0	6	453
08:00	6	0	0	0	10	33	142	188	67	13	2	1	3	11	476
09:00	2	0	0	1	3	23	127	150	87	10	2	1	0	8	414
10:00	3	1	1	1	4	26	92	128	63	9	1	0	0	6	335
11:00	0	0	0	0	10	17	79	113	56	12	0	1	1	3	292
12 PM	1	0	1	1	7	21	76	116	49	13	2	1	0	4	292
13:00	2	0	1	0	7	22	68	110	52	8	2	0	0	5	277
14:00	2	0	0	2	4	20	96	106	44	5	3	1	0	7	290
15:00	2	1	0	3	14	31	106	116	52	10	1	0	0	8	344
16:00	3	0	0	0	8	37	94	123	56	6	1	0	0	7	335
17:00	5	0	0	1	4	30	85	117	59	18	3	1	0	7	330
18:00	5	3	0	0	5	12	71	117	57	18	6	2	0	17	313
19:00	3	0	0	1	4	13	48	73	41	8	0	1	0	4	196
20:00	2	0	0	0	2	14	60	50	26	4	1	0	0	3	162
21:00	0	0	0	0	3	9	29	34	20	3	3	0	0	1	102
22:00	1	0	0	0	0	8	14	26	11	3	1	1	0	1	66
23:00	0	0	0	0	1	4	8	21	14	3	0	0	0	0	51
Total	39	5	4	11	99	371	1430	1914	890	172	37	12	5	101	5090
Grand Total	39	5	4	11	99	371	1430	1914	890	172	37	12	5	101	5090

15th Percentile : 41 MPH
50th Percentile : 47 MPH
85th Percentile : 53 MPH
95th Percentile : 58 MPH

Statistics
Mean Speed(Average) : 48 MPH
10 MPH Pace Speed : 41-50 MPH
Number in Pace : 3344
Percent in Pace : 65.7%
Number of Vehicles > 45 MPH : 3131
Percent of Vehicles > 45 MPH : 61.5%

PALM BEACH COUNTY TRAFFIC ENGINEERING 561 684-4030

Date Start: 21-Apr-15
Site Code: 1
Station ID:
FOLSOM RD - S OF CASEY RD

Latitude: 0' 0.000 Undefined

NA, SA	1	16	21	26	31	36	41	46	51	56	61	66	71	76	999	Total	85th Percent	95th Percent
Start Time	15	20	25	30	35	40	45	50	55	60	65	70	75	999	Total	85th Percent	95th Percent	
04/21/15	1	0	0	0	2	4	7	3	0	0	0	0	0	1	18	45	47	
01:00	0	0	0	0	1	0	1	1	1	0	0	0	0	1	5	*	*	
02:00	0	0	0	0	0	1	4	1	0	0	0	0	0	0	6	44	44	
03:00	0	0	1	0	0	3	3	1	2	1	0	0	0	0	11	42	43	
04:00	0	0	0	0	0	1	3	1	1	0	1	0	0	0	7	43	43	
05:00	0	0	0	0	5	5	16	16	10	5	4	1	0	0	62	56	62	
06:00	2	0	0	2	4	42	56	49	26	7	3	2	0	0	193	51	56	
07:00	8	0	1	1	18	87	106	73	32	14	3	1	0	0	344	50	55	
08:00	3	0	0	3	10	50	80	63	21	13	6	0	0	0	249	51	57	
09:00	4	0	1	4	13	31	50	34	12	7	0	1	0	0	157	49	55	
10:00	6	0	0	1	12	43	61	40	17	10	1	1	0	0	192	50	55	
11:00	4	0	0	4	12	59	76	45	21	3	0	0	0	0	224	48	52	
12 PM	8	0	1	2	12	45	75	44	18	8	2	1	0	0	216	49	54	
13:00	9	0	1	4	8	67	62	51	18	7	1	0	0	0	228	49	53	
14:00	7	0	1	3	13	63	70	52	27	10	2	1	0	1	250	50	55	
15:00	5	0	0	5	15	57	84	64	30	11	2	3	0	0	276	50	55	
16:00	5	0	2	4	21	98	94	67	35	16	4	1	1	0	348	50	56	
17:00	12	0	2	2	15	74	99	61	43	16	9	1	1	0	335	52	57	
18:00	6	0	0	0	10	59	117	63	24	14	4	0	0	0	297	50	56	
19:00	1	0	0	0	2	39	79	54	20	10	1	1	1	0	208	50	55	
20:00	2	0	0	0	3	28	48	25	14	5	1	0	1	0	127	50	55	
21:00	2	0	0	0	1	28	42	18	5	2	1	0	0	0	99	48	52	
22:00	0	0	0	0	2	19	9	12	1	0	3	0	0	1	47	48	50	
23:00	0	0	0	0	2	11	14	2	0	1	0	0	0	0	30	44	45	
Total	85	0	10	35	181	914	1256	840	378	160	48	14	4	4	3929			
Percent	2.2%	0.0%	0.3%	0.9%	4.6%	23.3%	32.0%	21.4%	9.6%	4.1%	1.2%	0.4%	0.1%	0.1%				
AM Peak	07:00		03:00	09:00	07:00	07:00	07:00	07:00	07:00	07:00	08:00	06:00		00:00	07:00			
Vol.	8		1	4	18	87	106	73	32	14	6	2		1	344			
PM Peak	17:00		16:00	15:00	16:00	16:00	18:00	16:00	17:00	16:00	17:00	15:00	16:00	14:00	16:00			
Vol.	12		2	5	21	98	117	67	43	16	9	3	1	1	348			
Grand Total	85	0	10	35	181	914	1256	840	378	160	48	14	4	4	3929			
Percent	2.2%	0.0%	0.3%	0.9%	4.6%	23.3%	32.0%	21.4%	9.6%	4.1%	1.2%	0.4%	0.1%	0.1%				

15th Percentile : 36 MPH
50th Percentile : 42 MPH
85th Percentile : 50 MPH
95th Percentile : 56 MPH

Statistics
10 MPH Pace Speed : 38-47 MPH
Number in Pace : 2105
Percent in Pace : 53.6%
Number of Vehicles > 40 MPH : 2613
Percent of Vehicles > 40 MPH : 66.6%
Mean Speed(Average) : 43 MPH

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

MEETING DATE: 09/08/2016

PREPARED BY: William F. Underwood, Town Manager

SUBJECT: CODE RED Emergency Notification System

1. BACKGROUND/HISTORY

Problem Statement: Residents have voiced numerous time to the Town Council complaints about needing improved communication with the Town's residents on important issues.

Problem Solution: Establish a system for emergency and/or important notifications to all residents wishing to receive such notifications in order to be more timely and transparent on Town's activities and decisions.

2. CURRENT ACTIVITY

At the Town Council Meeting on February 16, 2016, residents had voiced requests for improved communication between the Town Council, Town Staff and the residents. Manager Underwood had stated there was a subscription system named "CODE RED" that would enable this issue to be resolved. It would require a cost to the Town, and the residents would need to subscribe to this system by providing a phone number and/or an email address. This would be voluntary for any resident wishing to be sent emergency and/or important notifications.

During the recent Florida League of Cities Conference, I met with Emergency Communications Network (ECN), the vendor who has the CODE RED program. An overview and proposal was requested and received.

3. ATTACHMENTS

ECN CODE RED Overview Brochure
ECN CODE RED Proposal

4. FINANCIAL IMPACT

Approximately \$3,250 to \$5,250 per year, depending on which program option is selected

5. RECOMMENDED ACTION

Town Council selection of program options and direct Town Manager to obtain final proposal for installation of CODE RED Emergency Notification System for the Town.



Emergency Communications Network®

THE INDUSTRY LEADER IN CRITICAL COMMUNICATIONS.



**Cost Proposal presented to
Town of Loxahatchee Groves, Florida
August 26, 2016.**

JILL MASON FLORIDA **ACCOUNT REPRESENTATIVE**

TEL 866 939 0911 x 1311
EMAIL jmason@ecnetwork.com
WEB ecnetwork.com
OFFICE 780 W. Granada Blvd.
Ormond Beach, FL 32174



Alert. Inform. Affect Lives.

COST PROPOSAL (PRICING GOOD FOR 90 DAYS FROM 8/26/2016)

Keep staff and residents safe and informed with the CodeRED system. Quickly notify staff of time critical information, emergencies and day-to-day operations updates. Send targeted emergency and community notifications to mobile subscribers located in specific geographic areas within your jurisdiction.

A license includes 24/7/365 uninterrupted CodeRED system access and the following:

- CodeRED system set-up and training
- 7,500 Anytime system minutes
- Unlimited text, email and social media messaging
- Initial residential / business calling database records supplied by ECN
- Unlimited Contact Groups and List
- Unlimited CodeRED Mobile App use
- Unlimited Use of Launcher App
- Quick Launch solution
- Quick Text solution
- Integration and geocoding of customer supplied data (previous vendor, 911 data, utility data, etc.)
- ECN ESRI-based mapping and geocoding
- 24/7/365 technical customer support
- Complimentary system time for testing and training
- Complementary “All Call” to your entire database – Validata
- Design and hosting of custom Web page for community enrollment

\$3,250= Annual Cost

(based on a population of 3,203)

This doesn't limit you on how many phone numbers per household

Alternative Annual Pricing Plans

\$3,750 = Unlimited Emergency –Includes road repair, street closures, anything that potential harm your citizens ... Plus (7,500 system minutes for your general notification)

\$4,010 = Limitless (Unlimited use for general notification and Emergency notifications)

****\$1,250 = Add CodeRED Weather Warning****

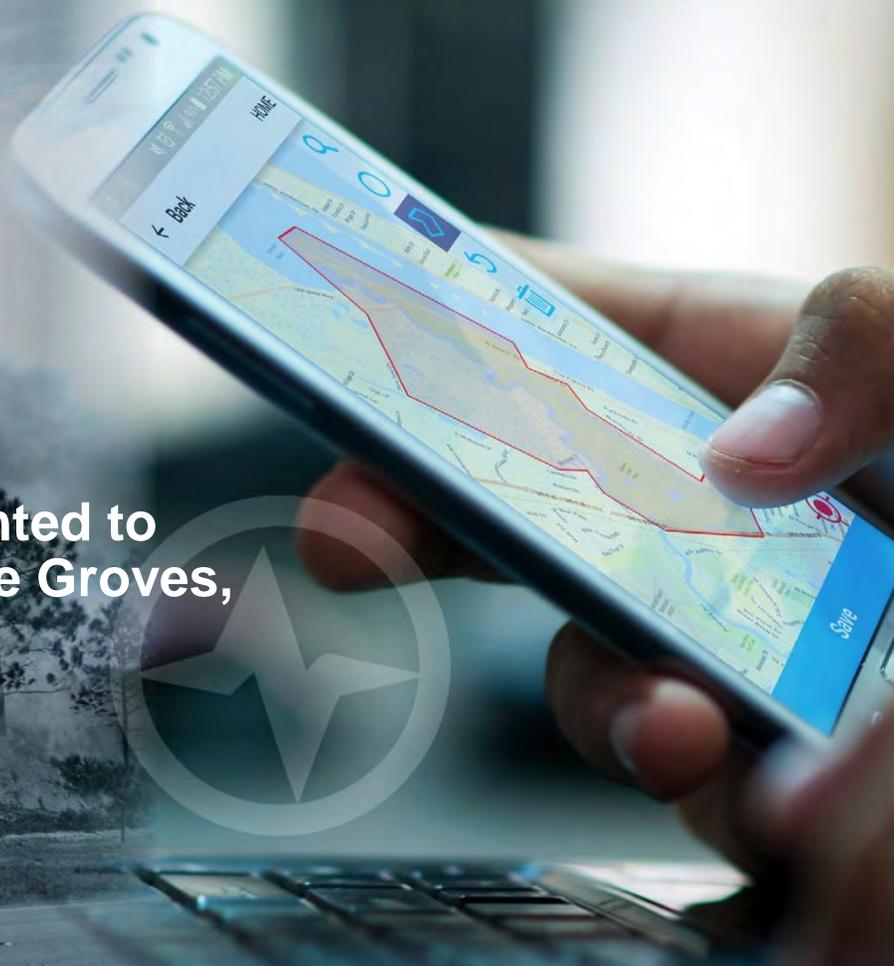
Thank you for your time at FLOC and the opportunity to submit this cost proposal to the Town of Loxahatchee Groves.

JILL MASON FLORIDA ACCOUNT REPRESENTATIVE



Emergency Communications Network®

THE INDUSTRY LEADER IN CRITICAL COMMUNICATIONS.

A close-up photograph of a hand holding a smartphone. The screen displays a map application with a red line indicating a route. The background of the slide is a blurred image of a road and trees under a cloudy sky.

**Solution Overview presented to
The Town Of Loxahatchee Groves,
Florida
August 26, 2016**

JILL MASON ACCOUNT REPRESENTATIVE

TEL 866 939 0911 x 1311
EMAIL jmason@ecnetwork.com
WEB ecnetwork.com
OFFICE 780 W. Granada Boulevard, Ormond Beach, FL 32174



Alert. Inform. Affect Lives.

Emergency Communications Network

Emergency Communications Network, LLC (ECN) has developed the industry's most reliable notification services capable of reaching hundreds of thousands of citizens in minutes. ECN has been in the critical communications business for over a decade, developing and implementing the technology that has delivered more than a billion messages.

ECN's web-based product suite features four hosted solutions for municipalities:

- **CodeRED**® for community and staff notifications
- **CodeRED Weather Warning**™ for automated severe weather alerts
- **CodeRED for IPAWS** for integrated access to the nation's alerting system
- **MyDailyCall**™ for checking on at risk individuals



CodeRED

The CodeRED solution was designed specifically to enable local government and public safety officials to record, send and track personalized voice, email, text and social media messages to citizens as well as staff. ECN employs proprietary mapping technology and patented delivery methods as integral components of its high-speed notification system which has been in operation since 1998.





CodeRED Mobile Alert app

This latest innovation in the public safety arena answers the question asked by many Emergency Managers nationwide – “How do we communicate with people in our jurisdiction who do not reside here?”

The answer is by using a location-based method to deliver CodeRED initiated messages. The CodeRED Mobile Alert app is geo-aware and sends push notifications to a subscriber’s device when alerts are issued for the geographical area they are in. This advanced technology enables local officials to reach those passing through their jurisdiction and also helps to protect citizens when traveling outside their local coverage area in any community that uses CodeRED.



select audience

Simple implementation

The CodeRED system is operational immediately and is ready for use today. With no equipment to install or phone lines to add, authorized users simply login to the CodeRED system with their password to begin. An initial calling database and local maps are provided by ECN and are instantly available to enable users to easily target residents and businesses by specified area.



record

Ease of use

The CodeRED system was designed to be easy to use even under the most strenuous of conditions. Expecting use under pressure, ECN built the feature rich interface with a simple three step process to initiate critical communications. Messages may be launched by authorized users via telephone or the Internet, from anywhere at any time.



launch

Training and refresher courses are regularly provided via live web-based seminars to ensure that your staff is always comfortable with the system and confident in their ability to launch a notification.



notify

Live client support

Available 24/7/365, ECN’s Client Support Team is staffed by poised individuals thoroughly trained on all aspects of the CodeRED system. In addition to handling inbound inquiries, the team monitors system activity as well as weather and other news feeds to stay on top of developing situations, and when appropriate, they reach out to clients to provide suggestions and support for system use.



Technology

ECN's robust platform and sophisticated infrastructure includes multiple built-in redundancies to support thousands of jobs running simultaneously.

Proprietary, trademarked technology is used to ensure messages are delivered in their entirety regardless if the call is picked up by a person, or by an answering device. If a call is missed, message recipients may simply dial the system back via the toll-free number displayed on their caller ID, to hear the last message delivered to their phone. This Universal ANI® feature is not only a convenience for the recipients of notifications; but, it also relieves inbound calling pressure on your personnel and often overworked emergency lines.

Further, ECN manages its entire network to maintain control over dialing and doesn't rely on third-party, shared lines to place calls. This dedicated network ensures client jobs initiate immediately and do not have to be queued or competed by available phone lines with other dialing priorities. And by eliminating any dependence on third-party Service Level Agreements (SLAs), an entire layer of potential failure is removed.

Speed

ECN's massive system capacity is able to transmit millions of messages an hour. Each account is throttled and system resources are allocated to match the local telephone infrastructure, resulting in more connected calls, less network congestion, and fewer busy signals. The CodeRED system was built for use during time-sensitive situations, when what matters most is that communications are getting through as quickly as possible.

Mapping

For use when messages need to be geographically targeted, the web-based mapping interface, written by ECN, is both intuitive and easy to use. CodeRED utilizes ESRI mapping as a foundation and has created area selection tools that range from polygons to simple paint brush tools, allowing users to quickly become familiar with the map's features. ECN hosts all components of the mapping interface, relying on no third-party providers.



ECN includes local mapping with the license of CodeRED and additionally, has the ability to provide custom maps using client supplied GIS layers, or by integrating client supplied street layer mapping to the ESRI foundation. With CodeRED there is no requirement for client communities to purchase GIS software and also there is no need to utilize internal resources to host, maintain, or update maps.

Calling data

Each client accesses a database which is populated by drawing from multiple sources. All compiled data is verified and addresses are assigned lat/long coordinates by ECN’s custom multi-layer geo-coding service.

ECN provides initial calling data for immediate use; this allows communities to be up on CodeRED quickly. Data is acquired through various commercial sources and includes residential and business data as well as some mobile phones and VoIP numbers. This data is provided at no additional cost and serves as the foundation for each client’s database.

The middle data tier is supplied by the client. Communities using CodeRED typically provide data from their local utilities as well as their 911 data. ECN geo-codes all client supplied data as a standard part of the database building process.



And finally, the most accurate layer of the pyramid is created by entries on the Community Notification Enrollment (CNE) page. ECN provides a custom Web page for each community that allows residents and businesses to directly submit additional calling data, text and email addresses, as well as TDD/TTY requirements to further populate the database. All information added to CNE is instantly available for use in CodeRED.

Validata®

The CodeRED database is scrubbed using the unique Validata process, numbers that cannot be confirmed as valid are removed to create a cleaner, more efficient calling list.

Internal use

The CodeRED system enables users to easily import data groups with up to eight points of contact including text and email addresses. ECN developed this multi-channel approach to internal communications as a way to ensure message consistency for first responder notifications, critical incident call outs and official comment direction. With a few clicks of the mouse multiple groups, an individual group, or specific group members can quickly be contacted. Users select the best way to send alerts and can then verify that the information was delivered rapidly and accurately.



Integrated Public Alert and Warning System (IPAWS)

ECN, the first vendor to successfully submit a job into the IPAWS program, has developed a Message Origination application within CodeRED for launching IPAWS messages. This functionality is made available to individuals who are authorized to use IPAWS and opens up a new communication channel as an Alert Disseminator in support of the FEMA program. (Note: there is a fee associated.)

Affordability

ECN has priced its CodeRED solution to be cost-effective. There are no set-up fees to pay, no equipment to buy, no phone lines to lease and no annual maintenance is required. System time, training and support, initial calling database, mapping, integration of client supplied data and database clean-up are all included.

ECN's pricing structure is calculated based on population and is designed to be FEMA friendly to help communities qualify for reimbursement when eligible.

Currently, CodeRED is used every day by clients from coast to coast across the U.S. and in Canada. To find out why the CodeRED high-speed notification solution has been selected as the preferred platform for critical communications by your colleagues time and again, we would be pleased to provide a list of clients who use CodeRED so that you can hear directly from them regarding the advantages of the system.

Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT
AGENDA ITEM NO. 9d
MEETING DATE: 09/08/2016

PREPARED BY: William F. Underwood, II

SUBJECT: Roads – Joint Meeting between Town Council and LGWCD Supervisors

1.BACKGROUND/HISTORY

Problem Statement: The LGWCD Supervisors would like to set a meeting between the Town Council and them.

Problem Solution: Recommend a date, time and location for a joint meeting.

This office received an email from Mr. Yohe, Administrator, LGWCD, advising the Supervisors have requested a joint meeting regarding the disposition of roads within the Town borders. The offer is to set a meeting for Monday, October 10, 2016, at the LGWCD office on D Road. Attached is Mr. Yohe’s email for your review.

2.CURRENT ACTIVITY

A response to the request was submitted by this office to Mr. Yohe. My response indicated that Tuesday, October 4th, in Town Council chambers at Town Hall would be preferred for several reasons. First, their proposed date is a legal holiday and Town Hall will be closed. Second, the Town has larger facilities which can accommodate double the number of citizen attendees. Third, the Town provides a live streaming facility for citizens that desire to view the meeting over the internet. Fourth and finally, the video would be available for review in the future by any interested party.

3.ATTACHMENTS

Email Stephen Yohe, Administrator, LGWCD
Email William Underwood, Town Manager, Town of Loxahatchee Groves

4.FINANCIAL IMPACT

No financial impact for this meeting

5.RECOMMENDED ACTION

Motion to recommend the joint meeting be set for October 4th, at 7:00 p.m., in Town Council chambers at 155 F Road, Loxahatchee Groves, FL 33470.

William (Bill) Underwood, II

From: Stephen E. Yohe <yohe@lgwcd.org>
Sent: Tuesday, August 16, 2016 3:55 PM
To: William (Bill) Underwood, II
Cc: fschiolalgwcd@aol.com; danowski@lgwcd.org; kane@lgwcd.org; dwidning344@bellsouth.net; Simon Fernandez; viator@caldwellpacetti.com
Subject: Proposed October 10, 2016 Town Council and District Board Workshop

Bill,

Following a discussion at the District's August 15, 2016 Board Meeting, the District Board of Supervisors recommended having a publicly advertised Workshop with the Town Council on Monday, October 10, 2016 from 7:00 to 10:00 pm to discuss District roads. The District envisions this as a Round Table discussion relating to the Town's proposed plan for District roads, the time table for implementation of any proposed plan, and the cost and funding source to implement the Town's plan so as to determine a rational course of action that is in the best interest of the landowners. The District is offering to host the Workshop with the understanding that any follow up meetings would alternate between the Town Council Chamber and District Boardroom for subsequent Workshops, as needed.

Please let me know if this is satisfactory to the Town Council or whether another date and time is preferred.

Thanks.

Steve



Stephen E. Yohe, P.E.
District Administrator
Loxahatchee Groves Water Control District
P.O. Box 407, 101 West "D" Road
Loxahatchee, FL 33470-0407
Phone: 561-793-0884
Fax: 561-795-6157
E-mail: yohe@lgwcd.org

While I attempt to respond to my email requests in a timely manner, please do not rely on email alone as a means to communicate time-sensitive requests and notifications. Refer to the contact number provided so that I may assist you promptly. Please note that Florida has very broad public records laws. Most written communications to or from local officials regarding official business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

William (Bill) Underwood, II

From: William (Bill) Underwood, II
Sent: Thursday, August 25, 2016 3:32 PM
To: Stephen E. Yohe
Subject: Fwd: Proposed October 10, 2016 Town Council and District Board Workshop

Steve,

I apologize for this delay. For whatever reason, I didn't get you in the "TO:". Here is a response I sent a few days earlier.

William F. Underwood, II, Town Manager

Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470
Get [Outlook](#) for iOS

From: William (Bill) Underwood, II <wunderwood@loxahatcheegrovesfl.gov>
Sent: Monday, August 22, 2016 9:36 PM
Subject: RE: Proposed October 10, 2016 Town Council and District Board Workshop
To: William (Bill) Underwood, II <wunderwood@loxahatcheegrovesfl.gov>
Cc: Ron Jarriel <rjarriel@loxahatcheegrovesfl.gov>, Todd McLendon <tmclendon@loxahatcheegrovesfl.gov>, David Browning <dbrowning@loxahatcheegrovesfl.gov>, Virginia Walton <vwalton@loxahatcheegrovesfl.gov>, <mcirullo@cityatty.com>, Tom Goltzene <tgoltzene@loxahatcheegrovesfl.gov>, Ryan Liang <rliang@loxahatcheegrovesfl.gov>

Steve,

We anticipate the meeting may have a number of concerned citizens attending and others that may wish to view it live through the Town's web streaming system. While I appreciate the district's offer to host the meeting, I believe that Town Council chambers in Town Hall is a better location to hold the meeting(s) as we can accommodate over 120 individuals in the Council Chambers, in the lobby, which has live viewing, and on the covered porch which includes a sound system. All meetings are streamed live and recorded for future review and the meetings can be held with ease at this location. Town Council meetings and workshops are held in the Council Chambers. Town Hall is closed on the 10th (a legal holiday), so I would recommend your Board consider Tuesday, October 4th.

From: Stephen E. Yohe [<mailto:yohe@lgwcd.org>]
Sent: Tuesday, August 16, 2016 3:55 PM
To: William (Bill) Underwood, II
Cc: fschiolalgwcd@aol.com; danowski@lgwcd.org; kane@lgwcd.org; dwiding344@bellsouth.net; Simon Fernandez; viator@caldwellpacetti.com
Subject: Proposed October 10, 2016 Town Council and District Board Workshop

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Please let me know if this is satisfactory to the Town Council or whether another date and time is preferred.

Thanks.

Steve



Stephen E. Yohe, P.E.
District Administrator
Loxahatchee Groves Water Control District
P.O. Box 407, 101 West "D" Road
Loxahatchee, FL 33470-0407
Phone: 561-793-0884
Fax: 561-795-6157
E-mail: yohe@lqwcd.org

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Town of Loxahatchee Groves, Florida
Town Council
AGENDA ITEM REPORT
AGENDA ITEM NO. 9e
MEETING DATE: 09/08/2016

PREPARED BY: William F. Underwood, II
SUBJECT: FY 2017 Meeting Schedule

1.BACKGROUND/HISTORY

Problem Statement: The Town Council needs to identify the future Town Council meeting schedule for FY 2017.

Problem Solution: Approve FY 2017 Town Council meeting schedule.

At the April 5, 2016, Town Council meeting, the Council approved the meeting schedule through September 2016.

2.CURRENT ACTIVITY

Staff prepared new calendars representing the balance of calendar year 2016 and a proposed calendar for the year that ends in September 2017.

3.ATTACHMENTS

Calendar 2016
Calendar 2017

4.FINANCIAL IMPACT

Not applicable at this time.

5.RECOMMENDED ACTION

Motion to approve proposed meeting schedule calendars 2016 and 2017.

COUNCIL MEETING SCHEDULE

SEPTEMBER 1, 2016 TO DECEMBER 31, 2016

September 2016						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Sept. 8th TC Meeting Prelim Tax Levy/Budget/Final
Solid Waste Assessment
Sept. 20th TC Meeting Final Tax Levy/Budget Hearing

October 2016						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Oct. 4th Joint Workshop w/WCD
Oct. 18th TC Meeting

November 2016						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Nov. 1st TC Meeting
Nov. 15th TC Meeting (Skip)

December 2016						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Dec. 6th TC Meeting
Dec. 20th TC Meeting (Skip)

COUNCIL MEETING SCHEDULE

JANUARY 1, 2017 TO SEPTEMBER 30, 2017

January 2017						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Jan 3rd TC Meeting (Skip)
Jan 17th TC Meeting

February 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Feb 7th TC Meeting
Feb 21st TC Meeting (Skip)

March 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

March 7th TC Meeting (Skip)
March 21st TC Meeting – Swearing In/Reorganization

April 2017						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

April 4th TC Meeting (Skip??)
April 18th TC Meeting

May 2017						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

May 2nd TC Meeting (Skip)
May 16th TC Meeting

June 2017						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

June 6th TC Meeting (Skip)
June 20th TC Meeting

July 2017						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

July 4th TC Meeting (Skip – Holiday)
July 18th TC Meeting – set millage/solid waste

August 2017						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August 1st TC Meeting
August 15th TC Meeting (Skip)
Aug.17th – 19th FLC Annual Conference

September 2017						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Sept. 5th TC Meeting Prelim. Tax Levy/Budget/Final Solid Waste Assessment
Sept. 19th TC Meeting Final Tax Levy/Budget Hearing

District 15 Loxahatchee Groves

Monthly Report: July 2016



Calls for Service (self-generated)	Monthly
Business/Residence Checks	54
Traffic Stops	10
Dispatched calls	172
Total	236

Traffic Summary	Monthly
Warnings	6
Citations	4
Totals	10

Summary: During the month, D15 deputies handled (269 total) calls for service. 40% of calls for service were self-generated.

Part I Crimes Case #'s	Monthly
Murder	0
Sexual Assault	0
Robbery	0
Aggravated Assault	1
Burglary	1
Theft	4
Motor Vehicle Theft	0
Arson	0
Total	6

Summary: There was (0) vehicle burglaries, one (1) assault cases, four (4) thefts, and zero (0) motor vehicle theft.

Burglary: 16-099330 On 07/08/2016 a burglary was reported to a landscaping trailer. All of the gas powered tools were taken: including two leaf blowers, three weed eaters, and two hedge trimmers. Upon more investigations the victim found out his shed was also broken into and additional tools were taken. Victim stated the trailer was not locked, no other information.

Theft: 16-096815 On 07-01-2016 a delayed theft was reported of various checks. A business owner of Gordon's nursery noticed a check receipt book with customers checks to his business valued at approximate 2,500 was missing. The victim had no information about who would have taken the checks, no other information.

16-099165 On 07-05-2016 an unknown male and female took a red miniature pinscher into the the Palms West Animal Hospital and asked for the owners information. After 48hrs the dog was still not returned to the owner. No other suspect information was available.

16-102921 On 07-07-2016 a delayed theft of a water filtration system was reported. Nothing further.

16-100930 On 07-11-16 a manager for Jet Plumbing reported two tools were stolen from D Rd. during an appointment at the job site. No other information.

Assault: On 7-30-2016 a victim called 911 to report an assault from her boyfriend. She said he pushed her, spit at her and threw a drink at her. The case was sent to the State Attorney's office for a warrant request.



Fire Rescue

Chief Jeffrey P. Collins
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Shelley Vana, Mayor
Mary Lou Berger, Vice Mayor
Hal R. Valeche
Paulette Burdick
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

Official Electronic Letterhead

August 4, 2016

William F. Underwood, II, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee, FL 33470

Dear Mr. Underwood:

Enclosed is the Response Time Report for the Town of Loxahatchee Groves for the month of July 2016. If you have any questions or concerns, please contact me at 561-308 4103.

Sincerely,

Michael Arena, Battalion Chief
Palm Beach County Fire-Rescue



8/3/2016

Palm Beach County Fire Rescue

Loxahatchee Groves Response Time Report

20160701 to 20160731

Event #	Station	Location of Event	Date	Received	Entered	Dispatch	Enroute	Onscene	Close	Disp Hand	Turnout	Travel	Resp Time*
Emergency Calls:													
F16110067	21	SOUTHERN BLVD LOX	07/03/2016		10:14:52	10:14:59	10:15:20	10:21:56	10:48:49	0:00:32	0:00:21	0:06:36	0:07:29
F16110159	21	GLOBAL TRL LOX	07/03/2016	13:41:02	13:41:29	13:41:37	13:42:01	13:50:34	14:33:59	0:00:35	0:00:24	0:08:33	0:09:32
F16110706	21	NORTH RD LOX	07/04/2016	13:10:32	13:10:52	13:10:54	13:12:49	13:25:37	14:15:19	0:00:22	0:01:55	0:12:48	0:15:05
F16110708	21	COMPTON RD LOX	07/04/2016		13:11:31	13:11:47	13:12:01	13:16:37	13:39:47	0:00:41	0:00:14	0:04:36	0:05:31
F16111236	21	24TH CT N LOX	07/05/2016		09:22:37	09:22:44	09:23:19	09:26:11	10:04:07	0:00:32	0:00:35	0:02:52	0:03:59
F16112119	21	NORTH RD/F RD LOX	07/06/2016	21:07:55	21:08:43	21:08:50	21:09:22	21:16:12	21:59:21	0:00:55	0:00:32	0:06:50	0:08:17
F16112629	26	NORTH RD LOX	07/07/2016		18:00:12	18:00:20	18:01:02	18:11:39	18:38:52	0:00:33	0:00:42	0:10:37	0:11:52
F16112863	21	TANGERINE DR LOX	07/08/2016		06:24:03	06:24:09	06:25:59	06:32:22	06:54:57	0:00:31	0:01:50	0:06:23	0:08:44
F16113165	21	OKEECHOBEE BLVD/C RD LOX	07/08/2016		17:19:11	17:19:17	17:20:00	17:22:57	17:51:11	0:00:31	0:00:43	0:02:57	0:04:11
F16114478	21	SOUTHERN BLVD LOX	07/11/2016	06:53:12	06:53:43	06:54:10	06:55:08	07:01:59	07:16:06	0:00:58	0:00:58	0:06:51	0:08:47
F16117507	21	OKEECHOBEE BLVD LOX	07/16/2016	15:38:27	15:39:09	15:39:13	15:39:48	15:43:06	16:21:22	0:00:46	0:00:35	0:03:18	0:04:39
F16118143	21	C RD LOX	07/17/2016	18:22:18	18:22:35	18:22:45	18:23:12	18:27:06	19:01:04	0:00:27	0:00:27	0:03:54	0:04:48
F16118758	20	COLLECTING CANAL RD LOX	07/18/2016	20:09:34	20:10:06	20:10:17	20:10:56	20:17:01	20:51:02	0:00:43	0:00:39	0:06:05	0:07:27
F16120321	21	TRIPP RD LOX	07/21/2016		16:08:19	16:08:38	16:09:29	16:16:54	17:32:43	0:00:44	0:00:51	0:07:25	0:09:00
F16120788	21	OKEECHOBEE BLVD/F RD LOX	07/22/2016		12:18:13	12:18:19	12:18:59	12:22:21	12:47:38	0:00:31	0:00:40	0:03:22	0:04:33
F16121071	20	COLLECTING CANAL RD LOX	07/22/2016		21:08:56	21:09:00	21:09:47	21:15:14	22:12:01	0:00:29	0:00:47	0:05:27	0:06:43
F16121264	21	OKEECHOBEE BLVD/B RD LOX	07/23/2016		07:24:29	07:24:38	07:25:11	07:29:22	07:52:10	0:00:34	0:00:33	0:04:11	0:05:18
F16121569	21	C RD/OKEECHOBEE BLVD LOX	07/23/2016		17:38:35	17:38:45	17:39:11	17:42:09	17:55:14	0:00:35	0:00:26	0:02:58	0:03:59
F16121583	21	B RD LOX	07/23/2016		18:17:29	18:17:48	18:18:39	18:24:40	19:05:02	0:00:44	0:00:51	0:06:01	0:07:36
F16121947	20	STATE ROAD 80 LOX	07/24/2016	12:28:14	12:28:49	12:28:55	12:29:15	12:35:14	13:08:52	0:00:41	0:00:20	0:05:59	0:07:00
F16122156	21	WILLIAMS DR LOX	07/24/2016	19:49:05	19:49:20	19:49:31	19:50:07	19:58:07	20:11:13	0:00:26	0:00:36	0:08:00	0:09:02
F16122805	21	42ND ST N LOX	07/25/2016	23:13:38	23:14:05	23:14:13	23:15:47	23:23:15	00:10:47	0:00:35	0:01:34	0:07:28	0:09:37
F16122937	21	C RD LOX	07/26/2016		08:43:46	08:43:59	08:44:38	08:50:44	09:29:19	0:00:38	0:00:39	0:06:06	0:07:23
F16123240	21	A RD/OKEECHOBEE BLVD LOX	07/26/2016	18:32:02	18:32:17	18:32:27	18:33:09	18:38:19	18:55:42	0:00:25	0:00:42	0:05:10	0:06:17
F16123380	21	FOLSOM RD LOX	07/26/2016	23:41:01	23:43:27	23:43:33	23:44:12	23:50:27	23:58:57	0:02:32	0:00:39	0:06:15	0:09:26
F16123731	21	F RD LOX	07/27/2016	15:49:48	15:50:14	15:50:19	15:50:59	15:57:00	16:34:16	0:00:31	0:00:40	0:06:01	0:07:12
F16124297	26	NORTH RD LOX	07/28/2016		17:11:59	17:12:04	17:12:20	17:19:10	18:16:56	0:00:30	0:00:16	0:06:50	0:07:36
F16125114	21	APRIL DR LOX	07/30/2016		00:11:37	00:11:43	00:13:22	00:23:35	00:51:30	0:00:31	0:01:39	0:10:13	0:12:23



8/3/2016

Palm Beach County Fire Rescue

Loxahatchee Groves Response Time Report

20160701 to 20160731

Event #	Station	Location of Event	Date	Received	Entered	Dispatch	Enroute	Onscene	Close	Disp Hand	Turnout	Travel	Resp Time*
Average Response Times:										0:00:40	0:00:45	0:06:12	0:07:37
Non Emergency Calls:													
F16117398	21	D RD LOX	07/16/2016	11:59:56	12:03:12	12:03:46	12:04:32	12:19:12	12:38:43	0:03:50	0:00:46	0:14:40	0:19:16
F16121476	21	SOUTHERN BLVD LOX	07/23/2016		14:14:23	14:14:36	14:15:27	14:21:51	14:50:25	0:00:38	0:00:51	0:06:24	0:07:53
F16124917	21	22ND RD N LOX	07/29/2016		16:18:24	16:18:36	16:19:22	16:23:52	17:50:47	0:00:37	0:00:46	0:04:30	0:05:53
F16126151	21	24TH CT N LOX	07/31/2016		20:31:57	20:32:05	20:33:02	20:38:30	21:08:36	0:00:33	0:00:57	0:05:28	0:06:58
Corrupt Data:													
F16111063	21	F RD LOX	07/05/2016	00:29:50	00:30:15	00:30:11	00:31:30	00:35:53	01:07:02	Entered Time is greater than Dispatched Time			
F16113156	20	SOUTHERN BLVD PBC	07/08/2016		17:01:45	17:01:53	17:02:29		17:04:46	Empty Time Fields			

Total number of Events: 34

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



8/4/2016

Palm Beach County Fire Rescue

Loxahatchee Groves - # of Calls by Situation Disp

20160701 to 20160731

<u>Situation Dispatched</u>	<u># of Events</u>
Vehicle Accidents:	8
Fall:	4
Sick Person:	3
Powerlines Down:	2
Traumatic Injuries:	2
141	2
910	2
Brush Fires:	1
Illegal Burn:	1
Investigation:	1
Chest Pain:	1
Difficulty Breathing:	1
Unconscious:	1
Fainting/Syncope:	1
Assault:	1
Stroke:	1
174	1
605	1
Total number of Events:	34



8/3/2016

Palm Beach County Fire Rescue

Loxahatchee Groves - # of Calls by Type

20160701 to 20160731

<u>Type - Situation Dispatched</u>	<u># of Incidents</u>
Medical Calls:	21
Vehicle/Boating Accidents:	8
Fires:	1
Hazardous Material\Power Lines Down	2
Assists\Investigations:	2
Total number of Events:	34

Calls by Situation Dispatched

