

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2012-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE CREATION OF THE “UNIFIED LAND DEVELOPMENT CODE REVIEW COMMITTEE”; PROVIDING FOR DUTIES OF THE COMMITTEE; PROVIDING FOR THE METHOD OF APPOINTMENT OF COMMITTEE MEMBERS; PROVIDING FOR COMPLIANCE WITH FLORIDA’S SUNSHINE LAW AND PUBLIC RECORDS LAW; PROVIDING FOR PROCEDURAL MATTERS OF THE COMMITTEE; PROVIDING FOR SUNSETTING OF THE COMMITTEE; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, it is the desire of the Town Council of the Town of Loxahatchee Groves, Florida, to create the “Unified Land Development Code Review Committee” to review the Town’s Unified Land Development Code (ULDC) to advise the Town Council as to suggested revisions to the ULDC; and

WHEREAS, the primary responsibilities of the Town’s Unified Land Development Code Review Committee will be to conduct public meetings and workshops to review issues relating to the ULDC, and provide recommendations to the Town’s Planning and Zoning Board, which sits as the Town’s Local Planning Agency, and the Town Council, for changes to the ULDC; and

WHEREAS, the Town Council desires to encourage full participation by all residents of Loxahatchee Groves who are interested in being appointed to the Town's Unified Land Development Code Review Committee; and

WHEREAS, the Town Council desires to enact procedures by which the individual Council Member’s appoint members to the Unified Land Development Code Review Committee; and

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WHEREAS, the Town Council determines that the creation of the Unified Land Development Code Review Committee is in the best interests of the residents of the Town.

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

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

Section 2. The Town Council hereby establishes the Town’s “Unified Land Development Code Review Committee” as follows:

- I. Creation of the “Unified Land Development Code Review Committee.”** There is created the Unified Land Development Code Review Committee to act as an advisory board to the Town Council, as follows:
 - (A) **Membership.** The Committee shall be comprised of five (5) voting members, to be appointed by individual Town Council Members. The members shall serve at the pleasure of the Town Council. The terms of the voting members shall run concurrently with the term of the Council Member who nominated the voting member to the Committee.
 - (B) **Qualifications.** Each member of the Unified Land Development Code Review Committee shall be an elector of the Town.
 - (C) **Duty.** The Unified Land Development Code Review Committee’s duty is to review and provide recommendations on changes to the Town’s currently adopted Unified Land Development Code, consistent with direction from the Town Council.
 - (D) **An attendance requirement shall be imposed on all members of the Unified Land Development Code Review Committee.** Unless excuse of absence is granted by the Unified Land Development Code Review Committee, a member of the Unified Land Development Code Review Committee shall be removed by the Town Council if he/she has missed three (3) consecutive meetings of the Committee.

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- (E) Committee members, and/or companies or employers in which the members have a direct financial interest, shall not do business with the Town, in accordance with Florida Statutes 112.313, and pertinent opinions of the Florida Commission on Ethics. If any member of the Committee finds that his/her personal interests are involved in any matter coming before the Town Council, he/she shall disqualify himself/herself from all participation in the matter.
 - (F) If a regular member of the Unified Land Development Code Review Committee resigns or is removed from his or her position, the nominating Council Member shall appoint the replacement.
- II. Advisory Only.** The actions, decisions, and recommendations of the Unified Land Development Code Review Committee shall be advisory only.
- III. Meetings, Dates, Procedures, Records, Quorum, and Compensation.**
- (A) The Unified Land Development Code Review Committee shall hold an organizational meeting within thirty (30) days following the appointment by the Town Council of the members of the Unified Land Development Code Review Committee. The Unified Land Development Code Review Committee shall elect a Chair and Vice Chair at such organizational meeting.
 - (B) The Unified Land Development Code Review Committee shall meet on a regular or as-needed basis, as determined by the Town Manager.
 - (C) All meetings, records and files of the Unified Land Development Code Review Committee shall be open and available to the public, consistent with Chapter 119, Florida Statutes (the Public Records Law) and Chapter 286, Florida Statutes (the "Sunshine Law"). In addition, members of the Unified Land Development Code Review Committee shall ensure that their actions are in compliance with Chapter 119, Florida Statutes (the "Public Records Law") and Chapter 286, Florida Statutes (the "Sunshine Law").
 - (D) Notice for any meeting of the Unified Land Development Code Review Committee shall be posted in accordance with Chapter 286, Florida Statutes (the "Sunshine Law") and on the Town's website and at the Town Office no later than 24 hours prior to the scheduled meeting.
 - (E) Three (3) members in attendance shall constitute a quorum of the Unified Land Development Code Review Committee.

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(F) The Town Manager or his\her designee shall act as secretary to the Unified Land Development Code Review Committee, and be responsible for attending all meetings and providing the items necessary for conducting meetings, as requested by the Chair, and for recording and preparation of meeting minutes. The Town Attorney or his\her designee shall act as attorney for the Unified Land Development Code Review Committee, on an as-needed basis.

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

(H) Members of the Unified Land Development Code Review Committee shall serve without compensation for the performance of their duties.

Section 3. Sunset of the Unified Land Development Review Committee. Unless extended by the adoption of a Resolution by the Town Council, the Unified Land Development Code Review Committee shall complete its work and cease to exist as of December 31, 2013.

Section 4. Severability. If any clause, section, or other part or application of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated, and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

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

Section 6. Effective Date. This Resolution shall take effective immediately upon its adoption.

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ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES,
FLORIDA, this 20th day of November, 2012.

ATTEST:



Susan Eithman
TOWN CLERK

APPROVED AS TO LEGAL FORM:

[Signature]
Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

David Browning
Mayor David Browning

Jim Rockett
Vice Mayor Jim Rockett

[Signature]
Council Member

Tom Colth
Council Member

Ronald Garrison
Council Member

MDC

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