

TOWN OF LOXAHATCHEE GROVES
Town Hall Council Chambers
TOWN COUNCIL REGULAR MEETING
AGENDA

The Town Council will convene meeting to recess, from 4:30 PM - 6:00 PM to hold a legal "Shade Meeting" (closed) to discuss pending litigation settlement(s).

July 7, 2020 - 7:00 P.M.

Due to State/Palm Beach County COVID-19 distancing guidelines in place, public audience will not be accommodated in town hall at this meeting. Public comments will be accepted by email or writing to the Town Clerk's office in advance. The meeting will be live-streamed and close captioned on the town website.



Lisa El-Ramey, Mayor (Seat 3)

Phillis Maniglia, Councilmember (Seat 1)

Laura Danowski, Councilmember (Seat 2)

Robert Shorr, Councilmember (Seat 4)

Marge Herzog, Vice Mayor (Seat 5)

Administration

Town Manager, James S. Titcomb

Assistant Town Manager, Francine L. Ramaglia

Town Attorney, R. Brian Shutt, Esq.

Town Clerk, Lakisha Q. Burch

Director of Public Works, Larry A. Peters, P.E.

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That's why we say "Character Counts" in Town of Loxahatchee Groves. Civility is practiced at all Town meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida, (561) 793-2418.

Quasi-Judicial Hearings: Some of the matters on the Agenda may be "quasi-judicial" in nature. Town Council Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. Unsworn comment will be given its appropriate weight by the Town Council.

Appeal of Decision: If a person decides to appeal any decision made by the Town Council with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

Consent Calendar: Those matters included under the Consent Calendar are typically self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any Town Council Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a Town Council Member, or by any member of the public desiring it to be heard, without a motion.

TOWN COUNCIL AGENDA ITEMS

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

4:30 - 6:00 PM – Town Council will Call to Order, then recess along with Town Attorney, Manager and Court Reporter for a legal “Shade” Meeting to discuss litigation settlement options*

**See separately attached Shade Meeting Notice & Agenda.*

Regular Council Meeting (reconvenes)

Additions/Deletions/Modifications to the Agenda

Comments from The Public on Non-Agenda Items

Under FL Governor Executive Order Number 20-150 modifying rules for Public Meetings, and COVID-19 Palm Beach County Declarations - THIS MEETING IS CLOSED to in-person attendance above 10 persons (Council & Staff). Public Comment for this meeting may be received by email, or in writing to the Town Clerk’s Office until 6:30 PM day of meeting. Comments received will be received/filed and acknowledged as part of the official public record for the meeting. The meeting will be live-streamed and close-captioned for the public via our website.

CONSENT AGENDA

1. (Legislative) Town Lobbyist Updates - State Funding and Appropriations. – Filed Report

REGULAR AGENDA

2. (Admin/Finance) TRIM 2021 Documents & Resolutions to set Maximum Millage (MM) and other procedural requirements toward for FY21 process of adoption.
3. (Engineering) Approval of Keshavarz Town “Footprint Project” combination of main maintenance maps for array of streets and Letter roads to establish official ROW grid.
4. (Finance) Approval of Roads & Drainage Projects – Changes & Purchase Orders pending. Including finalization on “Big Dog” drainage and funded paving improvements.
5. (Finance) Warrant DD-08, Transfers between Town & Dependent Water Control District.
6. (Finance) Tentative Approval and Authorizing Town Manager to execute the “Bank United” Emergency Fund - Line of Credit on date certain.
7. (Legal) Discussion of drafting an Ordinance of the Town - Amending the ULDC (Unified Land Development Code) Enacting new language on “Recreational Vehicles” (RV) to provide for new regulations and permissions on Recreational Vehicles moving forward.
8. (Council) Committee Appointments - Appointment Resolutions for the ULDC, RETGAC, FAAC and P&Z (LPA) Committees and “Scope of Work” charge to each.
9. (Council) Direction / disposition of surplus “96-Gallon Waste Pro” cans.
10. (Planning) Discussion / direction for workshop meeting on Corridor Overlays for consideration to affect Southern Boulevard and Okeechobee Boulevard. Update on Planner submitted DEO Planning grant deliverables and other related comments.

TOWN COUNCILMEMBERS COMMENTS

Phillis Maniglia, Councilmember (Seat 1)

Laura Danowski, Councilmember (Seat 2)

Lisa El-Ramey, Mayor (Seat 3)

Robert Shorr, Councilmember (Seat 4)

Marge Herzog, Vice Mayor (Seat 5)

TOWN STAFF COMMENTS

Town Manager/ ATM

2019 & 2020 CAFR Audit.

BTR Process, updates and challenges.

Simmons & White “Speed Study” project toward establishing an ordinance for town-wide 25 MPH speed limits, except Okeechobee, Southern and Folsom exemptions.

Town Attorney

Public Works, Planning, Engineering

Adjournment

Comment Cards: Note public comment rules are modified during the COVID-19 pandemic, see above.

Anyone from the public wishing to address the Town Council, it is requested that you complete a Comment Card before speaking. Please fill out completely with your full name and address so that your comments can be entered correctly in the minutes and give to the Town Clerk. During the agenda item portion of the meeting, you may only address the item on the agenda 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.

**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL SPECIAL MEETING AGENDA**

July 7, 2020

4:30 P.M.

TOWN HALL – MEETING CHAMBERS

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

TOWN ATTORNEY ANNOUNCEMENT

1. Pursuant to Section 286.011(8), Florida Statutes, the Town Attorney desires advice concerning pending litigation in the case of 444 B Road LLC and 556 B Road LLC vs. Town of Loxahatchee Groves, Florida, Case No. 2020-CA-000436 in the Circuit Court of the 15th Judicial Circuit, in and for Palm Beach County, Florida.

2. The following individuals will be in attendance: Mayor Lisa El-Ramey, Vice Mayor Marg Herzog, Town Council Members Phillis Maniglia, Laura Danowski and Robert Shorr; Town Manager Jamie Titcomb; Town Attorney Brian Shutt; Attorney Michael Burke; and a Court Reporter.

MAYOR ANNOUNCEMENT

1. Pursuant to Section 286.011(8), Florida Statutes, the Town Council is commencing a closed-door Attorney-Client session for the purpose of discussing the pending litigation aforementioned.

2. The estimated length of the session is approximately one hour.

RECESS

RECONVENE

ADJOURNMENT



June 30, 2020

Honorable Council Members
Town of Loxahatchee Groves
155 F Road
Loxahatchee, Florida 33470

Ref: Executive Summary - Legislative/Grant Status

Honorable Council Members,

The following is an Executive Summary of the Town's Legislative and Grant Status to date, for your review and information.

LEGISLATIVE:

Of four (4) Legislative Priorities submitted to the Legislature, the Town of Loxahatchee Groves had three (3) INCLUDED in the State Budget this year. These included Canal Refurbishment for \$150K, Southern D Road Improvements for \$768,863, and North Road Trail for \$47,500, totaling \$ 966,363 of matching funds potential. All three were included in Governor DeSantis' Veto List yesterday, due to the loss of state revenues from corona virus.

Legislative priorities have been developed by the Board during July of the past two years, and we plan to bring these to you as soon as possible.

GRANTS:

Palm Beach Transportation Planning Agency (TPA) approved the Town of Loxahatchee Groves' two (2) major planning projects, the Roundabout at Folsom/Okeechobee (\$1,486,000) and the Multi-Use Trail on Okeechobee from A Road to Folsom (\$886,105) in their 5 Year Program on June 18, 2020. The total amount of these projects is \$2,372,105.

The above stated Trail Grant INCLUDES (6) six Equestrian/pedestrian friendly crossings and has local funding requirements for Engineering and Design to begin in 2021 of approximately \$215K.

The Town was also able to prevent the Okeechobee Boulevard widening and expansion west from Crestwood Boulevard to State Road 80 being included into the PB TPA's Long Range Transportation Plan (LRTP) through a collaborative effort with our Western Communities in this last round.

Future Grant projects are projected to include Florida DOE and Federal grants for Infrastructure with no matching funds required.

As always, it is our pleasure to work with the Town of Loxahatchee Groves and if you wish to have additional information, please feel free to contact me directly.

Mary McNicholas

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TO: Mayor and Councilmembers
FROM: James Titcomb, Town Manager
VIA: Francine Ramaglia, Assistant Town Manager
SUBJECT: RESOLUTION NO. 2020-DD01 establishing the District's preliminary Road & Drainage non-ad valorem assessment rate for FY 2020-2021

Background:

Truth-in-Millage (TRIM) rates are due to the Palm Beach County Property Appraiser's office by July 24th though the office requests the rates earlier to facilitate preparation of TRIM notices which will be sent out by their office no later than August 20th. The accompanying Resolution 2020-DD01 specifies the District's preliminary non-ad valorem assessment rate for Roads and Drainage to be included on the annual TRIM notice for all taxable property within the boundaries of the Loxahatchee Groves Water Control District.

The proposed rate of \$200 per unit is set at the same rate as in FY 2019-2020 as we continue to develop the proposed budget and capital plan for FY 2020-2021 that will be presented to Council at its budget workshops.

The District's final non-ad valorem assessment rate for Roads and Drainage will be adopted following the required public hearing in September currently scheduled for September 8th. The Council may adopt final rates at or below the preliminary TRIM rates.

Recommendations:

Staff recommends approval of the Resolution No. 2020-DD01 establishing the District's preliminary Road & Drainage non-ad valorem assessment rate for the fiscal year beginning October 1, 2020 proposed at \$200/unit (the same rate as for FY 2020, the current year).

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT
RESOLUTION NO. 2020-DD01**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF DISTRICT SERVICES, INCLUDING WATER CONTROL MAINTENANCE AND REPAIR OF DRAINAGE AND ROADWAYS WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR DISTRICT SPECIAL ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Loxahatchee Groves Water Control District (“District”), a former Independent Special District, has become a Dependent District of the Town of Loxahatchee Groves; and,

WHEREAS, the District has been authorized by the Florida Statutes to construct, improve, manage and maintain water control and drainage facilities, and by the Florida Legislature to construct, improve, maintain and repair roadways, within the geographical boundaries of the District; and,

WHEREAS, the District is authorized to impose non-ad valorem special assessments pursuant to section 189.05, Florida Statutes, and the Special Act; and

WHEREAS, it is fair and reasonable to impose a non-ad valorem special assessment upon specially benefited property to fund the costs of the District Services; and,

WHEREAS, the Board of Supervisors determines that such operations, repairs and maintenance of the District works are uniformly required within all Units of the District and properties receiving District Services, as each is connected and receive equal benefit through the

operations and maintenance of the District's Services; and

WHEREAS, the Board of Supervisors for the District finds that there are 7,797.84 Assessable Units (acres) that receive the benefits of District and being assessed for such services through this Resolution; and

WHEREAS, the Board of Supervisors finds it in the best interest of the landowners and the District to levy and collect the special assessment to fund District Services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, 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. AUTHORITY. This Resolution is adopted pursuant to the provisions of Chapter 2018-175, Laws of Florida, (the "Special Act"), Chapters 99-425 and 2004-410, Laws of Florida, which by virtue of the approval of the dependency referendum on June 25, 2018, became ordinances of the Town, Chapters 189 and 298, Florida Statutes, and other applicable provisions of law.

SECTION 3. PURPOSE AND DEFINITIONS.

(a) Purpose. This Resolution constitutes the Preliminary Rate Resolution which initiates the annual process for imposing the annual special assessments, as authorized Chapter 189, Florida Statutes, creates the Assessment Roll and directs the imposition of Loxahatchee Groves Water Control District Special Assessments for the Fiscal Year beginning October 1, 2020.

(b) Definitions. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Special Act and Chapters 189 and 197, Florida Statutes.

Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

- a. *Assessed Costs* shall include all costs of providing District Services to and for Assessed Properties that receive benefits from District Services, including water control and drainage services, and as well as road construction, improvement, repair and maintenance services associated with the District's responsibilities of providing water control and drainage services to Assessed Properties within the Town. These costs shall include, but not be limited to, the following components: (A) the cost of physical construction, reconstruction, or completion of any required facility or improvement; (B) the costs incurred in any required acquisition or purchase; (C) the cost of all labor, materials, machinery, and equipment; (D) the cost of fuel, parts, supplies, maintenance, repairs, and utilities; (E) the cost of computer services, data processing, and communications; (F) the cost of all lands and interest therein, leases, property rights, easements, and franchises of any nature whatsoever, (G) the cost of any indemnity or surety bonds and premiums for insurance; (H) the cost of salaries, volunteer pay, workers' compensation insurance, or other employment benefits; (I) the cost of uniforms, training, travel, and per diem; (J) the cost of construction plans and specifications, surveys and estimates of costs; (K) the cost of engineering, financial legal, and other professional services; (L) the costs of compliance with any contracts or agreements entered into by the District, or the Town as authorized by the Interlocal Agreement between the Town and District, to provide District Services; (M) all costs associated with the structure, implementation, collection, and enforcement of the special assessment,

including any service charges of the Tax Collector, or Property Appraiser and amounts necessary to off-set discounts received for early payment of special assessment pursuant to the Uniform Assessment Collection Act and Florida law; (N) all other costs and expenses necessary or incidental to the provision of District Service or construction of District facilities, or programs, and such other expenses as may be necessary or incidental to any related financing authorized by the District Board of Supervisors by subsequent resolution; (O) a reasonable amount for contingency and anticipated delinquencies and uncollectible special assessments; and (P) reimbursement to the Town or any other Person for any moneys advanced for any costs incurred by the Town or such Person in connection with any of the foregoing components of Assessed Cost or the provision of District Services.

- b. *Assessed Properties* shall mean all properties that are provided a special benefit by the District's provision of District Services.
- c. *District Services* are all services (including those items described above in the definition of Assessed Costs) provided by the District relating to water control and drainage services, and road construction, improvement, repair and maintenance services associated with the District's responsibilities.

SECTION 4. PROVISION AND FUNDING OF THE DISTRICT'S WATER MANAGEMENT SYSTEM.

(A) Upon the imposition of District Special Assessment, the District shall provide District Services to such Assessed Property.

(B) It is hereby ascertained, determined and declared that each Assessed Property will be benefited by the District's provision of District

Services in an amount not less than the special assessment imposed upon such Assessed Properties, computed in the manner set forth herein.

SECTION 5. IMPOSITION AND COMPUTATION OF WATER MANAGEMENT

SYSTEM ASSESSMENTS. The special assessment for District Services shall be imposed upon all Assessable Units that receive District Services.

SECTION 6. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT, FAIR APPORTIONMENT, AND PARCEL APPORTIONMENT METHODOLOGIES.

(A) Special Benefit: The District is authorized to levy and collect the special assessment pursuant to the Special Act, Town Ordinances and Chapters 189 and 298, Florida Statutes.

Assessed Properties are benefitted by the provision of District Services:

1. Water control and drainage services enable the use of lands, including the development thereof;
2. The unique nature of the roads and water control and drainage facilities, including the canal networks, has resulted in an interconnection of the two types of facilities, such that the proper repair and maintenance of one directly affects the use and functionality of the other. Roadway drainage facilities, including culverts, must be so constructed, improved, repaired and maintained so as not to damage or threaten the integrity of the water control system, including the canals. The canals and related drainage facilities must be so constructed, improved, repaired and maintained so as not to damage or threaten the integrity of the roadways, including avoidance of washouts and roadway collapses, which affects the usability and safety of roadways and impairs access to Assessed Properties.

3. The importance of roadway construction, improvement maintenance and repair to the ability of the District to provide water control and drainage services was recognized by the Florida Legislature in 1999, as evidenced by Chapter 99-425, Florida Statutes, which expressly provided the power to the previously independent water control district “to maintain roadways and roads necessary and convenient for the exercise of the powers and duties” of the district, and “to maintain roadways and roads necessary and convenient to provide access to and efficient development of areas made suitable and available for cultivation, settlement, and other beneficial use and development as a result of the reclamation operations of the district.” The Florida Legislature, further recognizing the importance of roads and roadways to the ability of the District to provide water control and maintenance services, authorized the formerly independent special district to “construct, maintain, improve and repair roadways and roads necessary and convenient for the exercise of any of the powers or duties of the district or board of supervisors thereof.”

4. The special benefits provided by the District Services to Assessed Property include, but are not limited to: (1) the ability to use and develop property; (2) enhancing safety and access to Assessed Property; (4) improved appearance; (5) rendering Assessed Property more adaptable to a current or reasonably foreseeable use; (6) alleviation of the burdens caused by drainage and accumulation attendant with the use of Assessed Property; and (7) ensuring that the interaction between the drainage and roadway facilities is facilitated so that both functions work in a coordinated fashion to ensure proper water control and drainage, and safety of travel and use of roads and roadways within the Town.

These findings provide the requisite special benefit and logical relationship between the District Services and real property so as to permit the District Services to be funded by non-ad valorem special assessment.

(B) Fair and Reasonable Apportionment: It is fair and reasonable to equally apportion the Assessed Costs of the Water Management System upon the assessed units, on a per acre basis, as the size of the Assessed Property corresponds with its impact with water control and drainage facilities, as well as the potential for use of roadways reliant on proper drainage, and the amount of the assessment on each of the assessed units does not exceed the benefits received by each assessed unit from the District's Services.

(C) Units: Assessable Units shall be calculated on a per acre basis. Each tract or parcel of land that is less than one acre shall be assessed as one full acre (one unit). Each tract or parcel of land of more than one (1) acre, which contains a fraction of an acre, shall be assessed at the actual number of acres rounded to a fraction of four digits.

SECTION 7. DETERMINATION OF WATER MANAGEMENT SYSTEM ASSESSED COSTS; ESTABLISHMENT OF ANNUAL WATER MANAGEMENT SYSTEM ASSESSMENT RATES.

(A) The District Services Assessed Costs to be assessed and apportioned among Assessed Properties for the Fiscal Year commencing October 1, 2020, is preliminarily \$2.5 million.

The Assessable Unit Apportionment for the Fiscal Year commencing October 1, 2020, is \$200 per

Unit. The adoption of this Preliminary Rate Resolution determines the amount of the District Services Assessed Costs. The remainder of such Fiscal Year budget for District Services shall be funded from available District revenue other than assessment proceeds.

(B) The estimated special assessment specified herein are hereby established to fund the costs of the District Services to be assessed in the Fiscal Year commencing October 1, 2020.

(C) The estimated special assessment established in this Preliminary Rate Resolution shall be the estimated assessment rates applied by the Palm Beach County Property Appraiser in the preparation of the Assessment Roll for the Fiscal Year commencing October 1, 2020 as provided in this Preliminary Rate Resolution.

SECTION 8. ANNUAL ASSESSMENT ROLL.

(A) The Palm Beach County Property Appraiser is hereby directed to prepare, or cause to be prepared, an Assessment Roll for the Fiscal Year commencing October 1, 2020, in the manner provided herein and Section 197.3632, Florida Statutes. The Assessment Roll shall include all units being assessed herein. The Palm Beach County Property Appraiser shall apportion the estimated Assessed Costs in the manner set forth in this Preliminary Rate Resolution. A copy of this Preliminary Rate Resolution, the Special Act, Town Ordinances, and the updated Assessment Roll shall be maintained on file in the office of the Secretary of the District and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll proposed for the Fiscal Year beginning October 1, 2020, be in printed form if the amount of the special assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the special assessments for District Services as set forth herein is a fair and reasonable method of apportioning the Assessed Cost among units of Assessed Property.

SECTION 9. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held on September 8, 2020, at the Loxahatchee Groves Town Hall, 155 F Road, Town of Loxahatchee Groves, Florida, at which time the Board of Supervisors of the District will receive and consider any comments on the special assessment from the public and affected property owners and consider imposing District Services Assessments for the Fiscal Year beginning October 1, 2020 and collecting the assessments on the same bill as non-ad valorem taxes.

SECTION 10. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the District from the special assessment will be utilized for the District Services. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund District Services.

SECTION 11. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 12. SEVERABILITY. 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 13. EFFECTIVE DATE. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Lisa El-Ramey, CHAIRPERSON/PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marge Herzog, SUPERVISOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laura Danowski, SUPERVISOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phillis Maniglia, SUPERVISOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Shorr, SUPERVISOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ADOPTED BY THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A
DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA,
THIS 7th DAY OF JULY 2020.**

LOXAHATCHEE GROVES WATER
CONTROL DISTRICT

ATTEST:

Chairperson/President

Clerk for the Loxahatchee Groves
Water Control District

Supervisor/Treasurer

Supervisor

APPROVED AS TO LEGAL FORM:

Supervisor

Attorney for the Loxahatchee Groves Water
Control District

Supervisor

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TO: Mayor and Councilmembers
FROM: James Titcomb, Town Manager
VIA: Francine Ramaglia, Assistant Town Manager
SUBJECT: RESOLUTION NO. 2020-DD02 establishing the District’s preliminary OGEM debt non-ad valorem assessment rates for FY 2020-2021

Background:

Truth-in-Millage (TRIM) rates are due to the Palm Beach County Property Appraiser’s office by July 24th though the office requests the rates earlier to facilitate preparation of TRIM notices which will be sent out by their office no later than August 20th. The accompanying Resolution 2020-DD02 specifies the District’s preliminary non-ad valorem assessment rate for OGEM Debt to be included on the annual TRIM notice for the specified properties benefited within the areas delineated on the accompanying map of the Loxahatchee Groves Water Control District.

The proposed FY 2020-2021 assessment rates in the table below are based on the revised debt service schedule set forth by the Bank which have been reduced significantly from the prior year due to an early retirement of \$340,000 in principal which also reduced the maturity of the debt by a year to August 1, 2021:

	<u>Proposed FY 2020-2021</u>	<u>Actual FY 2019-2020</u>
North “A” Road:	\$ 81.50	\$ 97.90
North “C” Road:	\$ 85.65	\$ 102.45
South “C” Road:	\$ 135.45	\$ 162.65
North “D” Road:	\$ 97.30	\$ 113.60
Unit 1 Development:	\$ 521.25	\$ 627.16

The District’s final non-ad valorem assessment rate for OGEM Debt will be adopted following the required public hearing in September currently scheduled for September 8th. The Council may adopt final rates at or below the preliminary TRIM rates.

Recommendations:

Staff recommends approval of the Resolution No. 2020-DD02 establishing the District’s preliminary OGEM debt non-ad valorem assessment rates for the fiscal year beginning October 1, 2020 proposed as follows: \$81.50/unit North A; \$85.65/unit North C; \$135.45/unit South C; \$97.30/unit North D; \$521.25/unit UD1, all of which are based on the revised debt service schedule set forth by the Bank.

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT
RESOLUTION NO. 2020-DD02**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE DEBT SERVICE PAYMENTS FOR CAPITAL IMPROVEMENTS FOR NORTH “A” ROAD, NORTH “C” ROAD, SOUTH “C” ROAD, NORTH “D” ROAD AND UNIT 1 DEVELOPMENT; CONFIRMING THE ASSESSMENT AMOUNTS TO BE LEVIED FOR EACH ASSESSMENT TO FUND CAPITAL IMPROVEMENTS FUNDED BY DISTRICT-ISSUED DEBT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ESTABLISHING THE MAXIMUM ASSESSMENT RATES FOR FUTURE YEARS; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Loxahatchee Groves Water Control District (“District”), a former Independent Special District, has become a Dependent District of the Town of Loxahatchee Groves; and,

WHEREAS, the District is authorized to impose non-ad valorem special assessments pursuant to section 189.05, Florida Statutes, and the Special Act; and

WHEREAS, in 2011, the District undertook capital improvement projects on behalf and after a vote of the benefited property owners for the following projects: North “A” Road, North “C” Road, South “C” Road, North “D” Road and Unit 1 Development (collectively, the “Projects”), which were specially benefited by the capital improvements;

WHEREAS, since 2011, the specially benefited properties have paid special assessments for their contribution of the costs of the Projects, which has been used by the District to pay the debt service for the costs of the Projects; and,

WHEREAS, the Board of Supervisors finds it in the best interest of the landowners and the District to levy and collect the special assessment upon the specially benefitted properties for the Projects as described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, 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. AUTHORITY. This Resolution is adopted pursuant to the provisions of Chapter 2018-175, Laws of Florida, (the "Special Act"), Chapters 99-425 and 2004-410, Laws of Florida, which by virtue of the approval of the dependency referendum on June 25, 2018, became ordinances of the Town, Chapters 189 and 298, Florida Statutes, and other applicable provisions of law.

SECTION 3. PURPOSE AND DEFINITIONS.

(a) Purpose. This Resolution constitutes the Preliminary Rate Resolution which initiates the annual process for imposing the annual special assessments, as authorized Chapter 189, Florida Statutes, creates the Assessment Roll and directs the imposition of special assessments for the benefitted properties for the Fiscal Year beginning October 1, 2020, for the following Projects: North "A" Road, North "C" Road, South "C" Road, North "D" Road, and Unit Development 1.

SECTION 4. IMPOSITION AND COMPUTATION OF WATER MANAGEMENT SYSTEM ASSESSMENTS. The special assessment for the Projects shall be imposed upon all Assessable Units in the same manner as levied previously by the formerly independent special district.

SECTION 5. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT, FAIR APPORTIONMENT, AND PARCEL APPORTIONMENT METHODOLOGIES.

(A) Special Benefit: All previous resolutions, loan documents, records of and actions by the previously independent special districts related to the Projects and the special assessments levied herein are hereby incorporated herein to support the special benefit and fair apportionment of the special assessment on the assessed properties.

(B) Units: Assessable Units shall be calculated on a per acre basis. Each tract or parcel of land that is less than one acre shall be assessed as one full acre (one unit). Each tract or parcel of land of more than one (1) acre, which contains a fraction of an acre, shall be assessed at the actual number of acres rounded to a fraction of four digits.

SECTION 6. DETERMINATION OF ASSESSED COSTS AND ASSESSMENT RATES.

(A) The Assessed Costs to be assessed and apportioned among Assessed Properties for the Fiscal Year commencing October 1, 2020, for the Projects is \$270,000.

(B) The Assessable Unit Apportionment for the Fiscal Year commencing October 1, 2020, for the assessed properties for each Project is as follows:

1. North "A" Road: \$ 81.50per acre.
2. North "C" Road: \$ 85.65per acre.
3. South "C" Road: \$ 135.450per acre.
4. North "D" Road: \$ 97.30per acre.
5. Unit 1 Development: \$ 521.25per acre.

The adoption of this Preliminary Rate Resolution determines the amount of the Assessed Costs of the Projects and the Assessment Rates for FY 2021.

(C) The maximum assessment in future years for each of the Projects is as follows:

1. North "A" Road: \$98.32 per acre.
2. North "C" Road: \$102.94 per acre.
3. South "C" Road: \$163.53 per acre.
4. North "D" Road: \$114.19 per acre.
5. Unit 1 Development: \$668.69 per acre.

SECTION 7. ANNUAL ASSESSMENT ROLL.

(A) The Palm Beach County Property Appraiser is hereby directed to prepare, or cause to be prepared, the Assessment Roll(s) for the Fiscal Year commencing October 1, 2020, in the manner provided herein and Section 197.3632, Florida Statutes, for the amounts set forth in Subsection 6(B). The Assessment Roll(s) shall include all units being assessed herein. The Palm Beach County Property Appraiser shall apportion the estimated Assessed Costs in the manner set forth in this Preliminary Rate Resolution. A copy of this Preliminary Rate Resolution, District materials and information on the Projects and debt service, and the updated Assessment Roll(s) shall be maintained on file in the office of the Secretary of the District and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll(s) proposed for the Fiscal Year beginning October 1, 2020, be in printed form if the amount of the special assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the special assessments for the Projects as set forth herein is a fair and reasonable method of apportioning the Assessed Cost among units of Assessed Property.

SECTION 8. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 7:00 p.m. on September 8, 2020, at the Loxahatchee Groves Town Hall, 155 F Road, Town of Loxahatchee Groves, Florida, at which time the Board of Supervisors of the District will receive and consider any comments on the special assessments from the public and affected property owners and consider imposing special assessments for the Fiscal Year beginning October 1, 2020 and collecting the assessments on the same bill as non-ad valorem taxes.

SECTION 9. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the District from the special assessment will be utilized for repayment of the debt service issued by the District to fund the Projects. In the event there is any fund balance remaining at the end of the Fiscal Year for a specific Project, such balance shall be carried forward and used only to fund the portion of future debt service payments attributable for that Project.

SECTION 10. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 11. SEVERABILITY. 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 12. EFFECTIVE DATE. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Lisa El-Ramey, CHAIRPERSON/PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marge Herzog, SUPERVISOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laura Danowski, SUPERVISOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phillis Maniglia, SUPERVISOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Shorr, SUPERVISOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ADOPTED BY THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A
DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA,
THIS 7th DAY OF JULY 2020.**

LOXAHATCHEE GROVES WATER
CONTROL DISTRICT

ATTEST:

Chairperson/President

Clerk for the Loxahatchee Groves
Water Control District

Supervisor

Supervisor

APPROVED AS TO LEGAL FORM:

Supervisor

Attorney for the Loxahatchee Groves
Water Control District

Supervisor



TO: Mayor and Councilmembers
FROM: James Titcomb, Town Manager
VIA: Francine Ramaglia, Assistant Town Manager
SUBJECT: RESOLUTION NO. 2020-05 establishing the Town's preliminary non-ad valorem assessment rate for Solid Waste Collection and Recycling Services for FY 2020-2021

Background:

Truth-in-Millage (TRIM) rates are due to the Palm Beach County Property Appraiser's office by July 24th though the office requests the rates earlier to facilitate preparation of TRIM notices which will be sent out by their office no later than August 20th. The accompanying Resolution 2020-05 specifies the preliminary non-ad valorem assessment rate for Solid Waste Collection and Recycling Services to be included on the annual TRIM notice for all taxable property within the Town of Loxahatchee Groves.

The proposed rate of \$450 per unit is set at the same rate as in FY 2019-2020 as we continue to develop the proposed budget and capital plan for FY 2020-2021 that will be presented to Council at its budget workshops.

The Solid Waste Fund has historically run at a shortfall which until recent years was funded by transfers from the General Fund. Currently, both FY 2020 and the preliminary budget for FY 2021 indicate shortfalls of approximately \$35,000 or \$25 per unit in each year. The preliminary solid waste assessment is proposed at the same rate as in the prior years with the anticipated shortfalls covered by a transfer from the General Fund.

The Town's final non-ad valorem assessment rate for Solid Waste Collection and Recycling Services will be adopted following the required public hearing in September currently scheduled for September 8th. The Council may adopt final rates at or below the preliminary TRIM rates.

Recommendations:

Staff recommends approval of the Resolution No. 2020-05 establishing the Town's preliminary non-ad valorem assessment rate for Solid Waste Collection and Recycling Services for the fiscal year beginning October 1, 2020 proposed at \$450/unit for residential curbside service (the same rate as for FY 2020, the current year)

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2020-05

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, 2020; 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.

WHEREAS, Town of Loxahatchee Groves Ordinance No. 2008-05, entitled “Special Assessments,” adopted on July 1, 2008, provides for the home rule authority of the Town Council to levy and collect special assessments; and,

WHEREAS, Ordinance 2008-05, authorizes the Town to “create, install, improve, maintain and fund any and all costs associated with the Town establishing and operating a Town system of providing a solid waste collection services program (Solid Waste Collection Program) for residential and/or commercial service to the property owners, residents and citizens of the Town,” and provides findings of special benefit to real property as a result of such services; and,

WHEREAS, the Town has in place a Collection Agreement, pursuant to which the Town provides Solid Waste Collection Services to, among others, all residential properties that receive residential solid waste collection services within the Town; and,

WHEREAS, the Town believes it is in the best interests of the residents and residential property owners to collect funds for the costs of the Town’s Solid Waste Collection Services to all residential dwelling units that receive Solid Waste Collection Services provided by the Town, through its Collection Agreement, through the levy and collection of a special assessment, as

such will permit the payment for the services on an annual basis along with property taxes and other special assessments and reduce the costs of the Solid Waste Collection Program to the Town; and,

WHEREAS, the Town's Collection Agreement with Contractor provides for the levy and collection of a Solid Waste Collection Services Special Assessment by the Town, and remittance of payment to Contractor; and,

WHEREAS, Solid Waste Collection Services provided by the Town through its Collection Agreement as defined hereinafter provide the requisite special benefit to Assessed Property such that they may be funded through a special assessment; and,

WHEREAS, Town staff has reviewed the budget for Solid Waste Collection Services for residential dwelling units that receive residential Solid Waste Collection Services provided by the Town through the Collection Agreement to ensure that the Solid Waste Collection Services Special Assessment meets the legal requirements for special benefit and fair apportionment; and,

WHEREAS, the Town Council determines that it is fair and equitable to levy and collect a non-ad valorem special assessment to fund the Solid Waste Collection Services provided by the Town through its Collection Agreement, consistent with the methodology and allocation as provided hereinafter.

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

SECTION 1. RECITALS. The foregoing "WHEREAS" clauses are hereby ratified and confirmed by the Town Council and incorporated herein by this reference.

SECTION 2. AUTHORITY. This Resolution is adopted pursuant to the provisions of Ordinance No. 2008-05 (the "Ordinance"), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 3. PURPOSE. This Resolution constitutes the Preliminary Assessment Resolution which initiates the process for developing the annual Assessment Roll and directs the imposition of a Solid Waste Collection Services Assessment as described hereinafter, for the Fiscal Year beginning October 1, 2020. Its purpose is to provide procedures and standards for the imposition of a Solid Waste Collection Services Assessment for all Dwelling Units that receive solid waste collection services within the Town under the general home rule powers of a municipality to impose special assessments, and to authorize a procedure for the funding of Solid Waste Collection Services for these residential properties, facilities, or programs providing special benefits to Assessed Properties within the Town.

SECTION 4. DEFINITIONS. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa. As used in this Resolution, the following terms shall have the following meanings unless the context hereof otherwise requires:

"Assessed Property" means all Residential Property that receive a special benefit from the delivery by the Town of the Solid Waste Collection Services, programs or facilities described herein.

"Assessment Coordinator" means the Town Manager or such other person designated by the Town Council to administer the Town's Solid Waste Collection Services, facility, or program, or such person's designee.

"Assessment Roll" means the special assessment roll relating to the residential Solid Waste Collection Services Assessment approved herein, or an Annual Rate Resolution pursuant to the Final Resolution.

“Billing Unit” means each Dwelling Unit receiving residential Solid Waste Collection Services.

"Cost Apportionment" means the apportionment of the residential Solid Waste Collection Services Assessed Cost among all Residential Properties that receive residential Solid Waste Collection Services pursuant to the apportionment methodology described in Section 8 of this Preliminary Assessment Resolution.

“Dwelling Unit” means (1) a Building, or a portion thereof, available to be used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only, or (2) the use of mobile homes, travel trailers, or the like for residential purposes, with each mobile home, travel trailer, or the like used for residential purposes being a single Dwelling Unit.

"Estimated Solid Waste Collection Services Assessment Rate Schedule" means that rate schedule attached hereto as Appendix “A” and hereby incorporated herein by reference, specifying the Solid Waste Collection Services Assessed Costs determined in Section 9 of this Preliminary Assessment Resolution and the estimated Solid Waste Collection Services Assessments established in Section 9 of this Preliminary Assessment Resolution.

“Improvement Codes” mean the building use codes (also known as DOR codes) assigned by the Property Appraiser to Tax Parcels within the Town.

"Residential Property" means those Tax Parcels with a Code Description designated as Single-Family "Residential" within the Improvement Codes and those otherwise designated as “Residential” within the Improvement Codes that receive residential Solid Waste Collection Services by the Town through the Collection Agreement.

“Solid Waste Collection Services” shall mean the collection of solid waste as described in Section 109 of Town Ordinance 2008-05, and as provided pursuant to the Collection Agreement with Contractor.

“Solid Waste Collection Services Assessment” means a special assessment lawfully imposed by the Town against Assessed Property to fund all or any portion of the cost for Town’s Solid Waste Collection Services for residential properties, facilities, or programs providing a special benefit to property as a consequence of a logical relationship to the value, use, or characteristics of property. Solid Waste Collection Services funded by this Solid Waste Collection Services Assessment include those services provided pursuant to the Town’s Collection Agreement for residential Solid Waste Collection Services.

“Solid Waste Collection Services Cost” means the amount necessary in any Calendar Year to fund the provision of the Town’s Solid Waste Collection Services for residential properties, facilities, or programs that provide a special benefit to Assessable Property, through the Collection Agreement. In addition, Solid Waste Collection Services Cost shall include all costs associated with the structure, implementation, collection, and enforcement of the Solid Waste Collection Services Assessment, including costs for providing required notice, legal and management staff costs, any service charges of the Tax Collector or Property Appraiser, and amounts necessary to off-set discounts received for early payment of Solid Waste Collection Services Assessments pursuant to the Uniform Assessment Collection Act.

“Tax Collector” shall mean the Tax Collector of Palm Beach County.

“Tax Parcel” means a parcel of property located within the Town to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

“**Uniform Assessment Collection Act**” means Sections 197.3632 and 197.3635, Florida Statutes, as amended, and any successor statutes authorizing the collection of non-ad valorem special assessments on the same bill as ad valorem taxes, and any regulations pertaining thereto.

SECTION 5. PROVISION AND FUNDING OF SOLID WASTE COLLECTION SERVICES.

(A) Upon the imposition of the Solid Waste Collection Services Assessment for Solid Waste Collection Services for residential properties, facilities, or programs against Assessed Property located within the Town, the Town shall provide Solid Waste Collection Services to such Assessed Property through the Collection Agreement. The cost to provide such Solid Waste Collection Services, facilities, or programs to residential properties, as described herein, shall be funded in whole or in part from proceeds of the Solid Waste Collection Services Assessments.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the Town will be benefited by the Town's provision of Solid Waste Collection Services for properties, facilities, and programs in an amount not less than the Solid Waste Collection Services Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Assessment Resolution.

SECTION 6. IMPOSITION AND COMPUTATION OF SOLID WASTE COLLECTION SERVICES ASSESSMENTS. Solid Waste Collection Services Assessments shall be imposed against all Residential Property Dwelling Units that receive residential Solid Waste Collection Services, as provided herein. The Cost Apportionment described herein is approved and adopted as the methodology to impose and compute the Solid Waste Collection Services Assessment.

SECTION 7. LEGISLATIVE DETERMINATIONS OF AUTHORITY, SPECIAL

BENEFIT AND FAIR APPORTIONMENT. The Town Council adopts the following legislative findings relating to the Solid Waste Collection Services special assessment:

AUTHORITY

7.1 Pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the Town Council has all powers of local self-government to perform municipal functions and render municipal services except when prohibited by law and such power may be exercised by the enactment of Town ordinances or resolutions.

7.2 The Town Council may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the Town Council may legislate on any subject matter on which the Florida Legislature may act, except those subjects described in (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes. The subject matter of paragraphs (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes, are not relevant to the imposition of assessments related to Solid Waste Collection Services, facilities or programs.

7.3 Section 403.706(1), Florida Statutes, provides that the Town is responsible to collect and transport solid waste from within its boundaries to a solid waste disposal facility.

7.4 To fulfill its obligations, the Town entered into a Collection Agreement with a Contractor for the collection and transport of solid waste from residential properties that receive residential solid waste collection services within the Town.

SPECIAL BENEFIT

7.5 The Town provides Solid Waste Collection Services to the Assessed Properties through its Collection Agreement. All Assessed Properties receive residential Solid Waste

Collection Services, and therefore are required to receive the Town's Solid Waste Collection Services through the Town's Collection Agreement.

7.6 The special benefit provided to the Assessed Properties as a result of the provision of Solid Waste Collection Services by the Town through its Collection Agreement, and as a result of the Solid Waste Collection Services Assessment include, by way of example and not limitation, the availability and use of Solid Waste Collection Services by the owners and occupants of the Assessed Properties, the enhancement of environmentally responsible use and enjoyment of developed residential properties in the Town, the protection of public health and safety, ensuring sanitary collection and disposal of solid waste from Dwelling Units on Residential Property in the Town, a potential increase in value to property, and better service to landowners and tenants.

7.7 The Town's provision of Solid Waste Collection Services through its Collection Agreement possesses a logical relationship to the use and enjoyment of the Assessed Properties by:

7.7.1 protecting and potentially increasing the value of the Dwelling Units on Residential Property by providing solid waste services;

7.7.2 enhancing the environmentally responsible use of residential land in the Town;

7.7.3 protecting the health of intended occupants in the use and enjoyment of Dwelling Units on Residential Property by ensuring the proper collection and disposal of solid waste from the Assessed Properties;

7.8 Commercial properties, and multi-family residential properties in the Town that receive commercial solid waste collection services are not specially benefited by the Town's Solid Waste Collection Services funded by the Solid Waste Collection Special Assessment in

that those properties receive volume-based solid waste collection services. Commercial properties and multi-family residential properties in the Town that do not receive residential solid waste collection services are not benefited by the provision of the residential Solid Waste Collection Services provided by the Town through its Collection Agreement. Therefore, it is fair and reasonable not to levy a special assessment for the funding of residential solid waste collection services upon those properties. The cost of services provided to properties that are not assessed shall not be paid by any funds collected pursuant to the Town's Solid Waste Collection Special Assessment.

IMPOSITION AND COLLECTION

7.9 The Solid Waste Collection Services Assessments to be imposed pursuant to this Resolution shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act.

7.10 The Solid Waste Collection Services Assessment imposed pursuant to this Resolution is imposed by the Town of Loxahatchee Groves' Town Council, not the Palm Beach County Board of County Commissioners, Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Resolution shall be construed as ministerial.

7.11 So long as the Solid Waste Special Assessment is levied, the Assessed Properties will not be billed directly by the Town for the Solid Waste Collection Services they receive from the Town through the Collection Agreement.

APPORTIONMENT

7.12 The size or the value of the Residential Property does not determine the scope of the required solid waste services. The potential demand for Solid Waste Collection Services is

driven by the existence of a Dwelling Unit.

7.13 Apportioning the Solid Waste Assessed Costs for Solid Waste Collection Services attributable to Residential Property on a per Dwelling Unit basis (Billing Units) avoids cost inefficiency and unnecessary administration and is a fair and reasonable method.

7.14 Because commercial properties, and multi-family residential properties that receive commercial solid waste collection services, do not benefit from the provision of Solid Waste Collection Services by the Town through the Collection Agreement, the Solid Waste Collection Services Assessed Costs are not apportioned to those properties.

SECTION 8. COST APPORTIONMENT AND PARCEL APPORTIONMENT METHODOLOGIES. The Collection Agreement provides for an annual charge for the Solid Waste Collection Services provided by the Town through its Collection Agreement. The Solid Waste Collection Services Costs include other costs associated with the Solid Waste Collection Special Assessment, which are then allocated to the Assessed Properties in addition to the annual charge in the Collection Agreement to determine the Assessment Amount. The Assessment Amount is then multiplied by the number of Dwelling Units on such Tax Parcel. For the Fiscal Year commencing October 1, 2020, the annual charge per Dwelling Unit (Billing Units) in the Town is \$450.00.

SECTION 9. DETERMINATION OF SOLID WASTE COLLECTION ASSESSED COSTS; ESTABLISHMENT OF ANNUAL SOLID WASTE COLLECTION ASSESSMENT RATES.

(A) The Solid Waste Collection Service Assessed Costs to be assessed and apportioned among Assessed Properties pursuant to the Cost Apportionment for the Fiscal Year commencing October 1, 2020, is the amount determined in the manner described in Section 8 above, and within the Estimated Solid Waste Collection Services Assessment Rate Schedule, attached hereto as

Appendix A. The approval of the Estimated Solid Waste Collection Services Assessment Rate Schedule by the adoption of this Preliminary Assessment Resolution determines the amount of the Solid Waste Collection Services Assessed Costs.

(B) The estimated Solid Waste Collection Services Assessments specified in the Estimated Solid Waste Collection Services Assessment Rate Schedule are hereby established to fund the Solid Waste Collection Services Assessed Costs determined to be assessed in the Fiscal Year beginning October 1, 2020.

(C) The estimated Solid Waste Collection Services Assessments established in this Preliminary Assessment Resolution shall be the estimated assessment rates applied by the Assessment Coordinator in the preparation of the updated Assessment Roll for the Fiscal Year beginning October 1, 2020, as provided in Section 10 of this Preliminary Assessment Resolution.

SECTION 10. ANNUAL ASSESSMENT ROLL.

(A) The Assessment Coordinator is hereby directed to prepare, or cause to be prepared, an Assessment Roll for the Fiscal Year beginning October 1, 2020, in the manner provided in this Preliminary Assessment Resolution. The Assessment Coordinator shall apportion the estimated Solid Waste Collection Service Assessed Cost to be recovered through Solid Waste Collection Services Assessments in the manner set forth in this Preliminary Assessment Resolution. A copy of this Preliminary Assessment Resolution, the Ordinance, and the Assessment Roll shall be maintained on file in the office of the Town Clerk and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll proposed for the Fiscal Year beginning October 1, 2020, be in printed form if the amount of the Solid Waste Collection Services Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the Solid Waste Collection Services Assessments for the Town's Solid Waste Collection Services as set forth in this Preliminary Assessment Resolution is a fair and reasonable method of apportioning the Solid Waste Collection Services Assessed Cost among parcels of Assessed Property located within the Town, as the methodology and apportionment assures that no property is assessed an amount greater than the benefit which it receives from the residential Solid Waste Collection Services provided by the Town through its Collection Agreement; and,

SECTION 11. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held on September 8, 2020, at the Loxahatchee Groves Town Hall, 155 F Road, Town of Loxahatchee Groves, Florida, at which time the Town Council will receive and consider any comments on the Solid Waste Collection Services Assessment from the public and affected property owners and consider imposing the Solid Waste Collection Services Assessment and collecting such assessments on the same bill as ad valorem taxes.

SECTION 12. NOTICE BY PUBLICATION. The Town Manager, or his designee, shall publish notice of the public hearing authorized by Section 11 hereof, in the manner and time provided within the Ordinance. The notice shall be published no later than twenty (20) days prior to the date of the public hearing authorized in Section 11 above, in substantially the form attached hereto as Appendix B.

SECTION 13. NOTICE BY MAIL. The Town Manager, or his designee, shall also ensure timely notice by use of the TRIM notice forwarded annually by the Property Appraiser's Office, or by U.S. Mail as may be required by law (including Chapter 2003-348 Laws of Florida, a special act relating to the annual TRIM notice in Palm Beach County), to the Owner of each

parcel of Assessed Property, at least twenty (20) days prior to the public hearing, as required by the Ordinance, and the Uniform Assessment Collection Act.

SECTION 14. PROOF OF NOTICE. The Town Manager, or his designee, may provide proof of such notice by affidavit, if any is required pursuant to the Ordinance or Resolution.

SECTION 15. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the Town from the Solid Waste Collection Services Assessments will be utilized solely for the provision of Solid Waste Collection Services, facilities, and programs by the Town to Assessed Properties, through its Collection Agreement, as described herein.

SECTION 16. CONFLICT. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 17. SEVERABILITY. 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

SECTION 18. EFFECTIVE DATE. This Preliminary Assessment Resolution shall take effect immediately upon its passage and adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
LISA EL-RAMEY, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 7TH DAY OF JULY 2020.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Lisa El-Ramey, Mayor

Lakisha Burch, Town Clerk

Margaret Herzog, Vice Mayor

APPROVED AS T LEGAL FORM:

Laura Danowski, Council Member

R. Brian Shutt, Town Attorney

Phillis Maniglia, Council Member

Robert Shorr, Council Member

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

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 on September 8, 2018, 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:

\$450.00 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.

Resolution No. 2020-05

The assessments will be collected on the ad valorem tax bill to be mailed in November 2020, 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 Wednesday between 8:00 a.m. to 6:00 p.m. and Thursday until 5:00 p.m.

TOWN CLERK TOWN OF LOXAHATCHEE GROVES.

TO: Mayor and Councilmembers
FROM: James Titcomb, Town Manager
VIA: Francine Ramaglia, Assistant Town Manager
SUBJECT: RESOLUTION NO. 2020-06 establishing the Town’s preliminary ad valorem millage rate for Truth-in-Millage (“TRIM”) purposes for FY 2020-2021

Background:

Truth-in-Millage (TRIM) rates are due to the Palm Beach County Property Appraiser’s office by July 24th though the office requests the rates earlier to facilitate preparation of TRIM notices which will be sent out by their office no later than August 20th. The accompanying Resolution 2020-__ specifies the preliminary millage rate to be included on the annual TRIM notice for all taxable property within the Town of Loxahatchee Groves.

The proposed rate of 3 mills is set at the same rate as in FY 2019-2020 as we continue to develop the proposed budget and capital plan for FY 2020-2021 that will be presented to Council at its budget workshops.

The Town’s final millage will be adopted following the required public hearings in September currently scheduled for September 8th and September 22th. The Council may adopt final rates at or below the preliminary TRIM rates.

Recommendations:

Staff recommends approval of the Resolution No. 2020-06 establishing the Town’s preliminary ad valorem millage rate for Truth-in-Millage (“TRIM”) purposes for the fiscal year beginning October 1, 2020 proposed at 3 mills (the same rate as for FY 2020, the current year)

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2020-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA ADOPTING A PROPOSED OPERATING MILLAGE RATE OF 3.000 FOR GENERAL OPERATING BUDGET PURPOSES FOR FISCAL YEAR 2020/2021; 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 2020/2021 PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statute 200.065 (TRIM), the Palm Beach County Property Appraiser has certified the taxable value within the jurisdiction of the Town of Loxahatchee Groves, including a copy of the Statement required to be submitted under Florida Statute Section 195.073(3) (a/k/a Form DR-420); and

WHEREAS, pursuant to Florida Statute Section 200.065(2)(b), the Town must advise the Palm Beach County Property Appraiser of its proposed millage rate, of its rolled back rate computed pursuant to Florida Statute Section 200.065(1), and of the date, time and place at which a public hearing will be held to consider the proposed millage rate, proposed millage levy for voted debt service, and the tentative budget;

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 Manager, or his designee, is hereby authorized and instructed to complete and transmit the DR-420 to the Palm Beach County Property Appraiser, and to take such further action as is reasonably required pursuant to Section 200.065,

Florida Statutes.

Section 3: The Town Council hereby adopts a proposed operating millage rate of **3.000** for General Fund budget purposes for Fiscal Year 2020-2021.

Section 4: The Town Council of the Town of Loxahatchee Groves hereby sets September 8, 2020 at the Town of Loxahatchee Groves Town Hall, 155 F Road Loxahatchee Groves, Florida 33470, as the date, time and place of the Public Hearing to consider the proposed millage rate and the tentative budget.

Section 5: That 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 6: That all Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 7: That this Resolution shall be effective immediately upon adoption.

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

	Aye	Nay	Absent
LISA EL-RAMEY, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 7TH DAY OF JULY 2020.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Lisa El-Ramey, Mayor

Lakisha Burch, Town Clerk

Margaret Herzog, Vice Mayor

APPROVED AS T LEGAL FORM:

Laura Danowski, Council Member

R. Brian Shutt, Town Attorney

Phillis Maniglia, Council Member

Robert Shorr, Council Member

**PRELIMINARY AD VALOREM MILLAGE
& NON AD VALOREM ASSESSMENT RATES
FY 2020-2021**

TOWN OF LOXAHATCHEE GROVES

JULY 7, 2020

AD VALOREM MILLAGE

The County issued the certified taxable value for FY 2021 with an approximate 8% increase in property value over last year's value for the Town. Loxahatchee Groves certified total taxable value is \$362 million and generates rates and revenues as follows:

MILLAGE RATE	BUDGETED REVENUES	CHANGE FROM PRIOR YEAR	DESCRIPTION
3.0000	\$ 962,233	-	Prior Year Adopted Rate
3.0000	\$ 1,031,798	\$69,565↑	<i>Preliminary Proposed Rate</i>
2.8172	\$ 904,511	\$62,871↓	<i>Adjusted Rollback Rate</i> : The tax proceeds with the <i>prior year</i> Majority Rate divided by the <i>new year</i> taxable value; used to calculate the new year Majority Rate
2.9079	\$ 935,177	\$31,676↓	<i>Majority Rate</i> : Prior year Majority Max Rate plus the annual estimated income growth factor of 1.0322%, requires majority vote
3.1987	\$ 1,100,138	\$68,339↑	<i>2/3 Vote Maximum Rate</i> : 110% of the Majority Maximum rate, requires 2/3 vote

- A Rollback Rate of 2.8172 mills, providing the same ad valorem revenues as the prior year plus new construction
- A Majority Maximum Rate of 2.9079 mills, allowing for a rate equal to the prior year Majority Maximum rate plus the state income growth percentage (1.0322%) adopted by a simple majority vote
- A 2/3 Vote Maximum Rate of 3.1987 mills, equal to 110% of the Majority Maximum Rate
- Each 1/10 of a mill equals approximately **\$34,400** in additional tax revenue

AD VALOREM MILLAGE HISTORY

FISCAL YEAR	ADOPTED RATE	TAXABLE VALUE	REVENUES
2008	1.5	\$ 350,280,520	\$ 508,845
2009	1.5	\$ 307,389,570	\$ 441,450
2010	1.4	\$ 227,388,292	\$ 307,800
2011	1.2	\$ 230,967,011	\$ 261,597
2012	1.2	\$ 228,488,971	\$ 214,645
2013	1.2	\$ 231,842,639	\$ 210,006
2014	1.2	\$ 197,839,802	\$ 208,173
2015	1.2	\$ 204,403,183	\$ 229,355
2016	1.4718	\$ 262,829,976	\$ 315,454
2017	1.4718	\$ 293,080,782	\$ 361,816
2018	2.15	\$ 294,360,311	\$ 612,842
2019	3.00	\$ 313,290,118	\$ 911,906
2020	3.00	\$ 337,625,640	\$ 962,233
2021	3.00	\$ 362,034,457	\$ 1,031,798

Actual

Budgeted

Estimated at 95% collections

NON-AD VALOREM ASSESSMENT: Roads & Drainage

FISCAL YEAR	ADOPTED RATE	REVENUES
2008	\$ 137.95	\$ 1,075,785
2009	\$ 137.95	\$ 1,077,924
2010	\$ 137.95	\$ 1,085,770
2011	\$ 137.95	\$ 1,085,770
2012	\$ 151.45	\$ 1,179,341
2013	\$ 135.00	\$ 1,051,245
2014	\$ 150.00	\$ 1,168,050
2015	\$ 150.00	\$ 1,168,050
2016	\$ 150.00	\$ 1,168,050
2017	\$ 150.00	\$ 1,027,670
2018	\$ 150.00	\$ 1,134,850
2019	\$ 200.00	\$ 1,500,942
2020	\$ 200.00	\$ 1,480,155
2021	\$ 200.00	\$ 1,481,590

Actual

Budgeted

Estimated at 95% collections

Florida Statutes Ch. 298.305 provides for the assessment of lands to pay for the completion of works and improvements as set forth in an adopted water control plan, as well as allowing for a maintenance assessment “as may be necessary to operate and maintain the district works and activities and to defray the current expenses of the district.” The proposed FY 2021 Road & Drainage Non-Ad Valorem assessment for maintenance and capital improvements pursuant to the water control plan would remain at \$200 per unit on approximately 7,798 units.

NON-AD VALOREM ASSESSMENT: OGEM Debt

In 2011, the District issued \$2.6 million Special Assessment Note secured by a pledge of assessments of the benefiting properties such that the special assessments will be levied each year in an amount sufficient to pay the debt service (principal and interest payable on February 1st and August 1st) until maturity in 2022. An early repayment of \$340,000 was made in 2020 shortening the maturity to August 1, 2021. Based on total revised annual debt service for 2021 of approximately \$270,000, the proposed per acre rates for FY 2020-2021 are based on the revised debt service schedule provided by Bank United.

	PROPOSED RATE
North "A" Road	\$ 81.50
North "C" Road	\$ 85.65
South "C" Road	\$ 135.45
North "D" Road	\$ 97.30
Unit 1 Development	\$ 521.25

NON-AD VALOREM ASSESSMENT: *Solid Waste*

FISCAL YEAR	ADOPTED RATE	REVENUES
2008	\$372.73	\$ 400,000
2009	\$372.73	\$ 440,900
2010	\$372.73	\$ 440,900
2011	\$274.89	\$ 469,761
2012	\$344.37	\$ 429,196
2013	\$344.10	\$ 479,497
2014	\$256.27	\$ 419,256
2015	\$256.27	\$ 440,786
2016	\$256.27	\$ 435,614
2017	\$256.27	\$ 465,481
2018	\$450	\$ 438,092
2019	\$450	\$ 629,039
2020	\$450	\$ 610,082
2021	\$450	\$ 645,000

The Solid Waste Fund has historically run at a shortfall which until recent years was funded by transfers from the General Fund. Currently, both FY 2020 and the preliminary budget for FY 2021 indicate shortfalls of approximately \$35,000 or \$25 per unit in each year. The preliminary solid waste assessment is proposed at the same rate as in the prior years with the shortfall covered by a transfer from the General Fund.

REVENUE SCENARIOS

MILLAGE RATE	AD VALOREM REVENUES	ROAD & DRAINAGE ASSESSMENT	NON AD VALOREM REVENUES	TOTAL REVENUES
3.00	1,031,700	200.00	1,481,590	2,513,290
3.10	1,066,090	195.45	1,447,884	2,513,974
3.20	1,100,480	190.75	1,413,067	2,513,547
3.30	1,134,870	186.15	1,378,990	2,513,860
3.40	1,169,260	181.50	1,344,546	2,513,209
3.50	1,203,650	176.75	1,309,356	2,513,006
3.60	1,238,040	172.15	1,275,279	2,513,319
3.70	1,272,430	167.50	1,240,832	2,513,262
3.80	1,306,820	162.90	1,206,755	2,513,575
3.90	1,341,210	158.25	1,172,308	2,513,518
4.00	1,375,600	153.65	1,138,232	2,513,832

- **Each 1/10 of a mill equals approximately \$34,400**
- **Each \$1 of assessment rate equals approximately \$7,400**

BUDGET CALENDAR

DATE	DESCRIPTION
July 7 th	Adopt Preliminary Ad Valorem & Non-Ad Valorem Assessment Rates
July 21 st	Council Workshop
July 24 th	Tax Rolls and Preliminary Rates due to County
TBD	Additional Council Budget Workshops
September 8 th	1 st Budget Public Hearing & Adoption of Final Non-Ad Valorem Assessment Rates
September 15 th	Final Non-Ad Valorem Assessment Rates & Tax Roll to County
September 22 nd	2 nd Budget Public Hearing & Adoption of Final Ad Valorem Millage Rate

QUESTIONS & COMMENTS

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Town of Loxahatchee Groves (Client)
155 F Road
Loxahatchee Groves, FL 33470

June 26th, 2020

Project No. 17-1174

Attention: Mr. Jamie Titcomb, Town Manager

Reference: Preparation of a "Town Footprint" for Acquisition of Road Right-of-Way
Loxahatchee Groves, Florida

Dear Mr. Titcomb:

Based upon your request and with utmost pleasure, we are presenting you with this proposal to perform the services associated with the Town's desire to secure the right to access public rights-of-way for roadways it currently maintains and has reportedly maintained for at least the past eight (8) years.

Please note that this proposal will replace the previously submitted and approved contracts related to right-of-way acquisition through this process formally referred to as "Maintenance Maps (Phase 2)" and "Maintenance Maps Lettered Roads (Phase 3)". The fees associated with this proposal are only to finish the processes previously started and placed on hold and to prepare one additional map for the Town's roadway footprint for Perkins Road.

It is our understanding that the Town's intent is to exercise their rights as a municipality to acquire the public rights-of-way for maintained roads in accordance with the provisions of section 337.31 (renumbered 95.361), Florida Statutes 1961.

Please note that Keshavarz & Associates, Inc. (K&A) is acting strictly as the Town's Engineering / Surveying Consultant to carry out the services necessary only in those disciplines towards this effort upon the Town's interpretation of the above referenced Florida Statute. No legal interpretation or advice is or will be provided by K&A regarding the matter.

This proposal is presented to you under the auspices of the "Agreement for Professional Engineering Services for the Town of Loxahatchee Groves" currently in place between the Client and Keshavarz & Associates, Inc. (Consultant).

Our scope of services is outlined as follows:

1. Coordinate with the Town to locate the maintained limits by either the Town providing maintenance personnel to work with Consultant's survey crew to place a stake or other marking at the maintained limits, or by the Town confirming in certain instances and on specific roadways that the outside edge, or a specific offset outside of the apparent 'grading hump' shall be the maintained limits.



The Town shall produce a statement signed by its appropriate staff that satisfies the requirements set forth in the provisions of Section 337.31 (renumbered 95.361), Florida Statutes 1961 in regards to the required signatories for "Field Maintenance Certifications" on behalf of the Town. This statement will be placed on the subject "Town Footprint" attesting to the Town's uninterrupted maintenance of its roadways that are the subject of this proposal.

2. Field locate the limits of the Town maintained roadway in conjunction with the Town's representative using a Hyper V GPS Unit (in conjunction with the Lengemann of Florida statewide GPS Network) and a Topcon Total Station to locate the maintained limits for each of the 32 roadways. This task shall include field acquisition of state plane coordinates in the North American Datum of 1983, 2007 adjustment (SPCS NAD 83-2007) on existing section corners, horizontal control points and GPS control points, as published by Palm Beach County Engineering at <http://www.pbcgov.com/engineering/roadwayproduction/survey/> all to be within the Town of Loxahatchee Groves and more specifically to be on, and/or around the general vicinity of the assigned roadways. As such, all control points, pursuant to all of the above either found or established, shall be observed with a GPS unit a minimum of two times to attempt a high probability for a horizontal accuracy of +/- 0.12'. If the control points differ from the published value, the published value shall be held and depicted on the horizontal control map as described below within Task 3 based on the survey premise of that specific control point has an accepted and recognized position within the survey community.
3. Coordinate and combine Palm Beach County Geographic Information System (PBCGIS) parcel maps as published for download by Palm Beach County with the above described field acquisition of state plane coordinates to prepare the proposed Town Footprint ("Specific Purpose Survey") to include a horizontal control map as either its own sheet or made a part thereof for the specific map associated with the specific roadway(s). The acquired state plane coordinates shall be depicted at the maintenance limits for each roadway and shall also depict a bearing and distance between each coordinate representing a change in direction of the maintenance limits.
4. Coordinate with Town Manager and Town Attorney as needed to include language on the maintenance maps to satisfy the requirements of the provisions of section 337.31 (renumbered 95.361), Florida Statutes 1961 with respect to required signatories for 'field maintenance certifications' on behalf of the Town.
5. Coordinate with the Town Staff to execute mylars of the Town Footprint ("Specific Purpose Survey") for recordation (by others) with Palm Beach County to obtain official Road Plat Book number(s) and Page(s). Recording fees are not included in this proposal and shall be paid for by the Town as a direct reimbursable.



Our fees for the services outlined above shall be as follows:

Roadway Footprint Maps / Specific Purpose Survey

1. Level 1, 2 and Select Level 3 Town Roads consisting of the following: **\$ 22,000.00**

Road	Mileage
A Road	3.24
B Road	2.00
C Road	3.60
D Road	3.60
E Road	3.60
F Road	2.64
G Road West	0.47
Folsom Road	0.40
G Road East	0.47
North Road	3.44
25th Street North	0.49
Collecting Canal Road	3.16
Sub Total	27.11

2. Level 3 and 4 Town Roads (see Exhibit A): **\$ 5,000.00**

3. Perkins Road: **\$ 6,500.00**

Estimated Expenses (excluding Recording Fees*): **\$ 10,000.00**

Total **\$ 43,500.00**

* For the Client's budgeting purposes, recording fees should be approximately \$3,100.00 based on:
 Phase 2 – 65 pages – approximately \$990.00
 Phase 3 – 128 pages – approximately \$1,935.00
 Perkins Road – 10 pages anticipated – approximately \$165.00

Palm Beach County Recording Fees are 'generally' as follows*:

24" x 36" documents: \$30 for the 1st page, \$15 for each page that follows within one document.

8½" x 11" or 8½" x 14" documents: \$10 for the 1st page, \$8.50 for each page thereafter.

Each legal description is charged at \$0.60 each

Additional information may be found at: <https://www.mypalmbeachclerk.com/resources/fees/public-records-fees/recording>



General Consulting Services / Meeting Attendance, which includes any services not included in this proposal but requested by Client or his agents shall be performed on an agreed upon fixed fee or time and material basis in accordance with the "Agreement for Professional Engineering Services for the Town of Loxahatchee Groves" executed on July 24th, 2013.

As a notice to proceed, please sign one copy of the attached Authorization Statement and return it to our office.

We certainly appreciate the opportunity to present you with this proposal. Upon authorization, we will do our best to be an effective member of your development team.

Respectfully,
KESHAVARZ & ASSOCIATES, INC.

Scott F. Bryson, P.S.M.
Vice President of Surveying



AUTHORIZATION STATEMENT

PROFESSIONAL SURVEYING SERVICES

for

**Preparation of
"Town Footprint"**

for

Levels 1, 2, 3, 4 and Perkins Road as outlined on attached

Loxahatchee Groves, Florida

I hereby acknowledge and agree with all the conditions reflected in the attached proposal dated June 26, 2020, together with the "Contract Provisions" and authorize the commencement of work by Keshavarz & Associates, Inc. by my signature as the representative of the entity responsible for payment of invoices for the described task.

NAME AND TITLE: _____

ACKNOWLEDGMENT: _____

DATE: _____

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155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves
FROM: Desiree Rice, Accounting Technician
VIA: James Titcomb, Town Manager
SUBJECT: Clarification of Council Approved Purchase Orders/Change Orders at meeting June 2, 2020

Background

At its June 2, 2020 Council meeting, Council approved purchase orders and change orders under the WBI contract for Big Dog Ranch and Altman Farms on D Road and B Road swale protections. The attachments were prepared by WBI and included the following amounts:

Project Name	PO#	Original Purchase Order	Change Order Request	Revised Total
Big Dog Ranch/ 1800 D RD easement	212	\$ 14,542.00	\$ 1,221.30	\$15,763.30
Big Dog Ranch/ 1900 D RD easement	213	\$ 17,542.00	\$ 2,382.50	\$19,924.50
2208 North RD easement	214	\$ 21,565.00	\$ 3,550.00	\$25,115.00
Big Dog Ranch/ 14444 Okeechobee & Southern End Inlet Modification	new	new	\$ 5,875.37	\$ 5,875.37
Total		\$ 53,649.00	\$13,029.17	\$ 66,678.17

In addition to the above purchase orders and change orders, the summary memo also requested approval of a purchase order for B Road swale sod protection for which the detail proposal and estimated cost was not attached:

Project Name	PO#	Original Purchase Order	Change Order Request	Revised Total
B Road swale sod protection		\$	\$	\$

Which could have been PO# 206 for North B Rd easement -3506 B Rd or PO# 207 North R RD easement – 2100 B Rd no indication was given.?????

This agenda item is to clarify Council approvals of the above.

TOWN OF LOXAHATCHEE GROVES

155 F ROAD
LOXAHATCHEE GROVES, FL 33470

PURCHASE ORDER

PURCHASE ORDER #	212
VENDOR ID	0075
6/17/2020	Page 1



VENDOR

SHIP TO

Attention: Mr. Jorge Perez
Phone: (561) 718-3319
E-mail: jorgeperezatwbi@aol.com

Town of Loxahatchee
155 F Rd
Loxahatchee Groves, FL 33470

WBI Contracting of Palm Beach, Inc.
1544 B Rd.
Loxahatchee Groves, FL 33470

Attention: Cheryl Miller
Phone: (561) 793-2418

SHIP VIA	F.O.B.	TERMS	PO DATE	BUYER
	destination	Due Upon Receipt	12/18/2019	Town of Loxahatchee Groves
			DEPARTMENT	CONFIRM TO
			Public Works	

LINE #	OUR PRODUCT ID	VENDOR PART NUMBER	REQUIRED	UNIT	QUANTITY	EXTENDED PRICE
DESCRIPTION			PROMISED		UNIT PRICE	
1			12/18/2019	Flat Rate	1	\$14,542.00
	Big Dog Ranch Rescue on D Rd- easement needed		12/18/2019			\$14,542.000
	Dog Ranch Rescue on D Rd- easement needed- 1800 D Rd					
2				Flat Rate	1	\$1,221.30
	Big Dog Ranch/D Rd- easement add on change approved					\$1,221.300
	add on change requested approved by the council June 2, 2020					
					TOTAL	\$15,763.30

Big Dog Ranch Rescue on D Rd easements needed- 1800 D Rd

66
AUTHORIZED SIGNATURE



Town of
LOXAHATCHEE GROVES

155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves
FROM: Larry Peters, Director of Public Works
VIA: James Titcomb, Town Manager
SUBJECT: Potential Drainage Projects: North B and South D

Background:

Based on direction at the October 15th Council meeting, staff is requesting consideration of the following drainage projects on North B and South D. Staff is only seeking funding and approval of purchase orders at this time for those properties with cost estimates totaling \$166,845 shown below:

North B Road easements committed:

3506 B Road 206	\$ 24,944
2100 B Road 207	30,084

South-South D Road no easements needed:

Sta 150 208	14,542
Sta 300 209	14,542
Sta 500 210	14,542
Sta 600 211	14,542

Big Dog Ranch on D Road easements needed:

1800 D Road 212	14,542
1900 D Road 213	17,542

North D Road easement committed:

2208 North D Road 214	21,565	Safety issue/seeking reimbursement from owner
	<u>\$ 166,845</u>	

305-60-54-341-56400

In addition to the above locations, the following easements will be necessary to complete future drainage projects and/or paving on North B Road:

North B Road easements needed:

2630 B Road & north adjacent lot
15405 Fortner Drive
2880 B Road
2942 B Road
3002 B Road

TOWN OF LOXAHATCHEE GROVES DRAINAGE IMPROVEMENT ESTIMATE

NOVEMBER 24, 2019

14444 OKEECHOBEE BLVD.

BIG DOG RANCH D ROAD- NORTH INSTALL

Description	Quantity	Unit Price	Cost
Mobilization	1	\$ 700.00	\$ 700.00
Type I Inlet Installation	1	\$ 12,472.00	\$12,472.00
Proctor-Soil testing	1	\$ 520.00	\$ 520.00
18" C.A.P.-Additional	8.2	\$ 103.50	\$ 850.00
		Total original P.O.	\$14,542.00
18" C.A.P.-Additional	11.80	\$ 103.50	\$ 1,221.30
		Total amount needed	\$15,763.30

A Change order of \$1,221.30 is needed to extend inlet to the new location. The Total amount needed will be \$15,763.30

PO# 212

wants additional \$ 1,221.30



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves
FROM: Larry A. Peters, P.E. Director of Public Works
VIA: James Titcomb, Town Manager
SUBJECT: Drainage Structures – Proposed Design/Engineering Changes

Background:

Big Dog Ranch:

Previous Town approvals for the construction of Big Dog Ranch required the installation of a drainage outfall structure to discharge to D Canal. This structure was installed in accordance with the original approved design. Town Council recently approved two (2) additional drainage structures for the drainage swale in concert with the paving of D Road adjacent to Big Dog Ranch. The Town Engineer has requested minor modification to the two new structures and a modification to the existing structure, to meet current, water quality standards.

Please find attached Change Orders prepared by WBI for the additional cost associated with the above modifications.

Altman Farms:

Town Council recently approved a drainage structure to replace the failing drainage culvert under D Road at Altman Farms 2208 D Road. During field surveys and preparation of the proposed design for structure review and approval, the Town Engineer requested that an asphalt paving apron be installed to convey the stormwater to the South side of Altman's driveway.

Please find attached Change Order prepared by WBI for the additional cost associated with the above redesign.

B Road Swale Sod Protectors:

Post protectors for the installation of multiple drainage swales and basins along B Road, were not installed during the installation of the drainage. Due to not being protected, most swales have been destroyed and the roadway widened by vehicular traffic. The existing conditions are a roadway hazard and without the swale sod, the basins and culverts will fill with roadway material.

Recommendations:

Staff seeks Councils approval to execute purchase orders to WBI for drainage Change Orders.



155 F Road Loxahatchee Groves, FL 33470

Staff recommends a purchase order be written to WBI, in the amount of \$ 9,166.67, for change orders for Big Dog Ranch Drainage.

Staff recommends a purchase order be written to WBI, in the amount of \$ 3,550.00, for a change order for Altman Farms Drainage.

Staff recommends a purchase order be written to WBI, in the amount of \$ 9,400.00, for change orders for B Road post protectors and sod replacement.

TOWN OF LOXAHATCHEE GROVES
TOWN HALL COUNCIL CHAMBERS
TOWN COUNCIL REGULAR MEETING

AGENDA

June 2, 2020 - 7:00 P.M.

DUE TO THE COVID-19 EMERGENCY, NO PRE-COUNCIL MEETING WORKSHOP IS SCHEDULED. PUBLIC AUDIENCE WILL NOT BE ACCOMMODATED ONSITE, PUBLIC COMMENT WILL BE ACCEPTED BY EMAIL OR WRITING TO THE CLERK IN ADVANCE.



Lisa El-Ramey, Mayor (Seat 3)

Phillis Maniglia, Councilmember (Seat 1)

Laura Danowski, Councilmember (Seat 2)

Robert Shorr, Councilmember (Seat 4)

Marge Herzog, Vice Mayor (Seat 5)

Administration

Town Manager, James S. Titcomb

Assistant Town Manager, Francine L. Ramaglia

Town Attorney, R. Brian Shutt, Esq.

Town Clerk, Lakisha Q. Burch

Director of Public Works, Larry A. Peters, P.E.

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That's why we say "Character Counts" in Town of Loxahatchee Groves. Civility is practiced at all Town meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida, (561) 793-2418.

Quasi-Judicial Hearings: Some of the matters on the Agenda may be "quasi-judicial" in nature. Town Council Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. Unsworn comment will be given its appropriate weight by the Town Council.

Appeal of Decision: If a person decides to appeal any decision made by the Town Council with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

Consent Calendar: Those matters included under the Consent Calendar are typically self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any Town Council Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a Town Council Member, or by any member of the public desiring it to be heard, without a motion.

TOWN COUNCIL AGENDA ITEMS

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Additions/Deletions/Modifications of Agenda

Comments from The Public on Non-Agenda Items

Under authority of Governor's E.O. 20-69 modifying rules for Public Meetings, with COVID-19 State and County Emergency Declarations, this meeting is closed to in person attendance above 10 persons (Council & staff). Public Comments for this meeting will be received by email, or in writing to the Town Clerk's Office until 6:30 PM day of this meeting. All comments received in this manner will be received/filed and acknowledged as part of the official public record at the meeting. The meeting will be live-streamed and captioned for the public via the town website.

CONSENT AGENDA

1. Approval of Meeting Minutes:
 - a. January 7, 2020 Resident Meeting Minutes
 - b. January 7, 2020 Town Council Regular Meeting Minutes

PUBLIC HEARING

2. Approval of SECOND Reading of Ordinance 2020-02 Amending the Code of Ordinances by Repealing Chapter 2 "Administration, Article V "Procurement" and Enacting a New Article V "Procurement" Regarding Procurement Requirements: Providing for Conflict, Severability, Codification and an Effective Date.

REGULAR AGENDA

3. Approval of design changes for B and D Roads drainage projects.

PRESENTATION

4. Presentation on Bond Issues from Bond Council, Steve Sandford.
5. Presentation on Road Projects from Traffic Engineers, Simmons & White Engineers

Town Councilmembers Comments

Town Staff Comments

Adjournment

Comment Cards: Anyone from the public wishing to address the Town Council, it is requested that you complete a Comment Card before speaking. Please fill out completely with your full name and address so that your comments can be entered correctly in the minutes and give to the Town Clerk. During the agenda item portion of the meeting, you may only address the item on the agenda 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.

TOWN OF LOXAHATCHEE GROVES

155 F ROAD
LOXAHATCHEE GROVES, FL 33470

PURCHASE ORDER

PURCHASE ORDER #	212
VENDOR ID	0075
12/18/2019	Page 1

VENDOR

SHIP TO

Attention:
Phone: (561) 718-3319

Town of Loxahatchee
155 F Rd
Loxahatchee Groves, FL 33470

WBI Contracting of Palm Beach, Inc.
1544 B Rd.
Loxahatchee Groves, FL 33470

Attention: Cheryl Miller
Phone: (561) 793-2418

SHIP VIA	F.O.B.	TERMS	PO DATE	BUYER
	destination	Due Upon Receipt	12/18/2019	Town of Loxahatchee Groves
			DEPARTMENT	CONFIRM TO
			Public Works	

LINE #	OUR PRODUCT ID	VENDOR PART NUMBER	REQUIRED	UNIT	QUANTITY	EXTENDED PRICE
DESCRIPTION			PROMISED		UNIT PRICE	
1			12/18/2019	Flat Rate	1	\$14,542.00
	Big Dog Ranch Rescue on D Rd- easement needed		12/18/2019			\$14,542.000
	Dog Ranch Rescue on D Rd- easement needed- 1800 D Rd					
					TOTAL	\$14,542.00

OK to keep working per Randy 4/16 Phone w/ Francine

Big Dog Ranch Rescue on D Rd easements needed- 1800 D Rd

[Signature]
AUTHORIZED SIGNATURE

TOWN OF LOXAHATCHEE GROVES

155 F ROAD
LOXAHATCHEE GROVES, FL 33470

PURCHASE ORDER

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6/17/2020	Page 1



SHIP TO

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Phone: (561) 718-3319
E-mail: jorgeperezatwbi@aol.com

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	Pia Dog Ranch Rescucon D Rd- easement needed- 1900 D Rd					
2				Flat Rate	1	\$2,070.00
	Big Dog Ranch/D Rd- change request approved by council					\$2,070.000
	change order request approved bythe council June 2,2020					
3				Flat Rate	1	\$312.50
	Big Dog Ranch/D Rd					\$312.500
	an error was found on the purchase order was out of balance per town and vendor this will correct the out balance error.					
					TOTAL	\$19,924.50

Big Dog Ranch Rescucon D Rd- easement needed- 1900 D Rd.

74
AUTHORIZED SIGNATURE



Town of
LOXAHATCHEE GROVES

155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves
FROM: Larry Peters, Director of Public Works
VIA: James Titcomb, Town Manager
SUBJECT: Potential Drainage Projects: North B and South D

Background:

Based on direction at the October 15th Council meeting, staff is requesting consideration of the following drainage projects on North B and South D. Staff is only seeking funding and approval of purchase orders at this time for those properties with cost estimates totaling \$166,845 shown below:

North B Road easements committed:

3506 B Road 206	\$ 24,944
2100 B Road 207	30,084

South-South D Road no easements needed:

Sta 150 208	14,542
Sta 300 209	14,542
Sta 500 210	14,542
Sta 600 211	14,542

Big Dog Ranch on D Road easements needed:

1800 D Road 212	14,542
1900 D Road 213	17,542

North D Road easement committed:

2208 North D Road 214	<u>21,565</u>	Safety issue/seeking reimbursement from owner
	<u>\$ 166,845</u>	

305-60-54-541-56400

In addition to the above locations, the following easements will be necessary to complete future drainage projects and/or paving on North B Road:

North B Road easements needed:

- 2630 B Road & north adjacent lot
- 15405 Fortner Drive
- 2880 B Road
- 2942 B Road
- 3002 B Road

TOWN OF LOXAHATCHEE GROVES DRAINAGE IMPROVEMENT ESTIMATE

APRIL 17, 2020
14444 OKEECHOBEE BLVD.
BIG DOG RANCH D ROAD- SOUTH

Description	Quantity	Unit Price	Cost
Mobilization	1	\$ 700.00	\$ 700.00
Type I Inlet Installation	1	\$ 12,472.00	\$12,472.00
Proctor-Soil testing	1	\$ 520.00	\$ 520.00
Swale	450	\$ 9.25	\$ 4,162.50
		Total	\$17,854.50
18" C.A.P. additional	20	\$ 103.50	\$ 2,070.00
		Total amount Needed	\$19,924.50

A change order for \$2,070.00 is needed to extend inlet to new location. A total of \$19,924.50 is needed for this location.

Have nothing for 17854.50

~~off 312.50 - should I put the difference
in the change request~~



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves
FROM: Larry A. Peters, P.E. Director of Public Works
VIA: James Titcomb, Town Manager
SUBJECT: Drainage Structures – Proposed Design/Engineering Changes

Background:

Big Dog Ranch:

Previous Town approvals for the construction of Big Dog Ranch required the installation of a drainage outfall structure to discharge to D Canal. This structure was installed in accordance with the original approved design. Town Council recently approved two (2) additional drainage structures for the drainage swale in concert with the paving of D Road adjacent to Big Dog Ranch. The Town Engineer has requested minor modification to the two new structures and a modification to the existing structure, to meet current, water quality standards.

Please find attached Change Orders prepared by WBI for the additional cost associated with the above modifications.

Altman Farms:

Town Council recently approved a drainage structure to replace the failing drainage culvert under D Road at Altman Farms 2208 D Road. During field surveys and preparation of the proposed design for structure review and approval, the Town Engineer requested that an asphalt paving apron be installed to convey the stormwater to the South side of Altman's driveway.

Please find attached Change Order prepared by WBI for the additional cost associated with the above redesign.

B Road Swale Sod Protectors:

Post protectors for the installation of multiple drainage swales and basins along B Road, were not installed during the installation of the drainage. Due to not being protected, most swales have been destroyed and the roadway widened by vehicular traffic. The existing conditions are a roadway hazard and without the swale sod, the basins and culverts will fill with roadway material.

Recommendations:

Staff seeks Councils approval to execute purchase orders to WBI for drainage Change Orders.



155 F Road Loxahatchee Groves, FL 33470

Staff recommends a purchase order be written to WBI, in the amount of \$ 9,166.67, for change orders for Big Dog Ranch Drainage.

Staff recommends a purchase order be written to WBI, in the amount of \$ 3,550.00, for a change order for Altman Farms Drainage.

Staff recommends a purchase order be written to WBI, in the amount of \$ 9,400.00, for change orders for B Road post protectors and sod replacement.

TOWN OF LOXAHATCHEE GROVES
TOWN HALL COUNCIL CHAMBERS
TOWN COUNCIL REGULAR MEETING

AGENDA

June 2, 2020 - 7:00 P.M.

DUE TO THE COVID-19 EMERGENCY, NO PRE-COUNCILMEETING WORKSHOP IS SCHEDULED. PUBLIC AUDIENCE WILL NOT BE ACCOMMODATED ONSITE, PUBLIC COMMENT WILL BE ACCEPTED BY EMAIL OR WRITING TO THE CLERK IN ADVANCE.



Lisa El-Ramey, Mayor (Seat 3)

Phillis Maniglia, Councilmember (Seat 1)

Laura Danowski, Councilmember (Seat 2)

Robert Shorr, Councilmember (Seat 4)

Marge Herzog, Vice Mayor (Seat 5)

Administration

Town Manager, James S. Titcomb
Assistant Town Manager, Francine L. Ramaglia
Town Attorney, R. Brian Shutt, Esq.
Town Clerk, Lakisha Q. Burch
Director of Public Works, Larry A. Peters, P.E.

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That's why we say "Character Counts" in Town of Loxahatchee Groves. Civility is practiced at all Town meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida. (561) 793-2418.

Quasi-Judicial Hearings: Some of the matters on the Agenda may be "quasi-judicial" in nature. Town Council Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. Unsworn comment will be given its appropriate weight by the Town Council.

Appeal of Decision: If a person decides to appeal any decision made by the Town Council with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

Consent Calendar: Those matters included under the Consent Calendar are typically self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any Town Council Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a Town Council Member, or by any member of the public desiring it to be heard, without a motion.

TOWN COUNCIL AGENDA ITEMS

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

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TOWN OF LOXAHATCHEE GROVES

155 F ROAD
LOXAHATCHEE GROVES, FL 33470

PURCHASE ORDER

PURCHASE ORDER #	213
VENDOR ID	0075
12/18/2019	Page 1

VENDOR

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155 F Rd
Loxahatchee Groves, FL 33470

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			DEPARTMENT	CONFIRM TO
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	Dog Ranch Rescueon D Rd- easement needed- 1900 D Rd					
					TOTAL	\$17,542.00

ok to keep working Per Randy 4/16 Phone w/ Francine

Big Dog Ranch Rescueon D Rd- easement needed- 1900 D Rd.

[Signature]
AUTHORIZED SIGNATURE

TOWN OF LOXAHATCHEE GROVES

155 F ROAD
LOXAHATCHEE GROVES, FL 33470

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LINE #	OUR PRODUCT ID	VENDOR PART NUMBER	REQUIRED	UNIT	QUANTITY	EXTENDED
	DESCRIPTION		PROMISED		UNIT PRICE	PRICE
1	North D Rd- easement needed- 2208 N D Rd		12/18/2019	Flat Rate	1	\$21,565.00
	North D Rd- easement needed- 2208 N D Rd		12/18/2019		\$21,565.000	
2	North D Rd- easement change request approved by the council		6/16/2020	Flat Rate	1	\$3,550.00
	add on change request approved by the council June 2,2020				\$3,550.000	
					TOTAL	\$25,115.00

North D Rd- easement needed- 2208 N D Rd

82
AUTHORIZED SIGNATURE



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves
FROM: Larry Peters, Director of Public Works
VIA: James Titcomb, Town Manager
SUBJECT: Potential Drainage Projects: North B and South D

Background:

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2208 North D Road 214	21,565	Safety issue/seeking reimbursement from owner
	<u>\$166,845</u>	

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 2942 B Road
 3002 B Road

TOWN OF LOXAHATCHEE GROVES DRAINAGE IMPROVEMENT WORK ORDER

April 17, 2020

LOCATION: 2208 D Road- Altman Farms Pipe Collapse

	BID TAB NUMBER			TOTALS
MOBILIZATION	IV	1	700	\$700
TYPE 3 REPAIR	III	1	11050	\$11,050.00
PROCTOR TEST	V:1	1	520	\$520
Type C Inlet	IV:10	1	3,195.00	\$3,195.00
18" C.A.P.	IV:12	1	103.50	\$1,035.00
18" Endwall	IV:5	1	\$1,820.00	\$1,820.00
Rip Rap	IV:9	1	495.00	\$495.00
Road Restoration	VI:8	1	\$2,750.00	\$2,750.00
			TOTAL Original amount of P.O.	\$21,565.00
Driveway Base Replacement 20 s.y.	IV:21	1	\$800.00	
Asphalt Driveway 23 s.y.	IV:8	1	\$2,750.00	
			TOTAL CHANGE ORDER AMOUNT	\$3,550.00 ✓
			TOTAL AMOUNT OF NEEDED	\$25,115.00

PO# 21565.00

Keshavarz recommended an asphalt driveway to convey the water from one side of the driveway to the inlet so the sediment doesn't contaminate the inlet. We need a change order for \$3,550.00 for the asphalt driveway. The Total Project amount will be \$25,115.00



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves
FROM: Larry A. Peters, P.E. Director of Public Works
VIA: James Titcomb, Town Manager
SUBJECT: Drainage Structures – Proposed Design/Engineering Changes

Background:

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TOWN OF LOXAHATCHEE GROVES
TOWN HALL COUNCIL CHAMBERS
TOWN COUNCIL REGULAR MEETING

AGENDA

June 2, 2020 - 7:00 P.M.

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Phillis Maniglia, Councilmember (Seat 1)

Laura Danowski, Councilmember (Seat 2)

Robert Shorr, Councilmember (Seat 4)

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Assistant Town Manager, Francine L. Ramaglia
Town Attorney, R. Brian Shutt, Esq.
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TOWN COUNCIL AGENDA ITEMS

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TOWN OF LOXAHATCHEE GROVES

155 F ROAD
LOXAHATCHEE GROVES, FL 33470

PURCHASE ORDER

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			12/18/2019		\$21,565.000	
TOTAL						\$21,565.00

North D Rd- easement needed- 2208 N D Rd


AUTHORIZED SIGNATURE

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155 F Road Loxahatchee Groves, FL 33470

TO: Water Control District Board of Supervisors
FROM: James Titcomb, Town Manager
VIA: Francine Ramaglia, Assistant Town Manager
SUBJECT: Warrant No. 2020-DD08 Reimbursement to Town of Loxahatchee Groves

Background:

The Town of Loxahatchee Groves pays all its expenditures, including those of its dependent district--the Loxahatchee Groves Water Control District, from its Well Fargo bank account in the Town's General Fund. Therefore, funds from non-ad valorem assessments collected by the District and held in general funds in the Bank United account must be transferred to the Wells Fargo account to cover District expenditures. Further, the District is required by state law to approve warrants or all payments made.

Warrant No. 2020-DD08 serves to transfer funds to reimburse payrolls for the period from January 31, 2020 – June 19, 2020 and payment of invoices for the period from January 29, 2020 – June 19, 2020. It is the eight such transfer and approval of District warrants, since the consolidation of the two governments on June 25, 2018.

The total transfer for warrants during the period is \$592,382.57 based on the attached detail reflecting payroll for the District totaling \$136,091.57 and check runs for the District totaling \$456,291.30.

Attached are the following documents:

- Check Request Form
- Warrant No. 2020-DD08
- Summary of LGWCD Invoices & Payrolls Paid by Town of Loxahatchee Groves

Recommendations:

Staff recommends the approval of Warrant No. 2020-DD08 for reimbursement to the Town of Loxahatchee Groves for expenditures totaling \$592,382.57 on behalf of the dependent district.



TOWN OF LOXAHATCHEE GROVES

CHECK REQUEST FORM

Department: <i>Loxahatchee Groves Water Control District</i>	Date: <i>July 7, 2020</i>
Vendor Name: <i>Town of Loxahatchee Groves</i>	Vendor No:
Street Address: <i>155 F Road</i>	Invoice No: <i>2020-08</i>
City, State, Zip: <i>Loxahatchee Groves, FL 33470</i>	Invoice Amt: <i>\$592,382.57</i>

Description of payment request:

Reimbursement to TOLG for payments made from the Wells Fargo main operating account on behalf of LGWCD for payment of invoices and payrolls for the period from January 29, 2020 – June 19, 2020.

Purchases over \$1,000 required supporting documentation (must be attached):

The Summary of LGWCD Invoices/Payrolls Paid by Town of Loxahatchee Groves from January 29,2020 – June 19,2020 is attached to support the following payment requested:

<u>Account Number</u>	<u>Amount</u>
<i>Bank United-District General Funds</i>	\$ 592,382.57
Total Check Request Amount:	\$ 592,382.57

Approval:

Approval:

Town Council Approval:

Finance

User Department	Town Manager/Designee	Date: <i>July 7, 2020</i>

Authority Limits:

Up to \$1,000.00

Designee to \$ 3,000.00

over \$10,000.00

Manager to \$10,000.00

Check Information:

Mail
 Return to Originating Department

WARRANT NO. 2020-DD08

LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA

PAY TO *Town of Loxahatchee Groves*

Five Hundred Ninety Two Thousand Three Hundred Eighty Two Dollars & 57/100
FROM THE GENERAL FUNDS OF THE WATER CONTROL DISTRICT HELD AT BANK
UNITED AS FOLLOWS:

<u>ACCOUNT NO.</u>	<u>AMOUNT</u>	<u>NOTATION</u>
<i>Bank United-District General Funds</i>	\$ 592,382.57	Reimburse Wells Fargo for expenditures made from Wells Fargo bank account on behalf of dependent district

DATE: July 7, 2020

CHECK NO. _____

AMOUNT: \$ 592,382.57

BY ORDER OF THE BOARD OF SUPERVISORS OF
LOXAHATCHEE GROVES WATER CONTROL DISTRICT
LOXAHATCHEE, FLORIDA

PRESIDENT OF THE DISTRICT

ATTEST:

TOWN CLERK, SECRETARY TO DISTRICT

TREASURER OF THE DISTRICT



Town of
LOXAHATCHEE GROVES

155 F Road Loxahatchee Groves, FL 33470

LGWCD Invoices/Payroll Paid by Town of Loxahatchee Groves

Date	Check Run	Total Paid	Payroll Date	Total Payroll	Less Town Payroll Expense	LGWCD Payroll
January 29, 2020	1/29/2020	\$ 66,034.61	1/31/2020	\$ 36,691.07	\$ (21,190.58)	\$ 15,500.49
February 4, 2020	2/4/2020	\$ 53,259.23	2/14/2020	\$ 37,317.42	\$ (24,973.89)	\$ 12,343.53
February 11, 2020	2/11/2020	\$ 1,786.98	2/28/2020	\$ 33,140.14	\$ (21,020.58)	\$ 12,119.56
February 25, 2020	2/25/2020	\$ 66,921.34	3/13/2020	\$ 38,031.31	\$ (25,576.58)	\$ 12,454.73
March, 2020	3/17/20-3/25/20	\$ 90,205.27	3/27/2020	\$ 33,592.34	\$ (21,364.29)	\$ 12,228.05
April, 2020	4/7-4/28/20	\$ 62,649.30	4/10/2020	\$ 32,636.68	\$ (22,480.37)	\$ 10,156.31
May, 2020	5/21/2020	\$ 32,785.74	4/24/2020	\$ 31,868.91	\$ (19,684.62)	\$ 12,184.29
June, 2020	6/10/2020	\$ 82,648.83	5/8/2020	\$ 35,356.05	\$ (23,039.62)	\$ 12,316.43
			5/22/2020	\$ 32,301.92	\$ (20,229.62)	\$ 12,072.30
			6/5/2020	\$ 35,357.00	\$ (23,001.06)	\$ 12,355.94
			6/19/2020	\$ 31,374.56	\$ (19,014.62)	\$ 12,359.94
			Total LGWCD Payroll	\$ 377,667.40	\$ (241,575.83)	\$ 136,091.57

Total LGWCD Invoices \$ 456,291.30

Grand Total Due TOLG \$ 592,382.57



155 F Road Loxahatchee Groves, FL 33470

TO: Mayor and Councilmembers
FROM: James Titcomb, Town Manager
VIA: Francine Ramaglia, Assistant Town Manager
SUBJECT: Bank United Emergency Fund – Line of Credit Authorization

Background:

The Town is establishing an FY20/21 line of credit proposal with favorable terms from our primary authorized banking institution partner, Bank United, to provide an Emergency Fund Line of Credit issuance to access should the Town need to leverage funds under certain emergency declarations associated with the annual Hurricane Season, or for other applicable expenditures.

Exact rates and terms will be set at time of document presentation, with an enabling Resolution to be adopted at the meeting as released. The Resolution preamble will begin as:

WHEREAS, the Town Council of the Town of Loxahatchee Groves, Florida (the “Town”) has determined that it is appropriate and necessary for the Town to have access to a revolving line of credit in the event of a state of emergency (the “Line of Credit”); and

WHEREAS, United Bank (the “Bank”) has submitted a proposal (the “Proposal”) to the Town dated July ___ 2020, to provide such Line of Credit; and

WHEREAS, the acceptance of such Proposal is in the best interest of the Town, with the exception that the interest rate “floor” on the Note (as defined in the Resolution) shall be reduced as provided in the Line of Credit Agreement; and

WHEREAS, the Town desires to approve the form of the line of credit agreement pursuant to which the Line of Credit will be provided.

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

Recommendations:

Staff recommends Council approve/authorize the Town Manager to execute a final “Emergency Fund Line of Credit” with Bank United, pending final calculations, terms and rates for the Credit Line date certain, in consultation with Bond Council, Town Attorney and Mayor signature.

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155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Loxahatchee Groves
FROM: Town Legal & Administration
VIA: James Titcomb, Town Manager
SUBJECT: Drafting an Ordinance for an updated RV Program

Background:

In order to draft and enact policy and corresponding substantive changes to the Town's ULDC allowing for "seasonal" and, or long-term use and storage of "Recreational Vehicles" (RVs), direction on council defined limits need to be wordsmithed into an enacting Ordinance. Note that important parameters such as: no more than 4 units (FL statute limit), health department rules, occupancy limits, permits for hookups, partial year garbage collection rates, code for permits and inspections, registration (fee/no fee) for town code inspection, habitation guidelines/restrictions to apply, short-term rental requirements, etc. need to be clarified by council consensus for drafting.

WHEREAS, the Town Council believes it is necessary to enact regulations regarding recreational vehicles; and,

WHEREAS, this proposed ordinance modifies the current code by enacting regulations governing recreational vehicles; and

WHEREAS, the Town Council has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

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

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

Section 2. The Town of Loxahatchee Groves hereby amends Part II "Zoning Districts", Article 20 "Residential Zoning Districts" by enacting Section 20-050 "Recreational vehicles" to read as follows:

Recommendation:

Allow the Town Attorney to lead council through a series of questions/issues to include/or not.

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155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 8

TO: Town Council of Town of Loxahatchee Groves
FROM: Lakisha Burch, Town Clerk
VIA: James Titcomb, Town Manager
SUBJECT: Committee(s) ULDC, RETGAC, FAAC and P&Z (LPA) Appointments by Resolution(s) 2020-07, 2020-08, 2020-09, and 2020-10

Background:

Councilmembers

Recommendation:

Staff recommends that a motion be made to approve the Resolutions adoption of the Town of Loxahatchee Groves' committees.

RESOLUTION NO. 2020-07

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPOINTING SIMON FERNANDEZ, TODD MCCLENDON, JO SICILIANO, CASEY SUCHY, LISA TRZEPACZ AND AS AN ALTERNATE TOM GOLTZENE AS REGULAR VOTING MEMBERS OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE (ULDC) ADVISORY COMMITTEE, TO SERVE TERMS THAT EXPIRE ON THE SUNSET DATE OF MARCH 10, 2020; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town Council adopted Resolution No. 2016-28, reestablishing the “Unified Land Development Code Review Committee” to review the Town’s Unified Land Development Code (ULDC) and advise the Town Council as to suggested revisions to the ULDC; and

WHEREAS, it is the desire of the Town Council of the Town of Loxahatchee Groves, Florida to further amend Resolution No. 2016-28 to allow for modification of the composition of the Committee, term of appointment and determination of absences, is in the best interests of the residents of the Town.

NOW, THEREFORE, BE IS 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 modifies the Town’s “Unified Land Development Code Review Committee” Resolution as follows:

I. Establishment of the “Unified Land Development Code Review Committee.”
There is established 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 and two (2) alternates, to be appointed by individual Town Council Members through adoption of a resolution. The members shall serve a term of one year, expiring on the first Tuesday of May of the following year.
- (B) **Qualifications.** Each member of the Unified Land Development Code Review Committee shall be a resident of the Town, except the Town Council may appoint one member, including alternates, who is a non-resident landowner.

- (C) Duty. The Unified Land Development Code Review Committee's duty is to review and provide recommendations on sections of the Town's currently adopted Unified Land Development Code, and pertinent sections of the Town's Comprehensive Plan, as directed by the Town Council, or the Town Manager.
- (D) An attendance requirement shall be imposed on all members of the Unified Land Development Code Review Committee. A member of the Unified Land Development Code Review Committee may be removed by the Town Council if he/she has missed two (2) consecutive meetings of the Committee, where both absences have been unexcused as determined by the Committee.
- (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, at the first meeting of the board 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 from its voting membership for a term identified in Section 2 I(A).
- (B) The Unified Land Development Code Review Committee shall meet on a monthly basis, unless there is no business to conduct 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.

(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, on as as-needed basis, and providing the items necessary for conducting meetings 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. 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 4. Conflicts. All Resolutions or parts of Resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

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

Lisa El-Ramey, Mayor

Margaret Herzog, Vice Mayor

Laura Danowski, Council Member

Phillis Maniglia, Council Member

Robert Shorr, Council Member

Casey Suchy

Todd McClendon

Lisa Trzepacz

Jo Siciliano

Tom Goltzene (alt)

Simon Fernandez

Section 1. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 2. 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 3. This Resolution shall become effective immediately upon its passage and adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
LISA EL-RAMEY, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, 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 JULY 2020.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Lisa El-Ramey, Mayor

Lakisha Burch, Town Clerk

Margaret Herzog, Vice Mayor

APPROVED AS T LEGAL FORM:

Laura Danowski, Council Member

R. Brian Shutt, Town Attorney

Phillis Maniglia, Council Member

Robert Shorr, Council Member

RESOLUTION NO. 2020-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPOINTING PAUL COLEMAN, BRAIN MCNEIL, MARIANNE MILES, DARCY MURRAY, PATRICK PAINTER AND AS ALTERNATES KATIE LAKEMAN, SARAH PALMER AND MATTHEW TACILAUKAS AS VOTING MEMBERS OF THE ROADWAY, EQUESTRIAN TRAILS AND GREENWAY ADVISORY COMMITTEE (RETGAC), TO SERVE TERMS OF ONE (1) YEAR; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution 2011-005, the Town Council of the Town of Loxahatchee Groves, Florida, created the “Roadway, Equestrian Trails and Greenway Advisory Committee” to advise the Town Council as to issues related to roadways, multi-purpose and equestrian trails, greenways, parks and related water issues; and

WHEREAS, the Town Council amended Resolution 2011-005 by adopting Resolution 2015-04; and

WHEREAS, the Town Council wishes to further amend the above resolutions to allow for modification of the composition of the Committee, term of appointment and determination of absences, to be 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. Section 2 of Resolution 2015-04 is amended as follows:

I. Creation of the “Roadway, Equestrian Trails and Greenway Advisory Committee.” There is created the Roadway, Equestrian Trails and Greenway Advisory Committee to act as an advisory board to the Town Council, as follows:

- (A) **Qualifications.** Each member of the Roadway, Equestrian Trails and Greenway Advisory Committee shall be a resident of the Town, except the Town Council may appoint one member, including alternates, who is a non-resident landowner.
- (B) **Duties.** The Roadway, Equestrian Trails and Greenway Advisory Committee’s duties are to review only those matters directed to it by the Town Council through the Town Manager, or by the Town Manager, which matters may include:

1. Reviewing and analyzing projects relating to roadways, multi-purpose and equestrian trails, greenways, parks and related water issues;
2. Making recommendations to the Town Council on the enhancement, improvement and development of roadways, multi-purpose and equestrian trails, greenways, parks and related water issues within the Town; and,
3. Any other matter relating to roadways, multi-purpose and equestrian trails, greenways, parks and related water issues the Town Council may determine should be reviewed by the Committee.

(C) The Committee shall be comprised of five (5) voting members and two (2) alternates, to be appointed by individual Town Council Members.

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

(E) The voting members and alternates shall serve at the pleasure of the Town Council. The terms of the voting members and alternates shall be for a one-year term and shall expire on the first Tuesday of May of the following year.

(F) An attendance requirement shall be imposed on all members of the Roadway, Equestrian Trails and Greenway Advisory Committee. Unless excuse of absence is granted by the Roadway, Equestrian Trails and Greenway Advisory Committee, a member of the Roadway, Equestrian Trails and Greenway Advisory Committee ~~shall~~ may be removed by the Town Council if he/she has missed two (2) consecutive meetings of the Committee where both absences have been unexcused.

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

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

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

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

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

(B) The Roadway, Equestrian Trails and Greenway Advisory Committee will meet on a monthly basis, unless there is no business to conduct as determined by the Town Manager, to review matters directed to it by the Town Council pursuant to subsection I(B) above. At such meetings, the Roadway, Equestrian Trails and Greenway Advisory Committee shall limit its business to the matters directed to it by the Town Council.

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

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

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

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

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

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

Section 3. Severability. If any clause, section, or other part or application of this

Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid,

such unconstitutional or invalid part or application shall be considered as eliminated, and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

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

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

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 hereby appoints the following persons to serve as voting members of the Town’s Roadway, Equestrian Trails and Greenway Advisory Committee (RETGAC) for a term of one (1) year:

- | | |
|----------------------------------|---------------------------|
| Lisa El-Ramey, Mayor | Paul Coleman |
| Margaret Herzog, Vice Mayor | Brain McNeil |
| | Katie Lakeman (alt) |
| Laura Danowski, Council Member | Darcy Murray |
| Phillis Maniglia, Council Member | Patrick Painter |
| | Sarah Palmer (alt) |
| Robert Shorr, Council Member | Marianne Miles |
| | Matthew Tacilauskas (alt) |

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. 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 5. This Resolution shall become effective immediately upon its passage and adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
LISA EL-RAMEY, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, 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 JULY 2020.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Lisa El-Ramey, Mayor

Lakisha Burch, Town Clerk

Margaret Herzog, Vice Mayor

APPROVED AS T LEGAL FORM:

R. Brian Shutt, Town Attorney

Laura Danowski, Council Member

Phillis Maniglia, Council Member

Robert Shorr, Council Member

RESOLUTION NO. 2020-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPOINTING BRUCE CUNINGHAM, ANITA KANE, DOUGAL MENELAWS, ANGELO ROSSI, PETER SAVINO AND AS ALTERNATE CONNIE BELL, LAURA CACIOPPO, JANET EICK, AS VOTING MEMBERS OF THE FINANCE ADVISORY AND AUDIT COMMITTEE, TO SERVE TERMS TO EXPIRE ON MARCH 10, 2020; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Loxahatchee Groves adopted Town Resolution No. 2009-008, and established the Town of Loxahatchee Groves Finance Advisory and Audit Committee; and

WHEREAS, the Town Council has adopted several Resolutions amending the initial resolution; and

WHEREAS, it is the desire of the Town Council of the Town of Loxahatchee Groves, Florida to further amend Resolution No. 2018-17 to allow for modification of the composition of the Committee, term of appointment and determination of absences, to be 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 modifies the Town’s Finance Advisory and Audit Committee Resolution as follows:

I. Creation of Finance Advisory and Audit Committee. There is created a Finance Advisory and Audit Committee to act as an advisory board to the Town Council, as follows:

(A) **Qualifications.** Each member of the Finance Advisory and Audit Committee shall be a resident of the Town, except the Town Council may appoint one member, including alternates, who is a non-resident landowner. Whenever possible, emphasis should be upon persons who have experience in the financial services industry.

(B) **Duties.** The duties of the Finance Advisory and Audit Committee are as follows:

(1) To conduct a review and analyses of projects assigned by the

Town Council, or Town Manager, and make recommendations to the Town Council;

(2) To review financial activities of the Town; and

(3) To act as the Audit Committee in order to provide for auditor selection functions consistent with Section 218.391, Florida Statutes, upon motion of the Town Council.

(C) The Committee shall be comprised of five (5) voting members and two (2) alternates, to be appointed by individual Town Council Members.

(D) The Town Council may appoint one member of the Town Council to serve as a non-voting liaison to the Finance Advisory and Audit Committee.

(E) The voting members and alternates shall serve at the pleasure of the Town Council for a term of one (1) year, expiring on the first Tuesday of May of the following year.

(F) An attendance requirement shall be imposed on all members of the Finance Advisory and Audit Committee. Unless excuse of absence is granted by the Finance Advisory and Audit Committee a member of the Finance Advisory and Audit Committee may be removed by the Town Council if he/she has missed two (2) consecutive meetings of the Committee where both absences have been unexcused as determined by the Committee.

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

(H) If a regular member or alternate of the Finance Advisory and Audit Committee resigns or is removed from his or her position, the appointing Council Member shall appoint the replacement for approval by Town Council.

(I) Modification or changes to the Finance Advisory and Audit Committee duties and responsibilities must be approved by a super majority of the Town Council.

II. Advisory Only.

The actions, decisions, and recommendations of the Finance Advisory and Audit Committee shall be advisory only.

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

(A) The Finance Advisory and Audit Committee may hold an organizational meeting at the first scheduled meeting following the appointment of the members of the Finance Advisory and Audit Committee. The purpose of the Finance Advisory and Audit Committee organizational meeting is for the members to elect a Chair and Vice Chair from its voting membership for term identified in Section 2 I(E).

(B) The Finance Advisory and Audit Committee shall meet on a monthly basis, unless there is no business to conduct as determined by the Town Manager.

(C) All meetings, records and files of the Finance Advisory and Audit 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 Finance Advisory and Audit 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 Finance Advisory and Audit 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. Should the Town Manager not be able to confirm that a quorum will be present by noon on the day of the scheduled meeting, the Town Manager may cancel the meeting and advise Committee members and notice of such cancellation.

(E) Three (3) voting members in attendance shall constitute a quorum of the Finance Advisory and Audit Committee. All action by the Finance Advisory and Audit Committee shall require approval by at least three (3) members.

(F) The Town Manager or his/her designee shall act as secretary to the Finance Advisory and Audit Committee, and be responsible for attending all meetings, on an as-needed basis, and providing the items necessary for conducting meetings and for recording and preparation of meeting minutes. The Town Attorney or his/her designee shall act as attorney for the Finance Advisory and Audit 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 Finance Advisory and Audit Committee shall serve without compensation for the performance of their duties.

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

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

Section 5. Effective Date. This resolution shall take effect immediately upon its adoption.

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 hereby appoints the following persons to serve as voting members of the Financial Audit and Advisory Committee (FAAC) for a term of one (1) year:

- | | |
|----------------------------------|----------------------|
| Lisa El-Ramey, Mayor | Angelo Rossi |
| Margaret Herzog, Vice Mayor | Dougal Menelaws |
| | Connie Bell (alt) |
| Laura Danowski, Council Member | Peter Savino |
| Phillis Maniglia, Council Member | Anita Kane |
| | Laura Cacioppo (alt) |
| Robert Shorr, Council Member | Bruce Cunningham |
| | Janet Eick (alt) |

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. 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 5. This Resolution shall become effective immediately upon its passage and adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
LISA EL-RAMEY, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolution No. 2020-09

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS ___ DAY OF JULY 2020.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Lisa El-Ramey, Mayor

Lakisha Burch, Town Clerk

Margaret Herzog, Vice Mayor

APPROVED AS T LEGAL FORM:

Laura Danowski, Council Member

R. Brian Shutt, Town Attorney

Phillis Maniglia, Council Member

Robert Shorr, Council Member

RESOLUTION NO. 2020-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPOINTING WILLIAM BELL, WILLIAM “BILL” FORD, DENNIS LIPP, NEIL O’NEAL III, MATTHEW OTERO, NEIL O’NEAL III AND AS ALTERNATES VERONICA CLOSE AND THAIS HAGEN GONZALES AS REGULAR MEMBERS OF THE TOWN’S PLANNING AND ZONING BOARD TO SERVE TERMS OF ONE (1) YEAR; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, regular and alternate members of the Planning and Zoning Board are appointed pursuant to Ordinance 2011-011, which was amended by Ordinance 2012-02, to allow alternate members of the Planning and Zoning Board to participate in any matter coming before the Board at a meeting at which the alternate member attends, and by Ordinance 2015-02, to amend the terms of regular members of the Planning and Zoning Board to be one (1) year terms; and,

WHEREAS, the Town Council finds it in the best interest to appoint members of the Planning and Zoning Board for terms of one (1) year, and to make such appointments for the upcoming year at this time and to appoint the alternate members in a separate resolution.

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 hereby appoints the following persons to serve as regular members of the Town’s Planning and Zoning Board for a term of one (1) year:

- | | |
|----------------------------------|----------------------------|
| Lisa El-Ramey, Mayor | Matthew Otero |
| Margaret Herzog, Vice Mayor | William Bell |
| | Thais Hagen Gonzales (alt) |
| Laura Danowski, Council Member | Dennis Lipp |
| | Veronica Close (alt) |
| Phillis Maniglia, Council Member | William Ford |
| Robert Shorr, Council Member | Neil O’Neal III |

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. 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 5. This Resolution shall become effective immediately upon its passage and adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
LISA EL-RAMEY, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS ___ DAY OF JULY 2020.

ATTEST:

Lisa El-Ramey, Mayor

Lakisha Burch, Town Clerk

Margaret Herzog, Vice Mayor

APPROVED AS T LEGAL FORM:

Laura Danowski, Council Member

R. Brian Shutt, Town Attorney

Phillis Maniglia, Council Member

Robert Shorr, Council Member

**LOXAHATCHEE GROVES COMMITTEE(S)
DRAFT ROSTER 2020-2021**

PLANNING & ZONING BOARD (PZB)

Meets the 2nd Thursday of Each Month (TBD)

Neil O'Neal III
12918 Casey Rd
neil.oneal@icloud.com
Seat 4 (Robert Shorr) Cell: (561) 267-5030

William Bell
14863 22nd Rd N
Willbell101@hotmail.com
Seat 5 (Marge Herzog) Cell: (561) 262-3971

Dennis Lipp
13402 North Rd
d_lipp@comcast.net
Seat 2 (Laura Danowski) Cell: (561) 596-6357

William Ford
13339 Compton Rd
WilliamFordEsq@gmail.com
Seat 1 (Phillis Maniglia) Cell: (561) 310-2358

Matthew Otero
15161 Collecting Canal Rd
matthewotero@hotmail.com
Seat 3 (Lisa El-Ramey) Cell: (561) 216-9026

Proposed Alternates:

Veronica Close (alt)
12963 Raymond Dr.
vbclose@msn.com
Seat 2 (Laura Danowski) Cell: (561) 385-6692

Thais Hagen Gonzales (Alt)
13090 Raymond Dr
info@sunsetpolo.com (temp)
Seat 5 (Marge Herzog) Cell: 561-331-1129

LOXAHATCHEE GROVES COMMITTEE(S)
DRAFT ROSTER 2020-2021

UNIFIED LAND DEVELOPMENT CODE (ULDC)
REVIEW COMMITTEE

Meets the _____ of Each Month (TBD)

Simon Fernandez
16892 Fox Trail Lane
Simondive69@hotmail.com
Seat 4 (Robert Shorr)

Cell: (305) 986-5307

Casey Suchy
[REDACTED] (legal redaction)
[REDACTED]
Seat 3 (Lisa El-Ramey)

Cell: (561) [REDACTED]

Lisa Trzepacz
15539 41st Ct North
sparrow962@aol.com
Seat 2 (Laura Danowski)

Cell: (561) 662-6779

Todd McClendon
3481 D Rd (PO Box 1293)
metasystech@gmail.com
Seat 5 (Marge Herzog)

Cell: (954) 931-4634

Jo Siciliano
1530 B Rd
Sicilianobarn13@gmail.com
Seat 1 (Phillis Maniglia)

Cell: (561) 427-9414
Home: (561) 223-3263

Proposed Alternates:

Tom Goltzene (Alt)
248 C Road
tgoltzene@aol.com
Seat 1 (Phillis Maniglia)

Cell: (561) 718-1044

LOXAHATCHEE GROVES COMMITTEE(S)
DRAFT ROSTER 2020-2021

FINANCE ADVISORY & AUDIT COMMITTEE (FAAC)

Committee Meets the 4th Monday of Each Quarter (TBD)

Bruce Cunningham Cell: (567) 315-8000
3270 B Road
Cunningham6@aol.com
Seat 4 (Robert Shorr)

Peter Savino Cell: (561) 202-4224
13578 Edith Rd
petersavino@yahoo.com
Seat 2 (Laura Danowski)

Douglas Menelaws Cell: (567) 315-8000
841 Quail Rd
dmenelaws@yahoo.com
Seat 5 (Marge Herzog)

Anita Kane Cell: (561) 373-1435
13720 North Road Work: (561) 753-6563
a.kane@1educationplace.com
Seat 1 (Phyllis Maniglia)

Angelo Rossi Cell: (954) 258-5520
13111 24th Ct N
rossiacademyofwrestling@gmail.com
Seat 3 (Lisa El-Ramey)

Proposed Alternates:

Janet Eick (Alt) Cell: (561) 662-5964
3481 B Rd
Eqineeee@msn.com
Seat 4 (Robert Shorr)

Connie Bell (Alt) Cell: (561) 262-3971
14863 22nd Rd N
5bells48@gmail.com
Seat 5 (Marge Herzog)

Laura Cacioppo (alt) Cell: (217) 766-2400
13593 E Citrus Drive
lcdvm1@gmail.com
Seat 1 (Phyllis Maniglia)

LOXAHATCHEE GROVES COMMITTEE(S)
DRAFT ROSTER 2020-2021

**ROADWAY, EQUESTRIAN TRAILS & GREENWAY
ADVISORY COMMITTEE (RETAG / RETGAC)**

Meets the _____ of Each Month (TBD)

Marianne Miles
3413 B Road
mmmilesp@bellsouth.net
Seat 4 (Robert Shorr)

Cell: (561)-596-8133

Brian McNeil
3506 B Road
dirtforhorses@gmail.com
Seat 5 (Marge Herzog)

Cell: (561) 723-4538

Paul Coleman
Roper1027@live.com
Seat 3 (Lisa El-Ramey)

Cell: (561) 722-0316

Darcy Murray
13940 North Road
Ddean125@bellsouth.net
Seat 2 (Laura Danowski)

Cell: (954) 309-3083

Patrick Painter
12887 Raymond Dr
pepainter48@gmail.com
Seat 1 (Phillis Maniglia)

Cell: (561) 310-1893

Proposed Alternates:

Katie Lakeman (Alt)
15162 25th PL N
Tevo80@outlook.com
Seat 5 (Marge Herzog)

Cell: (561) 707-5917

Matthew Tacilauskas (Alt)
15381 North Rd
MTacilauskas@soflasod.com
Seat 4 (Robert Shorr)

Cell: (954) 635-7189

Sarah Palmer (Alt)
2660 F RD – Dovecot Farm
dovecotfarm@gmail.com
Seat 1 (Phillis Maniglia)

Cell: (713) 969 8289

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155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Loxahatchee Groves
FROM: James Titcomb, Town Manager
SUBJECT: Disposition of surplus “WastePro” 96-Gal Blue Trash Containers

Background:

When the Town of Loxahatchee Groves awarded a new garbage, recycling & vegetation collection services agreement contract (5+2 Years) in late 2019/early 2020 to Coastal Waste & Recycling of Palm Beach County Inc., the agreement called for all new cans for the residential collection stream.

At that time, council established that residents could keep their former “WastePro” cans for use on their individual property, to facilitate transport of refuse to curbside, and other private uses.

However, at that time it was established that any loaded can put to curbside filled with refuse for pickup, after an initial courtesy “grace period” of approximately one month (and not Coastal issued under the contract) would be emptied and the can(s) would be collected at curbside as well for recycling or high BTU incineration, to benefit the town’s available SWA and other contract credits.

Many of those cans as collected curbside yielded high BTU recycle to energy credit. Others have been turned in, or collected by the Town Public Works Department for storage and other uses. Many residents may still have the old cans and other issued containers on property as well.

A town resident has come forward offering to purchase at \$10 apiece, batches of the old 97-Gal containers (not new Coastal bright green containers purchased as part of the service agreement) to utilize for non-profit collection and other gathering purposes, possibly resale as well.

Staff’s main policy question is to determine the permission to sell the old cans upon request, who and how they should be made available to, and any other concerns council may have for disposing of these public/privately held leftover containers.

Recommendations:

Staff recommends Town Council reach consensus on proper protocol to dispose of surplus cans.

To: TOWN COUNCIL
Through: JAMIE TITCOMB, TOWN MANAGER
From: JIM FLEISCHMANN, TOWN PLANNING CONSULTANT
Re: STAFF REPORT – COMPREHENSIVE PLAN AMENDMENT (CPA) 2020-01:
FDEO PLANNING GRANT AMENDMENTS
Date: July 1, 2020

Amendment 2020-01 is a revision of Comprehensive Plan Transportation and Future Land Use Elements, including text and map amendments generated by work completed by the Town under Florida Department of Economic Opportunity Community Planning Technical Assistance Grant #P0361.

In summary, the following work activities were completed under FDEO Grant #P0361 and incorporated within proposed Comprehensive Plan Amendment 2020-01:

1. A review of the “Urban Collector” classification of Okeechobee Boulevard and, based upon the review, recommend Comprehensive Plan amendments;
2. A review of the term “Low Impact Non-Residential Development” and recommend Comprehensive Plan amendments and future Town actions to clarify the issue;
3. A summary of the Grant funded public workshop and online survey oriented to clarifying the desired development character of Okeechobee Boulevard and Southern Boulevard.

Specific recommendations generated by the above work activities form the basis for the proposed Comprehensive Plan amendments included herein.

PROPOSED COMPREHENSIVE PLAN AMENDMENTS:

A. MAP AMENDMENTS: Map amendments (Ref: Pages 5 – 7), proposed for the Future Land Use and Transportation Elements of the Comprehensive Plan, are summarized as follows:

1. Future Land Use Element

- Add Map #FLU-1.10.1 to create and define the extent of the Okeechobee Rural 5 Overlay (OR 5 Overlay).

2. Transportation Element

- Revise Map TRN 2.3 to re-classify Okeechobee Boulevard as a Minor Collector.
- Add Map TRN 2.3.1 and Table TRN 2.1 to establish a local road classification system.

B. OKEECHOBEE BOULEVRD TEXT AMENDMENTS: Text amendments (Ref: Pages 8 – 13), proposed for the Future Land Use and Transportation Elements of the Comprehensive Plan are summarized as follows):

- Revise Future Land Use Element Policy 1.1A.1 to read as follows:
Coordinate with Palm Beach County to designate the section of Okeechobee Boulevard within Loxahatchee Groves a Rural Parkway;
- Add Future Land Use Element Objective 1.16 to read as follows:
Insure compatible, Low impact uses on properties with frontage on Okeechobee Boulevard by establishing and implementing the OR 5 Overlay as a means to control the allocation, location, scale and timing of development along the corridor.
- Add Future Land Use Element Policy 16.1 to read as follows:

The minimum parcel size of a development within the OR 5 Overlay shall be 5 acres and comply with the land development regulations of the Town's Agricultural Residential (AR) zoning district, unless specifically countermanded by the provisions of this Comprehensive Plan.

- Add Future Land Use Element Policy 1.16.2 to read as follows:
Low impact development within the OR 5 Overlay may occur only in accordance with designated uses within the following six categories:
 - (1) Residential and non-residential principal and accessory uses within the Town's Agricultural Residential (AR) zoning district.
 - (2) Conditional Uses previously allowed in the AR zoning district prior to incorporation of the Town: bed and breakfast; landscape service; medical or dental office; farmer's market; or farrier.
 - (3) Cottage Business Conditional Uses (Home Office or Residential Enterprise). Permitted businesses shall be defined by the Town Council and incorporated within the ULDC.

Numbers of employees and/or customers for individual businesses shall be determined by the Town Council through the Category A Special Exception approval process.

- (4) Low Impact Non-Residential Uses, including: saddle shop/leather works; Agri/Eco tourism, to be defined by the Town Council; coffee shop/breakfast and lunch; farm-to-table restaurant; specialty foods (ice cream, yogurt, bakery, butcher, etc.); and antiques.
- (5) Historical Legacy Uses, as approved by the Town Council.
- (6) Community Serving Uses: Town Center; multi-purpose arena; botanical gardens; and park/public events.

- Add Future Land Use Element Policy 1.16.3 to read as follows:
The Maximum Floor-Area-Ratio of a development within the OR Overlay, with the exception of residential and agriculture uses shall not exceed 0.10.
- Add Future Land Use Element Policy 1.16.4 to read as follows:
The Town shall require a consistent architectural theme within the OR 5 Overlay.
- Add Future Land Use Element Policy 1.16.5 to read as follows:

The owners of non-conforming uses within the OR 5 Overlay shall meet with Town staff to establish a program to identify and rectify such non-conformities. The program shall be subject to a Category B Special Exception review and approval process.

- Add Transportation Element Policy 2.2.5 to read as follows:

The following shall be Town policies: (1) permanent removal of the "E" road, 140th Avenue thoroughfare from the Palm Beach County Thoroughfare Right-of-Way Identification Map; (2) annual exclusion of that portion of Okeechobee Boulevard from Folsom Road to west of "A" Road from consideration of expansion to four lanes from the County's 5-Year Road Program; (3) support for the extension of Seminole Pratt-Whitney Road north to State Road 710, the Beeline Highway; (4) opposition to the extension of Okeechobee Boulevard to State Road 80 (Southern Boulevard); and (5) support of the extension of State Road 7 from Okeechobee Boulevard to Northlake Boulevard.

A. SOUTHERN BOULEVRD TEXT AMENDMENTS: The following are proposed Future Land Use Element Comprehensive Plan amendments generated by the review of the Town's historical planning documents and the four visioning exercises:

- Amend Table 1-8 to: (1) increase the Intensity (Maximum Floor-Area-Ratio) of the Commercial Low Uses Land Use Category from 0.10 to 0.15; and (2) add a reference to Policy 1.2.6 which provides an F.A.R. exception for self-storage facilities.
- Add Policy 1.2.5 to prohibit the following uses: additional big box; gas station; vehicle/car dealerships; and large industrial complexes.
- Add Policy 1.2.6 to read as follows:

The maximum Floor-Area-Ratio of a self-storage facility may be increased above 0.15 provided that parking, loading, landscape, building height, setback and buffer requirements are satisfied,

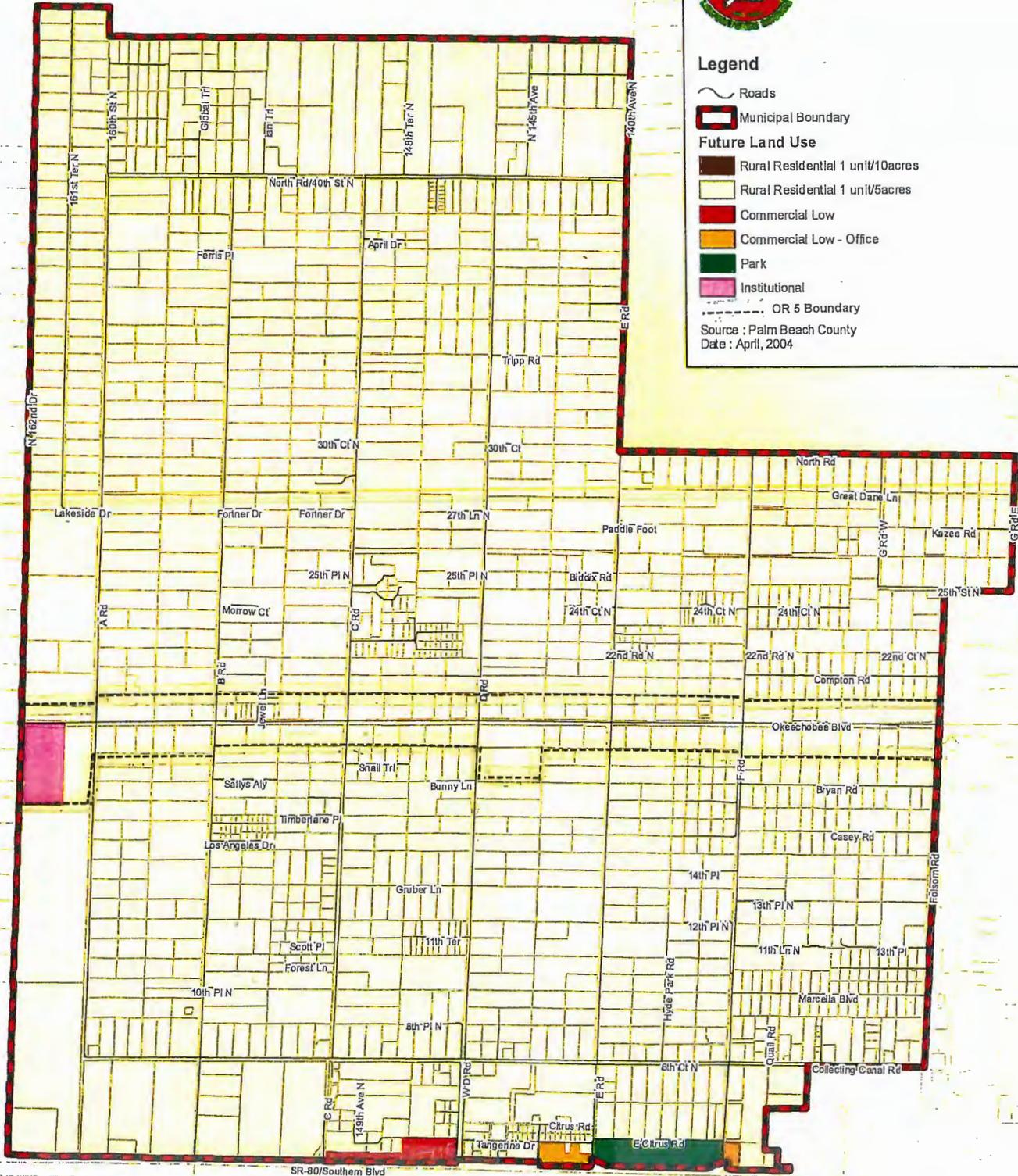


Future Land Use

Legend

- Roads
- Municipal Boundary
- Future Land Use**
- Rural Residential 1 unit/10acres
- Rural Residential 1 unit/5acres
- Commercial Low
- Commercial Low - Office
- Park
- Institutional
- OR 5 Boundary

Source : Palm Beach County
Date : April, 2004



**ATTACHMENT A – Proposed Map #FLU-1.10.1
Okeechobee Rural 5 Overlay**



ATTACHMENT B

Transportation Element Map TRN - 2.3



Existing Functional Classification and Maintenance Responsibility

Legend

Municipal Boundary

Roads

Functional Classification

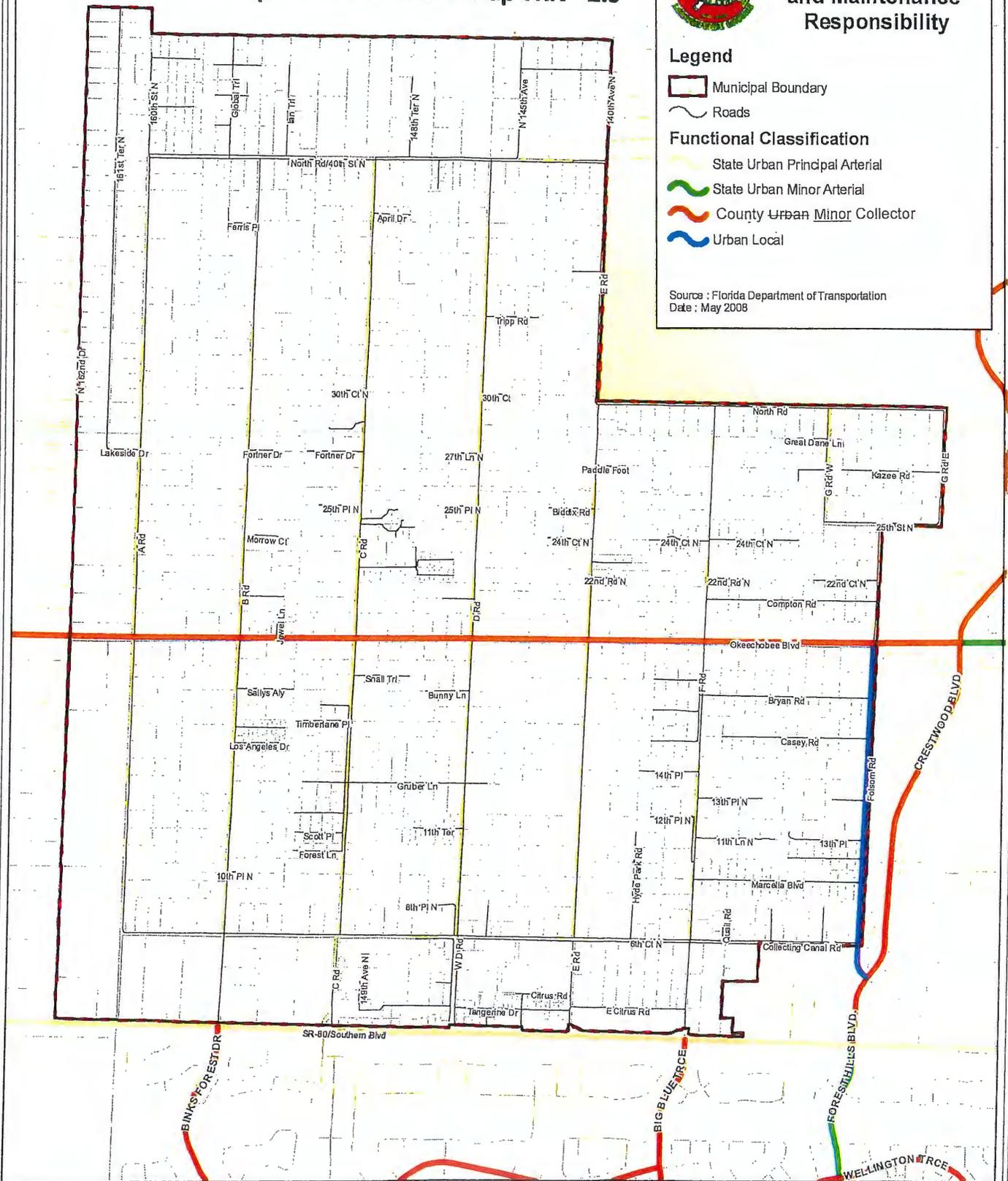
State Urban Principal Arterial

State Urban Minor Arterial

County Urban Minor Collector

Urban Local

Source : Florida Department of Transportation
Date : May 2008





Town of Loxahatchee Groves Proposed Roadway Classification Map October 2019



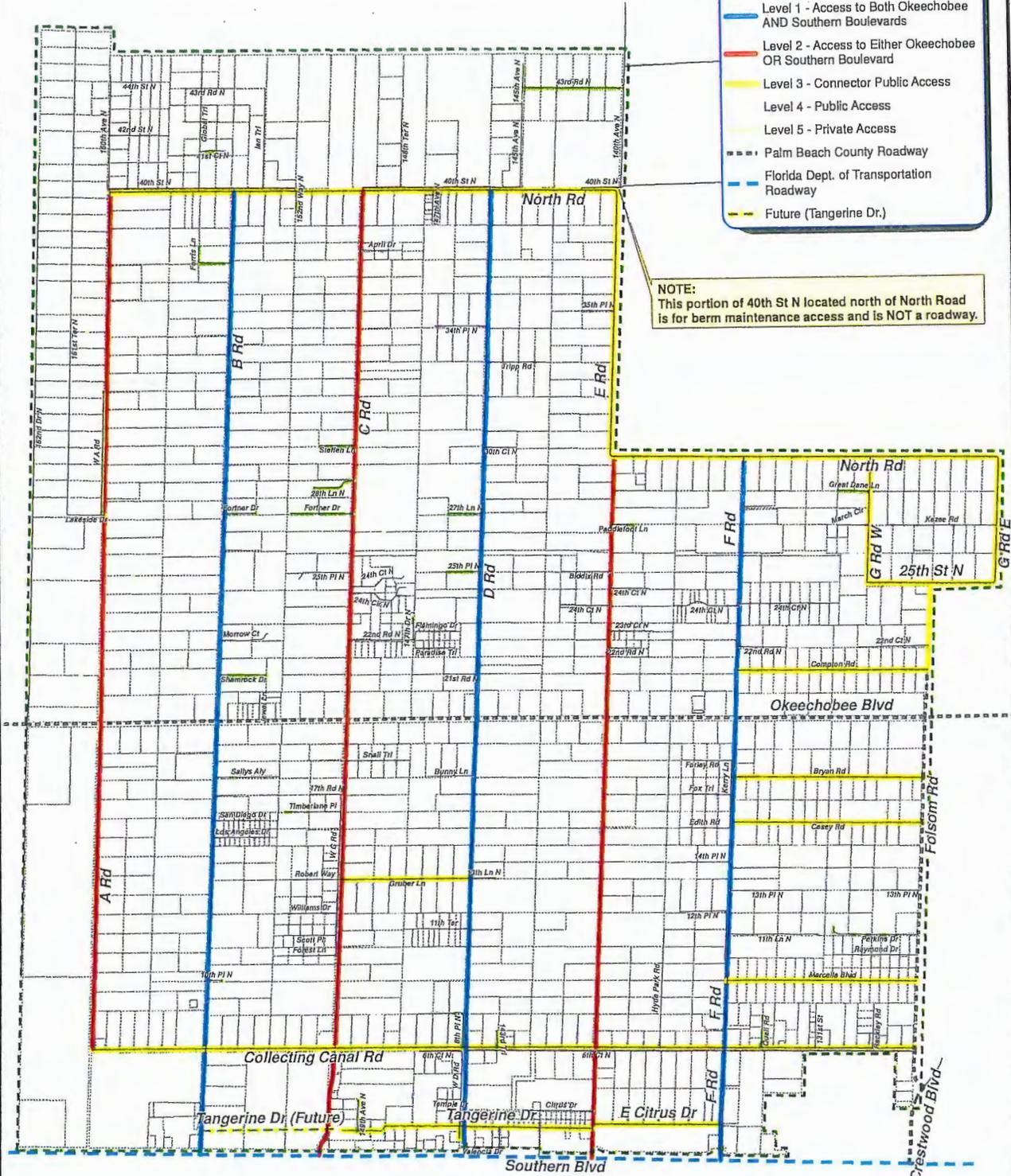
0 2,000 Feet

ATTACHMENT C.1 – Proposed Map #TRN 2.3.1

Legend

- Parcel Boundary
- Roadway Levels of Service**
- Outside of Town limits
- Level 1 - Access to Both Okeechobee AND Southern Boulevards
- Level 2 - Access to Either Okeechobee OR Southern Boulevard
- Level 3 - Connector Public Access
- Level 4 - Public Access
- Level 5 - Private Access
- Palm Beach County Roadway
- Florida Dept. of Transportation Roadway
- Future (Tangerine Dr.)

NOTE:
This portion of 40th St N located north of North Road is for berm maintenance access and is NOT a roadway.



**ATTACHMENT C.2 – Proposed Table #TRN 2-1
Local Road Functional Classification System**

Road Classification	Function	Design Objective	Funding
Service Level 1	Principal public access from Town properties to Okeechobee Boulevard and Southern Boulevard	Improved or unimproved, as determined by the Town	Town gas tax, road & drainage assessments, and/or a cost-sharing assessment
Service Level 2	Public access from Town properties to Okeechobee Boulevard or Southern Boulevard	Improved or unimproved, as determined by the Town	Town gas tax and road & drainage assessments, and/or a cost-sharing assessment
Service Level 3	Connector public access between two or more Service Level 1 Roads	Improved or unimproved to be determined by Town and abutting owners	Town gas tax and road & drainage assessments, cost sharing assessment
Service Level 4	Non-through public direct access to Town properties	Improvement can be requested by abutting owners and approved by Town.	Town gas tax and road & drainage assessments, cost sharing assessment
Service Level 5	Non-through private direct access to Town properties	Improvements may be made by abutting owners	Owner's responsible for improvements and maintenance at Town standards.

Source: Town of Loxahatchee Groves Roadway Equestrian Trail and Greenways Advisory Committee; 2019.

ATTACHMENT D.1 – Proposed Future Land Use Element Text Amendments

(Underlined text is an addition to and ~~struckthrough~~ text is a deletion from existing text)

Policy 1.1A.1:

In order to maintain the two-lane section, the Town shall support implementation of the following Okeechobee Boulevard improvements:

a) Coordinate with Palm Beach County to designate the section of Okeechobee Boulevard within Loxahatchee Groves a Rural Parkway; specifically Expansion expansion to a two-lane divided median enhanced rural parkway with properly-spaced left-turn lanes.

b) Traffic calming features, to include but not limited to roundabouts at the Letter Road intersections with Okeechobee Boulevard.

c) Implementation and enforcement of reduced speed limits.

Policy 1.2.5:

The following uses: are prohibited: additional big box; gas station; vehicle/car dealerships; and large industrial complexes.

Policy 1.2.6:

The maximum Floor-Area-Ratio of a self-storage facility may be increased above 0.15 provided that parking, loading, landscape, building height, setback and buffer requirements are satisfied,

1.16 Objective: Insure compatible, Low impact uses on properties with frontage on Okeechobee Boulevard by establishing and implementing the OR 5 Overlay as a means to control the allocation, location, scale and timing of development along the corridor.

Policy 1.16.1:

The minimum parcel size of a development within the OR 5 Overlay shall be 5 acres and comply with the land development regulations of the Town's Agricultural Residential (AR) zoning district, unless specifically countermanded by the provisions of this Comprehensive Plan.

Policy 1.16.2:

Low impact development within the OR 5 Overlay may occur only in accordance with designated uses within the following six categories:

- (1) Residential and non-residential principal and accessory uses within the Town's Agricultural Residential (AR) zoning district.
- (2) Conditional Uses previously allowed in the AR zoning district prior to incorporation of the Town: bed and breakfast; landscape service; medical or dental office; farmer's market; or furrier.
- (3) Cottage Business Conditional Uses (Home Office or Residential Enterprise). Permitted businesses shall be defined by the Town Council and incorporated within the ULDC. Numbers of employees and/or customers for individual businesses shall be determined by the Town Council through the Category A Special Exception approval process.
- (4) Low Impact Non-Residential Uses, including: saddle shop/leather works; Agri/Eco tourism, to be defined by the Town Council; coffee shop/breakfast and lunch; farm-to-table restaurant; specialty foods (ice cream, yogurt, bakery, butcher, etc.); and antiques.
- (5) Historical Legacy Uses, as approved by the Town Council.
- (6) Community Serving Uses: Town Center; multi-purpose arena; botanical gardens; and park/public events.

Policy 1.16.3:

The Maximum Floor-Area-Ratio of a development within the OR Overlay, with the exception of residential and agriculture uses shall not exceed 0.10.

Policy 1.16.4:

The Town shall require a consistent architectural theme within the OR 5 Overlay.

Policy 1.16.5:

The owners of non-conforming uses within the OR 5 Overlay shall meet with Town staff to establish a program to identify and rectify such non-conformities. The program shall be subject to a Category B Special Exception review and approval process.

ATTACHMENT D.2 – Proposed Table # FLU 1-8 Amendment
 (Underlined text is an addition to and ~~struckthrough~~ text is a deletion from existing text)

Table 1-8 Future Land Uses

<i>Land Use Category</i>	<i>Density</i>	<i>Intensity (Maximum Floor Area Ratio)</i>	<i>Uses</i>
RESIDENTIAL			
Rural Residential 5 (RR-5)	1 du/5 acres	0.2 (non-residential uses only)	Single-family dwelling units, public schools, and limited institutional and public facilities. Agricultural uses shall be compatible with a rural residential neighborhood.
COMMERCIAL			
Commercial Low Uses (CL)		0.40- 0.15. Exception Refer to Policy 1.2.6	A limited range of neighborhood-oriented commercial activities designed primarily to provide services to adjacent residential areas.. Limited institutional and public facilities allowed.
Commercial Office Uses - Commercial Low (CL-O)		0.20	Offices for administrative, professional and business purposes; banking and financial institutions; membership organizations; and, uses that are accessory to the office use including restaurants and public schools. Limited institutional and public facilities allowed.
INSTITUTIONAL			
Institutional and Public Facilities (INST)		0.10	Uses permitted in the Institutional and Public Facilities future land use designation include a full range of regional and community uses such as educational; child care facilities and adult day care facilities; congregate living facilities; medical and accessory offices; hospitals, public health clinics, emergency shelters; governmental, religious, cemetery, civic, cultural, judicial and caretakers' quarters.
PARKS AND RECREATION			
Parks and Recreation (PARK)		0.10	Developed or planned sites owned by a governmental entity that provide the public an opportunity to partake in a variety of recreational activities that may be active, passive, or special in nature in a safe and convenient manner that is compatible with its environs.

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<i>Land Use Category</i>	<i>Density</i>	<i>Intensity (Maximum Floor Area Ratio)</i>	<i>Uses</i>
CONSERVATION			
Conservation (CON)		0.05	Natural areas for the purpose of conserving or protecting natural resources or environmental quality. These areas may be used for wildlife management, passive recreation, and environmental restoration/preservation. The Town shall designate lands which contain natural resources that are to be protected, restored, enhanced, and managed, as appropriate, to sustain viable ecosystems and wildlife habitat and natural resources. These natural areas may include site improvements to support uses which are deemed appropriate and consistent with the function of the designated area.
MULTIPLE LAND USE			
Multiple Land Use (MLU)	Ref: Policy 1.1.14	Ref: Policy 1.1.14	Parcels planned to incorporate multiple Town land use categories, as defined herein, within a unified development concept. Uses may vary from parcel to parcel, depending upon the approved mix of Town land use categories incorporated therein, consistent with Policy 1.1.14 and site specific policies, per Objective 1.15.
OKEECHOBEE RURAL 5 OVERLAY			
Okeechobee Rural 5 (OR 5) Overlay	1 du/5 acres	0.10	Uses permitted in the Okeechobee Rural 5 Overlay include agriculture, residential and limited commercial and institutional uses consistent with Objective 1.16

Notes:

1. The density calculation for a property is based on the property's gross acreage.
2. That portion of a property dedicated for right-of-way in exchange for compensation may not subsequently be included with the parent property or another property for the purpose of a density or intensity calculation.

ATTACHMENT E – Proposed Transportation Element Text Amendment

(Underlined text is an addition to and ~~struckthrough~~ text is a deletion from existing text)

Policy 2.2.5 to read as follows:

The following shall be Town policies: (1) permanent removal of the “E” road, 140th Avenue thoroughfare from the Palm Beach County Thoroughfare Right-of-Way Identification Map; (2) annual exclusion of that portion of Okeechobee Boulevard from Folsom Road to west of “A” Road from consideration of expansion to four lanes from the County’s 5-Year Road Program; (3) support for the extension of Seminole Pratt-Whitney Road north to State Road 710, the Beeline Highway; (4) opposition to the extension of Okeechobee Boulevard to State Road 80 (Southern Boulevard); and (5) support of the extension of State Road 7 from Okeechobee Boulevard to Northlake Boulevard.

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155 F Road Loxahatchee Groves, FL 33470

TOWN COUNCILMEMBERS COMMENTS

Phillis Maniglia, Councilmember _____ (Seat 1)

Laura Danowski, Councilmember _____ (Seat 2)

Lisa El-Ramey, Mayor _____ (Seat 3)

Robert Shorr, Councilmember _____ (Seat 4)

Marge Herzog, Vice Mayor _____ (Seat 5)

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155 F Road Loxahatchee Groves, FL 33470

TOWN STAFF COMMENTS

Town Manager/ATM _____

2019 & 2020 CAFR Audit.

BTR Process, updates and challenges.

Simmons & White “Speed Study” project toward establishing a Town Ordinance for town-wide 25 MPH speed limits, except Okeechobee, Southern and Folsom exemptions.

Town Attorney _____

Public Works _____

Planning, Engineering _____