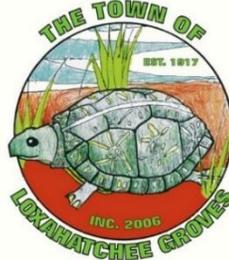


TOWN OF LOXAHATCHEE GROVES
Town Hall Council Chambers
TOWN COUNCIL WORKSHOP/SPECIAL MEETING
AGENDA

October 20, 2020 – 6:00-9:00 P.M.

Palm Beach County entered modified “Phase-3” Covid-19 public protocols, a limited public audience can be accommodated in Town Hall (max 12-person audience w/mandatory masks, social distancing, first come/first serve seating). Public comment is also accepted by writing the Clerk’s office. This meeting will be streamed and close-captioned as normal, access instructions posted on 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

ADDITIONS/DELETIONS/MODIFICATIONS TO THE AGENDA

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Palm Beach County entered modified "Phase-3" Covid-19 public protocols, a limited public audience can be accommodated in Town Hall (max 12-person audience, mandatory masks, social distancing, first come/first serve seating). Public Comments for all meetings may be received by email, or in writing to the Town Clerk's Office until 6:00 PM day of the meeting. Comments received will be "received and filed" and acknowledged as part of the official public record for indicated meeting. The Town Council meeting will be live-streamed and close-captioned for the public via our website.

PRESENTATIONS

1. Presentation by Aquatic Vegetation Control, Inc. (15 minutes)
2. Presentation by Land & Wetland Management- Palm Beach (15 minutes)

PUBLIC HEARING

3. Approval of First Reading of Ordinance No. 2020-07 amending Part II "Zoning Districts", Article 20 "Residential Zoning Districts" by enacting Section 20-050 "Recreational Vehicles"; amending Article 175 "Floodplain Management"
4. Approval of First Reading of Ordinance No. 2020-10 amending Article 20 "Residential Zoning Districts", Section 20-010 "General Provisions" to modify the requirement regarding the number of stalls necessary to have "Grooms Quarters" residential uses on the property.
5. Approval of First Reading of Ordinance No. 2020-11 amending Candidate Qualifying Period.

REGULAR AGENDA

6. Discussion for permitted access ILA w Indian Trail Improvement District (ITID) for 43rd Rd N.
7. Discussion/direction for Veterans Day Special Event Permit for Parade & Flagpole dedication.

WORKSHOP DISCUSSION

8. Discussion on quotes for scope work on Road Repairs & Resurfacing council priorities.
 - a. Repair and/or Replace Guardrail, quotes for contractor.

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
Town Attorney

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.



155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 1

TO: Town Council of Town of Loxahatchee Groves

FROM: James Titcomb, Town Manager

DATE: October 13, 2020

SUBJECT: Presentation of Canal Vegetation Services

Background:

At the October 6, 2020 regular Town Council meeting, Town Council reached a consensus to have Aquatic Vegetation Control, Inc. and Lake and Wetland Management-Palm Beach, Inc. both present to Town Council at the October 20th meeting.

Aquatic Vegetation Control, Inc. will present a 15-minute presentation to Town Council on the services they provide regarding canal vegetation services.

Recommendation:

Staff recommends that Town Council allow Aquatic Vegetation Control, Inc. to present their presentation. Staff seeks Councils direction, if any.

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155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 2

TO: Town Council of Town of Loxahatchee Groves
FROM: James Titcomb, Town Manager
DATE: October 13, 2020
SUBJECT: Presentation of Canal Vegetation Services

Background:

At the October 6, 2020 regular Town Council meeting, Town Council reached a consensus to have Aquatic Vegetation Control, Inc. and Lake and Wetland Management-Palm Beach, Inc. both present to Town Council at the October 20th meeting.

Lake and Wetland Management-Palm Beach will present a 15-minute presentation to Town Council on the services they provide regarding canal vegetation services.

Recommendation:

Staff recommends that Town Council allow Aquatic Vegetation Control, Inc. to present their presentation. Staff seeks Councils direction, if any.

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TO: Town Council of the Town of Loxahatchee Groves Agenda Item # 3

FROM: R. Brian Shutt, Town Attorney

VIA: James Titcomb, Town Manager

DATE: August 21, 2020 and October 20, 2020

SUBJECT: Proposed Ordinance Regarding Recreational Vehicles

The Town Council previously gave direction to prepare an ordinance providing for regulations of recreational vehicles. The major points of the ordinance are as follows:

RV's shall only be allowed on a temporary basis, not to exceed 180 days

A registration permit shall be required for each recreational vehicle site

No recreational vehicle shall be allowed on a parcel less than one acre; a maximum of two (2) recreational vehicles shall be allowed on parcels one acre or greater up to five (5) acres; no more than four (4) recreational vehicles shall be allowed on a parcel greater than five (5) acres

The recreational vehicle shall be hooked up to or have access to appropriate electrical service, potable well and sanitary sewer facilities

An application for a new registration permit for that site may only occur after a minimum time period of 6 months has expired, unless the site was initially used for a period of less than 6 months, then a permit may be issued for the time period remaining on the initial 6 month time period

Unoccupied recreational vehicles shall not be used for storage or any other non-residential use.

This ordinance does not apply to caretaker's quarters, grooms' quarters and construction trailers nor does it change the current code of ordinances regulating such items.

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ORDINANCE NO. 2020-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ITS UNIFIED LAND DEVELOPMENT CODE BY AMENDING PART II “ZONING DISTRICTS”, ARTICLE 20 “RESIDENTIAL ZONING DISTRICTS” BY ENACTING SECTION 20-050 “RECREATIONAL VEHICLES”; AMENDING ARTICLE 175 “FLOODPLAIN MANAGEMENT”, DIVISION XV “RECREATIONAL VEHICLES AND PARK TRAILERS”, TO PROVIDE FOR AND MODIFY REGULATIONS REGARDING RECREATIONAL VEHICLES; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

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 and modifying 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:

Sec. 20-050. – Recreational vehicles.

(a) Within the agricultural residential zoning district recreational vehicles shall be allowed on a temporary basis, provided there is a residential dwelling or agricultural structure on the parcel, for living, sleeping, or housekeeping purposes for a period not to exceed 180 consecutive days and are subject to the following conditions:

(1) A registration permit, (the fee for the registration permit shall be set by a resolution of the Town Council) which shall only be valid for a six (6) month period and shall be required for each recreational vehicle site on an annual basis and shall be placed on the recreational vehicle occupying the site where it can be seen from the exterior;

(2) No recreational vehicle shall be allowed on a parcel less than one acre; a maximum of two (2) recreational vehicles shall be allowed on parcels one acre or greater up to five (5) acres; no more than four (4) recreational vehicles shall be allowed on a parcel greater than five (5) acres;

(3) The person or persons residing in the recreational vehicle must demonstrate a permanent residence in another location;

(4) The placement of the recreational vehicle must be setback from a property line by at least 25 feet;

(5) The recreational vehicle shall be hooked up to or have access to appropriate electrical service, potable well and sanitary sewer facilities (bathroom and septic tank) that have been installed pursuant to permits issued by, or approved by, the health department and applicable building and zoning codes, where required;

(6) Upon expiration of the registration permit the recreational vehicle shall not remain on property parked or stored and shall be removed from the and any application for a new registration permit for that site may only occur after a minimum time period of 6 months has expired, unless the site was initially used for a period of less than 6 months, then a permit may be issued for the time period remaining on the initial 6 month time period;

(7) The parcel owner, where the recreational vehicle(s) site is located, shall be required to allow town staff, or its agents, to inspect the recreational vehicle(s) in such a manner and time as determined by the town manager, upon at least 24 hours' notice.

(8) Recreational vehicles shall only be used for their designed and intended purpose as evidence by the manufacturer's certification.

(9) A recreational vehicle that is not occupied must be owned or leased by the property owner or tenant of the property.

(10) Unoccupied recreational vehicles shall not be used for storage or any other non-residential use for which it was not designed and manufactured as evidenced by the manufacturer's certification.

(11) No recreational vehicle shall be kept in an abandoned, inoperable, junked, disabled, wrecked, discarded or otherwise unused condition.

(b) This section shall not apply to caretaker's quarters, grooms quarters and construction trailers.

(c) Any violation of this section may subject the property owner and/or recreational vehicle user to code enforcement action or any other legal action as determined by the town.

(d) Requests for such a registration permit shall be submitted in writing to the town manager together with such fees, if any, as the town requires and is set forth in the town code.

Section 3. The Town of Loxahatchee Groves hereby amends Part II "Zoning Districts", Article 175 "Floodplain Management", Division XV "Recreational Vehicles and Park Trailers", to read as follows:

DIVISION XV. - ~~RECREATIONAL VEHICLES AND PARK TRAILERS~~

Section 175-355. - Temporary placement.

~~Recreational vehicles and p~~Park trailers placed temporarily in flood hazard areas shall:

- (1) Be on the site for fewer than 180 consecutive days; or
- (2) Be fully licensed and ready for highway use, which means the ~~recreational vehicle or~~ park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

Section 175-360. - Permanent placement.

~~Recreational vehicles and p~~Park trailers that do not meet the limitations in Section 175-355 of this article for temporary placement shall meet the requirements of Division XIV of this article for manufactured homes.

Section 4. Conflict. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 5. Severability. If any clause, section, or other part or application of this Ordinance 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 6. Codification. It is the intention of the Town Council of the Town of Loxahatchee Groves that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Loxahatchee Groves, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

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

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS ___ DAY OF _____, 2020.

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

| | <u>Aye</u> | <u>Nay</u> | <u>Absent</u> |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| LISA EL-RAMEY, MAYOR | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| MARGE 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, COUNCILMEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS ____ DAY OF _____, 2020.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Q. Burch, Town Clerk

Mayor Lisa El-Ramey

Vice Mayor Marge Herzog

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Council Member Laura Danowski

Council Member Phillis Maniglia

Council Member Robert Shorr



155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 4

TO: Town Council of Town of Loxahatchee Groves
FROM: R. Brian Shutt, Town Attorney
VIA: James Titcomb, Town Manager
SUBJECT: Approval of First Reading Ordinance No. 2020-10 "Grooms Quarters"

Background:

At the October 6, 2020 regular Town Council meeting there was consensus by Town Council to have Town Attorney Shutt look at the Town's code of ordinance regarding groom's quarter and draft a resolution.

Recommendation:

Staff recommends Town Council discuss and approve on First Reading Ordinance No. 2020-10.

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ORDINANCE NO. 2020-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING ARTICLE 20 “RESIDENTIAL ZONING DISTRICTS”, SECTION 20-010 “GENERAL PROVISIONS” TO MODIFY THE REQUIREMENT REGARDING THE NUMBER OF STALLS NECESSARY TO HAVE GROOMS QUARTERS ON THE PROPERTY; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Town Council believes it is necessary to modify its regulations regarding grooms quarters; and,

WHEREAS, this proposed ordinance modifies the current code more specifically as it relates to reducing the amount of stalls required from 18 to six in order to have grooms quarters on the property; 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 Article 20 “Residential Zoning Districts”, Section 20-010 “General Provisions” to read as follows:

Section 20-010. - General provisions.

.....

- (F) *Groom's quarters.* Groom's quarters are permitted on parcels where there are equestrian uses and a stable with ~~18~~ six (6) or more stalls.

.....

Section 3. Conflict. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

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

Section 5. Codification. It is the intention of the Town Council of the Town of Loxahatchee Groves that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of

Loxahatchee Groves, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

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

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS __ DAY OF _____, 2020.

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

| | <u>Aye</u> | <u>Nay</u> | <u>Absent</u> |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| LISA EL-RAMEY, MAYOR | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| MARGE 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, COUNCILMEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS _____ DAY OF _____, 2020.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Lakisha Q. Burch, Town Clerk

Mayor Lisa El-Ramey

Vice Mayor Marge Herzog

APPROVED AS TO LEGAL FORM:

Town Attorney

Council Member Laura Danowski

Council Member Phillis Maniglia

Council Member Robert Shorr

Section 20-010. - General provisions.

The following requirements shall apply to the Agricultural Residential (AR) Zoning District.

- (A) *Accessory dwelling units.* One accessory dwelling unit is permitted per parcel of land subject to the following standards:
- (1) *Parcel size.* Parcels shall be five acres or greater.
 - (2) *Maximum floor area.* Accessory dwelling units shall contain no greater than 1,200 square feet of livable, floor space.
 - (3) *Ownership.* The accessory dwelling unit shall remain accessory to and under the same ownership as the principal dwelling.
 - (4) *Electric utilities.* Both the principal single family dwelling and the accessory dwelling shall be connected to the same electric utility meter.
 - (5) *Compatibility.* An accessory dwelling unit shall be architecturally compatible in character and subordinate in size to the principal dwelling unit.
- (B) *Animals and livestock.* The breeding raising, and/or keeping of animals and livestock as an accessory use to a permanent dwelling shall be subject to the following standards:
- (1) *Number.* The number of animals and livestock permitted shall be based on parcel size as follows.
 - a. *Livestock.* Four livestock, not including swine, are permitted per every one acre of land, except that parcels of at least five acres are permitted eight livestock per every acre of land and parcels over ten acres in size shall have no limit to the number of livestock per acre.
 - b. *Small domesticated farm animals.* Fifteen small domesticated animals are permitted per every one-half acre of land.
 - c. *Large domesticated farm animals.* Two large domesticated animals are permitted per every one acre of land.
 - d. *Poultry.* Parcels under one acre shall be limited to four birds per every one-quarter acre.
 - e. *Swine.* One swine is permitted per property of one acre or greater, except for pot bellied pigs, which shall be considered livestock.
 - f. *Household pets.* A maximum of ten household pets are permitted on a property.
 - (2) *Fences.* All animals shall be kept within a fence to prevent the animals from accessing streets or adjacent properties. It shall be the responsibility of each animal owner to ensure that the fence is maintained in a state of good repair and that the animal is confined to the property.
 - (3) *[Setback.]* All structures, including pens, cages or enclosures, but excluding fences, that house or restrain animals of any type shall be setback a minimum of 50 feet from all property lines.
 - (4) *Exceptions.* Offspring under the normal weaning age for the species shall not be included in calculating the number of animals.
- (C) *[Caretaker's quarters.]* Caretaker's quarters are permitted on parcels with a bona fide agricultural use.
- (D) *Construction trailers.* One construction trailer may be placed on a plot for a period of time not to exceed one year during active construction of a permanent dwelling to serve as temporary living quarters for the owners of the home under construction. Construction trailers shall also be subject to the following standards.
- (1) *Location.* The construction trailer shall be in compliance with all setback requirements.
 - (2) *Permit issued.* No construction trailer shall be placed upon any such property until a building permit for construction of the dwelling has been issued. The permit shall be posted in such a manner that it can be observed from the exterior of the construction trailer.

- (3) *[Removal.]* The construction trailer must be removed from the property upon completion of the permanent dwelling or other principal building(s) or at the end of the one year period, whichever occurs first. The Town Manager may grant one extension of a maximum six months, upon petition from the property owner, provided the petition demonstrates unexpected hardship, and steady construction progress such that construction can reasonably be completed within the six month extension period. A decision of the Town Manager to deny the request for extension may be appealed to the Town Council subject to the requirements of Article 145, "Administrative Appeals."
- (E) *Fences, walls, hedges, gates and entry features.* Fences, hedges, gates and entry features are permitted on all properties with a zoning designation of Rural Residential or Agricultural Residential. Walls are not permitted on a property line that abuts a road unless a Special Exception is granted by the Town.
- (1) *Height.* Fences and walls shall not exceed six feet in height in front yards and eight feet in height in side or rear yards. Hedges and natural vegetation shall not be subject to maximum height limitations. Height shall be measured adjacent to the fence or wall from the lowest grade on either side of the fence or wall.
- (2) *Appearance.* The exterior surface of a wall shall be finished with paint, stucco, or other commonly accepted material, and continuously maintained in its original appearance. Dark or fluorescent colors are prohibited.
- (3) *Materials.* Fences and walls shall not be electrified or contain any materials such as broken glass, spikes, nails, razors or barbs designed to inflict discomfort, pain, or injury to a person or animal, except as permitted below:
- a. *Barbed wire.* Barbed wire shall be permitted for use as fencing material on all plots.
- b. *Low voltage electric wire.* Low voltage electric wire, otherwise known as hot wire, shall be permitted for use as fencing material on all plots.
- (4) *Sight distance.* Fences, walls and hedges shall comply with Article 105, "Sight Distance."
- (5) *Decorative gates, features, and light posts.* Decorative gates, features, and light posts attached to fences or walls may exceed the height of fences or walls by three feet provided that they are located in the front yard.
- (F) *Groom's quarters.* Groom's quarters are permitted on parcels where there are equestrian uses and a stable with 18 or more stalls.
- (G) *Outdoor storage.* Outdoor storage of merchandise and inventory, vehicles and equipment, refuse and other similar materials shall be subject to the following standards.
- (1) *Generally.* All outdoor storage shall only be permitted when incidental to the use located on the premises or explicitly permitted as a primary use in Section 20-015, "Permitted uses."
- (2) *Location.* Outdoor storage of merchandise and inventory, vehicles and equipment, refuse or similar materials shall not be located in any required setbacks, easements, or rights-of-way, except as permitted below:
- a. *Construction Vehicles, equipment and fill.* Construction Vehicles, equipment, and fill may be temporarily stored in required setbacks, easements, or rights-of-way during construction in easements or rights-of-way.
- b. *Nursery plants and trees.* Nursery plants and trees may be permanently stored in all required setbacks.
- (3) *Screening.* All outdoor storage shall not be visible from roadways or neighboring properties except as permitted below:
- a. *Farm and land cultivation equipment.* Farm and land cultivation equipment necessary for conducting a permissible agricultural use does not need to be screened from view provided that the vehicles are

operable for immediate use, located on the plot upon which they are used, and are registered to an owner or lessee of said plot.

- b. *Equestrian transports.* Equestrian transports do not need to be screened from view provided that the aggregate capacity of equestrian transports does not exceed the number of stables or horses kept on the property, whichever is greater.
 - c. *Nursery plants and trees.* Nursery plants and trees do not need to be screened from view.
 - d. *Construction vehicles, equipment and fill.* Construction vehicles, equipment, and fill do not need to be screened from view provided that the related construction activity is permitted, continuous and on-going.
 - e. *Commercial and recreational vehicles.* A maximum of two commercial or recreational vehicles may be stored on a plot of land without screening, provided that the vehicles are routinely operated/maintained by a permanent, full-time resident of the property.
 - f. *Inactive vehicles and equipment.* Vehicles and equipment that are in need of repair may be stored on a plot of land without screening provided that the vehicle or equipment has not been in a disassembled state or incapable of immediate use for more than seven consecutive days.
- (4) *Fluids.* Vehicles and equipment that have been disassembled or incapable of immediate use for more than 28 consecutive days shall have all of its fluids drained and properly disposed.
- (H) *Swimming pools.* Swimming pools are permitted provided that the pool is located on the same plot as a primary use and it is fully enclosed with a fence or wall a minimum of four feet in height above the ground, measured adjacent to the fence or wall from the lowest grade on either side of the fence or wall. Screen enclosures which meet all requirements of the Florida Building Code shall also constitute compliance with this provision. Fences or walls shall be of such a design and material as will prevent unauthorized access to the pool area. All gates must be equipped with self-closing, self-latching mechanisms. All fences and gates shall comply with all requirements of the Florida Building Code pertaining to required barriers around public swimming pools.
- (I) *Existing manufactured homes.* A legally permitted principal use manufactured home, as defined in Article 10, located in Loxahatchee Groves as of December 31, 2016 and containing a sticker indicating that the home was built in compliance with the national Department of Housing and Urban Development (DHUD) building code governing building standards for manufactured homes, may remain at the existing location.
- (J) *Replacement of existing manufactured homes.* One legally permitted existing principal use manufactured home, as defined in Article 10, located in Loxahatchee Groves as of December 31, 2016 may be replaced by a manufactured home 15 years old or newer on the same plot, consistent with the requirements of Section 80-070. The replacement manufactured home shall contain a sticker indicating that the manufactured home was built in compliance with the national Department of Housing and Urban Development (DHUD) building code governing building standards for manufactured homes.

(Ord. No. 2015-01, § 3, 2-3-2015; Ord. No. 2017-15, § 3(Exh. B), 12-5-2017)

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155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 5

TO: Town Council of Town of Loxahatchee Groves
FROM: Lakisha Burch, Town Clerk
VIA: James Titcomb, Town Manager
SUBJECT: First Reading of Ordinance 2020-11 Moving Municipal Election Qualifying Period

Background:

Ms. Wendy Sartory Link, the Palm Beach County Supervisor of Elections, has requested that all municipalities ballot language be finalized by mid- December for the March 9, 2021 election. In order to meet the deadline requested by the Supervisor of Elections it requires that the Town of Loxahatchee Groves move their Qualifying period.

Recommendations:

Staff recommends that Town Council approve on First Reading Ordinance 2020-11 moving the date for the Municipal Election Qualifying period to noon Tuesday, December 1, 2020 to noon Tuesday, December 8, 2020 amending the Qualifying Period per stated in the Town's Charter.

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TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2020-11

AN ORDINANCE OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA’S TOWN COUNCIL MOVING THE DATE FOR THE MUNICIPAL QUALIFYING PERIOD TO BE HELD FROM NOON TUESDAY, DECEMBER 1, 2020 TO NOON, TUESDAY, DECEMBER 8, 2020; AMENDING THE CANDIDATE QUALIFYING PERIOD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Loxahatchee Groves’ Charter provides that the regular Town elections are to be held on the second Tuesday in March of each election year and any required runoff is to be held on the fourth Tuesday in March; and

WHEREAS, the Town of Loxahatchee Groves’ Charter further provides that the qualifying period shall be no sooner than noon the first Tuesday in January nor later than noon on the second Tuesday in January of the year in which the election is to be held except for those years in which the first Tuesday in January is January 1st; and

WHEREAS, the Palm Beach County Supervisor of Elections has requested that all municipalities ballot language be finalized by mid- December for the March 9, 2021 election; and

WHEREAS, Section 101.75 Florida Statutes, provides that the governing body of a municipality may, by ordinance, move the date of a municipal election to a date concurrent with any statewide or countywide election.

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

Section 1: The Town of Loxahatchee Groves hereby amends its 2021 Municipal Election schedule as follows:

- a. Town of Loxahatchee Groves Municipal Election will be held on Tuesday, March 9, 2021.
- b. Runoff election, if required, will be held on Tuesday, March 23, 2020.
- c. Qualifying periods for candidates will be from noon on Tuesday, December 1, 2020 to noon on Tuesday, December 8, 2020.

Section 2: Nothing herein is intended to create a permanent change to the Town’s Charter. Following the March 9, 2021 election, and any subsequent runoff, Loxahatchee Groves’ municipal elections shall thereafter comply with its Charter.

Section 3. Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Loxahatchee Groves’ Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

Section 4. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

Section 5: This Ordinance shall become effective immediately upon adoption of the Loxahatchee Groves' Council following second reading.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON FIRST READING AND PUBLIC HEARING, THIS ____ DAY OF _____, 2020.

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

| | <u>Aye</u> | <u>Nay</u> | <u>Absent</u> |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| LISA EL-RAMEY, MAYOR | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| MARGE 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, COUNCILMEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS ____ DAY OF _____, 2020.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Q. Burch, Town Clerk

Mayor Lisa El-Ramey

Vice Mayor Marge Herzog

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Council Member Laura Danowski

Council Member Phillis Maniglia

Council Member Robert Shorr



155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 6

TO: Town Council of Town of Loxahatchee Groves
FROM: R. Brian Shutt, Town Attorney
VIA: James Titcomb, Town Manager
SUBJECT: Cross-jurisdiction ILA with Indian Trail Improvement District

Background:

On August 4th the town received written notice (attached) of Indian Trail Improvement District's (ITID) intent to close off roadway access points at 40th Rd N & 140th and 43rd Rd N & 140th where "unpermitted" cross jurisdictional vehicular traffic has traversed for years. In addition, other locations of unpermitted access have occurred and are subject to similar issues and considerations. The Town has not taken any position against the "cut through" closure, nor closing other unpermitted private property access openings into ITID.

However, the specific closure at 43rd Road N & 140th negatively impacts (land-locks) nine individual properties east of a gated, now private road intersection, abandoned by the LG Town Council action in 2013. There is only a deeded way of access embedded to each property owner. The Town Attorney has opined that the Town does not have standing to enforce the deeded easements for way of access for individual properties and has not maintained a continual public connection and maintenance on the private segment laying at the intersection of 145th & 43rd (the private section within 4 properties under same ownership abandoned by LG action).

ITID seeks an instrument for formalizing a process, permitting and assessment for access and use of roads and services within its jurisdictional boundaries. We have identified an Inter-local Agreement (ILA) as the suitable governmental tool for this purpose. A meeting is scheduled (as of agenda deadline) between the legal, engineering and admin staff of both communities to work out palatable conditions, language and process to implement a solution addressing individual geography impacted and formal categorical process for applications as arise.

Recommendation:

Staff recommends authorizing creation and implementation of an Inter-Local Agreement (ILA) between Indian Trail Improvement District (ITID) and the Town of Loxahatchee Groves to provide for a process for applying, assessing and permitting legal way of access and services to properties demonstrating need, and defines conditions/criteria for approval(s) between the jurisdictional governing properties.

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**INDIAN TRAIL IMPROVEMENT DISTRICT
13476 61ST STREET NORTH
WEST PALM BEACH, FL 33412-1915
Office: 561-793-0874
Fax: 561-793-3716**

Established 1957

www.indiantrail.com

August 4, 2020

James, Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

Subject: Access Road Gates Installation

Mr. Titcomb,

This letter serves as a formal notice that the Indian Trail Improvement District (District) will install lockable steel gates at the intersections of 40th Street North and 140th Avenue North (a.k.a.: the cut-through) as well as 43rd Road North and 140th Avenue North. There are two (2) aerial maps (Exhibits #1 and #2) highlighting the intersections described within this letter. The actual location of the gates will be determined by survey to ensure that each are within the legislative boundaries and easements of the District. At the 40th Street North and 140th Avenue North gate, we will provide pass-through access for the use of pedestrians, bicyclists (not motorized ATVs, UTVs, golf carts, etc.) and equestrians. This will not be done at the 43rd Road North gate.

The District plans to advertise the closure of these two (2) roadways in the very near future through different media platforms and signage. Part of this public relations campaign will include the placement of a message board along 140th Avenue North and one at 40th Street North (east of the cut-through) to notify drivers of the impending closures. The District will send notifications to the two (2) property owners that have unauthorized, unpermitted and non-assessed driveway connections directly on 140th Avenue North. The District will not send notices to any other homeowners in Loxahatchee Groves that will be impacted by these closures. The District will also notify Palm Beach County, Palm Beach Sheriff's Office and Palm Beach Fire Rescue. Following these closures, the District will continue its installation of other gates or barriers to block any unauthorized, unpermitted or non-assessed connection of driveways or roadways to the

**Indian Trail Improvement District Board of Supervisors
Betty Argue • Jennifer Hager • Joni Martin • Michael Johnson • Tim Sayre**

“Works” (i.e.: roads) of the District from the town boundaries of Loxahatchee Groves.

Each gate will have a “Knox Box” for authorized usage by public safety and public works crews from the District, Loxahatchee Groves and Palm Beach County. I am kindly requesting that the Town notify their residents and contractors (for example: Coastal Waste Management) about the closures. In particular, the residents along 43rd Road North will need to coordinate with the private landowner who installed locked gates on 43rd Road North and 145th Avenue North for access by the applicable homeowners, delivery services, solid waste and other service providers, etc. We will also not allow Coastal Waste Management to access our roads to collect waste or recycling from our roadway network for Loxahatchee Groves residents specifically those that live on 43rd Road North that have been depositing trash on 140th Avenue North for pick up by Coastal Waste Management (see Exhibit #3).

The exact installation and closure will depend upon the time for fabrication and installation of the gates. I will certainly coordinate the exact closure with the Town along with the appropriate Palm Beach County agencies copied with this letter.

Please feel free to contact me with any questions. Thank you for your attention to this matter.

Sincerely,



Burgess Hanson, Executive Director

CC:

Indian Trail Improvement District Board of Supervisors

Mary Viator, Esq., District Attorney

J. Michael Burman, Esq., Special Counsel

Jay Foy, District Engineer

Robert Robinson, Assistant Executive Director

Joseph Capra, District Traffic Engineering Consultant – CAPTEC Engineering

Kim DeLaney, Director of Strategic Development & Policy – TCRPC

County Commissioner Melissa McKinlay

Verdenia Baker, County Administrator

Patrick Rutter, Assistant County Administrator

David Ricks, County Engineer

Lt. Craig Turner, PBSO

Deputy Fire Chief David Woodside, PBFR

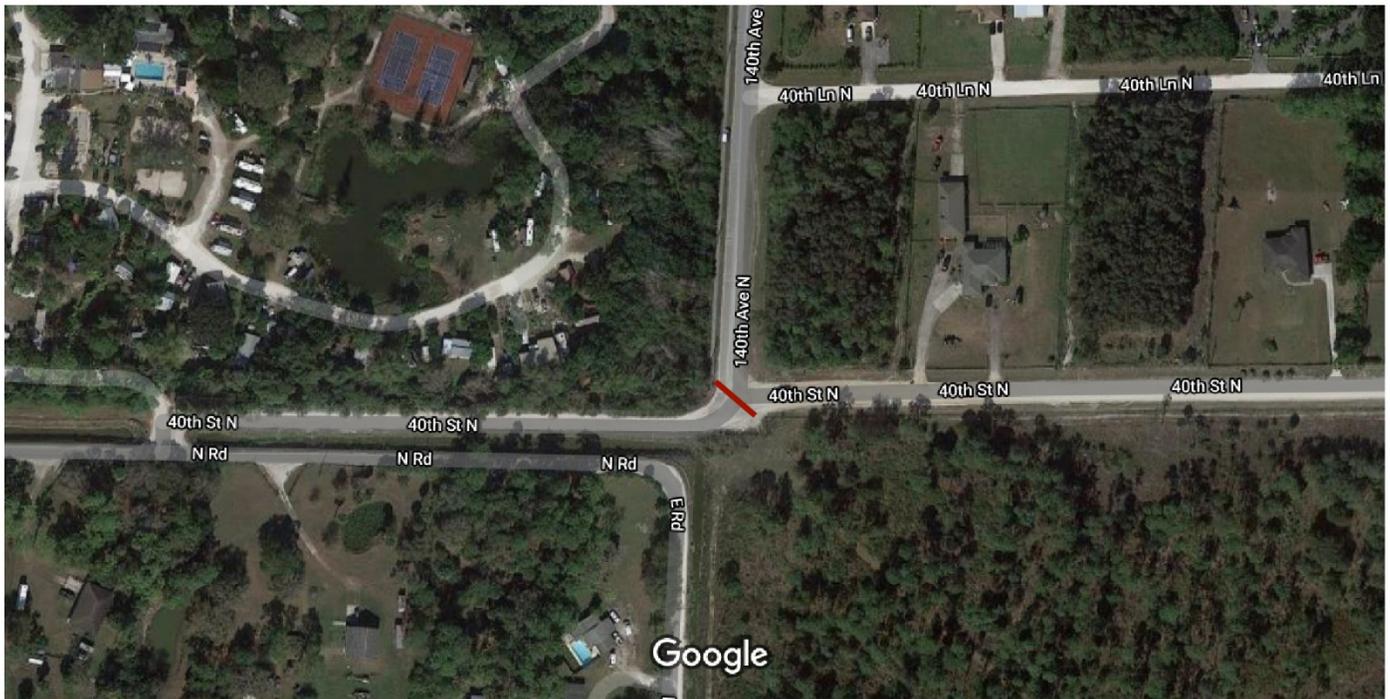
Indian Trail Improvement District Board of Supervisors
Betty Argue ▪ Jennifer Hager ▪ Joni Martin ▪ Michael Johnson ▪ Tim Sayre

Exhibit #1 40th Street North and 140th Avenue North



Indian Trail Improvement District

40 St N & 140 Ave N



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 200 ft

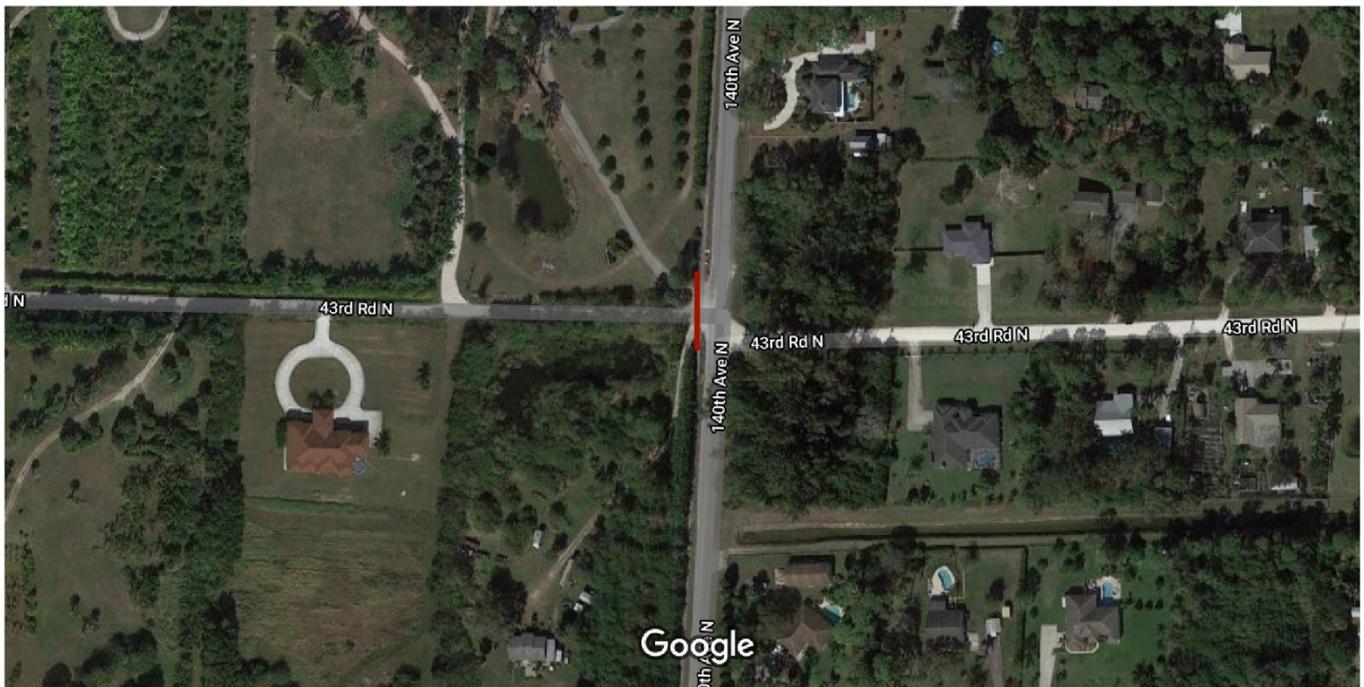
Indian Trail Improvement District Board of Supervisors
Betty Argue ▪ Jennifer Hager ▪ Joni Martin ▪ Michael Johnson ▪ Tim Sayre

Exhibit #2 – 43rd Road North & 140th Avenue North



Indian Trail Improvement District

43 Rd N & 140th Ave N



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 200 ft

Indian Trail Improvement District Board of Supervisors
Betty Argue ▪ Jennifer Hager ▪ Joni Martin ▪ Michael Johnson ▪ Tim Sayre

Exhibit #3 – Photograph #1 & #2 of Loxahatchee Groves Trash Bins and Bulk Waste along 140th Avenue North





155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 7

TO: Town Council of Town of Loxahatchee Groves

FROM: James Titcomb, Town Manager

DATE: October 13, 2020

SUBJECT: Veterans Day Special Permit

Background:

Please see attached documents regarding Veterans Day parade/flagpole event.

Recommendation:

Staff recommends Town Council discuss.

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Town of Loxahatchee Groves

155 F Road • Loxahatchee Groves, Florida 33470 • (561) 793-2418 Phone • (561) 793-2420

TEMPORARY EVENT PERMIT CATEGORY C - SPECIAL EXCEPTION APPLICATION *Permit Application Fee: \$61.00*

Date Application Received: _____

Fee Receipt No.: _____

Event Name: _____

I. General Data

| | |
|-------------------------------|--|
| Parcel Control Number(s): | |
| Applicant Name: | |
| Address of Applicant: | |
| Applicant Email Address: | |
| Name of Property Owner: | |
| Address of Property Owner: | |
| Property Owner Email Address: | |
| Location of Event: | |
| Legal Description: | |

II. Event Data

| | |
|---|---|
| Date(s) of Event: | |
| Hours of Event: | |
| Brief description of event (attach additional page, if necessary) | |
| Sponsors: | |
| Will additional parking be needed? | |
| Will there be temporary lighting? | |
| Will there be temporary structures? | |
| Will there be portable sanitary facilities? | |
| Insurance | Please provide a copy with the completed application. |

**Attachment A: Temporary Event Affidavit
Notarized Affidavit by Property Owner**

I, _____, certify that none of the following activities or facilities will occur on-site for a period exceeding twenty-four (24) hours for the temporary event to be held on _____ (date) on my property located at _____, Loxahatchee Groves, Florida.

1. Signage advertising the event.
2. Temporary buildings, tents or similar structures erected for the event.
3. Temporary electrical, plumbing or similar utility connections.
4. Portable sanitary facilities imported for use during the event.
5. Parking for event participants.

I further certify that:

1. Trash and garbage shall be policed and removed daily.
2. Abutting property owners shall be notified of the event a minimum of ten (10) days in advance of the event.

Signature

Before me the undersigned authority, personally appeared _____ who is personally known by me or has produced _____ to the person described and who executed the foregoing instrument for the purpose therein and is true and correct. Sworn to and subscribed before me this _____ day of _____, 20____.

State of (Florida)
County of (Palm Beach)

Witness my hand and official seal, this day of _____ 20____.

Notary Signature _____
My Commission Expires _____

(SEAL)

Office Use Area

This permit does not become valid until signed by an authorized representative of the Town of Loxahatchee Groves and all fees and receipt acknowledged below:

_____ Date: _____
Planning and Zoning Official

Permit Approved _____ or Denied _____

Town Veterans Parade & Ceremony November 15

Join the Loxahatchee Groves Community to honor those who have served and who have served our country!

2-mile parade!
Parade Rolls at 9:45
PARADE STAGING WILL START AT 9:00

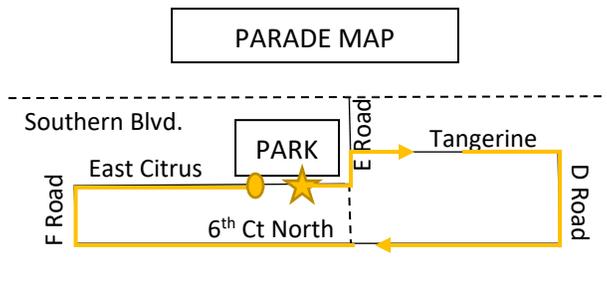
Ceremony at 11:30 for the new Military flags located at the Town Flag Pole!
F ROAD WILL BE CLOSED AT 10:45 FROM 6TH Ct to SR80

A ceremony at 11:00 located outside town hall where we will honor our recently fallen, Ron Jarriel, Harold Murphy, John Sullivan, George Herzog, and many others. Per PBC Emergency Order 28 facemasks and social distancing will be required.

Build Your own float to celebrate our veterans or to highlight your farm, school, scout troop, etc.



West along East Citrus, South on E Road, West on Tangerine, North on D Road, East on 6th Ct North, South on F Road, Ending at East Citrus.



- AWARDS**
- Most veterans on float**
 - Best use of Red /White/Blue**
 - Best Military Vehicle**
 - Most Unique Float Name**

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155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 8

TO: Town Council of Town of Loxahatchee Groves
FROM: Larry A. Peters, P.E. Director of Public Works
VIA: James Titcomb, Town Manager
SUBJECT: Road Repair and Maintenance

Background:

OGEM - The Town has 12.0 miles of OGEM roads in need of repair, and sealing. There are several elements to the repair, and/or maintenance of the OGEM roadways.

1. All portions of the OGEM roadways, that are not in disrepair, should be sealed.
2. A portion of the berm should be removed from the OGEM.
3. Potholes in the center of the OGEM.
4. Large sections of OGEM roadways, in need of resurfacing.
5. Edge Repair. In most cases the edge of the roadway, has deteriorated, due to large trucks, at high rates of speed, driving on and off the edge of the OGEM roadways, in standing water.

The Public Works Department put together a package to provide the Town Council with options for the repair of the OGEM roadways. Town Council chose to repair with millings and seal with asphalt as recently done on the South F Road pilot project. The Scope of work and a cost estimates is herein provided for North A Road and North Road.

Recommendations:

Staff seeks Councils direction in the selection of the roadway for repair and overlay.

Staff recommends the repair and sealing of North A Road.

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Town of Loxahatchee Groves
Roadway Improvements

Scope of Work

Project: OGEM repair with Millings and Overlay for A Road

The roadway segment on 'A' Road is approximately two miles.

The scope of work is to provide all labor and equipment to perform the following:

1. Mobilization.
2. MOT.
3. Fill roadway edge where needed.
4. Place millings in deteriorated sections and potholes.
5. Grade and compact.
6. Tack and Pave roadway with 2" Type S-III Asphalt.
7. Provide Warrantee

HARDRIVES, INC.

2101 SOUTH CONGRESS AVENUE
 DELRAY BEACH, FLORIDA 33445-7398

PHONE 561-278-0456

FAX 561-278-2147

QUOTATION

October 12, 2020

Ph: (561) 793-2418

Email: LPeters@loxahatcheegrovesfl.gov

To: Larry Peters
 Public Works Director
 155 F Road
 Loxahatchee Groves, FL 33470

Name of Project: A Road Paving
Location: Loxahatchee Groves
Plans and Specifications: As Described Below

WE PROPOSE TO FURNISH ALL LABOR & EQUIPMENT TO PERFORM THE FOLLOWING:

Work Items:

Grade, Balance and Compact Potholes on A Road

| | | |
|-------------------------------|----------|-------------------|
| 5 Loads of Millings | | |
| 2 Days Maintenance of Traffic | Lump Sum | <u>\$5,246.00</u> |

Tack and Pave A Road

| | | |
|--|-------------|---------------------|
| 20' Wide @ 1 1/2 Miles and 18' Wide @ 1/2 Mile | | |
| 17,600 SY Tack | @ \$0.45/SY | \$7,920.00 |
| 5,300 SY Tack | @ \$0.45/SY | \$2,385.00 |
| Pave 2" with Type S-III Asphalt | | |
| Striping, two (2) Stop Bars and Speed Bumps | Lump Sum | <u>\$366,356.45</u> |
| | Total | <u>\$376,661.45</u> |

NOTES:

- All permits and fees by others.
- Maintenance of traffic included.
- Hardrives will warranty Asphalt for 3 years.
- Hardrives requires a two week notice to mobilize.

Prices are valid for 30 days.

ACCEPTED BY:

HARDRIVES, INC.

 TITLE
 DATE: _____


 Craig K. Elmore, Vice President

HARDRIVES CANNOT GUARANTEE OR BE RESPONSIBLE FOR ROCK BASE WORK CONSTRUCTED BY OTHERS:

Power steering and fast starts will damage asphalt. We cannot be held responsible after completion of this project. Grass and weeds will grow through asphalt. The control of these is the responsibility of the owner of the property. Buyer's signed acceptance will constitute a binding contract. In the event there is any default in payments due under this contract and the same is placed in the hands of an attorney for collection, the purchaser and/or purchasers agree to pay all cost of collection, including a reasonable attorney's fee.

Town of Loxahatchee Groves
Roadway Improvements

Scope of Work

Project: OGEM repair with Millings and Overlay for North Road

The roadway segment on 'North' Road approximately two miles.

The scope of work is to provide all labor and equipment to perform the following:

1. Mobilization.
2. MOT.
3. Fill the roadway edge with millings, where needed.
4. Place millings in deteriorated sections and potholes.
5. Provide an 8" thick x 20' long "Speed Table" at Tree Roots at 15200 North Road.
6. Grade and compact.
7. Tack and Pave roadway with 2" Type S-III Asphalt.
8. Provide Warrantee

HARDRIVES, INC.

2101 SOUTH CONGRESS AVENUE
 DELRAY BEACH, FLORIDA 33445-7398

PHONE 561-278-0456

FAX 561-278-2147

QUOTATION

October 12, 2020

Ph: (561) 793-2418

Email: LPeters@loxahatcheegrovesfl.gov

To: Larry Peters
 Public Works Director
 155 F Road
 Loxahatchee Groves, FL 33470

Name of Project: Overlay North Road
Location: Loxahatchee Groves
Plans and Specifications: As Described Below

WE PROPOSE TO FURNISH ALL LABOR & EQUIPMENT TO PERFORM THE FOLLOWING:

Work Items:

Grade and Fill Potholes and Raise Road by Ficus Tree

| | | |
|---------------------|----------|-------------------|
| 4 Loads of Millings | | |
| Grade and Compact | Lump Sum | <u>\$5,500.00</u> |

Tack and Pave

| | | |
|---|------------|---------------------|
| 16' wide @ 2 Miles with 2" Type S-III Asphalt | | |
| 18,773 SY Tack | @\$0.45/SY | \$8,447.85 |
| Pave with 2" Type S-III Asphalt and Striping | Lump Sum | <u>\$284,611.78</u> |
| | Total | <u>\$293,059.63</u> |

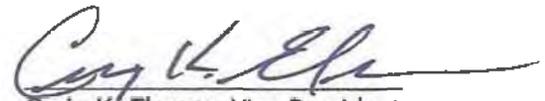
NOTES:

- All permits and fees by others.
- Maintenance of traffic included.
- Hardrives will warranty Asphalt for 3 years.
- Hardrives requires a two week notice to mobilize.

Prices are valid for 30 days.

ACCEPTED BY:

HARDRIVES, INC.



Craig K. Elmore, Vice President

TITLE

DATE:

HARDRIVES CANNOT GUARANTEE OR BE RESPONSIBLE FOR ROCK BASE WORK CONSTRUCTED BY OTHERS:

Power steering and fast starts will damage asphalt. We cannot be held responsible after completion of this project. Grass and weeds will grow through asphalt. The control of these is the responsibility of the owner of the property. Buyer's signed acceptance will constitute a binding contract. In the event there is any default in payments due under this contract and the same is placed in the hands of an attorney for collection, the purchaser and/or purchasers agree to pay all cost of collection, including a reasonable attorney's fee.



155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 8a

TO: Town Council of Town of Loxahatchee Groves
FROM: Larry A. Peters, P.E. Director of Public Works
VIA: James Titcomb, Town Manager
SUBJECT: Repair and/or Replace Guardrail

Background:

Damaged Guardrail - There are multiple locations throughout the Town that the existing guardrail has been damaged due to accidents.

Public Works has requested and received three quotes from guardrail installation contractors for the repair and/or replacement of these damaged guardrails.

Recommendations:

Staff seeks Councils direction in the selection of the locations for repair and/or replacement.

Staff recommends the repair of North B Road and the cut-through at North and 40th.

FENCE MASTERS, INC.

3550 N. W. 54TH STREET
MIAMI, FLORIDA 33142

DADE: (305)635-7777 * BROWARD (954)463-3172 * FAX: (305)635-7887

| | | | |
|-----------------|-----------------------------------|---------------------|-------------------------------|
| Date: | October 13, 2020 | Name: | Larry A. Peters P.E |
| Company: | Town of Loxahatchee Groves | Job Name: | Various guardrail replacement |
| Address: | 245 West D Road | | |
| City: | Loxahatchee Groves, Florida 33470 | Job Address: | Same |
| Phone: | (561) 335-6024, Fax: | | |

We propose, subject to acceptance by Fence Masters, Inc., (seller) to perform work in accordance with quantities and sizes listed below. Before erection is begun, purchaser is to establish property line stakes and grade stakes and to remove all obstructions that may interfere with erection. Purchaser is responsible for location of any underground lines. Fence Masters, Inc. is not responsible for any damage to unmarked lines. After the contract is executed and received by Fence Masters, Inc., notice to proceed is to be provided by purchaser at least 14 days prior to date of commencement of the work. In order to avoid unforeseen conflicts in contract language, by signing this contract you are waiving any obligation on our part to sign any contract or other document that you subsequently may offer, provide, or demand. This contract will be the only contract for this job and is binding for both parties.

Furnish & install

New FDOT guardrail @ 7 different locations as shown on the site plan. All to include the following.

- 1) New W Beam 12.5' Rails.
- 2) New Steel posts machine driven into the ground.
- 3) New Plastic blocks with 10" bolts.
- 4) New Rounded end as needed at end of every run.
- 5) 1 – Buffered end to replace existing only in one area.
- 6) All clearing and MOT if needed to be by others.

Area A: 82' of new guardrail scrap 82' of damaged. \$ 5,151.00
 Area B: 125' of new guardrail and scrap 125' of damaged. \$ 6,428.00
 Area C: 112.5' of new guardrail and scrap 112.5' of damaged. \$ 6,055.00
 Area D: SE corner: 125' of new and scrap 125' of damaged \$ 6,428.00
 Area D: NW corner: 125' of new and scrap 125' of damaged. \$ 6,428.00
 Area D: SW corner: 250' of new and scrap 250' of damaged/very old. \$ 11,520.00
 Total \$ 42,010.00

Note: Existing posts are old C posts and most of them are in very bad conditions. I figured new posts and rails to bring at least these areas up to standards. Also if done all at same time you save \$ 2,787.00 dollars. New total would be \$ 39,223.00

Note: The above pricing is good for only 5 days do to the existing conditions in the steel industry. The mills won't guarantee the pricing to us for more than 5 days. After that, actual price is based on receipt date of executed contract and mill price increases.

GUARDRAIL PRICE: Based on machine driving all posts. Any conflicts requiring digging of posts, as opposed to machine driving, will necessitate additional charges of \$ 250.00 per post. This price does not include maintenance of traffic or installation of miscellaneous asphalt.

DEPOSIT N/A

Subject to credit approval by Fence Masters, Inc. Terms are net on billing. Prices for this proposal are valid for 5 days from the proposal date. Interest of 1 ½ % per month will be charged on accounts past due. Title to the property as addressed by this proposal shall remain in the seller, Fence Masters, Inc. until payment in full is received, pursuant to the terms hereof. This is a retain title contract.

In the event the money due hereunder, or any portion thereof, has to be collected on demand of an attorney or by suit, the purchaser agrees to pay all costs of collection including interest at the highest legal rate and reasonable attorney's fees.

Approved & Accepted: Fence Masters, Inc. (Seller)

Approved & Accepted by Purchaser:
Town of Loxahatchee Groves

By 
Signature

By _____
Signature

Carlo S. Cortina, Project Manager

Print Name and Title



SOUTHEAST HIGHWAY GUARDRAIL & ATTENUATORS, LLC

GUARDRAILS • ATTENUATORS • FENCING • HANDRAIL • DISASTER RECOVERY

HEADQUARTERS
7760 HOOPER ROAD
WEST PALM BEACH, FL 33411
(561)792-0040

MIAMI
9550 NW 77TH AVENUE
HIALEAH GARDENS, FL 33016
(561)628-1853

ORLANDO / TAMPA
5335 WILSON RD
SANFORD, FL 32771
(561)722-1584

JACKSONVILLE / SOUTHERN GEORGIA
659 LEONARD C TAYLOR PKWY
GREEN COVE SPRINGS, FL 32043
(561)719-2802

www.SEHIGHWAY.COM

| | |
|-----------|------------|
| Date | Estimate # |
| 10/6/2020 | 2009 |

| | |
|-------------|--------------------|
| PROJECT | GUARDRAIL QUOTE |
| DESCRIPTION | LOXAHATCHEE GROVES |
| COUNTY | PALM BEACH |

| Item | Description | Qty | U/M | Unit Price | Total |
|---------------|------------------------|--------|-----|------------|------------|
| SITE A | WEST | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 69.00 | LF | \$14.18 | \$978.42 |
| 536-85-26 | END ANCHOR CRT | 2.00 | EA | \$1,713.77 | \$3,427.54 |
| 536-73 | GUARDRAIL REMOVAL | 69.00 | LF | \$1.82 | \$125.58 |
| | EAST | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 75.00 | LF | \$14.18 | \$1,063.50 |
| 536-85-26 | END ANCHOR CRT | 2.00 | EA | \$1,713.77 | \$3,427.54 |
| 536-73 | GUARDRAIL REMOVAL | 75.00 | LF | \$1.82 | \$136.50 |
| SITE B | NORTH | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 125.00 | LF | \$14.18 | \$1,772.50 |
| 536-85-24 | END ANC ASSY PARALLEL | 2.00 | EA | \$2,689.55 | \$5,379.10 |
| 536-73 | GUARDRAIL REMOVAL | 125.00 | LF | \$1.82 | \$227.50 |
| | SOUTH | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 87.50 | LF | \$14.18 | \$1,240.75 |
| 536-85-26 | END ANCHOR CRT | 2.00 | EA | \$1,713.77 | \$3,427.54 |
| 536-73 | GUARDRAIL REMOVAL | 87.50 | LF | \$1.82 | \$159.25 |
| SITE C | | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 119.00 | LF | \$14.18 | \$1,687.42 |
| 536-85-24 | END ANC ASSY PARALLEL | 2.00 | EA | \$2,689.55 | \$5,379.10 |
| 536-73 | GUARDRAIL REMOVAL | 69.00 | LF | \$1.82 | \$125.58 |
| SITE D | NORTH | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 106.00 | LF | \$14.18 | \$1,503.08 |
| 536-85-26 | END ANCHOR CRT | 2.00 | EA | \$1,713.77 | \$3,427.54 |
| 536-73 | GUARDRAIL REMOVAL | 106.00 | LF | \$1.82 | \$192.92 |
| | SOUTH | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 225.00 | LF | \$14.18 | \$3,190.50 |
| 536-85-24 | END ANC ASSY PARALLEL | 2.00 | EA | \$2,689.55 | \$5,379.10 |
| 536-73 | GUARDRAIL REMOVAL | 225.00 | LF | \$1.82 | \$409.50 |
| | EAST | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 106.00 | LF | \$14.18 | \$1,503.08 |
| 536-85-26 | END ANCHOR CRT | 2.00 | EA | \$1,713.77 | \$3,427.54 |
| 536-73 | GUARDRAIL REMOVAL | 106.00 | LF | \$1.82 | \$192.92 |
| SITE E | | | | | |
| 536-1-0 | GUARDRAIL ROADWAY TL-2 | 125.00 | LF | \$14.18 | \$1,772.50 |
| 536-85-24 | END ANC ASSY PARALLEL | 2.00 | EA | \$2,689.55 | \$5,379.10 |
| 536-73 | GUARDRAIL REMOVAL | 125.00 | LF | \$1.82 | \$227.50 |

| | | |
|---------------------------|--------------|-------------|
| Quote is good for 30 days | Total | \$55,163.10 |
|---------------------------|--------------|-------------|

Comments: **PRICE DOES NOT INCLUDE ANY CLEARING AND GRUBBING. PRICE DOES NOT INCLUDE ATTENUATOR CONCRETE PADS.** The following to be performed by others: Maintenance of Traffic, Miscellaneous Asphalt Patch Work around posts, all Concrete work, Excavation, Backfill, Shaping, Grading and Dewatering for any End Anchorage Assembly. Cost for any bonds needed are not included in this price. Notes: No material ordered or work scheduled without SIGNED QUOTE AND NOTICE TO OWNER INFO. Night Work will require an additional \$ 750.00 mobilization charge per night. Southeast Highway is not responsible for the color variations of the steel.

| | |
|-----------------------|-------|
| COMPANY: | |
| ACCEPTANCE SIGNATURE: | |
| PRINTED SIGNATURE: | DATE: |

October 12, 2020

Town of Loxahatchee Groves – Public Works
245 West D Road
Loxahatchee Groves, FL 33470



ATTENTION: Larry A. Peters

JOB LOCATION: Various Locations
SGC Quote No: 20-1012-02

We are pleased to hereby submit a proposal to: **(NOTE: QUOTATION IS ONLY GOOD FOR 30 DAYS.)**

Location 1 (ALT.A): N Rd & 43rd Rd. N - Remove and replace approximately 104 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. All guardrail removed shall be replaced with recycled (good-used) materials except for radius rail and rounded end units.

LUMP SUM IN THE AMOUNT OF \$3,655.00

Initial Acceptance

Location 1 (ALT.B): N Rd & 43rd Rd. N - Remove and replace approximately 104 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. All guardrail removed shall be replaced with new materials.

LUMP SUM IN THE AMOUNT OF \$4,402.00

Initial Acceptance

Location 2 (ALT.A): N Rd & B. Rd. - Remove and replace approximately 91 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. All guardrail removed shall be replaced with recycled (good-used) materials except for 3 EA 9-Button Delineators, 1 EA Traffic Sign Double Arrow and rounded end units.

LUMP SUM IN THE AMOUNT OF \$3,775.00

Initial Acceptance

Location 2 (ALT.B): N Rd & B. Rd. - Remove and replace approximately 91 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. All guardrail removed shall be replaced with new materials. Job shall also include 3 EA 9-Button Delineators, 1 EA Sign Double Arrow Two Directions.

LUMP SUM IN THE AMOUNT OF \$4,730.00

Initial Acceptance

Location 3 (ALT.A): G. Rd East / S of N Rd. - Remove and replace approximately 39.5 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. All guardrail removed shall be replaced with recycled (good-used) materials except for 2 EA 9-Button Delineators, 1 EA Sign Large Arrow One Direction and flared end units.

LUMP SUM IN THE AMOUNT OF \$3,147.00

Initial Acceptance

Location 3 (ALT.B): G. Rd East / S of N Rd. - Remove and replace approximately 39.5 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. All guardrail removed shall be replaced with new materials. Job shall include 2 EA 9-Button Delineators, 1 EA Sign Large Arrow One Direction.

LUMP SUM IN THE AMOUNT OF \$3,617.00

Initial Acceptance

Location 4 (ALT.A): D. Rd & 6th Ct. N. - Remove and replace approximately 62.5 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. **All guardrail removed shall be replaced with recycled (good-used) materials.**

LUMP SUM IN THE AMOUNT OF \$2,977.00

Initial Acceptance

Location 4 (ALT.B): D. Rd & 6th Ct. N. - Remove and replace approximately 62.5 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. **All guardrail removed shall be replaced with new materials.**

LUMP SUM IN THE AMOUNT OF \$3,568.00

Initial Acceptance

Location 5 (ALT.A): E. Rd & Connecting Ave. - Remove and replace approximately 75 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. **All guardrail removed shall be replaced with recycled (good-used) materials** except for 1 EA 9-Button Delineator and flared end units.

LUMP SUM IN THE AMOUNT OF \$3,232.00

Initial Acceptance

Location 5 (ALT.B): E. Rd & Connecting Ave. - Remove and replace approximately 75 LF of existing damaged highway style guardrail at the order and placement of Town of Loxahatchee Groves – Public Works. **All guardrail removed shall be replaced with new materials.** Job shall include 1 EA 9-Button Delineator.

LUMP SUM IN THE AMOUNT OF \$4,145.00

Initial Acceptance

NOTE:

ALL LOCATIONS FOR ALT. A RECYCLED (GOOD-USED) LUMP SUM AT \$16,786.00

Initial Acceptance

ALL LOCATIONS FOR ALT.B NEW – LUMP SUM AT \$20,462.00

Initial Acceptance

Note: *Job is predicated on the actual work stated above. If additional work is added or footage should exceed 1.5% of the original estimate, cost is subject to change.*

Price Does Not Include: Asphalt Mowing Strip, Staking/Surveying, End Anchors, Maintenance of Traffic, Safety Rail In Back of Post, Rub Rail, Grading, Permit/Cost to Obtain, Special Post, Fill, Night Work, Paint/Painting, Approach Transition To rigid Barrier, 9- Reset of Existing Materials, Concrete Work, Bond, Thrie-Beam Rail, Double Face Rail, Guardrail Gates, Hand Digging, Clearing & Grubbing

TERMS: PAYMENT DUE, IN FULL, WITHIN 30 DAYS OF COMPLETION.

Approved By:
Sunshine Guardrail Corporation

Accepted By:
Town of Loxahatchee Groves – Public Works

John E. Cheek, President

Signature

Title

Print Name

Date

By its signature, the purchaser agrees to pay interest charges of 1.5% per month (18% per annum) on all past due amounts. If it becomes necessary to enforce payment (even if settlement is subsequently made before any court action becomes final), the Purchaser also agrees to pay all costs of collection including reasonable attorney’s fees and court costs. All payments must be designated in accordance with the Florida Construction Lien Law (Florida Statutes 713.14). Furthermore, any and all disputes arising out of any and all elements of this transaction shall be subject to the jurisdiction of the Courts in Broward County, Florida and the 17th Judicial Circuit in and for Broward County, Florida. By its signature, the Purchaser consents to the jurisdiction of said courts and waives his right to raise the objection of venue being placed in said courts.