



## TOWN COUNCIL MEETING AGENDA

May 22, 2024 at 5:30 PM

Council Chambers – 340 Ocean Drive and YouTube

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**NOTICE:** If any person decides to appeal any decision of the Town Council at this meeting, he or she will need a record of the proceedings and for that purpose, he or she may need to ensure that a verbatim record of the proceedings is made, such record includes the testimony and evidence upon which the appeal is to be based. The Town does not prepare or provide such record. ***Persons with disabilities requiring accommodations in order to participate in the meeting should contact Caitlin E. Copeland-Rodriguez, Town Clerk, at least 48 hours in advance to request such accommodations.***

The meeting will be broadcast live on The Town of Juno Beach YouTube page and can be viewed any time at: <https://www.youtube.com/@townofjuno-beach477/streams>

**HOW CITIZENS MAY BE HEARD:** Members of the public wishing to comment publicly on any matter, including items on the agenda may do so by: Submitting their comments through the Public Comments Webform at: [https://www.juno-beach.fl.us/towncouncil/webform/public-comments#\\_blank](https://www.juno-beach.fl.us/towncouncil/webform/public-comments#_blank) (all comments must be submitted by Noon on day of Meeting). Please be advised that all email addresses and submitted comments are public record pursuant to Chapter 119, Florida Statutes (Florida Public Records Law). The Town Clerk or designee will read public comments into the record at the appropriate time for no more than three (3) minutes; or make their comment in-person; or participate from a remote location using Zoom – please contact the Town Clerk at [ccopeland@juno-beach.fl.us](mailto:ccopeland@juno-beach.fl.us) by Noon on the day of the meeting to receive the Meeting ID and Access Code. (Please note that all members participating via Zoom must login at least 15 minutes prior to the meeting and will be muted upon entry until Public Comments is called).

***\*Please note that the Zoom meeting will lock for public comments at 5:30pm and no other entries will be permitted.***

*All matters listed under Consent Agenda, are considered to be routine by the Town Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

**CALL TO ORDER**

**PLEDGE ALLEGIANCE TO THE FLAG**

**ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA**

**PRESENTATIONS**

1. Swearing in New Police Officers
2. Employee of the Year - 2023

**COMMENTS FROM THE TOWN MANAGER, THE TOWN ATTORNEY, AND STAFF**

**COMMENTS FROM THE PUBLIC**

*All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Town Council). Town Council will not discuss these items at this time.*

**CONSENT AGENDA**

3. Town Council Meeting Minutes for May 8, 2024
4. Special Event Request - 2024 Loggerhead Triathlon
5. Easement Agreements for Celestial Way Drainage Project
6. Asset Disposals
7. Year to Date (YTD) Financial Statements

**COUNCIL ACTION/DISCUSSION ITEMS**

8. Public Hearing and First Reading on Ordinance No. 788 – Electronic Publication of Legal Notices and Advertisements on Palm Beach County’s Website
9. Legislative Updates
10. Kagan Park Ground Cover Discussion
11. Discussion on Reconsidering Bicycle Access At JB# 7
12. Suggestions for code improvements for new projects requiring a landscape plan.
13. Discussion on a relief option for nonconforming single-family residences
14. Discussion on a Proposed Modified Donation Policy
15. Discussion on Polco Survey Ideas

**COMMENTS FROM THE COUNCIL**

**ADJOURNMENT**



## AGENDA ITEM

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**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** C. Copeland-Rodriguez, Town Clerk  
**Item Title:** Swearing in New Police Officers

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### **DISCUSSION:**

Chief of Police Smith will introduce and the Town Clerk will swear in the newly hired Police Officers, Christopher Shapiro and David Gutierrez.



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**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** D. Dyess, Town Manager  
**Item Title:** Employee of the Year - 2023

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#### **DISCUSSION:**

This year I took nominations for employee of the year from all staff. Every employee except the town manager was eligible to be nominated. Department heads then met and discussed the nominees. While the decision was tough, one person stood out by receiving four nominations from multiple departments. Some of the comments from the nominations are:

“Demonstrates a high level of professionalism in her day-to-day work. Her time and attention are needed at a high level for public meetings, such as the Town Council Meeting. Her involvement and behind the scenes handling of these meetings is top notch. It is evident she cares about her job.”

“She is very knowledgeable and extends her knowledge to other employees. She always comes to work with a smile on her face and keeps a positive attitude that is contagious. She's pleasant to work with and a very essential employee.”

“I have learned so much from her and continue to do so. She trusted me with new responsibilities I wasn't sure I could handle, and she helped me grow into new roles. She is dependable, reliable, organized, on top of everything, she is a true asset to the Town of Juno Beach and all its residents and employees.”

It gives me great pleasure to recognize **Caitlin Copeland-Rodriguez** as the 2023 Employee of the Year!

#### **RECOMMENDATION:**

Recognize Caitlin Copeland-Rodriguez as the employee of the year.





# TOWN COUNCIL REGULAR MEETING MINUTES

May 08, 2024 at 5:30 PM

Council Chambers – 340 Ocean Drive and YouTube

PRESENT: PEGGY WHEELER, MAYOR  
 DD HALPERN, VICE MAYOR  
 MARIANNE HOSTA, VICE MAYOR PRO TEM  
 JACOB ROSENGARTEN, COUNCILMEMBER  
 DIANA DAVIS, COUNCILMEMBER (*Via Zoom*)

ALSO PRESENT: DAVID DYESS, TOWN MANAGER  
 SUSAN GARRETT, TOWN ATTORNEY  
 FRANK DAVILA, DIRECTOR OF PLANNING & ZONING  
 FABINNE AZEMAR, PLANNING TECHNICIAN  
 ANDREA DOBBINS, PROJECT COORDINATOR/RISK MANAGER  
 CAITLIN E. COPELAND-RODRIGUEZ, TOWN CLERK  
 FIORELLA VERDECIA, ADMINISTRATIVE SECRETARY

AUDIENCE: 36

## CALL TO ORDER – 5:30pm

### PLEDGE ALLEGIANCE TO THE FLAG

### ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

*Council gave unanimous consensus to move Consent Agenda Item #2 to the Regular Agenda as Item #10; and to have Item #6 come moved up to after Item #4.*

### COMMENTS FROM THE TOWN MANAGER, THE TOWN ATTORNEY, AND STAFF

*Mayor Wheeler, Vice Mayor Halpern, and Councilmember Rosengarten gave consensus to direct the Town Manager to reach out to the “Concerned Citizens of Juno Beach” group and advise them to not utilize the Town’s mailing address on their correspondences.*

### COMMENTS FROM THE PUBLIC

*All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Town Council). Town Council will not discuss these items at this time.*

*Public Comments Opened at 5:34pm.*

*Public Comments Closed at 5:49pm.*

## CONSENT AGENDA

1. Town Council Meeting Minutes for April 24, 2024
2. ~~Juno Beach Police Foundation Donations~~

***MOTION:*** Halpern/Rosengarten made a motion to approve the consent agenda as amended.

***ACTION:*** The motion passed unanimously.

## COUNCIL ACTION/DISCUSSION ITEMS (A Public Comment Period was opened for each item.)

3. Town Center Restroom Renovation Project

***MOTION:*** Halpern/Hosta made a motion to approve the marbleized flooring option with the happy turquoise wall color.

***ACTION:*** The motion passed unanimously.

4. Discussion - Establish paid parking and resident decal parking

***MAYOR WHEELER, VICE MAYOR HALPERN AND COUNCILMEMBER ROSENGARTEN GAVE CONSENSUS TO HAVE STAFF WORK WITH THE APPROPRIATE AGENCIES TO RESERVE 5-7 SPACES FOR TOWN BUSINESS ONLY.***

***COUNCIL GAVE UNANIMOUS CONSENSUS TO NOT MOVE FORWARD WITH PAID PARKING.***

5. Ocean Ridge Way and Atlantic Boulevard sidewalk and pedestrian path update

***MAYOR WHEELER RECUSED HERSELF FROM THIS ITEM.***

***MOTION:*** Hosta/Rosengarten made a motion to reconsider Council's decision back in January for Alternative #3.

***ACTION:*** The motion passed 4-0.

***MOTION:*** Hosta/Rosengarten made a motion to approve Alternative #2.

***ACTION:*** The motion passed 4-0.

***COUNCIL GAVE UNANIMOUS CONSENSUS TO HAVE STAFF REACH OUT TO THE COUNTY INQUIRING ABOUT ADDING A CROSSWALK AT THE INTERSECTION OF ATLANTIC BOULEVARD AND OCEAN DRIVE IN CONJUNCTION WITH THIS PROJECT.***

6. Kagan Park Playground Design Selection

***MAYOR WHEELER, VICE MAYOR HALPERN, COUNCILMEMBER ROSENGARTEN, AND COUNCILMEMBER DAVIS GAVE CONSENSUS TO CONTINUE THIS ITEM TO THE NEXT MEETING AND HAVE STAFF BRING BACK PRICING FOR THE GROUND COVER SUCH AS SAND.***

7. 461 Venus Drive- Building Permit Extension Request

***MAYOR WHEELER RECUSED HERSELF FROM THIS ITEM.***

***MOTION:*** Rosengarten made a motion to approve the request to extend the building permit until September 17, 2024.

***ACTION:*** *The motion failed for lack of a second.*

***MOTION:*** *Rosengarten/Hosta made a motion to approve the request to extend the building permit until September 17, 2024.*

***ACTION:*** *The motion passed 4-0.*

8. Ordinance No. 785 - Schedule of Off-Street Parking Requirements Multiple-Family Use (First Reading)

***MOTION:*** *Davis/Halpern made a motion to approve Ordinance No. 785 on first reading.*

***ACTION:*** *The motion passed unanimously.*

9. Town Events for Fiscal Year 2024-2025

*Council gave unanimous consensus to change the proposed Food Truck event in February 2025 to Taste of Juno Beach and have staff reach out to local restaurants to participate.*

***MOTION:*** *Davis/Hosta made a motion to approve the proposed list of events dates and an events budget for Fiscal Year 2024-2025 in the amount of \$19,000.*

***ACTION:*** *The motion passed unanimously.*

10. Juno Beach Police Foundation Donations

***MOTION:*** *Hosta/Davis made a motion to approve Juno Beach Police Foundation purchasing the requested equipment.*

***ACTION:*** *The motion passed 3-2 with Vice Mayor Halpern and Councilmember Rosengarten opposed.*

#### **COMMENTS FROM THE COUNCIL**

*Council gave unanimous consensus to have bricks in an area in front of the Veteran's memorial available for purchase for Memorial Day or Veterans Day.*

*Mayor Wheeler, Vice Mayor Halpern, Councilmember Rosengarten, and Councilmember Davis gave consensus to have a discussion on a relief option for single-family homes that are considered nonconforming put on the next agenda.*

*Council gave unanimous consensus to have the Town Manager come back with survey ideas to use the Polco service for.*

*Vice Mayor Halpern, Vice Mayor Pro Tem Hosta, and Councilmember Davis gave consensus to have a discussion to reconsider Juno Beach Access 7 on the next agenda.*

*Vice Mayor Halpern, Councilmember Rosengarten, and Councilmember Davis gave consensus to have a discussion to modify the donation policy.*

***Mayor Wheeler passed the gavel.***

***MOTION:*** Wheeler/Davis made a motion to reconsider the Safe Streets Grant Application.

***ACTION:*** The motion passed 4-1 with Councilmember Rosengarten opposed.

***MOTION:*** Wheeler made a motion to approve the Safe Streets grant application and fund it from contingency to RMPK.

***Vice Mayor Halpern returned the gavel and seconded the motion.***

***ACTION:*** The motions passed 4-1 with Councilmember Rosengarten opposed.

***Vice Mayor Halpern, Councilmember Rosengarten, and Councilmember Davis gave consensus to have a discussion on adopting the City of Palm Beach Gardens' landscape requirements.***

**ADJOURNMENT**

Mayor Wheeler adjourned the meeting at 9:39pm.

\_\_\_\_\_  
Peggy Wheeler, Mayor

\_\_\_\_\_  
Caitlin E. Copeland-Rodriguez, Town Clerk

DRAFT



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**Meeting Name:** Town Council  
**Meeting Date:** May 22, 2024  
**Prepared By:** I. Hickey  
**Item Title:** Special Event Request – 2024 Loggerhead Triathlon

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#### **DISCUSSION:**

Staff received a request for a special event from Stewart Auville, representative of the Palm Beach North Chamber of Commerce, for the 2024 Loggerhead Triathlon Race. **This event is a recurring event in Town at the same location along Ocean Drive, and is why staff put it on the Consent Agenda.**

The location of this event takes place between Jupiter Inlet and Donald Ross Road, it extends into the Town via Ocean Drive with a turn-around point just north of Donald Ross Road. The applicant has provided a triathlon course map depicting the entire area of the event. The triathlon is expected to have 600 attendees, 8 employees, and 100 volunteers. The event will require the roadway (Ocean Drive) to be closed during the event (August 24<sup>th</sup>, 2024, from 6:30am to 11:00am). The applicant has received approval from the Palm Beach County Department of Engineering and Public Works for the closure of Ocean Drive for this event. The applicant will be charged the permit fee of \$100 and a \$500 Security Deposit for this event based on the attached adopted fee schedule for Off-Site Special Events. This fee and deposit do not include the required costs for outside assistance by the Police, or any other necessary support. Those costs are the responsibility of the applicant during the application process.

#### **RECOMMENDATION:**

Staff recommends that the Town Council consider the request for the special event proposed in Juno Beach as stated above, subject to the applicant being responsible for the application process of the special event and all conditions and requirements following said application, including any additional agency reviews/approvals/fees.





TOWN OF JUNO BEACH  
RECEIVED  
OCT 18 AM 8:21

Town of Juno Beach  
340 Ocean Drive; Juno Beach, FL 33408  
Phone: (561) 626-1122; Fax: (561) 775-0812

## Application for Off-Site Special Event

*Note: The issuance of any Special Event permit from the Town of Juno Beach does not exempt the applicant from obtaining the appropriate Business Tax License (occupational license) and temporary liquor license from the State of Florida, Division of Alcoholic Beverages and Tobacco under Florida Statute, or, any other county or state required permits.*

### Fee Schedule:

<u>Event Type</u>	<u>Deadlines Application/Obligations</u>	<u>Application Fee</u>	<u>Permit Fee*</u>	<u>Security Deposit</u>	<u>Deadline Late Fee</u>
Low-Impact (Up to 999 attendees)**	60/14 days prior to event	\$100	\$100/day	\$500	\$200
Medium-Impact (1000-4999 attendees)	120/45 days prior to event	\$200	\$500/day	\$1,000	\$400
High-Impact (5000+ attendees)	120/45 days prior to event	\$300	\$1,000/day	\$5,000	\$600

\*Permit Fee will be determined by the Town Council for off-site events lasting 4 or more consecutive days.

\*\*Low-Impact events consisting of 25 attendees or less will be approved administratively.

### Notes: Please initial each item below to confirm your understanding:

*nm*

Application Fee is due at time of Application submittal and is not refundable.

*nm*

Deadline Late Fee is an additional charge and is not refundable.

*nm*

Applications are not approved, nor Permit granted, until applicant has received a "Letter of Approval" from the Planning and Zoning Director outlining obligations and fees.

*nm*

Permit Fees and Security Deposit are due 14/45 days prior to the event. These fees may be refunded if the event is canceled or postponed at least 7/14 days prior to the event date.

*nm*

After the event, Security Deposit, or a portion of, may be returned after an inspection is completed by Town Staff. The Town shall determine what portion of the Security Deposit may be returned.

*nm*

Failure to comply with restrictions imposed automatically forfeits the Security Deposit.

*nm*

Town Staff will determine if application will require additional conditions to be added or existing conditions modified, dependent upon each individual event.

*nm*

Failure to provide the required obligations, fees and deposits 14 or 45 days prior to the event date, as indicated above, will subject the applicant to the Late Fee and/or cancellation of event.

*nm*

Additional charges may apply for Police and/or Public Works services, Town Staff will determine what services are required. Please read Sections III and IV. Deadline for these fees are 14 or 45 days prior to the event date, as indicated above, subject to Late Fee and/or cancellation of event.

no/stant hospital NSOS

Item #4.

**Section I     Instructions for Applicant**

1. Applicant shall complete Section II of this application. (Town Staff will review the Applicants submittal and complete other sections as required.)
2. Attach the following with this application:
  - a) Attach Application Fee, and Late Fee if applicable. (All fees are Payable to the Town of Juno Beach.)
  - b) Plot/Site Plan (drawing/sketch), showing the site upon which you are proposing your special event, identifying parking areas, adjacent roadways, existing structures, proposed (temporary) structures/items, road closures, barricades/fences, etc.;
  - c) Attach letter(s) of approval from all outside agencies: (i.e. Palm Beach County (PBC) Parks and Recreation, PBC-Traffic Division, PBC-Fire Rescue, Florida Department of Transportation, Department of Environmental Protection, Environmental Resources Management, Coast Guard, etc.)
  - d) Copy of current insurance certification(s) with the **Town of Juno Beach** listed as **“Additionally Insured” with a minimum amount of \$1,000,000.00 liability coverage;** (or state your ability to provide it with all other obligations).
  - e) Notarized Letter of approval from property owner(s).
  - f) Copy of Driver License.
3. Sign and date this application at the end of Section II.

**Section II     Required Information**

▪ **Regarding the Applicant:**

Name of Applicant/Sponsor: PBN CHAMBER Phone: 561-746-7111

Relationship to Organization Represented: \_\_\_\_\_

Address of Applicant/Sponsor: 5520 PGA BLVD. #200  
PALM BEACH GARDENS FL 33418

Name, Address, Phone of Organization Represented: \_\_\_\_\_

\_\_\_\_\_

Principal contact person on Event Day/Phone: STEWART AUVILLE  
561-951-4443

Alternate contact person on Event Day/Phone: \_\_\_\_\_

\_\_\_\_\_



▪ Regarding the Subject Location (where the proposed special event is being requested):

Address/Location: CARLIN PARK & A1A

Name of Subdivision: \_\_\_\_\_

▪ Regarding the Special Event Specifics:

Please describe the special event being requested: \_\_\_\_\_

TRIATHLON

Indicate roadway(s) to be closed: A1A BETWEEN DONALD RUSSELL RD & THE JUPITER INLET

Indicate if amusement rides (type/quantity) are part of the event: NO

Indicate if alcohol will be served at the event and who will serve: YES - CHAMPION

Indicate types of equipment, tents, trailers or other temporary structures that will be part of the event: TOWNSHIP

Number of employees/volunteers working the event: 8 / 100

Number of anticipated attendees for the event: 600

Length of time proposed for the event to take place, including set-up and tear down, (dates/times): 8-23-24 8AM TO 8-24-24 12 NOON FRONT 7AM - 11AM

TRAPPIA THICKET

▪ Regarding other Town Services:

If Police and/or Public Works services are being requested, please indicate your anticipated duties: (Regardless of your anticipated need, Town staff may determine that Police and/or Public Works services are required for your event, refer to letter of approval):

2 POLICE ; ROAD CLOSURES



▪ **Please initial to confirm attachments:**

- Application Fee, and Late Fee, if applicable. (Payable to Town of Juno Beach)
- Plot/Site Plan
- Outside agency letter(s) of approval
- Insurance Certificate
- Notarized Letter from property owner
- Copy of Driver License

**Indicate items not submitted and reasons for non-submittal:**

OUTSIDE LETTER - WE WILL ISSUE ONCE RECEIVED  
COI - UPON RENEWAL

**Hold Harmless Agreement:**

In accordance with the Town of Juno Beach Code of Ordinances, in permitting any special event, the applicant shall meet all requirements set forth in Chapter 34 and is subject to Town Council approval. In addition, Town Staff shall prescribe appropriate conditions and safeguards and obligations and fees as required.

By submittal of this application, the sponsor agrees to indemnify and hold harmless the Town of Juno Beach, its officers, employees and agents from and against all loss, costs, expenses, including attorney's fees, claims, suits and judgments, whatsoever in connection with injury to or death of any person or persons or loss of or damage to property resulting from any and all operations performed by sponsor, its officers, employees, and agents under any of the terms of this Special Event Application.

*If any unforeseen circumstance(s) occur and/or the sponsor fails to meet the requirements the Town has set forth, the Town Manager or Police Chief shall have the right to cancel or stop the event either before commencement of the event and/or during the event.*

Applications are not approved, nor Permit granted, until applicant has received a "Letter of Approval" from the Planning and Zoning Director outlining obligations and fees.

*N. Martine Z*  
 Applicant/Sponsor Signature

10/3/23  
 Date

Noe / Martine Z  
 Print Name

TOWN OF JUNO BEACH  
 RECEIVED

2023 OCT 18 AM 8:22

**Office Use Only:**

Isabella Hickey  
 Received By

Oct 16 2023  
 Date (Please Date Stamp)

**Town Calendar has been reviewed and event "Tentatively" Scheduled with 2 day alert.**

\_\_\_\_\_  
Completed By

\_\_\_\_\_  
Date

**Event status shall be updated when approved. Completed by:** \_\_\_\_\_

Section III Police Department-Special Event Requirements



The following are additional obligations your organization may have to meet. As part of the Special Event review process the Police Department may impose fees for services as deemed appropriate for the type and impact of the proposed event. The Police Department may schedule a meeting to review the event specifics and Police Operational or Action Plan as determined by the Town. Items reviewed in the Plan include, but are limited to, the following:

- Operations Command Post needs, Incident Management;
- Traffic Control Plan, Road Closures, Parking Plan, Event Route management;
- Staffing needs, Day and Night patrol, Coordination with other agencies;
- Vendor setup and security;
- Attendee/Pedestrian access, security, monitoring and control;
- Equipment needs motorized and non-motorized, Communications;
- Providing of adequate volunteers, Volunteer meeting(s) with Police representative prior to, or on event day(s);
- The Principal of the event shall remain accessible to the Police Supervisor at all times during the event to provide necessary event management and control.

The Police Department will attempt to place officers during the requested dates and hours. Because of unforeseen circumstances, this application may not be filled when requested. Juno Beach Police Officers will not work in the capacity of a "bouncer" at a bar or other establishment where alcohol is served.

Rates

Regular Staff - \$35.00      Officer - \$55.00      Supervisor (if required) - \$65.00  
(Rates are subject to a \$15.00 an hour premium on Town designated Holidays.)

- **THERE IS A THREE (3)-HOUR MINIMUM FOR ALL EXTRA-DUTY EMPLOYMENT.**
- **IF MORE THAN THREE (3) OFFICERS ARE REQUIRED FOR THE EVENT, A SUPERVISOR IS REQUIRED.**
- **ALL CANCELLATIONS OF POLICE SERVICES MUST BE MADE 48-HOURS IN ADVANCE OR A THREE (3)-HOUR, PER OFFICER CHARGE WILL BE FORFEITED. PLEASE CONTACT FDAVILA@JUNO-BEACH.FL.US AND PFERTIG@JUNOBEACHPD.COM.**

**Office Use Only:**

2 Officers @ \$55.00/hour: total of 10 hours = \$ 550  
NA Supervisors @ \$65.00/hour: total of NA hours = \$ NA  
 Additional Fee(s): N/A \$ N/A

Payment Due Date: 8/9/24 Total Amount Due: \$ 550 Payment Received: Y / N  
\* Payment shall be received no later than 14/45 days prior to event date, as indicated in Fee Schedule.

Reviewed By: Isabella Hickey / Major Saloio

Approved by Police Chief/Designee: \_\_\_\_\_



**Section IV Public Works Department-Special Event Requirements**

As part of the Special Event review process the Public Works Department may impose fees for services as deemed appropriate for the type and impact of the proposed event.

Public Works services include, but are not limited to, the following:

- Delivery, set-up and removal of traffic or parking control devices including portable message boards, barricades, signs, stakes, traffic cones and/or any other devices requested by the Town’s Police Department.
- Random event site inspections to insure the Applicant removes trash/litter or debris from the event site as needed. Event usage area final inspection of public properties to insure adequate cleaning at event’s end/closing and prior to release of security deposits, if applicable.
- Public Works staff time to clean, remove and dispose of any and all residual debris, trash or to repair damaged property incurred by the Applicant or Applicant’s agents on the event site public property.

Rates

<i>Regular Staff</i>	<b>\$35.00</b>
<i>Supervisor (if required)</i>	<b>\$45.00</b>

- ***THERE IS A THREE (3)-HOUR MINIMUM FOR ALL EXTRA-DUTY EMPLOYMENT.***
- ***IF MORE THAN THREE (3) STAFF MEMBERS ARE REQUIRED FOR THE EVENT, A SUPERVISOR IS REQUIRED.***
- ***ALL CANCELLATIONS OF PUBLIC WORKS SERVICES MUST BE MADE 48-HOURS IN ADVANCED OR A THREE (3)-HOUR, PER STAFF MEMBER CHARGE WILL BE FORFEITED. PLEASE CONTACT FDAVILA@JUNO-BEACH.FL.US AND AMERIANO@JUNO-BEACH.FL.US.***

**Office Use Only:** NO public works services are needed for this event

N/A Regular Staff @ \$35.00/hour: total of N/A hours = \$ N/A  
N/A Supervisors @ \$45.00/hour: total of N/A hours = \$ N/A

Payment Due Date: N/A Total Amount Due: \$ N/A Payment Received: Y / N

**\* Payment shall be received no later than 14/45 days prior to event date, as indicated in Fee Schedule.**

Reviewed By: Isabella Hickey / Steve Hallock

Approved by Director of Public Works/Designee: \_\_\_\_\_

**Section V Application Review**

\_\_\_\_\_  
Director of Planning & Zoning

\_\_\_\_\_  
Date

\_\_\_\_\_  
Police Chief

\_\_\_\_\_  
Date

\_\_\_\_\_  
Public Works Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date

**Section VI Post Event Inspection and Security Deposit Status**

Post event Comments, Issues List and recommended Security Deposit withheld:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<i>* _____ Amount and Date Returned of the Security Deposit.</i>	
<i>Amount</i>	<i>Date</i>

\_\_\_\_\_  
Director of Planning & Zoning

\_\_\_\_\_  
Date

\_\_\_\_\_  
Police Chief

\_\_\_\_\_  
Date

\_\_\_\_\_  
Public Works Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



PALM BEACH NORTH  
CHAMBER OF COMMERCE



# TRIATHLON COURSE MAP



## 2024 Loggerhead Triathlon Statement of Use/Road Closures

The PBN Chamber of Commerce will host its Annual Loggerhead Triathlon on Saturday, August 24, 2024 in Jupiter and Juno Beach, FL. The ever popular sporting competition will attract athletes from all over Florida and the southeast and will showcase our beautiful community.

The event will be staged in Carlin Park. We will have one USAT sanctioned competition consisting of the following: The first portion on the event is the swim – 3/8 mile. The second portion is the 13 mile bike ride which extends from Carlin Park south on A1A to Loggerhead Park and back for two loops. The final portion is the 3.1 mile run which extends from Carlin Park north on A1A to Jupiter Beach Park and back to Carlin Park. The following road closures will be needed:

- County Road A1A closed from the main entrance to Carlin (Van Kessel Parkway) south to Donald Ross Road from 6:30 AM – 10:00 AM
- County Road A1A and the road to the Inlet Park from Van Kessel Parkway to the inlet including Dubois Road will be closed from 6:30 AM – 11:00 AM

VMS BOARDS TO BE PLACED AT THE FOLLOWING LOCATIONS ON SEPTEMBER 1<sup>ST</sup> UNTIL SEPTEMBER 9<sup>TH</sup>

- A1A south of US#1 for s/b A1A traffic
- Indiantown Road facing e/b traffic on the south side west of A1A
- Ocean Way facing e/b traffic just west of A1A
- Marcinski facing e/b traffic west of A1A.
- Donald Ross Road facing e/b traffic west of A1A

THE VMS BOARDS WILL BE PLACED CLOSE TO US1 TO BETTER ENSURE THAT MOTORIST HAVE THE OPTIMUM OPPORTUNITY TO DIVERT/RE-ROUTE PRIOR TO APPROACH TO A-1-A



April 18, 2024

Stewart Auville  
Palm Beach North Chamber of Commerce  
5520 Palm Beach Gardens Blvd, Suite 200  
Palm Beach Gardens, FL 33418

**SUBJECT: LOGGERHEAD TRIATHLON**

Dear Mr. Auville

Palm Beach County has reviewed your request to close A1A/Ocean Drive from Jupiter Beach Road to Donald Ross Road beginning at approximately 6:30 am until 11:00 am on Saturday, August 24, 2024

This request has been approved.

It is our understanding that Jupiter Police Department will assume responsibility for traffic control and will coordinate with other emergency departments.

This permit is only valid with the presence of the Jupiter Police Department to oversee the traffic control.

If you have any further questions, please contact Graciela M'Causland at 684-4030.

Sincerely,

Graciela M'Causland  
Chief Traffic Inspector  
Traffic Division

GM:

- Attachment: Special Event Application, Route Map,
- cc: Motasem Al-Turk, Ph.D., P.E., Director – Traffic Division
- Melissa Ackert, P.E., Assistant Director – Traffic Division
- Hossam Eldeen Abdel All, P.E., Traffic Signal Systems Manager – Traffic Division
- Lee Gao, P.E., Senior Professional Engineer -- Traffic Division
- Fattoush Jafar, Ph.D., P.E., Traffic Engineer Ops Manager – Traffic Division
- Sean Reilly, Chief Traffic Inspector – Traffic Division
- Vacant, Office Manager – Traffic Division
- Adam Faustini, Director – Road & Bridge
- Thomas A. Coppini, Public Works Superintendent – Road & Bridge
- Chase Miller, Construction Project Manager – Road & Bridge
- Kathleen Farrell, Division Director III – Roadway Production
- Kristine Frazell-Smith, Senior Professional Engineer – Roadway Production
- Lisa De La Rionda, Director – Department of Public Affairs
- Heather C. Shirm, Manager Digital Marketing and Communications – Public Affairs
- Javier H. Lopez, Digital Marketing Coordinator – Public Affairs
- Kara Dery, Supervisor Special Facilities – Parks & Recreation Division
- Yash Nagal, Director of Transit Planning – Palm Tran
- Marc Bujnowski – Captain – Jupiter Police Department – marcb@jupiter.fl.us
- Jose M. Gonzalez – PBC Fire Rescue - FIRE-FOO@pbcgov.org and JMgonzal@pbcgov.org

File: General - Special Events  
Roads –

N:\TRAFFIC\SPECIAL EVENTS\2024 Special events approved\Loggerhead\Special Event Form Letter-Graciela M'Causland (north of Southern Blvd).docx

Department of Engineering  
and Public Works  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com



**Palm Beach County  
Board of County  
Commissioners**

Maria Sachs, Mayor

Maria G. Marino, Vice Mayor

Gregg K. Weiss

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard

**County Administrator**

Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"





PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS DEPARTMENT  
TRAFFIC DIVISION  
2300 North Jog Road  
West Palm Beach, Florida 33411  
(561) 684-4030

**Special Event Application for Temporary Minor Road Closure – Less Than 24 Hours**  
(Submit 30 days prior to event)

**APPLICANT INFORMATION**

Contact Name: PBC Chamber of Commerce Email: SWWAA@PBC  
Applicant Address: 5520 PGA Blvd #200 PBE Telephone: CITAMBAU.com  
Anticipated Number of Attendance: 1,000 561 951 4443

**DESCRIPTION OF SPECIAL EVENT**

Event Title: The Tampa Bay Health Summit Event Location: Woburn Park  
Date of Event: Aug 24, 2024 Event Hours: 5AM - 11AM

**LAW ENFORCEMENT AGENCY RESPONSIBLE FOR TRAFFIC CONTROL**

Name of Agency: Town of Jupiter Telephone: 561-741-2417  
Contact Name: Capt. Marc Bujnowski Email: marcbe@jupiter.fl.us

Provide/Confirm the following:

- Event Location/Detour Route (attach map)
- Maintenance of Traffic Plan (attach map)
- Consent of the applicable police department having jurisdiction over the subject roadway(s)
- Certificate of Insurance TO BE PROVIDED

The Applicant shall protect, defend, reimburse, indemnify and hold the Palm Beach County Board of County Commissioners, its agents, employees and elected officers harmless from and against all claims, liability, expense, loss, costs, damages or causes of action of every kind or character, including attorney's fees and costs, whether at trial or appellate levels or otherwise, arising during and as a result of their performance due to the acts or omissions of the Applicant.

The Applicant will assume all risk of and indemnify, defend and save harmless the Palm Beach County Board of County Commissioners from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Applicant shall be responsible for maintaining the portion of the County road it occupies for the duration of this event and providing a safe environment to the public.

The Applicant shall provide general insurance in an amount of not less than \$1,000,000 and shall name Palm Beach County as both certificate holder and additional insured.

Signature of Applicant: [Signature] Date: 4/8/24

Approved by Traffic Division: [Signature] Date: 4/12/24





April 8, 2024

Graciela M'Causland,  
Palm Beach County Traffic Division  
2300 North Job Road  
West Palm Beach, FL 33411

Dear Ms. M'Causland:

The Palm Beach North Chamber of Commerce is requesting for temporary road closures concerning the Loggerhead Triathlon on August 24, 2024 as follows:

- County Road A-1-A Closed from main entrance to Carlin Park (Van Kessel Parkway) South to Donald Ross Road from 6:30am to 10:00am.
- County Road A-1-A and the road to the Inlet Park from Van Kessel Parkway to the Inlet closed 6:30am to 11:00am.

The Town of Jupiter will assume responsibility for traffic control and will coordinate with other emergency departments as needed.

The required application has been submitted and if you have any questions or concerns, please feel free to contact our Race Director, Stewart Auville at 561-951-4443.

Sincerely,

A handwritten signature in blue ink, appearing to read "N. Martinez", is written over the printed name.

Noel Martinez,  
President and CEO  
Palm Beach North Chamber of Commerce

Jupiter Police Department



David E. England, Chief of Police

March 28<sup>th</sup>, 2024

Chief Traffic Inspector  
Palm Beach County  
Engineering and Public Works Department  
Traffic Division  
2300 N. Jog Road 3<sup>rd</sup> Floor  
West Palm Beach, FL 33411

This letter is to inform you that on Saturday August 24<sup>th</sup>, 2024 from approximately 6:30 AM to 11:00 AM, the 2024 Loggerhead Triathlon will be held in Jupiter. The race will take place along A1A between Jupiter Beach Road and Donald Ross Road. During the event, A1A, Jupiter Beach Road, Ocean Trail Way, and Dubois Road will be closed to limited vehicular traffic, and the Jupiter Police Department will have traffic jurisdiction for this event.

Sincerely,

Captain Marc Bujnowski  
Jupiter Police Department  
District 3 Commander  
[mareb@jupiter.fl.us](mailto:mareb@jupiter.fl.us)  
561-741-2417

For  
Chief David England  
Chief of Police



---

**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** Andrea Dobbins, Project Coordinator/Risk Manager  
**Item Title:** Easement Agreements for Celestial Way Drainage Project

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**DISCUSSION:**

The Celestial Way Drainage Project has three (3) locations where a portion of the drainage project encroaches into private property. Staff has reached out to these separate property owners and has received approval to do all work necessary to improve the drainage on this roadway as indicated on the engineered drawings. There is one (1) location that the proposed swales will encroach slightly on private property, on the north and south sides of Alicante Drive. The homeowner's associations has given their approval and permission for the Town to create swales for better stormwater management.

The other two locations, 350 & 380 Celestial Way, will have pervious pavers installed in front of their properties and for aesthetics and functionality the pavers will extend to existing curb lines which are on their private property. Each property owner was agreeable to this part of the project. The pervious pavers will assist with stormwater management and will increase the aesthetics of the location and subsequently their properties. The Town will assume all responsibility for the maintenance of these pavers.

**RECOMMENDATION:**

Staff recommends the Council consider a motion to enter into an agreement with each of the property owners as indicated on the two separate "Easement Agreements".

**ATTACHMENTS:**

Easement Agreements

Prepared by and return to:

Leonard G. Rubin, Esquire  
 Torcivia, Donlon, Goddeau and Rubin, P.A.  
 701 Northpoint Parkway, Suite 209  
 West Palm Beach, FL 33407

## EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made by and between the **Mercury Beach, LLC**, a Florida limited liability company, 300 Mercury Road, Apartment 1, Juno Beach, FL 33408 (“Grantor”), and the **Town of Juno Beach**, a Florida municipal corporation, 340 Ocean Drive, Juno Beach, FL 33408 (“Grantee”).

### W I T N E S S E T H:

WHEREAS, Grantor is the owner of a parcel of real property located at 350 Celestial Way within the Town of Juno Beach, legally described as Lot 1, Juno Beach Shopping Center, according to the Plat thereof recorded in Plat Book 24, Page 83 of the public records of Palm Beach County, Florida (“Property”); and

WHEREAS, Grantee is constructing a drainage improvement project on Celestial Way (“Project”) to address long-standing drainage issues, and the Project includes the installation of permeable paver bricks at the intersection of Celestial Way and Mercury Road (“Paver Area”); and

WHEREAS, a portion of the Paver Area is located on the Property, and Grantee has requested an easement over this portion of the Property for the installation and maintenance of the permeable paver bricks; and

WHEREAS, Grantee is willing to grant such an easement subject to the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the payment of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties, Grantor and Grantee agree as follows:

1. Grantor grants and conveys to Grantee, its agents, employees and contractors, a perpetual, non-exclusive easement for the installation and maintenance of permeable paver bricks over the portion of the Property depicted on page six of the Site Development Plans for the Project, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference (“Easement Area”). Grantee shall have full access rights to the Easement Area for the purpose of performing such installation and maintenance activities.

2. Absent emergency circumstances, Grantee shall not perform any maintenance, repair and/or reconstruction activities within the Easement Area without first obtaining the consent of Grantor, such consent not to be unreasonably withheld. After any such maintenance, repair and/or reconstruction activity, Grantee shall restore the Easement Area and surrounding property to an equal or better condition.

3. Grantor shall not have any responsibility for maintenance activities within the Easement Area. All such maintenance shall be performed at Grantee's sole cost and expense.

4. Except to the extent caused by the negligent or intentional acts or omissions of Grantor or any person retained by or acting on behalf of Grantor, Grantee agrees to indemnify, defend and hold Grantor, its officers, directors, managers, members, agents and assigns, harmless from and against any and all claims, damages, causes of action, losses or liabilities, including reasonable attorney's fees and costs, arising out of or relating to Grantee's installation and maintenance of the paver bricks in the Easement Area. Nothing set forth herein shall constitute a waiver of Grantee's sovereign immunity protections or the limitations of liability set forth in Section 768.28, Florida Statutes nor shall it create a cause of action in favor of any third party.

5. Grantee shall ensure that any contractor performing work in the Easement Area carries both statutorily required worker's compensation insurance and appropriate liability insurance and that Grantor is added to the contractor's liability policy as a named insured prior to the contractor commencing such activities.

6. Grantor and Grantee affirm that the persons executing this Agreement have the lawful authority to execute this Agreement and bind Grantor and Grantee.

7. This Agreement shall be governed by the laws of the State of Florida, with venue lying exclusively in the state and federal courts of Palm Beach County, Florida.

8. If litigation is instituted by either party to this Agreement for purposes of seeking interpretation or enforcement of any provision of this Agreement, the prevailing party shall be entitled to recover all costs incurred, including reasonable attorney's fees, at the trial and appellate levels.

9. This Agreement may not be amended, modified, or terminated except by way of written agreement signed by Grantor and Grantee and recorded in the public records of Palm Beach County, Florida. No breach of any provision of this Agreement shall entitle any current or future property owner to cancel, rescind, or otherwise terminate this Agreement, but such limitation shall not affect in any manner any other rights or remedies available to any party on account of such breach.

*[Remainder of page blank – signatures on next page]*

**GRANTOR:**

Witnessed by:

MERCURY BEACH, LLC

\_\_\_\_\_  
Print Name:  
Address:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Print Name:  
Address:

Date: \_\_\_\_\_

State of Florida            )  
County of Palm Beach    )ss:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_\_ as \_\_\_\_\_ of Mercury Beach, LLC who is  personally known to me or  produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
Notary Public  
Print Name:

[Seal]

**GRANTEE:**

TOWN OF JUNO BEACH, FLORIDA

Attest:

By: \_\_\_\_\_  
Peggy Wheeler, Mayor

\_\_\_\_\_  
Town Clerk

State of Florida            )  
County of Palm Beach    )ss:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Peggy Wheeler as Mayor of the Town of Juno Beach who is  personally known to me or  produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
Notary Public  
Print Name:







Prepared by and return to:

Leonard G. Rubin, Esquire  
 Torcivia, Donlon, Goddeau and Rubin, P.A.  
 701 Northpoint Parkway, Suite 209  
 West Palm Beach, FL 33407

## EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made by and between the **L.G. Celestial LLC**, a Florida limited liability company, 380 Celestial Way, Juno Beach, FL 33408 (“Grantor”), and the **Town of Juno Beach**, a Florida municipal corporation, 340 Ocean Drive, Juno Beach, FL 33408 (“Grantee”).

### W I T N E S S E T H:

WHEREAS, Grantor is the owner of a parcel of real property located at 380 Celestial Way within the Town of Juno Beach, legally described as Units 1 through 4 of The Venta Condominium, according to the Declaration of Condominium recorded in Official Record Book 4412, Page 888, and all exhibits and amendments thereof, of the public records of Palm Beach County, Florida (“Property”); and

WHEREAS, Grantee is constructing a drainage improvement project on Celestial Way (“Project”) to address long-standing drainage issues, and the Project includes the installation of permeable paver bricks at the intersection of Celestial Way and Mercury Road (“Paver Area”); and

WHEREAS, a portion of the Paver Area is located on the Property, and Grantee has requested an easement over this portion of the Property for the installation and maintenance of the permeable paver bricks; and

WHEREAS, Grantee is willing to grant such an easement subject to the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the payment of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties, Grantor and Grantee agree as follows:

1. Grantor grants and conveys to Grantee, its agents, employees and contractors, a perpetual, non-exclusive easement for the installation and maintenance of permeable paver bricks over the portion of the Property depicted on page six of the Site Development Plans for the Project, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference (“Easement Area”). Grantee shall have full access



rights to the Easement Area for the purpose of performing such installation and maintenance activities.

2. Absent emergency circumstances, Grantee shall not perform any maintenance, repair and/or reconstruction activities within the Easement Area without first obtaining the consent of Grantor, such consent not to be unreasonably withheld. After any such maintenance, repair and/or reconstruction activity, Grantee shall restore the Easement Area and surrounding property to an equal or better condition.

3. Grantor shall not have any responsibility for maintenance activities within the Easement Area. All such maintenance shall be performed at Grantee's sole cost and expense.

4. Except to the extent caused by the negligent or intentional acts or omissions of Grantor or any person retained by or acting on behalf of Grantor, Grantee agrees to indemnify, defend and hold Grantor, its officers, directors, managers, members, agents and assigns, harmless from and against any and all claims, damages, causes of action, losses or liabilities, including reasonable attorney's fees and costs, arising out of or relating to Grantee's installation and maintenance of the paver bricks in the Easement Area. Nothing set forth herein shall constitute a waiver of Grantee's sovereign immunity protections or the limitations of liability set forth in Section 768.28, Florida Statutes nor shall it create a cause of action in favor of any third party.

5. Grantee shall ensure that any contractor performing work in the Easement Area carries both statutorily required worker's compensation insurance and appropriate liability insurance and that Grantor is added to the contractor's liability policy as a named insured prior to the contractor commencing such activities.

6. Grantor and Grantee affirm that the persons executing this Agreement have the lawful authority to execute this Agreement and bind Grantor and Grantee.

7. This Agreement shall be governed by the laws of the State of Florida, with venue lying exclusively in the state and federal courts of Palm Beach County, Florida.

8. If litigation is instituted by either party to this Agreement for purposes of seeking interpretation or enforcement of any provision of this Agreement, the prevailing party shall be entitled to recover all costs incurred, including reasonable attorney's fees, at the trial and appellate levels.

9. This Agreement may not be amended, modified, or terminated except by way of written agreement signed by Grantor and Grantee and recorded in the public records of Palm Beach County, Florida. No breach of any provision of this Agreement shall entitle any current or future property owner to cancel, rescind, or otherwise terminate this Agreement, but such limitation shall not affect in any manner any other rights or remedies available to any party on account of such breach.

*[Remainder of page blank – signatures on next page]*

**GRANTOR:**

Witnessed by:

L.G. CELESTIAL, LLC

\_\_\_\_\_  
Print Name:  
Address:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Print Name:  
Address:

Date: \_\_\_\_\_

State of Florida            )  
County of Palm Beach    )ss:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_\_ as \_\_\_\_\_ of L.G. CELESTIAL, LLC who is  personally known to me or  produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
Notary Public  
Print Name:

[Seal]

**GRANTEE:**

TOWN OF JUNO BEACH, FLORIDA

Attest:

By: \_\_\_\_\_  
Peggy Wheeler, Mayor

\_\_\_\_\_  
Town Clerk

State of Florida            )  
County of Palm Beach    )ss:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Peggy Wheeler as Mayor of the Town of Juno Beach who is  personally known to me or  produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
Notary Public  
Print Name:









**Meeting Name:** Town Council Meeting

**Meeting Date:** May 22, 2024

**Prepared By:** Michael Ventura

**Item Title:** Asset Disposals

### DISCUSSION:

Per the Town's Accounting Manual, Fixed Assets Disposals are to be recorded in the minutes of a regularly scheduled meeting of the Town Council.

### RECOMMENDATION:

Staff recommends the Town Council consider a motion to approve disposals on the Consent Agenda.

Items for Disposal:

<b>Make/Model</b>	<b>Year</b>	<b>JB Asset Tag #</b>	<b>Description</b>
Ford Interceptor	2017	#114	Police marked vehicle VIN #35886
Ford Taurus	2015	#107	Police Unmarked Vehicle VIN # 70189
Stealth Pressure Washer	2000	0017	Surface Cleaner
Whisper Washer	N/A	N/A	Surface Cleaner
Proxima Projector	2000	0172	Projector



## AGENDA ITEM

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**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** M. Ventura, Finance Director  
**Item Title:** Year to Date (YTD) Financial Statements

---

### **DISCUSSION:**

Please find attached the YTD financial reports for your review.

### **RECOMMENDATION:**

This is an informational report to Town Council only and no action is required.

**TOWN OF JUNO BEACH**  
**MONTH ENDING APRIL 30, 2024**

1					
2	<b>GENERAL FUND</b>	<b>Original</b>	<b>Actual</b>		
3		<b>FISCAL YEAR</b>	<b>YTD 4/30/24</b>	<b>Difference</b>	<b>% To Budget</b>
4	<b><u>REVENUES</u></b>	<b><u>2023-2024</u></b>			
5	Ad Valorem Taxes	\$3,966,863	\$3,900,907	\$65,956	98%
6	Local Option, Use & Fuel Taxes	\$57,283	28,626	\$28,657	50%
7	One-Cent Discretionary Surtax	\$305,851	179,484	\$126,367	59%
8	Utility Services Taxes	\$953,364	513,750	\$439,614	54%
9	Local Business Tax	\$70,000	49,699	\$20,301	71%
10	Building Permits	\$1,040,000	716,973	\$323,027	69%
11	Franchise Fees	\$100,000	69,325	\$30,675	69%
12	Permits, Fees & Special Assessments	\$159,950	161,598	(\$1,648)	101%
13	Grants	\$274,500		\$274,500	0%
14	Intergovernmental Revenue	\$533,180	287,483	\$245,697	54%
15	Charges for Services	\$40,000	52,870	(\$12,870)	132%
16	Fines and Forfeitures	\$25,500	92,590	(\$67,090)	363%
17	Investment Earnings	\$150,000	323,839	(\$173,839)	216%
18	Miscellaneous	\$97,000	503,684	(\$406,684)	519%
19	From Impact Fees-Restricted	\$75,000	0	\$75,000	0%
23	From One-Cent Surtax-Restricted	\$18,200	0	\$18,200	0%
24	From Assigned Fund Balance	\$705,399	0	\$705,399	0%
25	<u>From Unassigned Fund Balance</u>	\$2,942,500	<u>0</u>	\$2,942,500	0%
26					
27	<b>TOTAL REVENUES</b>	<b><u>\$11,514,590</u></b>	<b><u>\$6,880,828</u></b>	<b><u>\$4,633,762</u></b>	<b>60%</b>
28					
29	<b>EXPENDITURES BY DEPARTMENT</b>				
30					
31	<b><u>LEGISLATIVE</u></b>				
32	Salaries	16,200	\$8,400	\$7,800	52%
33	Employee Benefits	1,239	643	\$597	52%
34	Operating Expenses	<u>12,500</u>	<u>924</u>	\$11,576	7%
35					
36	<b>TOTAL LEGISLATIVE</b>	<b>29,939</b>	<b>9,967</b>	<b>19,973</b>	<b>33%</b>
37					
38	<b><u>FINANCE &amp; ADMINISTRATION</u></b>				
39	Salaries	674,302	375,531	298,771	56%
40	Employee Benefits	187,478	96,784	90,694	52%
41	Professional Fees	87,000	58,191	28,809	67%
42	Operating Expenses	161,650	111,149	50,501	69%
43	Capital Outlay	<u>55,000</u>	<u>30,095</u>	24,905	55%
44					
45	<b>TOTAL FINANCE &amp; ADMINISTRATION</b>	<b>1,165,430</b>	<b>671,750</b>	<b>493,680</b>	<b>58%</b>

**TOWN OF JUNO BEACH**  
**MONTH ENDING APRIL 30, 2024**

	FISCAL YEAR	Actual	Difference	
49				
50				
52				
53				
54				
55	<b><u>2023-2024</u></b>	<b>YTD 4/30/24</b>		
56	<b><u>COMPREHENSIVE PLANNING</u></b>			
56	Salaries	554,981	291,006	263,975
57	Employee Benefits	161,676	73,947	87,729
58	Professional Fees	475,500	364,640	110,860
59	Operating Expenses	67,556	43,243	24,313
60	Capital Outlay	<u>110,000</u>	<u>0</u>	110,000
61				
62	<b>TOTAL COMPREHENSIVE PLANNING</b>	<b>1,369,713</b>	<b>772,836</b>	<b>596,877</b>
63				
64	<b><u>LAW ENFORCEMENT</u></b>			
65	Salaries	1,853,310	846,097	1,007,213
66	Employee Benefits	940,979	606,154	334,825
67	Professional Fees	37,700	12,446	25,254
68	Operating Expenses	392,646	192,380	200,266
69	Capital Outlay	<u>375,000</u>	<u>312,078</u>	62,922
70				
71	<b>TOTAL LAW ENFORCEMENT</b>	<b>3,599,635</b>	<b>1,969,155</b>	<b>1,630,480</b>
72				
73	<b><u>PUBLIC WORKS</u></b>			
74	Salaries	344,949	184,040	160,909
75	Employee Benefits	126,543	65,708	60,835
76	Professional Fees	5,000	3,286	1,714
77	Operating Expenses	524,694	292,928	231,766
78	Capital Outlay	<u>3,378,250</u>	<u>1,810,111</u>	1,568,139
79				
80	<b>TOTAL PUBLIC WORKS</b>	<b>4,379,436</b>	<b>2,356,073</b>	<b>2,023,363</b>
81				
82	<b><u>GENERAL GOVERNMENT</u></b>			
83	Insurance	332,115	231,034	101,081
84	Town Debt Service	0	0	0
85	Contingency	<u>638,322</u>	<u>0</u>	638,322
86				
87	<b>TOTAL GENERAL GOVERNMENT</b>	<b>970,437</b>	<b>231,034</b>	<b>739,403</b>
88				
89				
90	<b>TOTAL EXPENDITURES</b>	<b><u>\$11,514,590</u></b>	<b><u>\$6,010,815</u></b>	<b><u>\$5,503,776</u></b>
91				
92	<b>Net Income YTD</b>	<b><u>(\$0)</u></b>	<b><u>\$870,013</u></b>	

BALANCE SHEET FOR 2024 7

FUND: 01 GENERAL FUND			NET CHANGE FOR PERIOD	ACCOUNT BALANCE
<b>ASSETS</b>				
01	10101	GENERAL FUND CHECKING	392,207.35	-170,627.75
01	10102	PAYROLL CHECKING	.00	17,000.11
01	10106	CREDIT CARD ACCOUNT	68,051.60	700,355.53
01	10201	PETTY CASH	.00	600.00
01	10202	PETTY CASH-PD	.00	250.00
01	10410	WELLS FARGO-MM SWEET	-653,327.70	2,930,747.85
01	10412	MONEY MARKET	.00	2,631,185.96
01	10420	POOLED CASH-STATE BD OF A	.00	658,222.04
01	10421	FL PALM INVESTMENT	.00	2,088,331.53
01	10424	FMIT-0-2 HQ BOND FUND	.00	235,955.84
01	10425	FMIT-SHORT TERM BOND	.00	448,669.16
01	10426	FMIT-INTERMEDIATE TERM BD	.00	545,038.05
01	10435	CERTIFICATES OF DEPOSIT	.00	2,081,572.15
01	11510	ACCOUNTS RECEIVABLE	1,955.00	420.71
01	11590	AR-RETIREE INSURANCES	48.77	-394.99
01	13310	DUE FROM OTHER GOV'T UNIT	.00	741,771.54
01	13501	ACCRUED INTEREST RECEIVABLE	.00	120,421.39
01	15500	PREPAID EXPENSES	.00	1,345.48
<b>TOTAL ASSETS</b>			<b>-191,064.98</b>	<b>13,030,864.60</b>
<b>LIABILITIES</b>				
01	20200	ACCOUNTS PAYABLE	-22,470.00	-21,572.04
01	20205	FRIENDS OF THE ARTS	756.05	-2,104.75
01	20210	PENSION PAYABLE-FRS	7,657.38	-48,427.97
01	20211	RETIRE-GEN. EMP. PAYABLE	.00	-2,383.79
01	20241	125-CAFE.HEALTH INSURANCE	394.01	377.85
01	20242	125-CAFE. MEDICAL FSA	-469.96	7,677.63
01	20245	ALLSTATE VOLUNTARY INSURANCE	25.45	-304.70
01	20250	125-CAFE. VISION CARE	-.09	-3.81
01	20295	PD-TAKE HOME CAR	-580.00	-4,440.00
01	20810	DUE TO PALM BEACH COUNTY	-2,866.24	-7,685.34
01	20830	DUE TO STATE-BLDG PERMIT FEES	6,525.17	-4,008.52
01	21600	ACCRUED PAYROLL	.00	-40,703.08
01	21700	WITHHOLDING TAXES	-1,208.82	-6,191.65
01	21720	SOCIAL SECURITY TAXES	-782.21	-39,813.25
01	22300	UNEARNED REVENUE	.00	-31,818.70
<b>TOTAL LIABILITIES</b>			<b>-13,019.26</b>	<b>-201,402.12</b>
<b>FUND BALANCE</b>				
01	17100	ESTIMATED REVENUES	.00	11,514,590.00
01	17200	REVENUE CONTROL	-505,476.06	-6,881,452.97
01	24100	APPROPRIATIONS CONTROL	.00	-11,514,590.00
01	24200	EXPENDITURE CONTROL	709,560.30	6,032,223.25
01	24500	RESERVE FOR ENCUMBRANCE	.00	-87,500.00
01	28000	NON-SPENDABLE PREPAID ITEMS	.00	-76,028.84
01	28100	RESTRICTED-IMPACT FEE	.00	-81,892.60
01	28101	RESTRICTED-IMPACT FEE LAW ENFO	.00	-8,831.01
01	28102	RESTRICTED-CAPITAL PROJECTS	.00	-23,562.39
01	28103	RESTRICTED ONE-CENT SURTAX	.00	-1,304,452.95

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 User: 953mventura  
 Program ID: glbalsht



**BALANCE SHEET FOR 2024 7**

FUND: 01		GENERAL FUND	NET CHANGE FOR PERIOD	ACCOUNT BALANCE
FUND BALANCE				
01	28115	BUILDING CODE ENFORCEMENT	.00	-2,290,118.45
01	28120	RESTRICTED-LAW ENFORCEMENT	.00	-13,581.25
01	28121	RESTRICTED-STATE/LOCAL FORFEIT	.00	-109,314.40
01	28300	ASSIGNED-SUBSEQUENT YEAR	.00	-2,942,500.00
01	28400	UNASSIGNED-FUND BALANCE	.00	-5,001,879.55
01	28410	UNASSIGNED-CONTRIBUTIONS	.00	-40,571.32
TOTAL FUND BALANCE			204,084.24	-12,829,462.48
TOTAL LIABILITIES + FUND BALANCE			191,064.98	-13,030,864.60

\*\* END OF REPORT - Generated by Michael Ventura \*\*




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**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** L. Rubin, Town Attorney  
**Item Title:** **Ordinance No. 788 – 1<sup>st</sup> Reading** – Electronic Publication of Legal Notices and Advertisements on Palm Beach County’s Website

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#### **DISCUSSION:**

During its 2022 session, the Florida Legislature adopted Section 50.0311, Florida Statutes, allowing municipalities to publish advertisements and public notices on the county’s publicly accessible website in lieu of publication in a newspaper of general circulation.

The Town has executed the necessary agreements with Palm Beach County to utilize its website for the publication of legal notices. Additionally, as required by Section 50.0311(6), Florida Statutes, the Town has published a notice in a newspaper of general circulation indicating that property owners and residents may receive legally required advertisements and public notices from the Town by first-class mail or e-mail upon registering their name and address or e-mail address with the Town. The Town is required to maintain a registry of such names and addresses, as well as publish the required notice in a newspaper of general circulation at least once per year. A link to the advertisements and public notices must be “conspicuously placed” on the Town’s website.

A number of Town Code provisions require publication in a newspaper of general circulation, such as publication of election notices and publication of hearing notices for zoning text amendments and Board of Adjustment hearings. The attached Ordinance amends Chapter 1, “General Provisions,” of the Town Code by adopting a new Section 1-13 to read as follows:

**Sec. 1-13. Electronic publication of notices.**

Wherever this code, including the provisions of chapter 34, requires publication of a notice in a newspaper of general circulation, the publication requirement shall be satisfied by posting such notice on the county’s publicly accessible website in accordance with the requirements of F.S. §50.0311.

The adoption of this Ordinance allows the Town to publish notices on the County’s website in lieu of the newspaper, resulting in a significant cost savings to the Town. Residents may still request that they be provided a copy of the notice by first-class mail or e-mail.

**RECOMMENDATION:** Town Staff requests Town Council consideration and approval of Ordinance No. 788 on first reading.

TOWN OF JUNO BEACH

ORDINANCE NO. 788

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING CHAPTER 1, "GENERAL PROVISIONS," OF THE TOWN CODE OF ORDINANCES BY ADOPTING A NEW SECTION 1-13, "ELECTRONIC PUBLICATION OF NOTICES;" PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, Section 50.0311, Florida Statutes, specifically authorizes municipalities to utilize the publicly accessible website of the county in which it lies to publish legally required advertisements and public notices subject to certain requirements; and

WHEREAS, the Town wishes to utilize the provisions of Section 50.0311, Florida Statutes, and has and will continue to comply with the provisions of subsection (6), which requires the Town to provide notice at least once per year in a newspaper of general circulation indicating that property owners and residents may receive legally required advertisements and public notices from the Town by first-class mail or e-mail upon registering their name and address or e-mail address with the Town; and

WHEREAS, the Town Council determines that the adoption of this Ordinance is in the best interests of the residents of the Town of Juno Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.

Section 2. The Town Council hereby amends Chapter 1, "General Provisions," of the Town Code of Ordinances by adopting a new Section 1-13, "Electronic publication of notices," to read as follows (additional language underlined):

Sec. 1-13. Electronic publication of notices.

Wherever this code, including the provisions of chapter 34, requires publication of a notice in a newspaper of general circulation, the publication requirement shall be satisfied by posting such notice on the county's publicly accessible website in accordance with the requirements of F.S. §50.0311.

Section 3. The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach, Florida.

Section 4. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of the Ordinance.

Section 5. All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are conflict with this Ordinance, are hereby repealed to extent of such conflict.







**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** L. Rubin, Town Attorney  
**Item Title:** Legislative Updates

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**DISCUSSION:**

Town Attorney will be providing Legislative updates to the Town Council.

**TORCIVIA, DONLON,  
GODDEAU & RUBIN,  
P.A.**

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CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

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LENIHAN\*

RUTH A. HOLMES

BEN SAVER

TANYA M. EARLEY

DANIEL HARRELL, OF  
COUNSEL

May 14, 2024

To: Mayor and Members of the Town Council

From: Leonard G. Rubin, Town Attorney

Re: 2024 Legislative Update

Below please find a brief update on bills passed during the 2024 legislative session that could impact the Town.

**BILLS ENACTED INTO LAW**

**HB 1365 – Unauthorized Public Camping and Public Sleeping**

This bill prohibits local governments from authorizing or allowing persons to regularly engage in public camping or sleeping on public property. The phrase “public camping or sleeping” is defined as: (1) lodging or residing overnight in a temporary outdoor habitation used as a dwelling or living space and evidenced by the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal belongings; or (2) lodging or residing overnight in an outdoor space without a tent or other temporary shelter.

Further, it allows counties to establish and operate designated sleeping areas for persons experiencing homelessness. Such areas would have to meet basic health and safety requirements

and would be overseen by the Department of Children and Families. If a county elects to designate such an area within the boundaries of a municipality, it can only do so with a majority vote of the municipality's governing body. This bill does not require a municipality to establish or operate a designated sleeping area.

Beginning January 1, 2025, municipalities and counties can be sued by their residents, local business owners, or the Attorney General for authorizing or otherwise allowing public camping or sleeping. Before initiating a lawsuit, a plaintiff must give written notice of the alleged violation and five business days to cure it. If a resident or business owner prevails in a civil action, the court may award them court costs, attorneys' fees, investigative costs, witness fees, and deposition costs.

This bill is codified at section 125.0231, Florida Statutes, and has an effective date of October 1, 2024.

### **SB 1526 – Local Regulation of Nonconforming and Unsafe Structures**

This bill, also known as the “Resiliency and Safe Structures Act,” restricts, with limited exceptions, local governments from prohibiting the demolition of nonconforming or unsafe structures, including historical structures, that are seaward of the coastal construction control line. The bill also authorizes the automatic replacement of the structure without requiring the new structure to have historical features or characteristics and prohibits local governments from imposing additional redevelopment restrictions that depart from existing requirements for a similarly situated parcel.

This bill is codified at section 553.8991, Florida Statutes, and took effect upon being signed into law on March 22, 2024.

### **HB 377 – License or Permit to Operate a Vehicle for Hire**

This bill provides that a person who holds a valid, active license or permit issued by a county or municipality to operate a vehicle for hire may operate a vehicle for hire in any other county or municipality without being subject to additional licensing or permitting requirements and without paying additional license or permit fees so long as certain requirements are met.

This bill is codified at section 320.0603, Florida Statutes and has an effective date of July 1, 2024.

### **SB 676 – Food Delivery Platforms**

This bill concerns the regulation of food delivery platforms, defined as a business that acts as a third-party intermediary for the consumer by taking and arranging for the delivery or pickup of orders from multiple food service establishments. This bill expressly preempts the regulation of food delivery platforms to the state.

This bill is codified at section 509.103, Florida Statutes, and took effect upon being signed into law on April 2, 2024.



**HB 1451 – Identification Documents**

This bill prohibits counties and municipalities from accepting as identification any identification card or document issued by any person, entity, or organization that knowingly issues such identification cards or documents to individuals who are not lawfully present in the United States, except when the documentation is issued by or on behalf of the federal government.

This bill is codified at sections 125.0156 and 166.246, Florida Statutes, and has an effective date of July 1, 2024.

**HB 271 – Motor Vehicle Parking on Private Property**

This bill makes several changes to the regulation of private parking lot operations and explicitly allows private parking lot signage to be regulated by the municipality in which the property is located.

This bill is codified at section 715.075, Florida Statutes and has an effective date of July 1, 2024.

**HB 463 – Lights Displayed on Fire Department Vehicles**

This bill authorizes certain government-owned fire department vehicles to show or display blue lights if authorized in writing by the fire chief of the government agency and if shown or displayed only on the rear of such vehicles.

This bill is codified at section 316.2397, Florida Statutes, and has an effective date of July 1, 2024.

**SB 1628 – Local Government Actions**

This bill provides that if a bond issue amount is greater than \$500 million, the bond referendum must be held at a general election. Further, it eliminates the exception from the requirement to complete a business impact estimate for ordinances concerning a comprehensive plan amendment or land development regulation, including zoning, initiated by a county or municipality. Comprehensive plan amendments and land development amendments initiated by a private party remain exempt.

This bill is codified at sections 100.261 and 166.041, Florida Statutes, and has an effective date of October 1, 2024.

**HB 433 – Employment Regulations**

This bill prohibits municipalities from establishing, mandating, or otherwise requiring an employer (other than the municipality itself) to meet or provide heat exposure requirements not otherwise required under state or federal law. Further, this bill provides that a municipality may not, through its purchasing or contracting procedures, seek to control or affect the wages of employee benefits provided by its vendors or use wage or employment benefits as an evaluation factor. It also

preempts local governments from regulating scheduling, including predictive scheduling, by a private employer except as required by state or federal law, or pursuant to federal grant requirements.

This bill is codified at sections 448.106, 448.077, and 218.077, Florida Statutes, and has an effective date of July 1, 2024.

### **HB 1557 – Department of Environmental Protection**

This bill would allow municipalities to use the Resilient Florida Grants Program to update their inventory of critical assets and for the cost of permitting projects designed to achieve reductions in the risks or impacts of flooding and sea level rise using nature-based solutions. It further requires a vulnerability assessment to make use of the best available information through the Florida Flood Hub as certified by the Chief Science Officer. This bill also expands the types of projects that can be submitted for inclusion in the Statewide Flooding and Sea Level Rise Resilience Plan.

This bill is codified at section 380.093, Florida Statutes, and has an effective date of July 1, 2024.

### **HB 601 – Law Enforcement and Correctional Officers**

This bill prohibits municipalities from adopting or attempting to enforce any ordinance relating to the investigation of complaints of misconduct by law enforcement or correction officers, or authorizing civilian oversight of law enforcement agencies' investigation of complaints of misconduct by law enforcement or correctional officers.

This bill is codified at section 112.533, Florida Statutes, and has an effective date of July 1, 2024.

## **PROPOSED CONSTITUTIONAL AMENDMENTS**

### **HJR 7017 – Annual Adjustment to Homestead Exemption Value**

This bill proposes a constitutional amendment to require an annual adjustment to the value of certain homestead exemptions (applicable to all taxes, except school taxes) each year for inflation using the percent change in the Consumer Price Index, if such percent change is positive. The constitutional amendment must be approved by at least 60% of voters during the November 2024 election.

If approved, this constitutional amendment would take effect on January 1, 2025.

## **BILLS THAT HAVE PASSED THE HOUSE AND SENATE**

### **HB 7019 – Exemption of Homesteads**

This bill would implement HJR 7017 if it is approved by the voters by requiring an annual adjustment to the value of certain homestead exemptions each year for inflation using the percentage change in the Consumer Price Index, if such percent change is positive. The bill would

also require the Legislature to appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties.

This bill would be codified at sections 196.031 and 218.136, Florida Statutes, and would take effect on January 1, 2025.

### **HB 479 – Alternative Mobility Funding Systems**

This bill revises and provides additional guidance concerning the use of mobility plans and the collection of mobility fees. It provides that if a county and municipality charge the developer of a new development or redevelopment a fee for transportation capacity impacts, the county and municipality must enter into an interlocal agreement to coordinate the mitigation of their respective transportation capacity impacts. The interlocal agreement must ensure that the developer is not charged twice for the same transportation capacity impacts, establish a plan-based methodology for determining the legally permissible fee to be charged, and provide a method for the proportionate distribution of the revenue collected or provide a method of assigning responsibility for the mitigation of the transportation capacity impacts belonging to the county and the municipality. The county or municipality issuing the building permit must collect the fee unless agreed to otherwise. This bill also provides that if by October 1, 2025, the interlocal agreement is not executed, the developer shall receive a 10 percent reduction in the total fee calculated and additional administrative requirements shall be imposed on the local government.

This bill further provides that when increasing an impact fee based on a study, a local government can only use available data within the past four years and the new study must be adopted within twelve months of its initiation.

This bill would be codified at sections 163.3164, 163.3180, and 163.31801, Florida Statutes, and has an effective date of October 1, 2024

### **HB 267 – Building Regulations**

This bill would amend regulations relating to building permits in numerous ways, including,

- Amending the Florida Building Code to state that sealed drawings by a design professional are not required for the replacement of windows, doors, or garage doors in an existing one-family or two-family dwelling or townhouse if certain conditions are met.
- Providing that a local government must approve, approve with conditions, or deny a complete and sufficient building permit application within the following time frames, unless the applicant waives such timeframes in writing:
  - 30 business days for residential units less than 7,500 square feet,
  - 60 business days for residential units 7,500 square feet or more,
  - 60 business days for signs on nonresidential buildings that are less than 25,000 square feet,

- 60 business days for multifamily residential, not exceeding 50 units; site plan approvals and subdivision plats not requiring public hearing or public notice; and lot grading and site alteration,
  - 12 business days for an applicant using a master building permit consistent with section 553.794, Florida Statutes, to obtain a site-specific building permit, and
  - 10 business days for an applicant for a single-family residential dwelling applied for by a contractor licensed in this state on behalf of a property owner who participates in a Community Development Block Grant-Disaster Recovery program administered by the Department of Commerce.
- Requiring a local government to provide written notice to the applicant within 5 business days after receipt of the application of what additional information is needed or the application is automatically deemed to be properly completed and accepted.
  - Providing an applicant has 10 business days for submitting revisions when an application fails to meet applicable regulations, and providing the local enforcement agency has 10 business days after receiving the revisions to approve or deny the building permit, unless the applicant agrees to a longer period in writing.
  - Allowing local governments to use certain fees to upgrade technology hardware and software systems to enhance service delivery.
  - Adopting a new section concerning thermal efficiency standards for unvented attic and unvented enclosed rafter assemblies.
  - Providing that when an applicant utilizes the alternative plans review and inspection procedures in section 553.791, Florida Statutes, by utilizing a private provider who is licensed as an engineer or architect, the local building official must issue a permit or provide written notice regarding plan deficiencies within 10 business days, otherwise, the permit application is deemed approved as a matter of law.
  - Prohibiting local code enforcement agencies from auditing the performance of building code inspection services by private providers operating within the local jurisdiction until the agency has created standard audit procedures for the agency's internal inspection and review staff. The audit procedures must be publicly available online and in print versions, and the audit results for the prior two quarters must also be publicly available.

This bill would be codified at numerous sections of Florida Statutes and has an effective date of January 1, 2025.

### **SB 812 – Expedited Approval of Residential Building Permits**

This bill requires municipalities that have 10,000 residents or more and 25 acres or more of contiguous land that the municipality has designated in its comprehensive plan and future land use map as land that is agricultural or to be developed for residential purposes to create a program to expedite approval of residential building permits. The program must include a two-step application process for the adoption of a preliminary plat and allows the applicant to identify the percentage of planned homes or the number of building permits that the governing body must issue. At an applicant's request, the municipality must issue no less than 50% of the permits for dwellings to



be built if certain conditions have been met. It also requires the municipality to establish a registry with at least three qualified contractors who may be used for processing and expediting the review of an application for a preliminary plat. To avail itself of this program, an applicant must indemnify the municipality from liability or damages resulting from the issuance of a building permit.

This bill would be codified at section 177.073, Florida Statutes, and would be effective upon enactment.

### **SB 328 – Affordable Housing**

This bill amends various provisions of the Live Local Act including:

- Clarifies that the phrase “currently allowed” density, height, and floor ratio does not include any bonus, variance, or other special exemption provided for in the local government’s regulations.
- Provides that a municipality may not restrict the floor area ratio of a proposed development below 150 percent of the highest currently allowed floor area ratio on any land in the municipality where development is allowed.
- Provides that if the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150% of the tallest building on any property adjacent to the proposed development, the highest currently allowed height in the municipality’s regulations, or 3 stories, whichever is higher.
- Modifies parking reduction requirements for developments near a major transportation hub or within a transit-oriented development or area.
- Requires municipalities to maintain on their websites a policy containing procedures and expectations for certain administrative approvals.

This bill would be codified at section 166.04151, Florida Statutes, and would be effective upon becoming law.

### **SB 1420 – Department of Commerce**

This bill would amend requirements related to comprehensive plan amendments and requires local governments to adopt comprehensive plan amendments within 180 days after the receipt of agency comments, otherwise, the amendments are deemed withdrawn. Additionally, within 10 working days after adoption, a local government must transmit all comprehensive plan amendments to the state land planning agency and any other agency or local government that provided timely comments, otherwise, the amendments are deemed withdrawn.

This bill would be codified at section 163.3184, Florida Statutes, and has an effective date of July 1, 2024.

### **HB 1645 – Energy Resources**

This bill defines “resiliency facility” to mean a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster; and mandates that a resiliency facility is a permitted use in all commercial, industrial, and manufacturing land use categories in a local government’s comprehensive plan. It also prohibits local governments, after July 1, 2024, from amending their comprehensive plans, land use map, zoning districts, or land development regulations in a manner that would conflict with a resiliency facility’s classification as a permitted and allowable use.

This bill would be codified at section 163.3210, Florida Statutes, and has an effective date of July 1, 2024

### **SB 280 – Vacation Rentals**

This bill amends laws concerning vacation rentals. While regulation of vacation rentals is generally preempted to the state, it allows local governments to require the registration of vacation rentals with a local vacation rental registration program. In order to register a property under the local vacation rental registration program, local governments may require the operator of a vacation rental to, among other things, pay in full all recorded municipal liens against the subject vacation rental premises; designate and maintain at all times a responsible party who is capable of responding to complaints or emergencies related to the vacation rental; and comply with maximum overnight occupancy standards (no more than two people per room plus two, or at a minimum of 50 sq ft. per person).

Local governments may impose a fine of up to \$500 per day for failure to register under the local program or for failure to continue to meet registration requirements. Before issuing a fine, the local government must issue a written notice of violation and provide the vacation rental operator 15 days to cure the violation. A certified copy of an order imposing a fine may be recorded in the public records and thereafter constitute a lien against the real property on which the violation occurred. This bill further provides standards for when a local government may suspend or revoke a vacation rental registration.

This bill also includes new requirements for advertising platforms of vacation rentals including a requirement that the advertising platforms collect and remit all required taxes; require persons listing a vacation rental to include state and local registration numbers; and adopt anti-discrimination policies. The regulation of advertising platforms is preempted to the State.

This bill would be codified at numerous sections of Florida Statutes and has an effective date of July 1, 2024.

### **HB 473 – Cybersecurity Incident Liability**

This bill exempts municipalities from liability in connection with a cybersecurity incident if the municipality substantially complies with the current training and cybersecurity standards

requirements under Section 282.3185, Florida Statutes. It further provides that failure of a municipality to substantially implement a cybersecurity program that complies with the standards of section 768.401 is not evidence of negligence and does not constitute negligence per se. If a municipality is named as a defendant in an action relating to a cybersecurity incident, the municipality has the burden of proof to establish substantial compliance.

This bill would be codified at section 768.401, Florida Statutes, and would be effective upon becoming law.

### **SB 1084 – Department of Agriculture and Consumer Services**

This bill, among other things, preempts the regulation of electric vehicle charging stations to the state and prohibits municipalities from enacting or enforcing any regulation relating to electric vehicle charging stations.

This bill would be codified at section 366.94, Florida Statutes, and has an effective date of July 1, 2024.

### **SB 674 – United States-produced Iron and Steel in Public Works Projects**

This bill provides that when a governmental entity enters into a contract for a public works project or for the purchase of materials for a public works project, they must include a contract requirement that any iron or steel product permanently incorporated in the project be produced in the United States, except in limited circumstances. A “public works project” means an activity paid for with any state-appropriated funds or state funds administered by a governmental entity which consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof owned in whole or in part by any governmental entity.

This bill would be codified at section 255.0993, Florida Statutes, and has an effective date of July 1, 2024.

Should you have any questions or be in need any additional information any of the bills referenced above, please do not hesitate to contact me.



**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** Andrea Dobbins, Project Coordinator/Risk Manager  
**Item Title:** Kagan Park Ground Cover Discussion

## **DISCUSSION:**

Kagan Park has had multiple types of ground cover over the years; sand, wood mulch and rubber mulch. Wood mulch has been used but proved to be difficult to keep in the designated play area. During the rainy season and any time a heavy rain event would occur the wood mulch would float over the plastic borders and get deposited throughout the park. Wood mulch breaks down, deteriorates, and needs to be replenished to maintain the fall height criteria for the play equipment. Sand, according to the handbook for “Public Playground Safety” does not meet the fall criteria for the Kagan Park playground equipment and the swings which requires an 8’ fall height. The rubber mulch currently in the park, is validated by IPEMA (International Play Equipment Manufacturers Association), a 3<sup>rd</sup> party certification service for playground safety, and provided to the ASTM (American Society for Testing and Materials). The rubber mulch meets all the fall height requirements for the playground equipment.

At the May 8, 2024, Council meeting staff was directed to investigate ground cover options for the playground. The only two options for ground cover to meet the fall height safety criteria are rubber mulch or wood mulch or wood chips. An estimate was received to remove the rubber mulch and replace it with the wood mulch for a total cost of \$19,422; removal \$10, 422 + installation \$9,000.

## **RECOMMENDATION:**

Option 1 – Move forward with the selection and installation of a new playground and related turf ground cover as shown in the Kagan Park Playground Survey; Option #\_\_. Funding is currently budgeted from the One Cent Surtax (sales tax) not to exceed the budgeted \$225,000.

Option 2 – Cancel the playground selection and apply for a FRDAP grant in the amount of \$150,000 (75% state funding/25% local funding) and make the immediate minor repairs to the existing equipment. Staff requests \$10,000 from contingency for repairs and the grant application through RMPK Funding.

Option 3 - Cancel the playground selection and apply for a FRDAP grant in the amount of \$150,000 (75% state funding/25% local funding) and make the immediate minor repairs to the existing equipment along with the temporary replacement of ground cover. Staff requests \$30,000 from contingency for wood mulch ground cover, repairs and the grant application through RMPK Funding.

**ATTACHMENTS:**

Diagram from the Handbook for Public Playground Safety

Certificate of Compliance for Rubber Mulch

Kagan Park Playground Survey





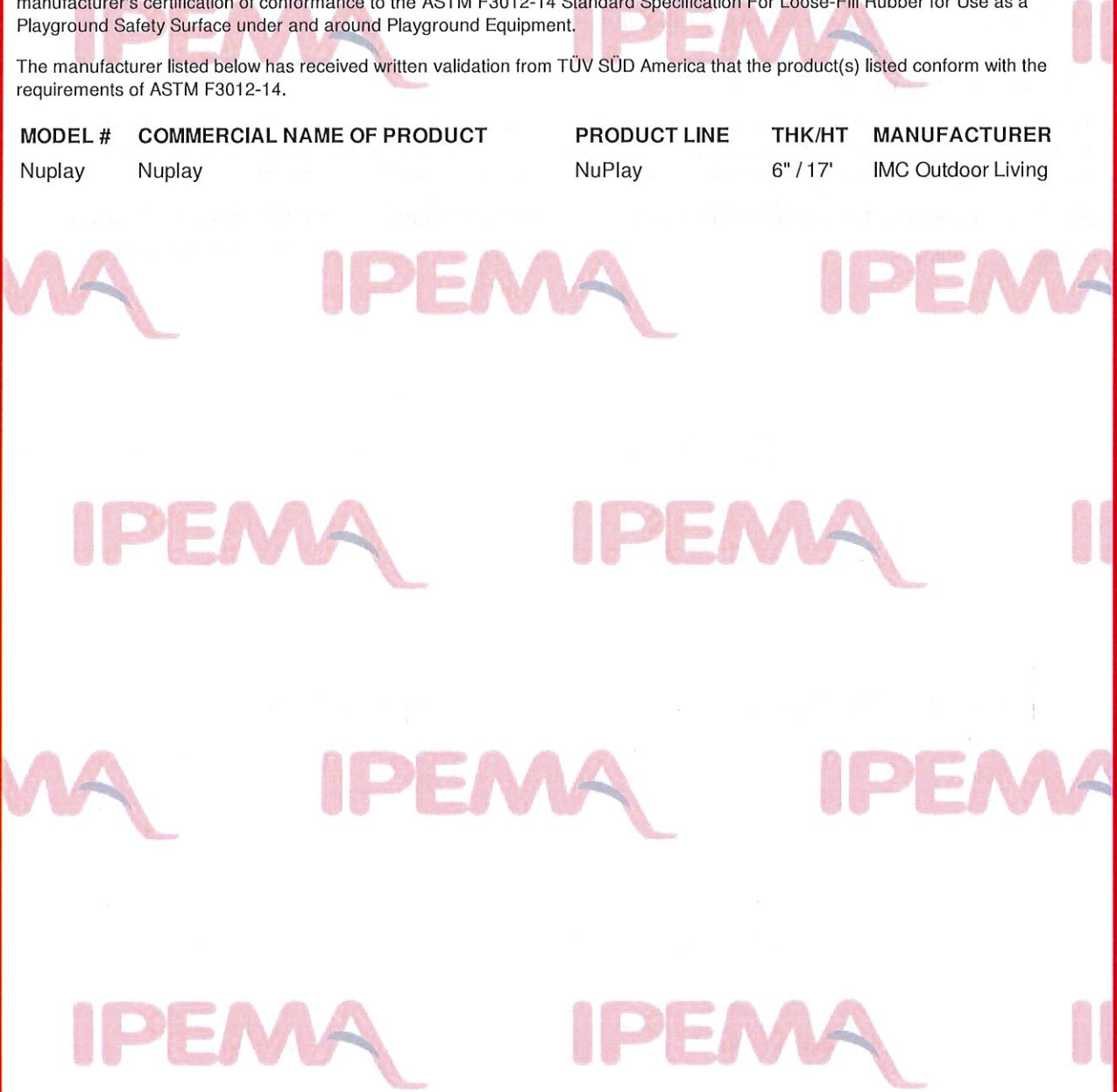
**IPEMA ASTM F3012-14 CERTIFICATE OF COMPLIANCE**

**ISSUE DATE:** January 22, 2020  
**Requested By:** Miracle of South Florida  
**Project:** Town of Juno Beach

In the interest of public playground safety, IPEMA provides a third-party certification service whereby TÜV SÜD America validates a manufacturer's certification of conformance to the ASTM F3012-14 Standard Specification For Loose-Fill Rubber for Use as a Playground Safety Surface under and around Playground Equipment.

The manufacturer listed below has received written validation from TÜV SÜD America that the product(s) listed conform with the requirements of ASTM F3012-14.

MODEL #	COMMERCIAL NAME OF PRODUCT	PRODUCT LINE	THK/HT	MANUFACTURER
Nuplay	Nuplay	NuPlay	6" / 17'	IMC Outdoor Living





**IPEMA ASTM F1292-18 (SECTION 4.2) CERTIFICATE OF COMPLIANCE**

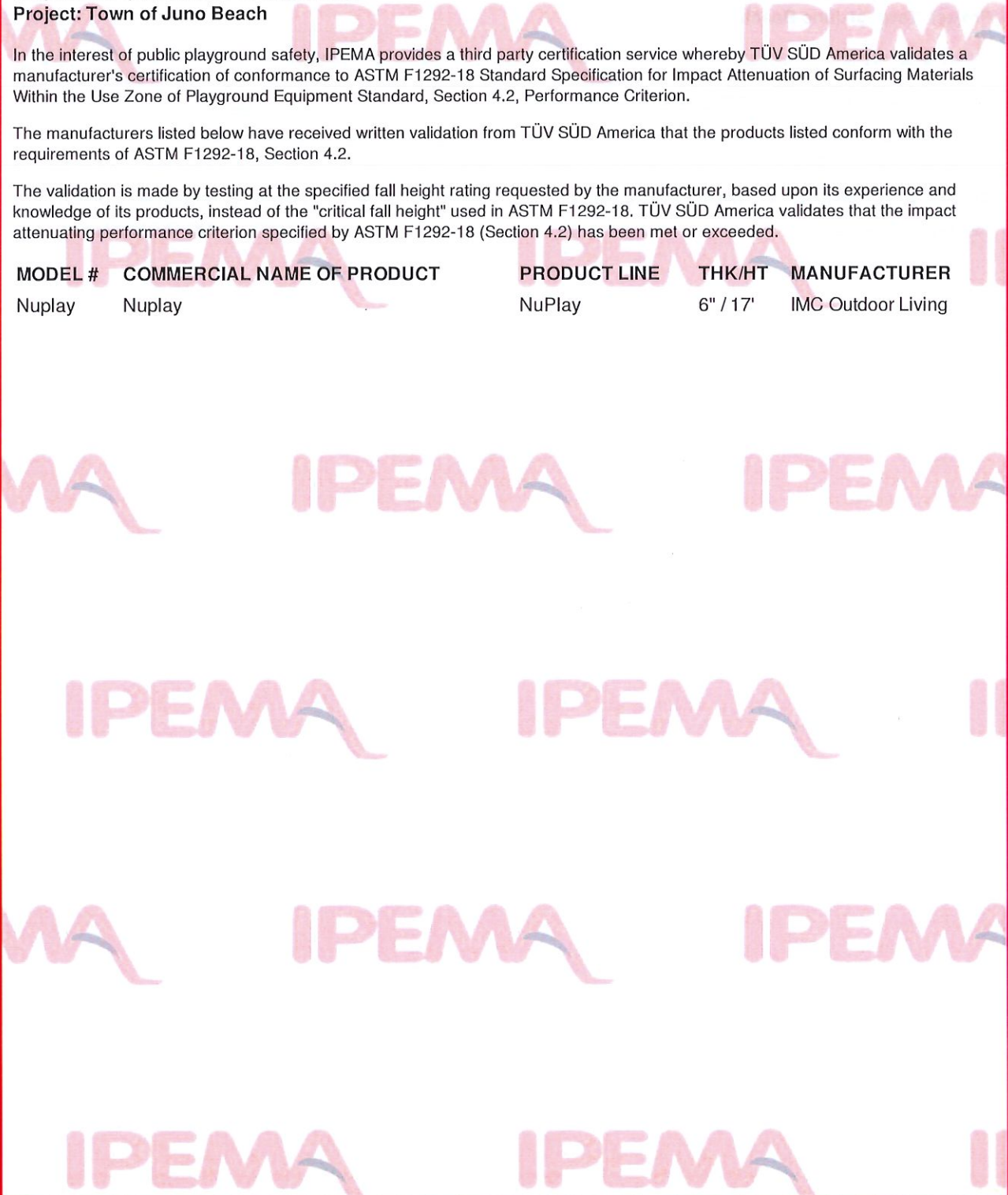
**ISSUE DATE:** January 22, 2020  
**Requested By:** Miracle of South Florida  
**Project:** Town of Juno Beach

In the interest of public playground safety, IPEMA provides a third party certification service whereby TÜV SÜD America validates a manufacturer's certification of conformance to ASTM F1292-18 Standard Specification for Impact Attenuation of Surfacing Materials Within the Use Zone of Playground Equipment Standard, Section 4.2, Performance Criterion.

The manufacturers listed below have received written validation from TÜV SÜD America that the products listed conform with the requirements of ASTM F1292-18, Section 4.2.

The validation is made by testing at the specified fall height rating requested by the manufacturer, based upon its experience and knowledge of its products, instead of the "critical fall height" used in ASTM F1292-18. TÜV SÜD America validates that the impact attenuating performance criterion specified by ASTM F1292-18 (Section 4.2) has been met or exceeded.

MODEL #	COMMERCIAL NAME OF PRODUCT	PRODUCT LINE	THK/HT	MANUFACTURER
Nuplay	Nuplay	NuPlay	6" / 17'	IMG Outdoor Living

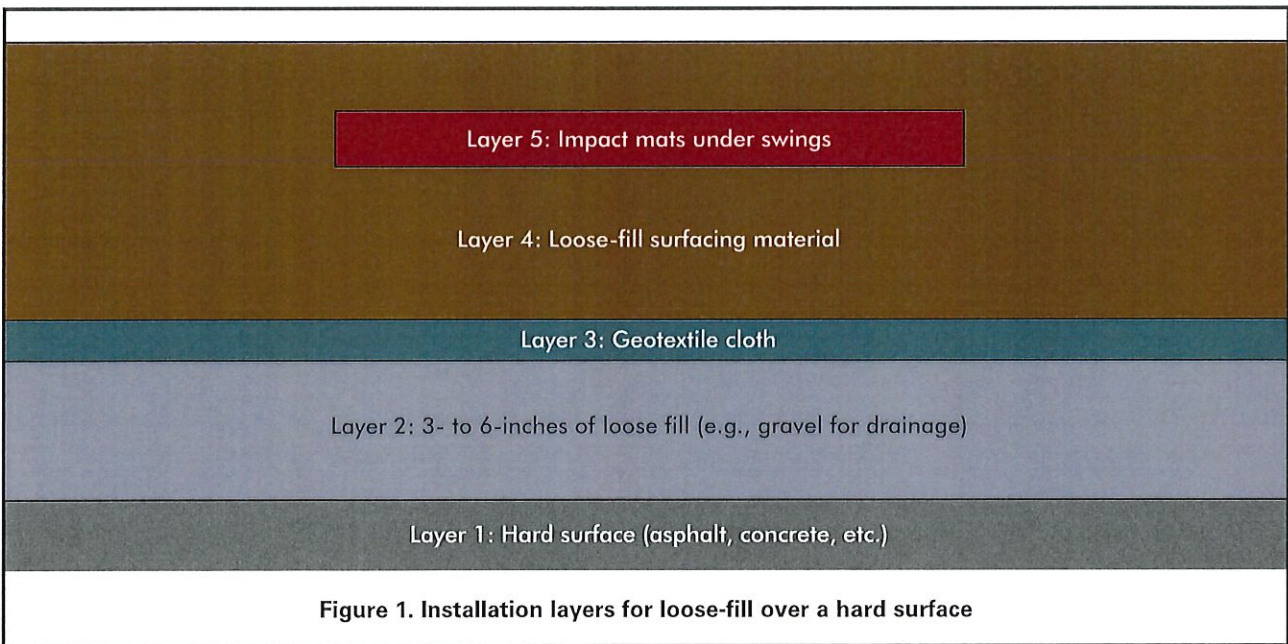




**Table 2. Minimum compressed loose-fill surfacing depths**

Inches	Of	(Loose-Fill Material)	Protects to	Fall Height (feet)
6*		Shredded/recycled rubber		10
9		Sand		4
9		Pea Gravel		5
9		Wood mulch (non-CCA)		7
9		Wood chips		10

\* Shredded/recycled rubber loose-fill surfacing does not compress in the same manner as other loose-fill materials. However, care should be taken to maintain a constant depth as displacement may still occur.



**Figure 1. Installation layers for loose-fill over a hard surface**

- Finishes, treatments, and preservatives should be selected carefully so that they do not present a health hazard to users.

**2.5.2 Hardware**

When installed and maintained in accordance with the manufacturer’s instructions:

- All fasteners, connectors, and covering devices should not loosen or be removable without the use of tools.

- All fasteners, connectors, and covering devices that are exposed to the user should be smooth and should not be likely to cause laceration, penetration, or present a clothing entanglement hazard (see also §3.2 and Appendix B).

- Lock washers, self-locking nuts, or other locking means should be provided for all nuts and bolts to protect them from detachment.

- Hardware in moving joints should also be secured against unintentional or unauthorized loosening.



# Kagan Park Playground Survey 148 Responders / 72 Verified





Four options were presented on the survey that showed site plan, renderings and a link to a 360-degree view.





# Design Option Reminder

Option 1  
IDS Sculpture  
\$200,756.15

All Responders	Verified Responders
2%	1%





# Design Option Reminder



Option 2  
Single Tower  
\$166,392.15

All Responders	Verified Responders
18%	19%





# Design Option Reminder



Option 3  
Ship

\$243,462.32

All Responders	Verified Responders
47%	42%





# Design Option Reminder

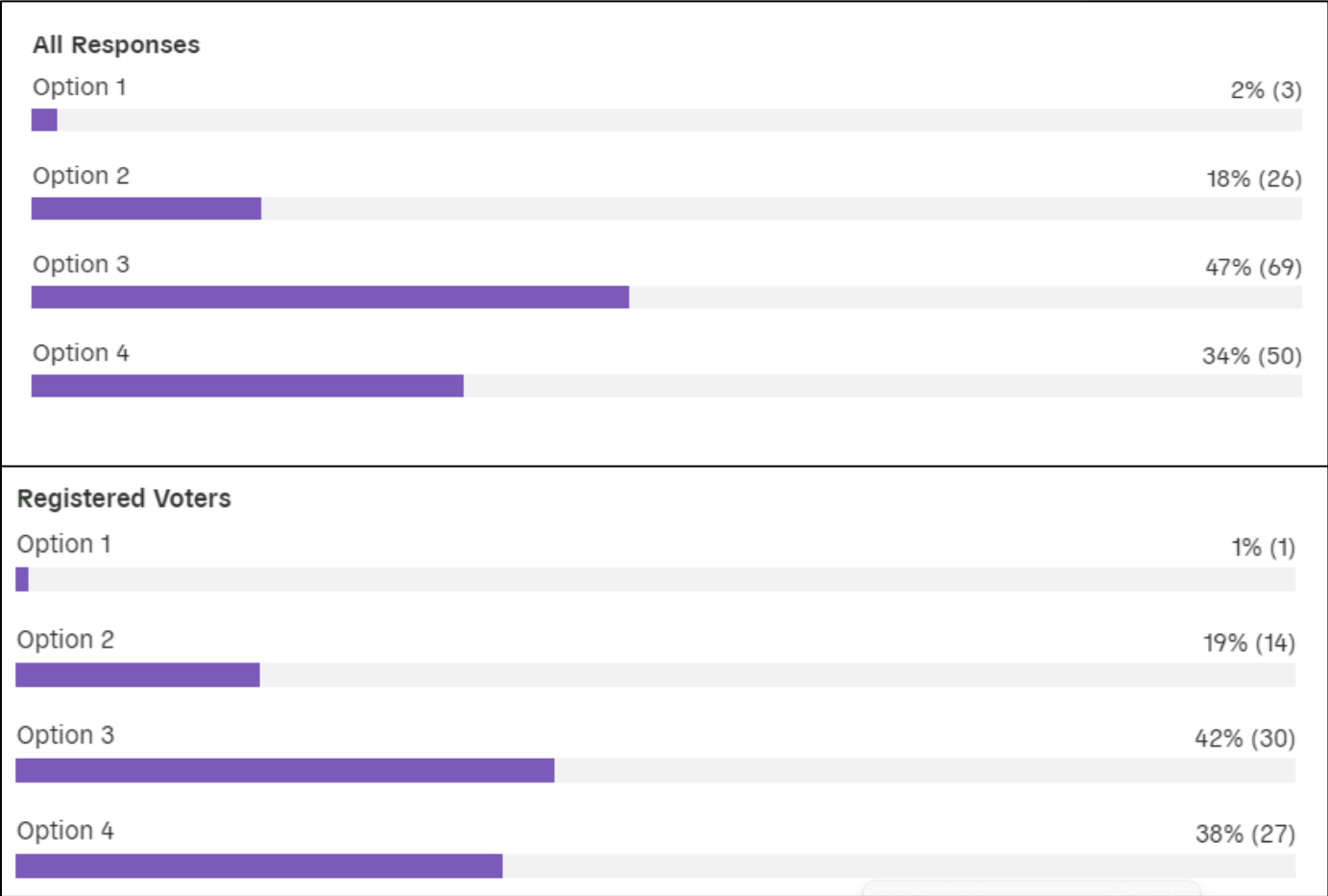
Option 4  
Triple Tower  
\$204,170.55

All Responders	Verified Responders
34%	38%



# Primary Piece Results

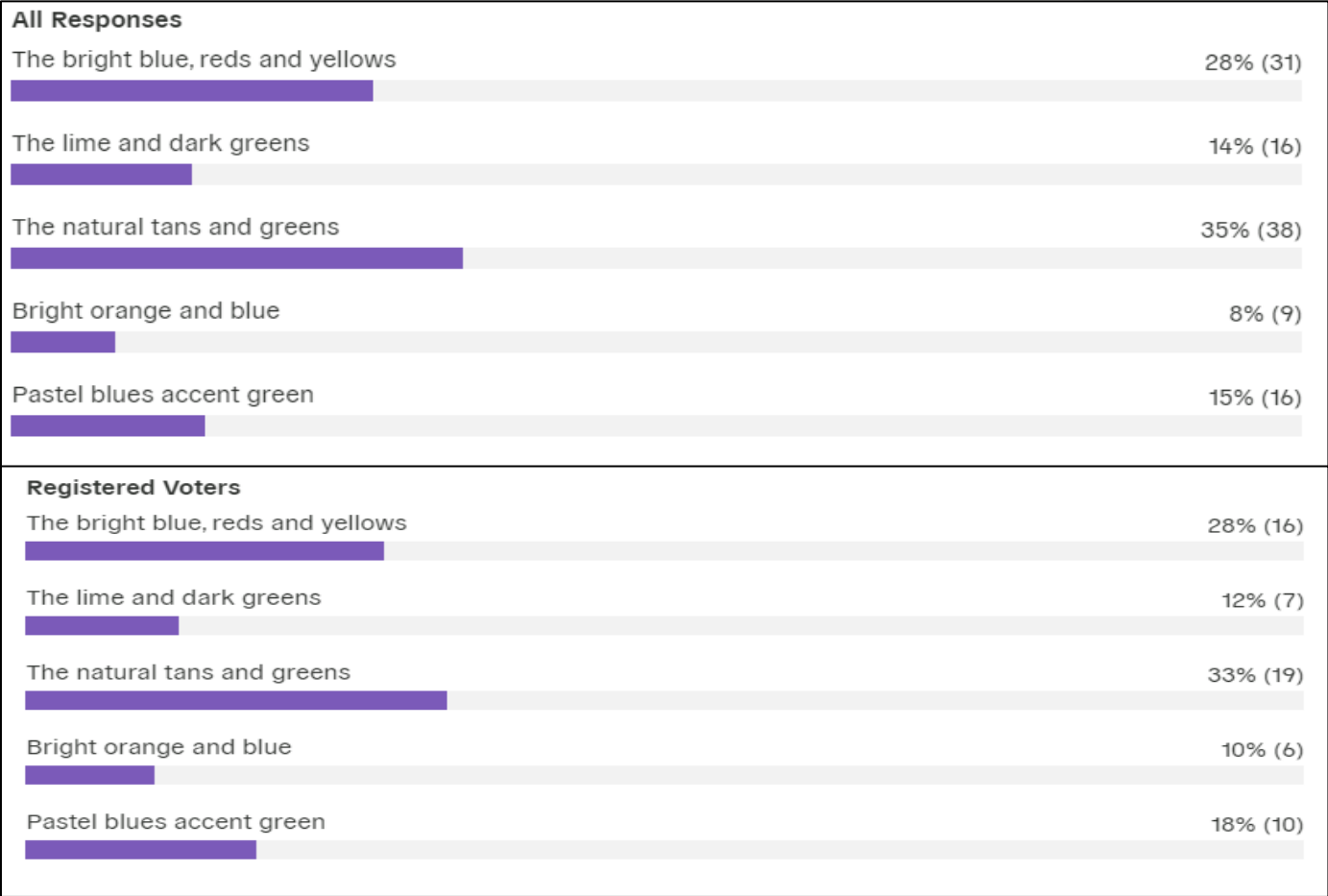
Options 3 and 4 received the most votes. Only 3 votes separate the verified responder's selection with many commenting on having a ship playground at Loggerhead.





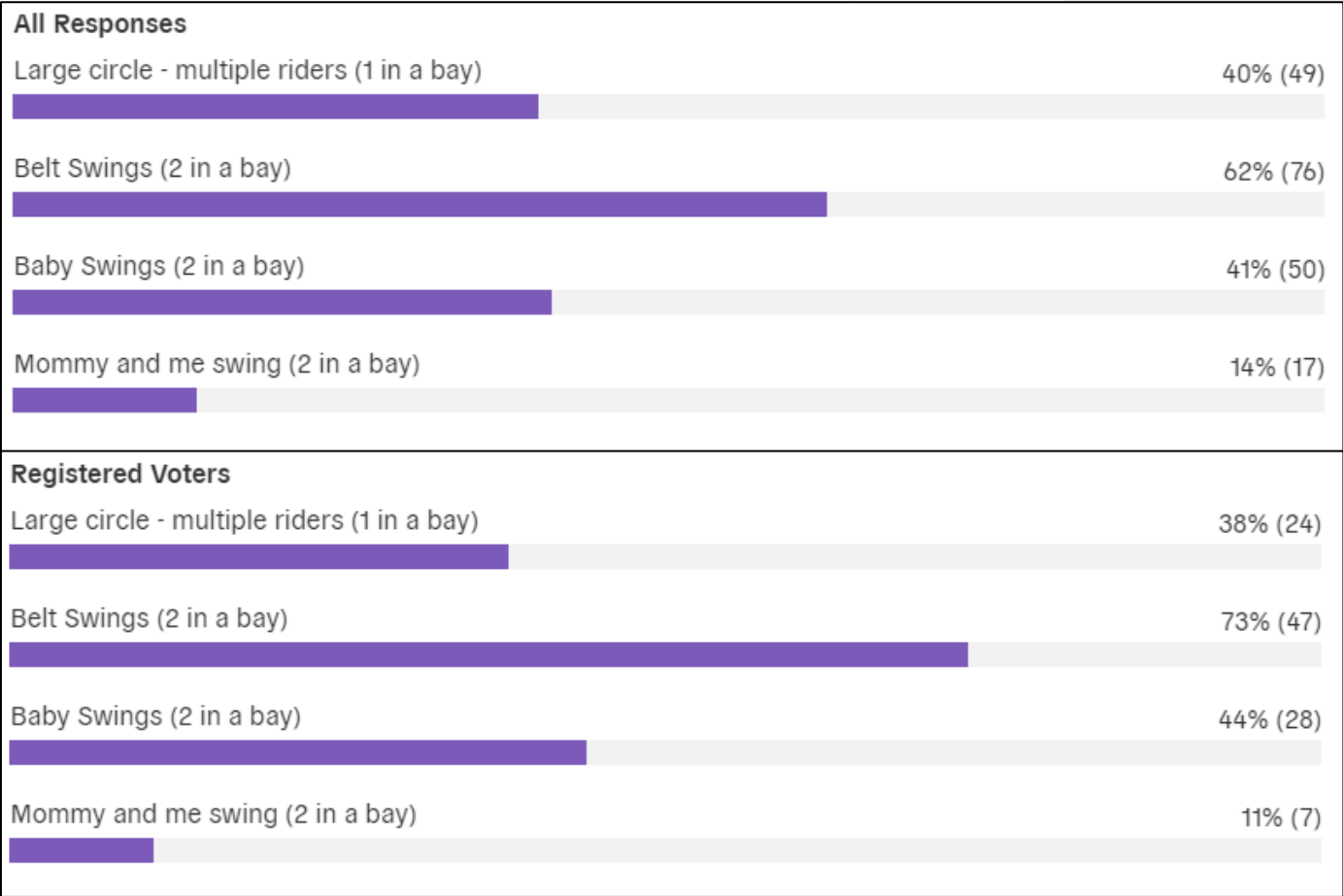
# Primary Color Results

The natural tans and greens are the color options desired by both verified and non-verified responders.



# Primary Swing Type Results

The two swing types most desired are belts swings (2 per bay) and baby swings (2 per bay), which is the current configuration at the playground now.



# Recommendation

Given the budgeted dollar figure for this project, other boat playgrounds nearby, and the close voting result between Option 3 and 4, I recommend selecting Option 4 for the primary playground piece in tan and green with 2 belt swings and 2 baby swings.

I would remove the spring type accessory pieces (Spica and Seesaw) and replace them with 2 to 4 year-old play items but leave the Supernova.

Triple Tower - \$68,080

Triple Tower W/accessories and swings - \$105,066

Installation W/Turf - \$99,105.35

If Spica and Seesaw are removed \$7,580 is available for 2 to 4 year old items



# Option 4 – Tan & Green





# Option 4 - Tan & Green



# Option 4 - Tan & Green



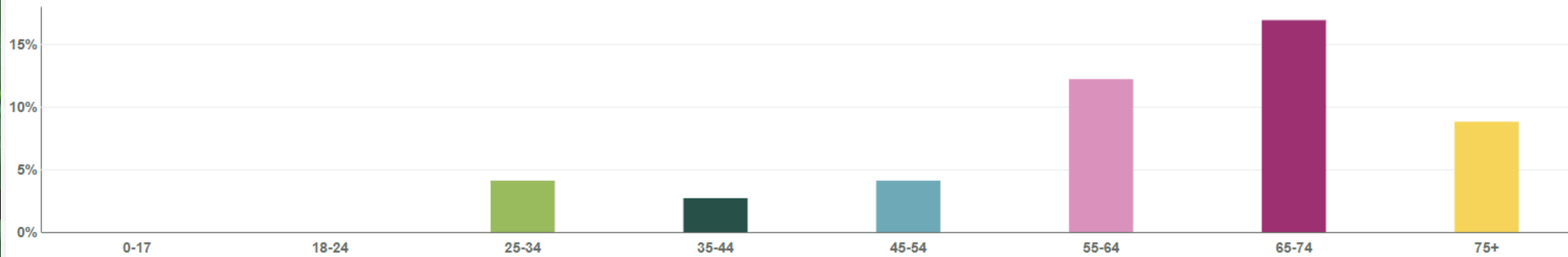


Thank you

# Demographics

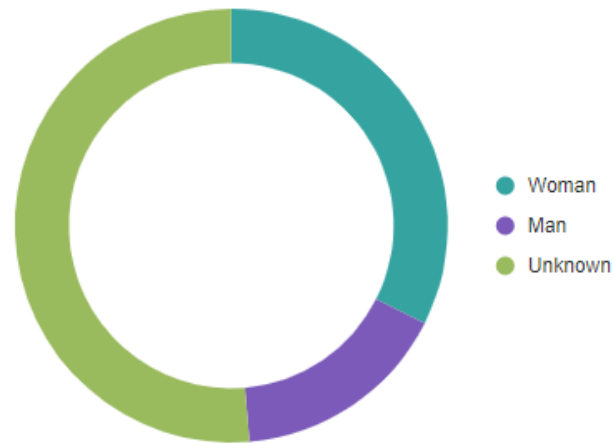
Age as reported by voter registration records ▾ ⓘ

51.4% unknown



Gender as reported by voter registration records ▾ ⓘ

51.4% unknown





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**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** D. Dyess, Town Manager  
**Item Title:** Discussion on Reconsidering Bicycle Access At JB# 7

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Item requested via consensus from Vice Mayor Pro Tem Hosta

**DISCUSSION:**

At the May 8th meeting, Vice Mayor Pro Tem Hosta received consensus to bring back a discussion on bicycle access at JB# 7. The topic was to reconsider allowing bicycle access on the dune walk over approach.

**RECOMMENDATION:**

Provide direction to staff.





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**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** D. Dyess, Town Manager  
**Item Title:** Suggestions for code improvements for new projects requiring a landscape plan.

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Item requested via consensus from Councilmember Davis

**DISCUSSION:**

At the May 8<sup>th</sup> council meeting, council gave consensus to bring a discussion item on the town's code as it relates to landscape requirements. Attached is information provided by Councilmember Davis.

**RECOMMENDATION:**

Discuss the merits of assigning staff to evaluate and propose changes to the landscape code to present to the planning and zoning board.

## **Suggestions for Code Improvements LANDSCAPE REQUIREMENTS for new projects requiring a landscape plan.**

Communities that are the most pleasing aesthetically have sufficient landscape buffers, shade trees along the walkways – and a pleasing design for the landscaping. The landscape requirements are key to defining a community.

1. I worked with Debra Levulis, horticulturalist, to compare Juno Beach landscape requirements with the landscape codes of Palm Beach County, Jupiter, and Palm Beach Gardens.
2. Based on this benchmarking review, it seems that Juno Beach has the least amount of landscaping requirements, then Palm Beach County, then Jupiter. Palm Beach Gardens holds the highest standards for landscaping requirements.
3. I would suggest that we adopt Palm Beach Gardens (PBG) landscape requirements, Division 8 of their code, keeping some Juno Beach (JB) requirements, if they are more restrictive such as, JB's 34-1087, a minimum of 20 square feet of landscaping per parking space, with each parking row terminated by a landscape island not less than 5' in width and not less than 90 square feet in area, one tree per 90 sq feet island.
  - a. PBG for its foundation plantings requires of a height and quality that softens walls, 5' wide not less than 30% of height, 1 shade tree or palm cluster every 30 linear ft. For JB, in its commercial general requires foundation planting 40% the length of the building.
  - b. Palm Beach Gardens has a selection of a palette of plants for acceptable landscape plans. Kim Delaney of Treasure Coast Regional Planning Council said that having a landscape palette helps to define an area as a community. It gives a sense of place with a feeling that you have arrived at a location.
  - c. PBG has a points system for its landscape plans that assures the quality of the plant material and design.
  - d. PBG for parking lots has a landscaped island for every 9 parking spaces, where JB has an island for every 10 spaces. However, PBG islands are smaller in size to the Juno Beach landscape island. A shade tree or its equivalent is required every 40 feet in PBG.

- e. PBG places the burden on developers to preserve native trees and/or to pay for replacement trees. JB has the developer advertise that it is removing native trees and places the burden on the residents of JB to preserve native trees.
4. In order to further explore this option, we could ask staff to make tables of the different requirements between Juno Beach and Palm Beach Gardens for: Parking Lot Plantings, Foundation Plantings, Buffer Planting, Roadway Planting and interior planting requirements. We should explore other portions of their code.



Landscape location	Palm Beach Gardens. Div. 8 Landscaping 78-301 thru 78-334	Juno Beach. Section 34-1084
Foundation Planting	78-320, w/in 10' of the building, of a height and quality that softens walls, 5' wide, not less than 30% of height, 1 shade tree or palm cluster every 30 linear ft.	34-631 CG: 40% length of building,
interior planting - non residential	78-313 min landscape non-resid. Open space min 15%, landscape min not more than 40% grass/sode, min. landscape points per open space. Ex. 15% project open space - 22 pts/100 sq.ft	
interior planting residential development	78-314 - 35% entire site. 100% open space landscaped. Min points ex. 35-44% 10pt/ 100 sq ft.	
Buffer ROW	78-319 - min. of eight feet depth around perimeter of parcel, min. of 15 feet in depth adjacent to pubic streets rights of ways that are less than 100 feet wide	
All Landscape Buffers	78-319 - Tree spaced 60 ft. along perimeter & meet all point counts; 75% of all plants from preferred plant list, with Coastal areas as designated by Comprehensive plan required to have 90% native species	
Buffer Non-Conforming	78-319(b)min. width of 15 feet completely opaque visible barrier may include a fence or wall max height 8 feet. Any such fence or wall shall be set back no less than 5 feet property line and not viewable from residential area	34-907 min height of landscape barrier 6 feet, if a wall is used set back from the property line to accommodate landscape material facing the residential side. If a proposed structure is above 8 feet, it must be terraced or accompanied y a berm on the side of the residential development. Max height of landscape shall not exceed 16 feet, exclusive of trees

Buffer Screening Service Area	78-319 hedge min, 6 feet in height	
Signs Landscaping	78-287 min. areas to be landscaped is the width and height of the sign with a min. of 3 feet behind the sign	
Vehicle Parking Areas	78- 315 parking space no more than 40' from center shade tree	34-1087 - min, of 20 square feet of landscaping for each parking space, each row terminated by a landscape island not less than 5' in width and not less than 90 square feet in area, one tree per 90 sq feet island. No more than 10 parking spaces without a landscape island
	landscape islands for every 9 parking spaces min. 25 square feet landscaped island	
	Perimeter abutting public rights of way include continuous berm and hedge. Berm min. 2 feet above grade, Hedge min. 3 feet	34-1087 strip of land min 5 feet in width, one tree every 30 lineal feet, hedge or shrub 4 feet in height
		34-1087 divider medians land scape strip betwn abutting rows, min width 5 feet, one tree every 30 lineal feet, max spacing trees 40 ft.
		34-1087 landscape between buildings and parking areas strip at least 4 feet in width and min. 4 ft wide walkway
Protection of Specimen Trees 25%	13" diameter at breast height,	34-1086 for trees on a construction site that are to be preserved on site
Compliance	78-308 (3)c. If the site cannot support the total number of required replacement trees (1) donate excess trees to the city o planting at the owner's expense (2) Contribute monies to the city equivalent to replacement trees or (3) Permit the required replacement trees to be placed on land owned by same property owner	
Performance Bond	78-309 Performance Bond - if CO issued prior to completing landscape plan	
Prohibited and invasive nonnative plants	78-318 Table of species that are prohibited and some that require removal	34-1085 Brazilian pepper, Australian pine and melaleuca

Palm Pruning , xeriscape, plant materials, irrigation		34-1088 South Florida Water Management District-Manual of Prohibited Invasive and Non-Native Plan Materials
Landscaping of Streets		trees min 16' in height with 8 foot of trunk spaced max of 30 feet on center. Shade trees 45 ' on center. 3 palm trees equal a shade tree unless coconut palm, canary island date palms and royal palms if min. overall height 16 feet, accent trees min 8-10ft in height shrubs min 24 inches in height See code for photos street scape Donald Ross 12' width and 11' width of landscape area, U.S. 1 and Celestial Way 9' width of landscape area, Ellison Wilson 9' width.





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**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** D. Dyess, Town Manager  
**Item Title:** Discussion on a relief option for nonconforming single-family residences

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Item requested via consensus from Vice Mayor Halpern

**DISCUSSION:**

Due to a change in zoning codes over the years, features of the original homes were made non-conforming, particularly the setbacks.

This is affecting original and older homes on the Ridge along Ocean Dr. Minor issues, such as replacement of mechanical equipment (air conditioner or pool equipment). Equipment that had been on the side of the homes is often required to be moved to the back.

**RECOMMENDATION:**

The council may consider adding language that provides an "up to" threshold which gives wiggle-room for replacing equipment, so our original homes won't require a variance.

Sec. 34-1352. - Intent.

Within the zoning districts established by this chapter or amendments adopted subsequent thereto, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful prior to the adoption of this chapter or amendment thereto, but which would be prohibited, regulated, or restricted under the terms of this chapter or any subsequent amendment. It is the intent of this article to allow these nonconformities to continue, without increase in degree of nonconformity, until they are removed under the terms of this chapter.

(Ord. No. 207, § 7.10, 8-8-1979)

Sec. 34-1353. - Rights.

To avoid undue hardship, nothing in this chapter shall be deemed to require change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of the ordinance from which this chapter is derived and upon which actual building construction has been carried on diligently. The term "actual construction" is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner pursuant to a building permit issued and unexpired at the adoption of the ordinance from which this chapter is derived. Where permitted demolition or removal of any existing building has been substantially begun in preparation to rebuild, such demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

(Ord. No. 207, § 7.20, 8-8-1979)

Sec. 34-1354. - Nonconforming lots of record.

- (a) In any district where permitted, a single-family detached dwelling and customary accessory building may be erected on any single nonconforming lot of record at the effective date of adoption or amendment of the ordinance from which this chapter is derived, notwithstanding limitations imposed by other provisions of this chapter. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and requirements

other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the board of adjustment. No lot presently classified nonconforming under any previous zoning ordinance shall be declared a conforming lot under the provision of this chapter unless or until such lot meets the minimum requirements set forth herein and as applied in the district in which such lot is located. Any permitted use in the applicable district may be constructed on any existing nonconforming lot at the time of adoption of the ordinance from which this chapter is derived in any district if said lot is less than the minimum building site area required for building lots in the district in which it is located provided, however, that the structure complies with all other area requirements of this chapter and provided further that the owner of said lot does not own any adjacent vacant land which would create a conforming lot if said vacant land were combined with the lot deficient in area.

- (b) Except as herein provided, if two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this chapter, and if all or part of the lots do not meet the requirements established for lot width and area, the subject lots involved shall be considered to be an undivided lot for the purpose of complying with site development regulations of this chapter, and no portion of said lot shall be used or sold in a manner which diminishes the degree of compliance with lot width and area requirements established by this chapter, nor shall any division of any lot be made which creates a lot with a width or area below the requirements stated in this chapter, except as provided in section 34-1355.

(Ord. No. 207, § 7.30, 8-8-1979)

Sec. 34-1355. - Land with nonconforming uses.

Nonconforming uses are declared by this chapter as those which are existing at the time of the passage of the ordinance from which this chapter is derived or amendment thereto, which are prohibited, or incompatible to, and inconsistent with the permitted uses set forth within any particular zoning district. Although such uses do not conform to the provisions of this chapter or the particular zoning district within which the use may be located, such uses may continue subject to the following limitations and restrictions:

- (1) *Change of use.* A change from a nonconforming use to another nonconforming use which is not a continuation of the original nonconforming use which existed at the effective date of the ordinance from which this chapter is derived is prohibited.
- (2) *Change in volume or intensity of use.* A change that results in the increase of density or intensity of the use which existed at the effective date of the ordinance from which this chapter is derived is hereby prohibited.
- (3)

*Change in location of use.* No such nonconforming use shall be moved in whole or in part to any other portion of the lot, parcel, or site which was occupied by such use on the effective date of the ordinance from which this chapter is derived.

- (4) *Change of ownership or tenancy.* All rights and obligations associated with a nonconforming use of land run with the land and are not personal to the present owner, tenant, or proprietor of the nonconforming use and are not affected by a change in ownership or tenancy.
- (5) *Increase, extension, or enlargement of use.* A nonconforming use shall not be increased, extended, or enlarged in a way that increases its nonconformity or occupies a greater area of land than was occupied on the adoption date of the ordinance from which this chapter is derived or in any manner which increases its noncompliance with the use regulations of this chapter. An expansion of any impervious ground surface of any building or structure shall be deemed to be an increase, extension, or enlargement as specified herein.
- (6) *Repairs and maintenance.* Routine repairs and maintenance of buildings and structures which house or contain nonconforming uses necessary to maintain health and safety may be permitted.
- (7) *Additions and expansions of facilities.* Additions to or expansions of facilities within or which house a nonconforming use shall not be permitted.
- (8) *Replacement or restoration of use—Generally.* In the event that any existing nonconforming use is located in a building or structure which is damaged by any means other than fire, flood, wind, explosion, act of God, or act of a public enemy, to an extent of 50 percent or more of the total cost to reconstruct the structure to the latest building codes, as determined by an appraiser acceptable to the town, it shall not be replaced, restored, or reconstructed except in conformance with the provisions of this chapter. If the damage is to an extent less than 50 percent it may be replaced or restored as described in subsection (9) of this section.
- (9) *Same—Exceptions.* In the event that any existing nonconforming residential use, other than those located within the coastal high hazard area, is located in a building or structure which is damaged by fire, flood, wind, explosion, act of God, or act of a public enemy, it shall be allowed to be replaced, restored or reconstructed to the density or intensity of use and building site area characteristics that existed prior to destruction. Actual construction to replace, restore, or reconstruct the use shall commence within two years from the date of destruction, or the nonconforming status of the use shall lapse, and said use shall revert to



normal nonconforming status regulation and requirements of this chapter. One extension to the two-year period of continuing nonconforming density or intensity of use status, said extension not to exceed one year, may be requested prior to the expiration of the two-year period. Such request for extension shall be heard and decided by the board of adjustment.

- (10) *New services or activities.* No new services or activities shall be permitted in an existing nonconforming use as provided for in this article.
- (11) *Abandonment or discontinuance of use.* The abandonment or discontinuance of a nonconforming use for a period of time which exceeds six months shall immediately render the nonconforming use status of the specific nonconforming use null and void. The continuance of said use after said period is specifically prohibited, and any subsequent use shall fully conform to the regulations specified by this chapter for the zoning district in which such use is located.

(Ord. No. 207, § 7.40, 8-8-1979)

Sec. 34-1356. - Nonconforming building and structures.

Nonconforming buildings and structures are declared by this chapter as those which are existing at the time of the passage of this chapter or amendment thereto, which do not conform to the regulations of area, height, lot coverage, or other requirements of the district in which such building or structure is located. Although such buildings or structures do not conform to the provisions of this chapter or the particular zoning district within which the building or structure may be located, such buildings or structures may continue subject to the following limitations and restrictions:

- (1) *Increase, extension, expansion, or enlargement.* A nonconforming structure shall not be increased, extended, expanded, or enlarged in a way which increases or extends its nonconformity. Therefore, a nonconforming structure shall be permitted to expand its first floor structural footprint so long as:
  - a. The structure is expanded into a conforming front, side, or rear yard setback; and
  - b. All other regulations of the zoning district are complied with (except the dimensional lot area requirements of the zoning district in which it is located). However, an addition to a nonconforming structure, above the first floor level, is permitted to match an existing, nonconforming first floor footprint. Any building or structure or portion thereof, may be altered to decrease its nonconformity.
- (2) *Replacement, restoration, or reconstruction.*
  - a.

*Generally.* In the event that any existing nonconforming building or structure is damaged by any means, other than fire, flood, wind, explosion, act of God, or act of a public enemy to an extent of 50 percent or more of the total cost to reconstruct the structure to the latest building codes, as determined by an appraiser acceptable to the town, it shall not be replaced, restored, or reconstructed except in conformance with the provisions of this chapter. If the damages is to an extent less than 50 percent, it may be replaced, restored, or reconstructed as described in subsection (2)b of this section. Any building or structure which remains damaged or disrepaired, regardless of the percentage of construction (or damage) value or area of square footage which is damaged, for a period of six months following the date of damage without the issuance of a valid building permit, shall not be replaced, restored, or reconstructed unless it is brought into full compliance with the provisions of this chapter.

b. *Exceptions.* In the event that any existing nonconforming residential building or structure, other than those located within the coastal high hazard area, is damaged by fire, flood, wind, explosion, act of God, or act of a public enemy, it shall be allowed to be replaced, restored or reconstructed to previously existing building site area characteristics. Actual construction to replace, restore or reconstruct the development, shall commence within two years from the date of destruction, or said status shall be relinquished and said development would revert back to normal nonconforming status regulations and requirements of this chapter. One extension to the two-year period of continuing nonconforming building and structure status, said extension not to exceed one year, may be requested prior to the expiration of the two-year period. Such request for extension shall be heard and decided by the board of adjustment.

(3) *Repairs and maintenance.* Routine repairs and maintenance of nonconforming buildings and structures necessary to maintain health and safety may be permitted.

(4) *Change in location.* Should any nonconforming buildings or structure be moved for any reason for any distance whatever from its original permitted location, it shall thereafter conform to the property development regulations for the zoning district in which it is located after it is moved.

(Ord. No. 207, § 7.50, 8-8-1979)

Sec. 34-1357. - Nonconforming characteristics of use.

If characteristics of use such as but not limited to parking, loading, and landscaping are made nonconforming by this chapter as passed or amended, no change shall be made in such characteristics of use which increases its nonconformity. However, routine repairs and maintenance of nonconforming characteristics of use may be permitted. Said repairs and maintenance shall include such activities as resurfacing of parking

lots and driveways, and replacement of damaged or destroyed landscape materials. Any nonconforming characteristics of use, or portion thereof, may be altered to decrease its nonconformity.

(Ord. No. 207, § 7.60, 8-8-1979)

Sec. 34-1358. - Savings clause.

Notwithstanding anything in this chapter to the contrary, any use or structure which was:

- (1) Discontinued or abandoned for six consecutive months or for 12 months during any four-year period (except where government action impedes access to the premises) between August 8, 1979, and the effective date of the ordinance from which this chapter is derived; or
- (2) Was destroyed to an extent of more than 50 percent of its assessed value at time of destruction between August 8, 1979, and the effective date of the ordinance from which this chapter is derived;

shall not be used, replaced, restored or reconstructed unless it is brought into full compliance with the provisions of this chapter.

(Ord. No. 207, § 7.70, 8-8-1979)

Sec. 34-1359. - Repairs, maintenance, and improvements.

- (a) On any nonconforming structure or portion of such structure, work may be done on ordinary repairs, maintenance or improvements provided:
  - (1) That the extent of the nonconforming aspect of the structure or portion shall not be increased; and
  - (2) That these provisions shall apply only where deterioration is not to an extent of 50 percent or more of assessed valuation of the structure or portion.
- (b) Nothing contained herein shall prevent the strengthening or restoring to safe condition of a nonconforming structure or portion thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official, provided that such repairs are made within one year of initial notice.

(Ord. No. 207, § 7.80, 8-8-1979)

Sec. 34-1360. - Required area or space cannot be reduced.

The area or dimension of any lot, yard, parking area or other space shall not be reduced to less than the minimum required by this chapter except as provided in this chapter; and, if already less than the minimum required by this chapter, said area or dimension may be continued but shall not be further reduced except as provided by this chapter.

(Ord. No. 207, § 7.90, 8-8-1979)





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**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** D. Dyess, Town Manager  
**Item Title:** Discussion on a Proposed Modified Donation Policy

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Item requested via consensus from Councilmember Rosengarten

**DISCUSSION:**

At the May 8<sup>th</sup> meeting, Councilmember Rosengarten received consensus to bring back a discussion on the donations policy. He was requesting a language change to require all police foundation donations to come before council.

**RECOMMENDATION:**

Review the attached language and make recommendations. If acceptable the item will come back for adoption via a resolution.



# Town of Juno Beach Restricted Donation Policy

Item #14.

Effective Date: November 15, 2023  
Approved by: Resolution 2023-21

## I. Purpose

The Restricted donation program provides those in the community with various philanthropic interests the opportunity to give through memorials, gifts, and donations.

## II. Objectives

1. Facilitate the acceptance of donations in the form of facilities, cash, services and/or equipment to the Town by establishing clear guidelines for giving.
2. Ensure that donations are consistent with the aesthetic and functional integrity of the Town's existing and proposed facilities and goals.
3. Ensure that donations do not cause unbudgeted expenditures or significant ongoing maintenance responsibility for the Town, unless approved by Council.
4. Ensure that donations do not create liability for the Town with regard to public health and safety.
5. Ensure gifts made in memory of or in recognition of a person, event or entity do not conflict with the Town's goals or standards.

## III. Definitions

1. Cash Donation – All donations made in the form of currency, personal or cashiers check or money order.
2. Town – Town Manager/Town of Juno Beach Council
3. Donation - The making of a free gift to a charity or public institution.
4. Donor – Person giving a free gift to someone.
5. Material/Equipment – All non-real property; this includes all personal property (i.e.: food, Equipment, art and other items)
6. Restricted Donation – Any donation made to the Town that specifies a particular use or restricted use of the donation beyond the use for which the fund, budget or project was established.
7. Real Property – Land or buildings
8. Tax Deduction - Donations made to the Town are tax deductible expenses. Donations of money or property made to the Town may be deducted on an itemized income tax return. The Town does not give tax advice. The value of a gift is the responsibility of the donor.

#### IV. General Policies

1. The Town reserves the right to deny any donation.
2. Donations to Town programs must be consistent with established goals and objectives for a specific program, and/or the Town as a whole.
3. All donations, other than cash, shall be considered "gifts for public improvements" to the Town for the enjoyment of the Town's citizens. Such gifts will not be considered private or proprietary assets.
4. All items purchased or accepted by donation will receive standard levels of maintenance by the Town during their normal life expectancy.
5. Donated items that are damaged or vandalized after the Town has received them will be repaired or replaced as feasible. The Town does not guarantee replacement of any items damaged beyond repair or where the cost to do so is not considered cost-effective.
6. There shall be no actual or expectation of reciprocity or favoritism for a donor who gives to the Town.

#### V. General Guidelines

1. The following guidelines will apply to all donations:
  - a) Potential donors will be provided with the Town's Donation Policy upon request.
  - b) Donations of items with a value of \$10,000 or less may be approved by the department director and town manager if there will be no future maintenance, replacement cost or reoccurring fees, but are subject to the approval of the Town Council if the donation is over \$10,000 and/or there could or would be future maintenance, replacement, or reoccurring fees.
  - c) Donations included in the annual budgeting process are considered approved by the council.
  - e)d) Any donation from the Juno Beach Police Foundation will be brought before council in order to evaluate the police departments critical needs for future funding.
2. Receipt of Donations
  - a) All restricted donations require Town approval and shall be consistent with other Town policies, goals and objectives.
  - b) All donors of real property, materials, and restricted cash shall be issued a receipt incorporating specific information about the donation.

#### VI. Cash Donations

1. All non-currency cash donations shall be made payable to "Town of Juno Beach". Donations must be in the form of currency, personal check, cashiers check or money order.
2. Town departments must follow the Town's formal written purchasing procedures when using cash donation funding to buy an item.
3. Restricted cash donations cannot be expended without prior approval of the Town Manager and/or the Town Council. Cash donations will be deposited with the Finance Department in compliance with the Town's Cash Receipt Policy. The cash donation may be deposited before the restricted purpose expenditure is approved.

# Town of Juno Beach Donation Receipt Form

Date: \_\_\_\_\_

Donor's Name: \_\_\_\_\_

Donor's Address: \_\_\_\_\_

Donor's Phone: \_\_\_\_\_

Donation Amount: \_\_\_\_\_

If land, goods, or services, describe land, goods or services donated:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please check where appropriate:

This donation is unrestricted in its use.

This donation is restricted for the following purpose

\_\_\_\_\_

Please respect my privacy, I do not wish to be recognized for my contribution.

Person completing this form:

Signature of Donor: \_\_\_\_\_

Signature of Town Employee receiving donation: \_\_\_\_\_

Note: Donation is tax deductible to the extent allowable by law. It is the responsibility of the donor to determine fair market value of this donation.

**No goods or services were provided in exchange, in whole or in part, for the donation.**

Approved By: \_\_\_\_\_  
Town Manager/Council

*(One copy to Finance Department, one copy for Clerk, and one copy for donor)*





**Meeting Name:** Town Council Meeting  
**Meeting Date:** May 22, 2024  
**Prepared By:** D. Dyess, Town Manager  
**Item Title:** Discussion on Polco Survey Ideas

Item requested via consensus from Vice Mayor Halpern

#### **DISCUSSION:**

Polco has three levels of survey/polls. The council was sent a link to access the demo site login to evaluate the information. Below is information on the survey types.

#### Assess:

These are the national benchmarking surveys that are used to see how well our town is comparatively. The snapshot appears to be free while the others are an additional fee. I am trying to determine the costs for the additional surveys.

“Polco's benchmark surveys were developed by in-house data scientists and have been conducted in hundreds of jurisdictions nationwide over the past 25 years. Each assessment targets a different facet of your community or organization, allowing you to focus efforts as needed. Implementing different benchmark surveys can provide additional context for your data and a deeper understanding of your community's overall performance. Designed to provide actionable insights, these benchmark assessments provide the most value when conducted regularly (at whatever cadence is right for you!) to refresh your results and see historical trends over time.”



#### **National Community Survey Snapshot**

The National Community Survey Snapshot (NCS-S) is a digital survey that swiftly gathers residents' perspectives. It offers a concise overview of community sentiment at no cost.



#### **The National Community Survey**

Provides a comprehensive and accurate picture of livability and resident perspectives about local government services, policies and management.



### **Community Assessment Survey for Older Adults**

Provides a clear description of the community's readiness to serve the needs of the aging demographic.



### **The National Business Survey**

Provides a clear description of the community's readiness to serve the needs of the aging demographic.



### **The National Law Enforcement Survey**

Provides a comprehensive and accurate picture of resident opinions related to community police services and compares your local results with benchmarks compiled from a national survey panel.



### **The National Employee Survey**

Provides a comprehensive and accurate picture of resident perspectives about local government services, policies and management.



### **The National Employee Survey - Law Enforcement**

A comprehensive and accurate picture of livability and resident perspectives about local government services, policies and management.

### *Engage Surveys:*

This is the type of survey that we have been using and we currently have engaged with 264 people. This section has a free library for surveys, or we can build one from scratch (like the playground survey). Attached is an example of one of the surveys in the library.

### *Balancing Act:*

I believe that this is an additional paid section that I have requested more information on. This section does simulations, for instance a budget simulation allows the community to change funding allocations and shows what happens to the funding of other areas.

### **RECOMMENDATION:**

Review the information and provide staff direction.

# {XYZ} of Juno Beach Customer Service

Please share your feedback about your recent interactions with {XYZ} employees! As part of our continuing efforts to deliver the best local government customer service in Juno Beach, we need critical feedback from our residents. There are no right or wrong answers. Your answers will be completely [confidential](#) and no identifying information will be shared.

**1. Have you had any interaction (phone, email, in-person) with an {XYZ} government employee in the last 12 months?**

Yes

---

No

---

**2. Why did you contact the {XYZ}? (Please select all that apply.)**

Choose all that apply

Ask a question or get information

---

Schedule or access a service

---

Report an issue (e.g., power outage, fallen trees/limbs)

---

Make a complaint

---

Other reason

---

**3. Thinking of your most RECENT contact, how long did it take for someone to respond to your inquiry?**

Within 24 hours

---

2-3 days

---

4-6 days

---

7 days or longer

---

Don't know/cannot remember

---

**4. With which department was your most recent interaction?**

Select an option ▼

**5. Based on your most recent interaction with this department, please rate each of the following aspects of the employee with whom you had contact.**

	Excellent	Good	Fair	Poor	Don't know
Knowledge/competency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Helpfulness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Courtesy/respectfulness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Timeliness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Resolution of concerns	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overall impression of staff member	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**6. Please rate these additional characteristics of the XYZ staff member's communication during your most recent interaction:**

	Excellent	Good	Fair	Poor	Don't know
Accuracy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Clarity (how easy it was to understand)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Flexibility/adaptability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Patience	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consistency (if you received information more than once)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Efficiency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Thoroughness/completeness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**7. What, if anything, was the best part about your experience?**

Write your answer here



**8. What, if anything, could have improved your experience?**

Write your answer here

**Thank you. We look forward to serving you in the future.**