



SPECIAL TOWN COUNCIL MEETING AGENDA

June 03, 2026 at 4:00 PM

Council Chambers – 340 Ocean Drive and YouTube

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/1371/Public-Comments> (*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). Make their comment in-person; or participate from a remote location using Zoom – please contact the Town Clerk at 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

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.

COUNCIL ACTION/DISCUSSION ITEMS

1. Building Department Reserve Fund

COMMENTS FROM THE COUNCIL

ADJOURNMENT



To: Town Council
Date: June 3, 2026
Prepared By: Davila, F. CFM.
Item Title: Building Department Reserve Fund

Background

Pursuant to Section 553.80, Florida Statutes, building department revenue is classified as a "restricted" enterprise fund. Unlike general revenue, these funds are legally tethered to the cost of services provided—specifically inspections, plan reviews, and code enforcement. Florida law strictly prohibits the diversion of these funds toward general government functions such as planning and zoning, public information services, or general community programming.

The Building Reserve Fund balance has seen exponential growth over the last five fiscal years, primarily driven by permit fee revenue associated with major developments, specifically the Waterford and Caretta projects.

Building Reserve Fund Balance

9/30/2025	\$3,188,334.82
9/30/2024	\$2,522,052.00
9/30/2023	\$2,290,118.45
9/30/2022	\$883,468.24
9/30/2021	\$688,762.30
9/30/2020	\$46,856.01

During the FY 2023-2024 budget cycle, staff identified a critical need to modernize the Building Department's infrastructure. The proposal included expanding office footprints, reconfiguring existing layouts, and performing life-safety upgrades (fire sprinkler and alarm systems) to ensure building code compliance. At the time of the proposal, these improvements were classified as permitted expenditures under Florida Statutes.

This initiative was further codified in the 2024-2025 Town Council Goals (High Priority Goal #4), which directed staff to evaluate and implement Town Center renovations by May 2025. This scope included the Building Department, Police Department, Council Chambers, and South Patio expansion.

Implementation was delayed beyond the May 2025 target due to a transition in Town Manager leadership. Following this transition, the project's scope evolved to explore a shared facility for the Police and Building Departments that would also function as an Emergency Operations Center (EOC). At the April 2026 Town Council meeting, the Town's architectural consultant, WGI, presented three conceptual options; however, neither Staff nor Council found these options satisfactory to the Town's long-term needs.

The project's funding strategy has been fundamentally altered by the 2026 Florida Legislative Session. The passage of Senate Bill 1614 directly amended Section 553.80(7)(a)(2), F.S., effectively removing the authority of local governments to utilize building permit reserve funds for the construction of buildings or structures intended to house building code enforcement agencies. The revised statute, effective July 1, 2026, provides "[a] local government must use any excess funds that it is prohibited from carrying forward to rebate and reduce fees, to upgrade technology hardware and software systems to enhance service delivery, or for training programs for building officials, inspectors, or plans examiners associated with the enforcement of the Florida Building Code."

The average Building Department Operating Expenses for enforcing the Florida Building Code for the previous 4 years is \$1,268,463.44. The approximate amount the Town may be precluded from carrying forward is **\$1,919,871.38**.

Building Department Operating Expenses

FY 25	\$1,337,614.98
FY 24	\$1,292,516.78
FY 23	\$1,530,428.75
FY 22	\$913,293.23
Sum	\$5,073,853.74
Average	\$1,268,463.44

In response to the legislative restrictions introduced by SB 1614, the Town Council, during the May 2026 meeting, directed Staff to identify alternative utilization strategies for the restricted Building Reserve Fund. The objective is to ensure that the accumulated funds are deployed in a manner that remains fully compliant with the amended Section 553.80, F.S., while still addressing the Department's critical operational and spatial needs.

To that end, Staff is currently evaluating the following alternatives that either align with the revised uses for carry-forward funds or incur a bon fide contractual obligation prior to and after July 1, 2026, that aligns with the current statutory framework:

- **Real Estate Acquisition:** Exploring the purchase of an existing building to house the Building Department.
- **Real Estate Leasing:** Exploring the lease of available commercial spaces to house the Building Department.
- **Modular Infrastructure:** Assessing the feasibility of utilizing prefabricated or modular buildings as a cost-effective, compliant solution for departmental expansion.
- **Technological Modernization:** Prioritizing the upgrade of Permitting Software and digital infrastructure to enhance service delivery, automate plan reviews, and ensure compliance with state-mandated permit processing timelines.

- **Fee Mitigation:** Analyzing potential adjustments to the building permit fee schedule to prevent the fund balance from exceeding the statutory four-year average operating limit.
- **Increase Staffing:** Increasing staffing levels to address current workload delays and improve service delivery times driven by major town projects.

Discussion

Since the May 2026 Town Council Meeting, Staff has explored the above-mentioned options. Focusing primarily on the items that would need to be completed by July 1, 2026. The most recent information and considerations for each option are discussed in further detail below:

Action required prior to July 1, 2026:

Real Estate Acquisition

Town Staff has conducted market research and met informally with real estate brokers to receive information about available properties for purchase in Juno Beach and adjacent areas. Key considerations for Town Council are:

- Option agreements (as opposed to agreements for purchase and sale) require 30 days public advertising and two appraisals.
- Direct contract negotiation between a property owner and Town Staff represent a savings to the Town when it comes to broker/agent fees.
- Broker/agent services are professional services exempt from competitive bidding pursuant to the Town's procurement regulations and applicable Florida law.
- Most properties in the market will still require renovations and/or modifications to be suitable for use as the Town's Building Department.
- Sale prices for residential and commercial properties range between \$1,500,000 and \$5,250,000.

Real Estate Leasing

Town Staff has conducted market research and met informally with real estate brokers to receive information about available properties for lease in Juno Beach and adjacent areas. Key considerations for Town Council are:

- Building Department funds cannot be carried forward for the purposes of making lease payments.
- To utilize existing funds, the Town would have to apply funds towards upfront costs, such as security deposit, pre-paid lease terms, landlord-executed tenant improvements.

Modular Infrastructure

Town Staff is assessing the feasibility of utilizing prefabricated or modular buildings as a cost-effective, compliant solution for departmental expansion. Pre-fabricated or modular buildings will need to be sited on existing Town property or at a newly-acquired vacant parcel. If the Town Council wants to place the facility on newly-acquired vacant land, the considerations related to real estate acquisition will apply in addition to those listed below:

- Acquisition of pre-fabricated or modular buildings is subject to procurement regulations. A cooperative purchasing procurement is likely available for certain standard facilities (i.e., modular classrooms). Extensive custom specifications may preclude cooperative purchasing as a viable option.
- Installation/site preparation requires a licensed contractor and the issuance of building permits. The associated costs may require the issuance of a bid in accordance with the Town's procurement regulations and applicable Florida law.
- Initial research indicates an estimated cost of **\$975,000.00** (\$325/SF) for a 3,000 sq. ft. structure. Separate support services (surveying, civil engineering, and environmental testing) are ballparked at **\$500,000.00**. Additional costs for landscaping, fire alarms, fire sprinklers, and signage remain unknown at this time.

Actions not required prior to July 1, 2026:

Technological Modernization

Town Staff has assessed the prioritization of upgraded permitting software and digital infrastructure to enhance service delivery, automate plan reviews, and ensure compliance with state-mandated permit processing timelines. This use of funds is compliant with amended state law requirements and does not require action prior to July 1, 2026. However, it is unlikely the cost of technological modernization will result in the expenditure of all building fund reserves accumulated to date.

Fee Mitigation

Town Staff is analyzing potential adjustments to the building permit fee schedule to prevent the fund balance from exceeding the statutory four-year average operating limit. In the event a refund of previously paid permit funds is required or recommended, Town Staff will need to engage a consultant to determine the proper methodology and apportionment of refunds to ensure compliance with accounting and legal standards.

Staffing Expansion

Town Staff assessed current workloads and levels of service, noting that permit issuance and plan review timelines are experiencing delays due to limited personnel capacity, specifically under the pressure of major town developments.

Town Council Requested Action

Town Staff requests the Town Council review the alternatives and associated documentation, then provide direction under which Town Staff may move forward.

Attachments:

- Senate Bill 1614

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1
2 An act relating to enforcement of the Florida Building
3 Code; amending s. 553.80, F.S.; revising the manner in
4 which a local government is required to spend excess
5 funds; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

9 Section 1. Paragraph (a) of subsection (7) of section
10 553.80, Florida Statutes, is amended to read:

11 553.80 Enforcement.—

12 (7)(a) The governing bodies of local governments may
13 provide a schedule of reasonable fees, as authorized by s.
14 125.56(2) or s. 166.222 and this section, for enforcing this
15 part. These fees, and any fines or investment earnings related
16 to the fees, may only be used for carrying out the local
17 government's responsibilities in enforcing the Florida Building
18 Code, including, but not limited to, any process or enforcement
19 related to obtaining or finalizing a building permit. When
20 providing a schedule of reasonable fees, the total estimated
21 annual revenue derived from fees, and the fines and investment
22 earnings related to the fees, may not exceed the total estimated
23 annual costs of allowable activities. Any unexpended balances
24 must be carried forward to future years for allowable activities
25 or must be refunded at the discretion of the local government. A
26 local government may not carry forward an amount exceeding the
27 average of its operating budget for enforcing the Florida
28 Building Code for the previous 4 fiscal years. For purposes of
29 this subsection, the term "operating budget" does not include

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reserve amounts. Any amount exceeding this limit must be used as authorized in subparagraph 2. However, a local government that established, as of January 1, 2019, a Building Inspections Fund Advisory Board consisting of five members from the construction stakeholder community and carries an unexpended balance in excess of the average of its operating budget for the previous 4 fiscal years may continue to carry such excess funds forward upon the recommendation of the advisory board. The basis for a fee structure for allowable activities must relate to the level of service provided by the local government and must include consideration for refunding fees due to reduced services based on services provided as prescribed by s. 553.791, but not provided by the local government. Fees charged must be consistently applied.

1. As used in this subsection, the phrase "enforcing the Florida Building Code" includes the direct costs and reasonable indirect costs associated with review of building plans, building inspections, reinspections, and building permit processing; building code enforcement; and fire inspections associated with new construction. The phrase may also include training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees.

2. A local government must use any excess funds that it is prohibited from carrying forward to rebate and reduce fees, to upgrade technology hardware and software systems to enhance service delivery, ~~to pay for the construction of a building or structure that houses a local government's building code enforcement agency,~~ or for training programs for building

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officials, inspectors, or plans examiners associated with the enforcement of the Florida Building Code. ~~Excess funds used to construct such a building or structure must be designated for such purpose by the local government and may not be carried forward for more than 4 consecutive years.~~ An owner or a builder who has a valid building permit issued by a local government for a fee, or an association of owners or builders located in this ~~the~~ state which ~~that~~ has members with valid building permits issued by a local government for a fee, may bring a civil action against the local government that issued the permit for a fee to enforce this subparagraph.

3. The following activities may not be funded with fees adopted for enforcing the Florida Building Code:

a. Planning and zoning or other general government activities not related to obtaining a building permit.

b. Inspections of public buildings for a reduced fee or no fee.

c. Public information requests, community functions, boards, and any program not directly related to enforcement of the Florida Building Code.

d. Enforcement and implementation of any other local ordinance, excluding validly adopted local amendments to the Florida Building Code and excluding any local ordinance directly related to enforcing the Florida Building Code as defined in subparagraph 1.

4. A local government must use recognized management, accounting, and oversight practices to ensure that fees, fines, and investment earnings generated under this subsection are maintained and allocated or used solely for the purposes

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described in subparagraph 1.

5. The local enforcement agency, independent district, or special district may not require at any time, including at the time of application for a permit, the payment of any additional fees, charges, or expenses associated with:

- a. Providing proof of licensure under chapter 489;
- b. Recording or filing a license issued under this chapter;
- c. Providing, recording, or filing evidence of workers' compensation insurance coverage as required by chapter 440; or
- d. Charging surcharges or other similar fees not directly related to enforcing the Florida Building Code.

Section 2. This act shall take effect July 1, 2026.