

# TOWN OF LOXAHATCHEE GROVES

TOWN HALL COUNCIL CHAMBERS

## TOWN COUNCIL REGULAR MEETING

**AGENDA AMENDED**

**JULY 02, 2024 – 6:00 PM**



**Community Open Discussion Meeting Precedes Meeting from 6:00-6:30 PM  
(on Non-Agenda Items)**

**Anita Kane, Mayor (Seat 3)**

**Marg Herzog, Vice Mayor (Seat 5) Phillis Maniglia, Councilmember (Seat 1)**

**Laura Danowski, Councilmember (Seat 2) Robert Shorr, Councilmember (Seat 4)**

### **Administration**

Town Manager, Francine L. Ramaglia

Town Attorney, Torcivia, Donlon, Goddeau and Rubin, P.A.

Town Clerk, Valerie Oakes

Public Works Director, Richard Gallant

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

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

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

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

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

**TOWN COUNCIL AGENDA ITEMS**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**ROLL CALL**

**ADDITIONS, DELETIONS AND MODIFICATIONS**

**COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

*Public Comments for all meetings may be received by email, or in writing to the Town Clerk's Office until 6:00 PM day of the meeting. Comments will be "received and filed" to be acknowledged as part of the official public record of the meeting. Town Council meetings are livestreamed and close-captioned for the general public via our website, instructions are posted there.*

**PRESENTATIONS**

1. Legislative Update by Palm Beach County Commissioner Sara Baxter
2. Presentation on Volunteer Opportunities within the Junior Achievement of the Palm Beaches & Treasure Coast by Katelyn Bates, Director of 3DE and Volunteer Engagement
3. Presentation on the My Government Online "MGO" Program by Gina Lawrence-Halpern, Software Specialist

**CONSENT AGENDA**

4. Approval on **Resolution No. 2024-46**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH THE SOUTH CENTRAL PLANNING AND DEVELOPMENT COMMISSION FOR THE SCPDC SOFTWARE LICENSE AND SERVICE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.
5. Approval on **Resolution No. 2024-42**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE PARTICIPATION AGREEMENT TO INTERLOCAL AGREEMENT WITH THE SCHOOL DISTRICT OF PALM BEACH COUNTY, PALM BEACH COUNTY, AND MUNICIPALITIES IN PALM BEACH COUNTY FOR COORDINATED PLANNING; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Approval on **Resolution No. 2024-48**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH COMPLETE CITIES PLANNING GROUP FOR LONG RANGE PLANNING AND DEVELOPEMNT REVIEW SERVICES; AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS IN FORMS ACCEPTABLE TO THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO TAKE SUCH ACTIONS AS ARE NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
7. Approval on **Resolution No. 2024-21 Corrected**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING A SCHEDULE FOR THE REGULAR AND WORKSHOP TOWN COUNCIL MEETINGS DATES FOR APRIL TO DECEMBER 2024; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.
8. Approval on **Resolution No. 2024-20**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING REVISIONS TO THE TOWN COUNCIL RULES OF ORDER AND PROCEDURE; PROVIDING FOR SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.
9. Approval to Modify the Agreement with Southeast Guardrails Highway Attenuators, LLC

#### **REGULAR AGENDA**

10. Overview of FY24-25 Budget

#### **RECESS TOWN COUNCIL MEETING & CALL TO ORDER DEPENDENT WATER CONTROL DISTRICT**

11. Approval on **Resolution No. 2024-DD04**: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF DISTRICT SERVICES, INCLUDING WATER CONTROL MAINTENANCE AND REPAIR OF DRAINAGE AND ROADWAYS WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR DISTRICT SPECIAL ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

#### **RECONVENE TOWN COUNCIL MEETING**

12. Approval on **Resolution No. 2024-43**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES AND FACILITIES AND PROGRAMS ("SOLID WASTE COLLECTION SERVICES") IN THE TOWN OF LOXAHATCHEE GROVES, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE SOLID WASTE COLLECTION SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.
13. Approval on **Resolution No. 2024-44**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA ADOPTING A PROPOSED OPERATING MILLAGE RATE OF 3.000 FOR GENERAL OPERATING BUDGET PURPOSES FOR FISCAL YEAR 2024/2025; RECOGNIZING THE ROLLED BACK MILLAGE RATE FOR FISCAL YEAR 2024/2025; APPROVING AND AUTHORIZING TRANSMITTAL OF THE FORM DR-420 TO THE PROPERTY APPRAISER; PROVIDING FOR THE ESTABLISHMENT OF AND SETTING FORTH THE DATE, TIME AND PLACE OF THE PUBLIC HEARING TO CONSIDER THE FISCAL YEAR 2024/2025 PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
14. Discussion on Town Council's Participation on Government Committees/Voting Delegates and Approval on **Resolution No. 2024-47**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA NOMINATING A TOWN COUNCILMEMBER FOR AND SUPPORTING HIS/HER APPOINTMENT AS THE FLORIDA LEAGUE OF CITIES VOTING DELEGATE; AND PROVIDING FOR AN EFFECTIVE DATE.

### **PUBLIC HEARING**

15. Consideration of **Ordinance No. 2024-06** on Second Reading: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA ADOPTING CHAPTER 2 "ADMINISTRATION", ARTICLE VII "TOWN ADVISORY BOARDS" TO PROVIDE FOR APPLICABILITY, COMPOSITION, QUORUM, ELIGIBILITY, QUALIFICATIONS, APPOINTMENT, TERMS, REMOVAL, VACANCIES, OFFICERS, COMPENSATION, AND PROCEDURES REGARDING TOWN ADVISORY BOARDS; REORGANIZATION AND REVISIONS TO CHAPTER 34 PLANNING AND DEVELOPMENT TO ENSURE COMPLIANCE WITH NEW TOWN ADVISORY BOARD ARTICLE AND FOR OTHER PURPOSES; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

16. Consideration of ***Ordinance No. 2024-04*** on Second Reading: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AMENDING THE UNIFIED LAND DEVELOPMENT CODE SECTION 10-015, DEFINITIONS TO AMEND THE DEFINITION OF ESSENTIAL SERVICES AND SECTION 20-015, RESIDENTIAL ZONING DISTRICTS, PERMITTED USES TO CLARIFY THE SPECIAL EXCEPTION CATEGORY FOR ESSENTIAL SERVICES, AND TO ADD DEBRIS MANAGEMENT SITES AS A SEPARATE ESSENTIAL SERVICE USE, SUBJECT TO SPECIFIC APPROVAL CRITERIA; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.
17. Approval on ***Resolution No. 2024-45***: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE COMPREHENSIVE PLAN EVALUATION AND APPRAISAL AMENDMENTS 2024 DATA AND ANALYSIS; AND PROVIDING FOR AN EFFECTIVE DATE.
18. Approval of ***Ordinance No. 2024-01*** on Second Reading: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING THE COMPREHENSIVE PLAN EVALUATION AND APPRAISAL AMENDMENTS 2024 GOALS, OBJECTIVES AND POLICIES DOCUMENT, INCLUDING THE FOLLOWING GOALS, OBJECTIVES AND POLICIES AMENDMENTS TO THE LOXAHATCHEE GROVES COMPREHENSIVE PLAN: ADDITION OF INTRODUCTION AND PROPERTY RIGHTS ELEMENTS; DELETION OF THE PUBLIC SCHOOL FACILITIES ELEMENT; AND AMENDMENTS TO THE FUTURE LAND USE, TRANSPORTATION, INFRASTRUCTURE, CONSERVATION, RECREATION AND OPEN SPACE, HOUSING, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS. AMENDMENTS ARE MADE TO INCORPORATE REVISIONS REQUIRED BY THE TOWN'S PERIODIC EVALUATION AND APPRAISAL REPORT; PROVIDING FOR SUBMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

### **DISCUSSION**

19. Discussion on Recreational Vehicle Ordinance
20. Discussion on Adopting a Policy for Reimbursement of Attorney's Fees
21. Updates, Items of Interest and Future Agenda Items

### **TOWN STAFF COMMENTS**

**Town Manager**

**Town Attorney**

**Public Works Director**

**Town Clerk**

**TOWN COUNCILMEMBER COMMENTS**

**Councilmember Laura Danowski (Seat 2)**

**Councilmember Phillis Maniglia (Seat 1)**

**Councilmember Robert Shorr (Seat 4)**

**Vice Mayor Marge Herzog (Seat 5)**

**Mayor Anita Kane (Seat 3)**

**ADJOURNMENT**

**Comment Cards:**

Anyone from the public wishing to address the Town Council, it is requested that you complete a Comment Card before speaking. Please fill out completely with your full name and address so that your comments can be entered correctly in the minutes and give to the Town Clerk. During the agenda item portion of the meeting, you may only address the item on the agenda being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comment. Any person who decides to appeal any decision of the Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.