

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

DECEMBER 18, 2023



Laura Danowski, Mayor (Seat 2)

Phillis Maniglia, Councilmember (Seat 1)

Robert Shorr, Vice Mayor (Seat 4)

Marianne Miles, Councilmember (Seat 3)

Margaret Herzog, Councilmember (Seat 5)

Administration

Town Manager, Francine L. Ramaglia

Town Attorney, Elizabeth Lenihan, Esq.

Town Clerk, Lakisha Q. Burch

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

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That is why we say "Character Counts" in the 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. An 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 on the 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 live-streamed and close-captioned for the general public via our website, instructions are posted there.

CONSENT AGENDA

1. Consideration of approval of Meeting Minutes.
 - a. May 16, 2023 Community Open Discussion Meeting Minutes
 - b. May 16, 2023 Town Council Workshop Meeting Minutes
 - c. June 6, 2023 Attorney Client-Closed Session Meeting Minutes
 - d. June 6, 2023 Community Open Discussion Meeting Minutes
 - e. June 6, 2023 Town Council Regular Meeting Minutes
 - f. December 5, 2023 Community Open Discussion Meeting Minutes
2. Consideration of **Resolution No. 2023-87** agreement with the Palm Beach County Supervisor of Elections for the 2024 Municipal Election Vote Processing Equipment use and Election Services.

REGULAR AGENDA

3. Consideration of **Resolution No. 2023-86** establishing the Agritourism Committee.

DISCUSSION

4. Discussion and update on Annexation.
5. Discussion and update on Road and Drainage.

TOWN STAFF COMMENTS

Town Manager

Town Attorney

Public Works Director

Town Clerk

TOWN COUNCILMEMBER COMMENTS

Councilmember Margaret Herzog (Seat 5)

Councilmember Phillis Maniglia (Seat 1)

Councilmember Marianne Miles (Seat 3)

Vice Mayor Robert Shorr (Seat 4)

Mayor Laura Danowski (Seat 2)

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 it out completely with your full name and address so that your comments can be entered correctly in the minutes and given 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 comments. 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 accommodation in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves

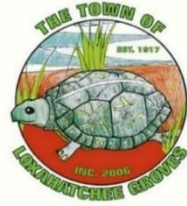
FROM: Lakisha Burch, Town Clerk

VIA: Francine Ramaglia, Town Manager

DATE: December 18, 2023

SUBJECT: Meeting Minutes

Staff recommends approval of the attached meeting minutes.



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF COMMUNITY RESIDENT WORKSHOP
MAY 16, 2023**

*Meeting audio available in Town Clerk's Office
Meetings are also available on YouTube.*

CALL TO ORDER

Mayor Danowski called the meeting to order at 6:05 p.m.

PRESENT

Mayor Laura Danowski (arrived around 6:22 p.m.), Vice Mayor Shorr (arrived around 6:25 p.m.) Councilmembers Margaret Herzog (arrived around 6:25 p.m.), Phillis Maniglia, and Marianne Miles, Town Manager Francine L. Ramaglia, Town Attorney Elizabeth Lenihan, Public Works Director Larry Peters, and Town Clerk Lakisha Burch.

COMMENTS FROM THE PUBLIC

Councilmember Maniglia asked if anyone in the audience wanted to speak about their roads- she then continued to state that there is a schedule for roads that are in line to be paved. She then asked Mr. Peters was she correct in that statement. Mr. Peters responded to her question. She then spoke about easements and if interested in giving an easement for drainage and paving to come to Town Hall for information. She also introduced Town Manager Ramaglia and Public Works Director Larry Peters.

Lena Hendrix expressed her concern regarding E Road. Town Manager Ramaglia responded to her question.

Ken Johnson expressed his concern regarding the intersection of B Road and Southern Blvd. Councilmember Maniglia responded to Mr. Johnson.

Jane Harding expressed her concern regarding D Road/Southern Blvd. Councilmember Maniglia asked that Town Manager Ramaglia respond to Ms. Harding's concerns.

Kate on Collecting Canal asked when roads are completed, who is responsible for damage that is caused by paving of road. She also asked about fill. Councilmember Maniglia asked Mr. Peters _____. Mr. Peters responded.

A citizen expressed his concerns regarding electrical poles in the road (older lines). Mr. Peters responded.

Ms. Piper asked when speeding bumps were being put on Collecting Canal. Mr. Peters responded.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:30 p.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Burch, Town Clerk

Mayor Laura Danowski

Vice Mayor Robert Shorr

Councilmember Margaret Herzog

Councilmember Phillis Maniglia

Councilmember Marianne Miles



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF WORKSHOP MEETING
MAY 16, 2023**

*Meeting audio available in Town Clerk's Office
Meetings are also available on YouTube.*

CALL TO ORDER

Mayor Danowski called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Danowski led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Danowski led a prayer.

ROLL CALL

Mayor Laura Danowski, Vice Mayor Shorr, Councilmembers Margaret Herzog, Phillis Maniglia, and Marianne Miles, Town Manager Francine L. Ramaglia, Town Attorney Elizabeth Lenihan, Public Works Director Larry Peters, and Town Clerk Lakisha Burch.

ADDITION, DELETIONS AND MODIFICATIONS

Town Manager Ramaglia stated that staff had invited people from the Coalition to speak at this meeting and she wasn't sure if anyone from the Coalition was here to speak.

Motion was made by Vice Mayor Shorr seconded by Councilmember Maniglia to approve the agenda as written was voted as follows: Ayes: Mayor Danowski, Vice Mayor Shorr, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

Mayor Danowski explained that the Coalition was and regarding. Town Manager Ramaglia stated that she had handed out their (the Coalition) thoughts on the RV Program.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There were no public comments.

REGULAR AGENDA

1. Discussion of the Recreational Vehicle Program.

Town Manager Ramaglia introduced the item by stating that there are five (5) discussion questions and that everyone had a number from 1-5, that the Town Council would come down from the dais and participate with the 5 groups for 10 minutes each then rotate. Then go back to the dais to pull it all together. Each group from 1 through 2 got into groups around the chambers to meet and discuss the topic questions. The Town Council met with each group regarding the discussion questions.

The Town Council discussed each of their questions and concerns that were given to them via each group.

Councilmember Herzog spoke about the limit of two RVs, nursery usage of RV, of trash, sanitation issues and trash issue is more of a problem than the RVs.

Councilmember Miles thanked everyone for coming out. She stated that many people are concerned about family members staying in the RVs if they want to stay longer than 179 days, also year-round rentals, renting of 1-4 RVs, rental of owners' personal RVs. Everyone seems to agree of hooking them up to septic, and Code Enforcement.

Councilmember Maniglia summarized her conversation with the groups by stating that family usage of RVs was a topic, no more than 4 RVs on a property, RVs foundation for equestrian housing, workforce housing and gave the pros and cons of RVs and solutions. She continued to express her thoughts regarding the topic.

Vice Mayor Shorr thanked everyone for coming out, and truly appreciated the outcome. He stated that three main topics were year-round housing for family, nursery (security/caretaker), and equestrian year-round housing for off season. He continued to summarize his thoughts of what came out of the groups.

Mayor Danowski commented WOW, thank all for coming out. She stated that ideas came out that the Town Council and Town Staff would not have come up with. She then expressed her comments and thoughts regarding the RVS. She then asked how many were willing to come back to see what the Town put together as a draft, many stated they would. She also asked what a good deadline would be to have these rules in place. Town Attorney Lenihan responded to questions stating something should be done by the August meeting. Mayor Danowski then stated that trash was a main concern. She then thanked everyone for coming and sharing. She then commented about the anonymous email that came in. Mayor Danowski asked was there were any additional questions. Councilmember Maniglia asked if she could ask a question, she asked what the plans for family members that are/would be staying in the RVs during the hurricane. There were public comments answering this question. There continued to be additional questions and comments by the public and the Town Council. Mayor Danowski asked how everyone knew about this meeting, the public answered. Mayor Danowski then stated that all of the social media, and other outlets need to continue to be utilized and application needs to be rewritten. There continued to be discussion among the Town Council, Town Staff, and the Public.

ADJOURNMENT:

There being no further business the meeting adjourned at __ p.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor Laura Danowski

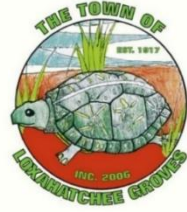
Lakisha Burch, Town Clerk

Vice Mayor Robert Shorr

Councilmember Margaret Herzog

Councilmember Phillis Maniglia

Councilmember Marianne Miles



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF ATTORNEY-CLIENT CLOSED DOOR SESSION
JUNE 6, 2023**

*Meeting audio available in Town Clerk’s Office
Meetings are also available on YouTube.*

CALL TO ORDER

Mayor Danowski called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Danowski led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Danowski led the prayer.

ROLL CALL

Mayor Laura Danowski, Vice Mayor Shorr (**absent**), Councilmembers Margaret Herzog, Phillis Maniglia, and Marianne Miles (**absent**), Town Manager Francine L. Ramaglia, Town Attorney Elizabeth Lenihan, Outside Counsel Jonathan H. Riley, and Town Clerk Lakisha Burch.

Town Attorney Elizabeth Lenihan read the below caption:

Attorney-Client Session
Tuesday, June 6, 2023
Attorney-Client Closed Door Session

Pursuant to section 286.011(8), Florida Statutes, the Town Attorney announced her desire for advice from the Town Council concerning pending litigation, specifically regarding settlement negotiations and strategy related to litigation expenditures in the case of John Pata, Regina Maria Christina Burgio as Trustee of the Torchia Family Trust u/a/d July 6, 2016, Vanessa A. Montoya and Andrew Somar, PBCL, LLC, Brian McNeil and Judy L. Westlake, and Ramachandra Bhat and Nagalaxmi R. Bhat v. Town of Loxahatchee Groves, Florida, Case No. 502021-CA-011838, in the circuit court of the 15th Judicial Circuit, in and for Palm Beach County, Florida and she requested an attorney-client session to be scheduled for

June 6, 2023, at 5:30 p.m.

The Town Attorney made this request at the Town Council’s public meeting held on May 30, 2023. The session will be attended by the members of the Town Council Mayor Laura Danowski; Council Members Phillis Maniglia, and Marge Herzog; Town Manager Francine Ramaglia; Town Attorney, Elizabeth

Lenihan; and outside counsel Jonathan H. Railey. A certified court reporter will be present to ensure that the session is fully transcribed, and the transcript will be made public upon the conclusion of the above-cited, ongoing litigation. The estimated length of the attorney-client session will be approximately 30 minutes.

RECESS

Mayor Danowski recessed the Attorney-Client session at 5:33 p.m.

RECONVENE

Town Attorney Lenihan stated that the Attorney-Client Session that was held on June 6, 2023 case of John Pata, Regina Maria Christina Burgio as Trustee of the Torchia Family Trust u/a/d July 6, 2016, Vanessa A. Montoya and Andrew Somar, PBCL, LLC, Brian McNeil and Judy L. Westlake, and Ramachandra Bhat and Nagalaxmi R. Bhat v. Town of Loxahatchee Groves, Florida, Case No. 502021-CA-011838, in the circuit court of the 15th Judicial Circuit, in and for Palm Beach County, Florida has concluded at 5:46 p.m.

ADJOURNMENT

There being no further business the meeting was adjourned at 5:48 p.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Q. Burch, Town Clerk

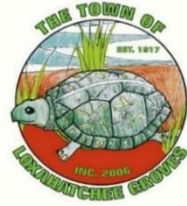
Mayor Laura Danowski

Vice Mayor Robert Shorr (**absent**)

Councilmember Marge Herzog

Council Member Marianne Miles (**absent**)

Council Member Phillis Maniglia



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF COMMUNITY RESIDENT WORKSHOP
JUNE 6, 2023**

*Meeting audio available in Town Clerk's Office
Meetings are also available on YouTube.*

CALL TO ORDER

Mayor Danowski called the meeting to order at 6:06 p.m.

PRESENT

Mayor Laura Danowski, Vice Mayor Shorr (absent.) Councilmembers Margaret Herzog, Phillis Maniglia, and Marianne Miles, Town Manager Francine L. Ramaglia, Town Attorney Elizabeth Lenihan, Public Works Director Larry Peters, and Town Clerk Lakisha Burch.

COMMENTS FROM THE PUBLIC

Mr. Robert Austin spoke about speaking with people from ITID-speaking about commercial on Southern, tax base, keep open mind on going on the west of Southern Blvd. Councilmember Maniglia asked Mr. Austin was he referring to her, regarding his comment, she also commented about annexation and stated her concern of maintaining it. Mayor Danowski also responded to Mr. Austin's concern.

Ms. Suchy gave Kudus to Code Enforcement- she also spoke about non-conforming business, go after the ones that are illegal and non-conforming (really need to think about what businesses that we want to have in this community) asked why you all have become a council person and why do you get giddy eyed when developers come in.

Ms. Laudadio spoke about an unpermitted culvert and creating dangerous traffic on her street. Have spoken to Mr. Peters. Town Manager Ramaglia stated that she is aware of the issue that is going on in this neighbor and that she would like to meet with Ms. Laudadio and continue to explain what is being done to help solve this problem. No one has made a complaint about traffic.

Ms. Lakeman spoke about trucks on Okeechobee Blvd. when are the trucks leaving the C road property. Town Manager Ramaglia responded to Ms. Lakeman concern.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:30 p.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Burch, Town Clerk

Mayor Laura Danowski

Vice Mayor Robert Shorr

Councilmember Margaret Herzog

Councilmember Phillis Maniglia

Councilmember Marianne Miles



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF WORKSHOP MEETING
JUNE 6, 2023**

*Meeting audio available in Town Clerk's Office
Meetings are also available on YouTube.*

CALL TO ORDER

Mayor Danowski called the meeting to order at 6:32 p.m.

PLEDGE OF ALLEGIANCE

Mayor Danowski led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Danowski led a prayer.

ROLL CALL

Mayor Laura Danowski, Vice Mayor Shorr (absent.) Councilmembers Margaret Herzog, Phillis Maniglia, and Marianne Miles, Town Manager Francine L. Ramaglia, Town Attorney Elizabeth Lenihan, Public Works Director Larry Peters, and Town Clerk Lakisha Burch.

ADDITIONS, DELETIONS AND MODIFICATIONS

Councilmember Herzog asked that item 12 discussion of Ordinance No. 2023-03 regarding amendments to the code enforcement lien reduction and release ordinance: consideration of Resolution No. 2023-43 adopting an interim code enforcement lien reduction and release policy and consideration of Resolution No. 2023-44 establishing petition fees be moved to be heard after item 4 and before item 5.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve the modification of the agenda; it was voted as follows: Ayes: Mayor Danowski, Vice Mayor Shorr, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There was no public comment by the public.

PRESENTATION AND DISCUSSION

1. Presentation of proclamation to Palm Beach State College recognizing 90 years.

Mayor Danowski read and presented the proclamation to Palm Beach State College recognizing 90 years. Town Clerk asked if the proclamation could be sent after getting Vice Mayor Shorr's signature. Mayor Danowski responded yes.

Ms. Kimberly Lancaster, Campus Administrator (Loxahatchee Groves) and Academic Affairs Dean (Belle Glade and Loxahatchee Groves) addressed the Town Council by introducing her staff and presented a token of appreciation. There was a quick recess to take pictures and have cake.

CONSENT AGENDA

2. Consideration of approval of Meeting Minutes.
 - a. August 17, 2021 Community Resident Workshop Meeting Minutes
 - b. August 16, 2022 Community Resident Workshop Meeting Minutes
 - c. August 16, 2022 Town Council Regular Meeting Minutes
 - d. April 17, 2023 Attorney Client Closed Session Meeting Minutes
 - e. April 18, 2023 Community Resident Workshop Meeting Minutes
 - f. April 18, 2023 Town Council Regular Meeting Minutes
 - g. May 1, 2023 Town Council Agenda Review Meeting Minutes
 - h. May 2, 2023 Community Resident Workshop Meeting Minutes
 - i. May 2, 2023 Town Council Regular Meeting Minutes
3. Consideration of **Resolution No. 2023-45** approving first amendment to addendum for CivicEngage Town’s website host.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve the Consent Agenda; it was votes as follows: Ayes: Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

4. Consideration of **Resolution No. 2023-47** authorizing Interlocal Agreement with Indian Trail Improvement District for Emergency Response. **PULLED FROM THE CONSENT AGENDA**

Town Attorney Lenihan presented the item to the Town Council regarding **Resolution No. 2023-47** authorizing Interlocal Agreement with Indian Trail Improvement District for Emergency Response. There was discussion among the Town Council and Town Staff regarding what staff are asking to be approved.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve Resolution No. 2023-47 with the manager being able to changes after Indian Trail Improvement District (ITID) has come back to us with their final draft and after the Town Attorney has given approval; it was voted as follows: Ayes: Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

RECESS TOWN COUNCIL MEETING

A recess of the Town Council Regular Meeting was made by Mayor Danowski at 7:56 p.m.

CALL TO ORDER DEPENDENT WATER CONTROL DISTRICT

Treasurer Herzog called the Dependent Water Control District to order at 7:56 p.m.

Roll Call

Chair Robert Shorr (**absent**), Treasurer Margaret Herzog, Board of Supervisors Laura Danowski, Phillis Maniglia, and Marianne Miles (**recused herself from item # 5 because she lives on B**

Road), District Manager Francine L. Ramaglia, District Attorney Elizabeth Lenihan, Public Works Director Larry Peters, and District Clerk Lakisha Burch.

5. Consideration by District Board of Settlement of Litigation Pata et. al v. Town of Loxahatchee Groves.

Treasurer Herzog announced the item. District Attorney Lenihan presented the item to the Board of Supervisors stating that the settlement was for \$ 50,000 dollars. Board of Supervisors Maniglia stated she wanted to clarify that the settlement was for \$ 50,000 dollars total not separate.

Motion was made by Board of Supervisors Maniglia seconded by Board of Supervisors Danowski to approve District Board settlement of Litigation Pata et. al v. Town of Loxahatchee Groves; it was voted as follows: Treasurer Herzog, Board of Supervisors Danowski, and Maniglia. Motion passed 3-0. Board of Supervisors Miles recused herself due to her living on B Road.

6. Consideration of **Resolution No. 2023-DD03** establishing the district’s preliminary Road & Drainage non-ad valorem assessment rate for the fiscal year 2024 beginning October 1, 2023, proposed at \$200/unit which is the same rate as for FY 2023, the current year.

District Manager Ramaglia presented the item.

Board of Supervisors Miles asked was there any information that could have been looked up on how collection is made. District Attorney Lenihan and District Ramaglia responded.

Motion was made Board of Supervisors Maniglia seconded by Board of Supervisors Miles to approve Resolution No. 2023-DD03 establishing the district’s preliminary Road & Drainage non-ad valorem assessment rate for the fiscal year 2024 beginning October 1, 2023, proposed at \$200/unit; it was voted as follows: Treasurer Herzog, Board of Supervisors Maniglia, and Miles. Nay Board of Supervisors Danowski. Motion passed 3-1.

Motion was made Board of Supervisors Maniglia seconded by Board of Supervisors Miles to adjourn the meeting at 8:03 p.m. and reconvene the Town Council Regular Meeting it was voted as follows: Ayes: Treasurer Herzog, Board Supervisors Danowski, Maniglia, and Miles. Motion passed unanimously.

RECONVENE TOWN COUNCIL MEETING

Mayor Danowski stated that the Town Council Regular Meeting was reconvened at 8:03 p.m.

REGULAR AGENDA

7. Consideration by Town Council of Settlement of Litigation Pata et. al v. Town of Loxahatchee Groves.

Councilmember Miles recused herself from item # 7.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve the settlement of Litigation Pata et. al v. Town of Loxahatchee Groves; it was voted as follows: Ayes: Mayor Danowski, Councilmembers Herzog, and Maniglia. Motion passed unanimously 3-0. Councilmembers Miles recused herself stating that she lives on B Road.

8. Consideration of **Resolution No. 2023-42** authorizing the rental of equipment through cooperative purchase with Sourcewell Contract #062320-URI; authorizing the issuance of

purchase orders pursuant to the cooperative purchasing orders pursuant to the cooperative purchasing contract to implement the intent of this resolution.

Town Manager Ramaglia presented the item.

Councilmember Maniglia asked the Public Works Director about the Town's dump truck. Mr. Peters responded that the dump truck has bad transmission. Councilmember Maniglia continued with her comment regarding the dump truck and asked where there was anything that could be done to get rid of all the unused equipment. There was a discussion between Councilmember Maniglia and Mr. Peters. Councilmember Maniglia asked for a list of the equipment that we are going to get and send it before the meeting.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve Resolution No. 2023-42 authorizing the rental of equipment through cooperative purchase with Sourcewell Contract #062320-URI; authorizing the issuance of purchase orders pursuant to the cooperative purchasing orders pursuant to the cooperative purchasing contract to implement the intent of this resolution; it was voted as follows: Ayes: Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

9. Consideration of **Resolution No.2023-40** establishing the Town's preliminary non-ad valorem assessment rate for Solid Waste Collection and Recycling Services for the fiscal year 2024 beginning October 1, 2023, proposed at \$400/unit for residential curbside service which is the same rate as for FY 2023, the current year.

Town Manager Ramaglia presented the item setting of the preliminary of the non-ad valorem assessment rate for Solid Waste Collection and Recycling Services.

Councilmember Herzog asked does this includes yard waste. Town Manager Ramaglia responded to Councilmember Herzog's question. She then asked where there were other companies trying to entice. Town Manager Ramaglia responded.

Councilmember Maniglia asked does this includes recycling. Town Manager Ramaglia responded.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve Resolution No.2023-40 establishing the Town's preliminary non-ad valorem assessment rate for Solid Waste Collection and Recycling Services for the fiscal year 2024 beginning October 1, 2023, proposed at \$400/unit for residential curbside service which is the same rate as for FY 2023, the current year; it was voted as follows: Ayes: Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

Mayor Danowski explained that the rates that are being approved can go down; they can't go over what is being approved.

10. Consideration of **Resolution No. 2023-41** establishing the Town's preliminary ad valorem millage rate of 3 mills for Truth-in-Millage ("TRIM") purposes for the fiscal year 2024 beginning October 1, 2023, proposed at 3 mills which is the same rate as for FY 2023, the current year.

Town Manager Ramaglia presented the item to the Town Council.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve Resolution No. 2023-41 establishing the Town’s preliminary ad valorem millage rate of 3 mills for Truth-in-Millage (“TRIM”) purposes for the fiscal year 2024 beginning October 1, 2023, proposed at 3 mills which is the same rate as for FY 2023, the current year; it was voted as follows: Ayes: Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

DISCUSSION

11. Discussion of *Ordinance No. 2023-01* regarding uniform requirements for Town Advisory Boards.

Town Attorney Lenihan read Ordinance No. 2023-01 into the record.

Town Attorney Lenihan presented the item to the Town Council and gave an update of the changes that were requested by the Town Council to the ordinance.

Councilmember Herzog asked a question about Section 2-182 regarding nonresident landowners as alternate an alternate member. Town Attorney Lenihan responded that the Council said no alternates. Councilmember Maniglia asked for clarification regarding residents setting on the advisory boards. There was continued discussion between the Town Council and Town Attorney.

There was a consensus to delete non-resident landowners be as an advisory board and that the member has to be an elector of the Town.

12. Discussion of *Ordinance No. 2023-03* regarding amendments to the code enforcement lien reduction and release ordinance; consideration of *Resolution No. 2023-43* adopting an interim code enforcement lien reduction and release policy and consideration of *Resolution No. 2023-44* establishing petition fees. **MOVED TO BE HEARD AFTER ITEM 4 AND BEFORE ITEM 5.**

Town Attorney read Ordinance No. 2023-03 into the record.

There were public comments made by the following: Manish Sood, and Cassie Suchy. The Town Clerk read into the record the public comments made via email from Phillip Pierson and Mark Suchy.

Town Attorney Lenihan gave a brief description and background of the item. Town Manager Ramaglia also commented on this item by giving examples of how this Ordinance would work.

Councilmember Maniglia commented on this item by stating that her issues are that she feels that the Town should be reimbursed for all costs that is spent. Town Attorney responded. Councilmember Maniglia then stated what her issue is regarding the example that was given by Town Manager Ramaglia. She continued to express her thoughts and concerns. There continued to be discussions between Councilmember Maniglia and Town Staff. Councilmember Maniglia stated that she needed more information and needs to have further discussion with the Town Attorney.

Councilmember Miles shared her comments regarding the item. She also stated that she is not stating that she is for or against this. She continued to express her comments.

Councilmember Herzog expressed her concerns about the letter (email) that was read by the Town Clerk. Town Attorney Lenihan responded to her concerns.

Councilmember Maniglia asked the Town Attorney who put fines on properties, she then asked a question relating to her question. Town Attorney Lenihan responded to her question. Councilmember Maniglia asked is there a way that the Town Council can do something regarding the issues regarding code enforcement. Town Attorney Lenihan and Town Manager Ramaglia responded. Councilmember Miles also commented on Councilmember Maniglia's question and concern then expressed her views.

Mayor Danowski asked what the advantage is in permitting the Town to do this. Town Attorney Lenihan responded to Mayor Danowski's question. Mayor Danowski stated that she would like each Councilmember to meet with Town Staff to further discuss this matter. She doesn't feel this is nowhere near done. Town Attorney Lenihan and Town Ramaglia responded. There was discussion among the Town Council and Town Staff regarding Mr. Pierce's situation. There continued to be discussion among the Town Council and Town Staff.

Palm Beach County Sheriff Lieutenant gave a brief update regarding the police department. There was discussion among the Town Council.

13. Discussion of Council Properties.

Town Manager Ramaglia presented the item by giving the Town Council an update on the upcoming items that are scheduled to appear at future Town Council meetings. There was discussion between the Town Council and Town Staff.

TOWN STAFF COMMENTS

Town Manager

- Gave an update of all upcoming meetings.
- Thanked Ms. Suchy for recognizing the efforts of staff.

Town Attorney

No comment.

Public Works Director

- Stated that Public Works have a full staff.
- Gave and update on paving.

Town Clerk

No Comment.

TOWN COUNCILMEMBER COMMENTS

Councilmember Margaret Herzog (Seat 5)

- Big Machine is off church property that is located on Okeechobee Blvd.

Councilmember Phillis Maniglia (Seat 1)

- Receiving calls regarding the zip code 33470 is referencing that it is stating West Lake and Wellington as city not Loxahatchee Groves. Town Manager Ramaglia responded to her concern.
- FPL underground project asked if FPL could come and give an update to the Town Council. Town Manager Ramaglia responded to her request. There was discussion among the Town Council and Town Staff.

Councilmember Marianne Miles (Seat 3)

- FPL- asked Mr. Peters what easements are needed. Mr. Peters responded to Councilmember Miles' question.

Vice Mayor Robert Shorr (Seat 4)

Mayor Laura Danowski (Seat 2)

- Announced RV workshop on the upcoming Saturday, June 10, 2023.
- Thanked Town Hall Staff and the work that they do, also proud of the work from Code Enforcement.

ADJOURNMENT:

There being no further business the meeting adjourned at 9:36 p.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Burch, Town Clerk

Mayor Laura Danowski

Vice Mayor Robert Shorr

Councilmember Margaret Herzog

Councilmember Phillis Maniglia

Councilmember Marianne Miles



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL COMMUNITY OPEN DISCUSSION WORKSHOP
DECEMBER 5, 2023**

*Meeting audio available in Town Clerk's Office
Meetings are also available on YouTube.*

CALL TO ORDER

Mayor Danowski called the meeting to order at 6:00 p.m.

PRESENT

Mayor Danowski, Vice Mayor Shorr, Councilmembers Herzog, Maniglia, and Miles. Town Manager Ramaglia, Town Attorney Lenihan, Public Works Director Peters, Incoming Public Works Director Richard Gallant, and Town Clerk Burch.

COMMENTS FROM THE PUBLIC

There were public comments made by the following: Paul Coleman, Ken Johnson, Teri Mitze, Todd McLendon, Brian McNeil, Matt Rhinehole, and Virginia Standish.

Mr. Ken Johnson spoke about the following: CERT Team (Community Emergency Response Team)- Mr. Johnson gave a brief overview of what CERT is, he also asked for volunteers. He announced that the next meeting will be held on January 4, 2024, at 7:30 p.m. at the Palms West Presbyterian Church located at 13689 Okeechobee Blvd. Loxahatchee Groves, FL 33470. He also spoke about the cross section at B Road and Southern Blvd.

Ms. Virginia Standish asked what the update on the culvert is damaged by Florida Power & Light (FPL). Town Ramaglia and Public Works Director Peters responded to Ms. Standish's question. She also spoke about the commercial on Southern Blvd. Councilmember Maniglia commented on Ms. Standish issue regarding the handicap parking spot. Town Manager Ramaglia responded. There continued to be discussion between Councilmember Maniglia and Town Manager Ramaglia. Councilmember Miles stated that at the previous meeting when speaking on the topic of handicap signs she asked who governs the signs. Town Manager Ramaglia responded.

Mr. Paul Coleman stated that he is the new Vice President of the Loxahatchee Groves Landowners Association and is requesting that the Town Council allow the LGLA to hold a Candidate's Forum in January at Town Hall in the Town Council Chambers and waive the fees/cost associated with this meeting. Town Ramaglia responded. There was discussion among the Town Council. Councilmember Herzog stated that on December 18th the LGLA will have their annual Holiday Party.

There was a consensus among the Town Council to waive the fees/cost and directed staff to do what is necessary to make sure that this matter is completed.

Todd McLendon asked about the removing of signs in the right a way on Okeechobee Blvd.
Town Clerk Burch responded to his question.

Brian McNeil spoke congregated the Public Works Department and Solar Sport, spoke about the safety on B Road edges that are collapsing.

Ken Johnson made an additional comment about FPL.

Terry Miste, District Aide of State Representative Rick Roth address the Town Council reading into record a statement from Mr. Roth’s regarding Agritourism.

Mr. Rhineholes addressed the Town Council with questions and concerns regarding the upcoming agenda item Agritourism.

ADJOURNMENT

The workshop was adjourned at 6:30 p.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Burch, Town Clerk

Mayor Laura Danowski

Vice Mayor Robert Shorr

Councilmember Marge Herzog

Councilmember Phillis Maniglia

Councilmember Marianne Miles



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves

FROM: Lakisha Burch, Town Clerk

VIA: Francine Ramaglia, Town Manager

DATE: December 18, 2023

SUBJECT: Consideration of *Resolution No. 2023-87* regarding agreement with the Palm Beach County Supervisor of Elections for 2024 Municipal Election Vote Processing Equipment use and Elections Services.

Background:

The Town of Loxahatchee Groves will conduct its annual Municipal General Election on Tuesday, March 19, 2024, pursuant to the Town Charter, the Florida Constitution and Chapter 97 – Chapter 106, Florida Statutes. The Agreement authorizes the Supervisor of Elections to conduct the Town Election provide election services to the Town, including the Town’s use of the polling equipment.

Recommendations:

Move that Town Council adopt *Resolution No. 2023-87* approving the agreement with the Palm Beach County Supervisor of Elections for 2024 Municipal Election Vote Processing Equipment use and Elections Services.

RESOLUTION NO. 2023-87

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING THE ENTRY BY THE TOWN INTO AN AGREEMENT WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS FOR 2024 MUNICIPAL ELECTION VOTE PROCESSING EQUIPMENT USE AND ELECTIONS SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 101.34, Florida Statutes, the Palm Beach County Supervisor of Elections (Supervisor) is the legal custodian of certified vote processing equipment owned by Palm Beach County, Florida, and is charged with the responsibility for custody and maintenance of said equipment; and

WHEREAS, the Town of Loxahatchee Groves (Town) is to conduct an election that requires use of vote processing equipment; and

WHEREAS, the Supervisor can provide the equipment and personnel to program, operate and maintain the equipment necessary for the Town to successfully conduct the required election; and

WHEREAS, the Supervisor and the Town desire to enter into an Agreement for the use of vote processing equipment and elections services for the 2024 municipal election; and

WHEREAS, the Town Council finds entering into the Agreement with the Palm Beach County Supervisor of Elections serves a valid public purpose.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Council of the Town of Loxahatchee Groves hereby approves the Agreement with the Palm Beach County Supervisor of Elections, attached hereto as Exhibit “A”.

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

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
LAURA DANOWSKI, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARIANNE MILES, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS ____ DAY OF _____, 2023.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

Mayor Laura Danowski

Lakisha Burch, Town Clerk

Vice Mayor Robert Shorr

APPROVED AS TO LEGAL FORM:

Councilmember Margaret Herzog

Office of the Town Attorney

Councilmember Phillis Maniglia

Councilmember Marianne Miles



2024 MUNICIPAL ELECTION(S) VOTE PROCESSING EQUIPMENT USE AND ELECTIONS SERVICES AGREEMENT

This Vote Processing Equipment Use and Elections Services Agreement (hereinafter referred to as the “Agreement”) is hereby entered into by and between the **Palm Beach County Supervisor of Elections Office** (hereinafter referred to as “SOE”) and _____, **Florida** (hereinafter referred to as “MUNICIPALITY”).

WITNESSETH:

WHEREAS, pursuant to Section 101.34, Florida Statutes, SOE is the legal custodian of certified vote processing equipment owned by Palm Beach County, Florida, and is hereby charged with the responsibility for custody and maintenance of said equipment; and,

WHEREAS, MUNICIPALITY desires, or is otherwise statutorily obligated, to conduct an election that requires the use of vote processing equipment to count ballots; and,

WHEREAS, all vote processing equipment requires specially trained and knowledgeable individuals to program, operate and maintain said equipment; and,

WHEREAS, the Palm Beach County Board of County Commissioners has authorized SOE to provide any necessary terms and conditions for the use of such voting equipment; and,

WHEREAS, SOE can provide the necessary personnel to program, operate and maintain said equipment; and,

WHEREAS, MUNICIPALITY hereby acknowledges full responsibility for all applicable requirements under the Florida Election Code and any provision of MUNICIPALITY’S Charter or municipal ordinances which may not be addressed or included in this Agreement.

NOW THEREFORE, in consideration of the premises and of the mutual promises, terms and conditions stated herein, SOE and MUNICIPALITY agree as follows:

ARTICLE 1 – RECITALS

The above recitals are true and correct and incorporated herein.

ARTICLE 2 – AGREEMENT

SOE shall provide MUNICIPALITY such necessary vote processing equipment and election services according to the terms and conditions stated in this Agreement, for the purposes of conducting a Uniform Municipal Election during calendar year 2024, and a Run-Off Election, if necessary, along with the necessary vote processing equipment and election services to facilitate any early voting sites, polling locations and polling places as may be necessary and agreed upon by the parties.

ARTICLE 3 – OPERATION AND PROGRAMMING SERVICES

3.1 Municipal Services. For each election, MUNICIPALITY shall pay SOE for election operations (Exhibit “A”).

3.2 Vote-By-Mail Ballots. For each election, MUNICIPALITY shall pay SOE for each Vote-By-Mail ballot request processed plus actual postage costs, including Return Postage. MUNICIPALITY shall also pay SOE for each Vote-By-Mail ballot signature verified (Exhibit “A”).

3.3 Repairs. For any election, all maintenance, repairs or other troubleshooting services for vote processing equipment, including any processors or tablets, will be performed exclusively by SOE and such services are included in all stated charges. However, SOE does reserve the right to seek reimbursement from MUNICIPALITY for any repairs or maintenance caused by any neglect or unauthorized acts by any employee or representative of MUNICIPALITY.

ARTICLE 4 – OTHER ELECTION CHARGES

4.1 Precinct Services. For each election, MUNICIPALITY shall pay SOE for precinct preparation and poll worker training in accordance with Exhibit “A”.

4.2 Fee Schedule. For each election, MUNICIPALITY shall pay SOE for any other goods or services not specifically provided for in this Agreement but that may be described or listed in the Municipal Fee Schedule(s) attached hereto as Exhibits “A” and “B”. Where MUNICIPALITY holds elections in conjunction with the Presidential Preference Primary, the Fee Schedule in Exhibit “A” controls. In all other situations, Run-Off Election and Stand-Alone Election Fee Schedules set forth in Exhibit “B” control. MUNICIPALITY agrees that the Municipal Fee Schedule and the prices contained in Exhibits “A” and “B” are subject to change.

4.3 Other. For each election and upon proper notice to MUNICIPALITY, MUNICIPALITY shall pay SOE for any other election services not contemplated herein which may be needed to conduct an orderly election.

ARTICLE 5 – TERM

For each election, the terms of this Agreement begin with ballot layout and conclude when ballots have been processed, election results have been certified, all vote processing equipment has been returned to the SOE’s warehouse and an audit, if applicable, has been completed. In the event of an election contest or challenge, SOE agrees to cooperate in providing any public records which the SOE maintains or otherwise controls.

ARTICLE 6 – APPLICABLE REQUIREMENTS OF FLORIDA’S ELECTION CODE

MUNICIPALITY shall properly call the election in accordance with any Florida Statutes, applicable charter provisions or city ordinances. MUNICIPALITY agrees that the Municipal Clerk is responsible for the conduct of the city’s elections and for ensuring compliance with all applicable Florida Statutes, including the Florida Election Code and any municipal charter provisions and ordinances. Any obligations or duties not set forth in this Agreement shall be the sole responsibility of MUNICIPALITY.

ARTICLE 7 – NOTICE AND ADVERTISEMENT OF ELECTIONS

7.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Elections. SOE shall prepare and arrange for publication of all legal advertising required by state and federal statutes in both English and Spanish and SOE shall be responsible for obtaining the accurate and complete translation of any such advertising. If additional advertisements are required by the MUNICIPALITY’S charter, ordinance(s) or resolution(s), MUNICIPALITY shall be responsible for preparing and arranging for publication of all such legal advertising which is not already satisfied under state and federal statutes. MUNICIPALITY shall be responsible for the accurate and complete translation of any such advertisements.

7.2 Run-Off Election/Stand-Alone Municipal Election. In the event of a run-off election and for all stand-alone municipal elections, MUNICIPALITY shall prepare and arrange for publication of all legal advertising required by state and federal statutes, city charter and city ordinances. MUNICIPALITY agrees that all advertisements of elections conducted in Palm Beach County shall be published in both English and Spanish and that MUNICIPALITY shall be responsible for the accurate and complete translation of any such notices. SOE shall, if available, provide samples of required advertising upon request.

ARTICLE 8 – QUALIFYING OF CANDIDATES

MUNICIPALITY may provide qualifying packets to candidates. MUNICIPALITY shall accept and process all qualifying papers and fees. For audio ballots, MUNICIPALITY shall collect pronunciation guides from candidates at the time of qualifying and shall submit them to SOE at the close of qualifying.

If petitions are part of qualifying process, MUNICIPALITY shall pay SOE Ten Cents (\$.10) per name, or such other amount as determined per Florida Statutes or the Florida Administrative Code, checked to verify any signatures on qualifying petitions. SOE agrees to verify any signatures for any qualifying petitions timely submitted by MUNICIPALITY in the order such petitions are received. Except as set forth in the following paragraph, SOE shall complete signature verification of petitions within 30 days of receipt of the petitions from MUNICIPALITY.

When MUNICIPALITY provides SOE with candidate petitions before the signature verification cutoff deadline (before noon of the 28th day preceding the first day of qualifying), SOE will verify the signed petitions no later than the 7th day before the first day of qualifying. (See Section 99.095(3), Florida Statutes.) If the candidate reaches the required number of signatures, SOE will continue to verify timely submitted signed petitions until the candidate indicates in writing to stop verification.

In no event shall SOE issue any recommendations or make any legal determinations as to the qualifications of eligibility of any candidate for municipal office.

ARTICLE 9 – PRINTING OF BALLOTS AND BALLOT SERVICES

9.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election.

SOE shall place an order for sufficient quantity of Election Day ballots with a third-party printer as selected exclusively by SOE. MUNICIPALITY shall reimburse SOE for payment to printer if the MUNICIPALITY’S races cause the ballot to add an additional page, in which case

MUNICIPALITY shall be responsible for the costs of the additional page. MUNICIPALITY shall pay SOE a per-ballot fee for each Vote-By-Mail ballot printed that is not otherwise being printed by SOE for the Presidential Preference Primary, including any additional pages required for MUNICIPALITY'S races or questions.

MUNICIPALITY shall furnish, immediately upon the conclusion of the qualifying period, all ballot information in English. SOE agrees to provide, at MUNICIPALITY's cost and expense, translation of MUNICIPALITY's ballot language from English to Spanish, including the name of the candidates as they are to appear on the ballot, the name of the Municipality, the name of the election, the title of office or referendum title, explanation, and questions, in accordance with Section 203 of the Voting Rights Act, as well as Creole translations for the ExpressVote machine.

SOE agrees to provide the layout of the ballot(s) based on the information furnished by MUNICIPALITY and deliver ballot layout to the approved printer. Both SOE and MUNICIPALITY must sign off on ballot proof(s).

Once test ballots are received from the printer, SOE will test all vote processing equipment in accordance with the standards established by the Florida Division of Elections and any applicable Florida Statutes. Upon receipt of the printed ballots from the printer, SOE shall receive, securely store and account for all ballots until disbursed to poll workers. SOE shall also control and limit all access to un-voted ballots while in possession of SOE.

9.2 Run-Off Election/Stand-Alone Municipal Election.

In the event of a run-off election and for all stand-alone municipal elections, MUNICIPALITY will be responsible for providing all information stated in 9.1. MUNICIPALITY will again be responsible for the cost of providing any translations and must again approve ballot content and layout prior to printing.

MUNICIPALITY will also be responsible for reimbursing SOE for any and all costs incurred in accordance with the fee schedule shown in Exhibit "B".

ARTICLE 10 – POLL WORKERS

10.1 Selection and Training of Poll Workers. SOE will select poll workers from a group of trained poll workers. SOE will assign standby poll workers to be available on Election Day. SOE will train all poll workers in accordance with the Florida Election Code and other guidelines, procedures or regulations as followed or adopted for the conduct of elections in Palm Beach County. The clerk for MUNICIPALITY, or a representative, shall be in attendance for poll worker training sessions. Poll workers shall undergo job specific training and complete required number of training hours as specified by SOE poll worker department management. All necessary supplies and ballots will be provided by SOE and stored in precinct cabinets or transported in poll worker clerk bags.

10.2 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election. SOE shall pay poll workers directly for their services.

10.3 Run-Off Election/Stand-Alone Municipal Election. In the event of a run-off election and for all stand-alone municipal elections, MUNICIPALITY shall pay poll workers directly for their services in the same amounts/at the same hourly rates that SOE pays poll workers which, as of

the Effective Date hereof, is set forth in Exhibit “B”. If SOE changes the rates of pay/hourly rates SOE is paying poll workers, MUNICIPALITY agrees to pay the current rates of pay/hourly rates being paid by SOE at that time.

ARTICLE 11 – SELECTION OF POLLING PLACES

SOE shall provide a list of Polling Place(s) intended for use as a voting location. Each location shall meet necessary Americans with Disabilities Act (ADA) requirements. In the event of a run-off election, MUNICIPALITY shall provide ADA compliant Polling Places.

ARTICLE 12 – SAMPLE BALLOTS

12.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election.

SOE shall prepare, proof and deliver sample ballot layout to third-party vendor for distribution to registered voters. MUNICIPALITY shall review the sample ballot(s) and confirm the accuracy of the election date, office, candidate name(s)(including the order of appearance on the ballot), polling locations, polling places and all other information contained therein. SOE shall coordinate the mailing of the sample ballots to all registered voters in the municipality prior to the election, including accurate polling place information.

12.2 Run-Off Election/Stand-Alone Municipal Election.

In the event of a run-off election and for all stand-alone municipal elections, SOE *shall not* create or mail sample ballots. If MUNICIPALITY wishes to create a sample ballot, SOE will post it on SOE’s website.

ARTICLE 13 – VOTE-BY-MAIL BALLOTS

MUNICIPALITY shall refer all requests for Vote-By-Mail ballots to SOE. Unless MUNICIPALITY or the Clerk for MUNICIPALITY provides written direction to the contrary, SOE agrees to accept all requests for Vote-By-Mail ballots by telephone, mail, email or in person. SOE also agrees to mail Vote-By-Mail and overseas ballots as requested by registered voters, receive and securely store any voted Vote-By-Mail ballots, verify the signatures on any returned voted Vote-By-Mail ballot certificates, facilitate voter signature cures, accommodate public inspection of Vote-By-Mail ballot mailing envelopes and voter certificates, and account for all Vote-By-Mail ballots.

SOE may begin processing Vote-By-Mail ballots prior to Election evening, pursuant to Florida Statute 101.68.

In the event of a run-off election and for all stand-alone municipal elections, if MUNICIPALITY doesn’t use the County Canvassing Board, MUNICIPALITY shall schedule and coordinate the date on which the MUNICIPALITY’s Canvassing Board is to assemble to canvass the Vote-By-Mail ballots. If applicable, MUNICIPALITY shall coordinate for the use of SOE facilities to conduct the Canvassing Board activities. MUNICIPALITY shall notice and advertise in both English and Spanish, as needed, the dates of any Canvassing Board meetings. MUNICIPALITY shall convene the Canvassing Board to determine which voted Vote-By-Mail ballots are to be tabulated. MUNICIPALITY shall provide for collection of results from each precinct (See Exhibit “B”). MUNICIPALITY must also ensure they have a Canvassing Board member present

for opening, duplication, tabulation and all other activities requiring Canvassing Board presence by law.

ARTICLE 14 – TRANSPORTATION OF ELECTIONS EQUIPMENT AND SUPPLIES

14.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election.

SOE will be responsible for delivery and pick up of any vote processing equipment. Election equipment will be delivered by SOE, or a third party representative of SOE on an agreed upon date, up to eight (8) days prior to the election. SOE, or a third party representative of SOE, will pick up voting equipment on an agreed upon date. SOE shall have full discretion and authority to hire and employ any outside third parties to assist with or perform delivery and pick up of voting equipment (Exhibit “A”).

14.2 Run-Off Election/Stand-Alone Municipal Election.

In the event of a run-off election and for all stand-alone municipal elections, the SOE will maintain responsibility for transportation of equipment and supplies as stated in 14.1. MUNICIPALITY shall reimburse SOE for any and all costs incurred for equipment delivery and pickup in accordance with the fee schedule set forth in Exhibit “B”.

14.3 MUNICIPALITY is not permitted to deliver any election equipment.

ARTICLE 15 – LOCATION AND STORAGE OF VOTING EQUIPMENT

All voting equipment shall be stored, maintained and located in a well-protected, secure, temperature-controlled, indoor room or facility. Once the voting equipment is delivered to a voting site, no equipment shall be relocated without the prior written approval of SOE.

ARTICLE 16 – CANVASSING OF ELECTION RESULTS

16.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election.

SOE shall schedule and coordinate the date on which the Canvassing Board is to assemble to canvass the results of the election. SOE shall notice and advertise, as needed, the dates of any canvassing board meetings. SOE shall convene the Canvassing Board to determine which voted Vote-By-Mail ballots are to be tabulated. SOE shall provide for collection of results from each precinct.

16.2 Run-Off Election/Stand-Alone Municipal Election. In the event of a run-off election and for all stand-alone municipal elections, if MUNICIPALITY doesn’t use the County Canvassing Board, MUNICIPALITY shall schedule and coordinate the date on which MUNICIPALITY’s Canvassing Board is to assemble to canvass the results of the election. If applicable, MUNICIPALITY shall coordinate for the use of SOE facilities to conduct the Canvassing Board activities. MUNICIPALITY shall notice and advertise in both English and Spanish, as needed, the dates of any Canvassing Board meetings. MUNICIPALITY shall convene the Canvassing Board to determine which voted Vote-By-Mail ballots are to be tabulated. MUNICIPALITY shall provide for collection of results from each precinct (See Exhibit “B”). MUNICIPALITY must also ensure they have a Canvassing Board member present for opening, duplication, tabulation and all other activities requiring Canvassing Board presence by law.

ARTICLE 17 – AUDITS

MUNICIPALITY agrees to pay SOE for any additional costs as may be necessary, including overtime expenses, for conducting the audit.

ARTICLE 18 – POST-ELECTION RECORDS RETENTION

SOE shall process affirmation forms and sort, inventory, and pack all election materials for pickup by SOE for retention and disposition. SOE shall store or cause to be stored all necessary election records and ballots until expiration of retention period as prescribed by applicable Florida Statutes and Rules.

ARTICLE 19 – VOTER HISTORY

MUNICIPALITY and SOE will make mutually acceptable arrangements for recording voter history. The date selected for undertaking this activity may occur subsequent to the conclusion of all election dates and outside of the terms of this Agreement but both parties agree to work toward recording voter history in a timely manner.

ARTICLE 20 – OTHER NECESSARY COSTS

Any additional costs or fees that may be incurred by SOE in compliance with the Florida Election Code and as a direct result of a municipal election, that are not specified in this Agreement, shall be paid for by MUNICIPALITY at rates and fees as established by SOE. Examples of such additional costs or reimbursements include, but are not limited to, the following:

- A. **Recounts.** Any expenditure for conducting a recount, including any overtime expenses for reprogramming voting equipment, and other expenses as may be necessary to conduct a recount; and,
- B. **Attorneys' Fees and Costs.** Actual attorneys' fees and costs reasonably incurred by SOE for research or representation on any election-related matter shall be invoiced by SOE for reimbursement by MUNICIPALITY, solely to the extent such matter is created by MUNICIPALITY or involves MUNICIPALITY's election. If such matter involves MUNICIPALITY along with other similarly situated municipalities, MUNICIPALITY shall only be responsible for reimbursement of its proportionate share of the expense.

ARTICLE 21 – HOLD HARMLESS COVENANT

To the extent permitted by law, MUNICIPALITY shall at all times hereafter indemnify, hold harmless and, at SOE's option, defend or pay for an attorney selected by SOE to defend SOE, its officers, agents and employees against any and all claims, damages, injuries, losses, liabilities and expenditures of any kind, including attorneys' fees, court costs and expenses, including but not limited to administrative challenges, civil suits or other legal challenges or appeals that may arise from the contest of election results or the validation of any candidate qualifications, arising out of or resulting from any or all acts of omission or commission of or by the MUNICIPALITY, its officers, agents or employees with respect to any election conducted pursuant to this Agreement. Except for negligent acts of SOE in performance of this agreement, MUNICIPALITY also agrees to indemnify SOE against any administrative challenges, civil suits or other legal challenges or appeals that may arise, including all attorneys' fees and costs, from the contest of election results or the validation of any candidate qualifications.

The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the waiver or limits set forth at Sec. 768.28, Florida Statutes. In no case shall such limits for SOE or MUNICIPALITY extend beyond \$200,000 for any one person or beyond \$300,000 for any judgment which, when totaled with all other judgments, arises out of the same incident or occurrence. Furthermore, nothing herein shall be construed as consent by the MUNICIPALITY or the SOE, as a state agency or subdivision of the State of Florida, to be sued by third-parties in any matter arising out of any contract.

These provisions shall not be construed to constitute agreement by either party to indemnify the other for such others' negligent, willful or intentional acts or omissions.

ARTICLE 22 – ENTIRETY AND AMENDMENTS

The Agreement embodies this entire agreement between SOE and MUNICIPALITY and supersedes all prior agreements and understandings relating to the conduct of elections. No modification, amendment or alteration to this Agreement shall be effective of binding unless submitted in writing and executed by the duly authorized representatives of both SOE and MUNICIPALITY.

ARTICLE 23 – EFFECTIVE DATE

The effective date of this Agreement shall be the latest date of execution by duly authorized representatives of SOE and MUNICIPALITY as shown on the signature page hereto.

IN WITNESS WHEREOF, we, the undersigned, do hereby state that we have the authority to bind and obligate as promised herein, SOE and MUNICIPALITY for purposes of executing this agreement on the dates set forth below.

Signature

Wendy Sartory Link

Name (Printed or Typed)

Palm Beach County Supervisor of Elections

Title

Date

Witness Signature

Witness Name (Printed or Typed)

Signature

Name (Printed or Typed)

Title

Date

Witness Signature

Witness Name (Printed or Typed)

EXHIBIT “A”

Palm Beach County Supervisor of Elections
Schedule of Municipal Election Fees
Presidential Preference Primary and Municipal Elections
2024

Standard Operation and Programming	
Polling Place Operations	
Ballot Preparation and Printing	
Vote-By-Mail (VBM) Ballot Requests and Postage	
Post-Election Reporting and Audit	
Service Center Operations and Tabulation	
Total (small municipality ≤ 2k registered voters = \$600)	\$750.00
VBM Services Other Than Required for PPP	
VBM Ballot Services – Per Ballot Processed	\$6.91/Ballot
VBM Return Mail Postage Costs – Actual Cost	TBD
Unanticipated Costs	TBD

EXHIBIT “B”

Palm Beach County Supervisor of Elections
Schedule of Municipal Run-Off/Stand-Alone Election Fees
Presidential Preference Primary and Municipal Elections
2024

General Municipal Run-Off/Stand-Alone Election Services	Estimated Costs
Vote-by-Mail Ballot Services	\$7.11/Ballot
Run-Off/Stand-Alone Election Day Services	\$7,195.66
Precinct Services (per precinct)	\$596.24
Accounting/Billing	\$141.36
Polling Location Inspection (if applicable)	\$ 66.53
POLL WORKER PAY Early Voting hourly rate: Site Supervisor: \$19/hour Assistant Site Supervisor: \$17/hour Inspector: \$15/hour Election Day lump sum*: Clerk: \$390.00 Assistant Clerk: \$250.00 VST: \$305.00 Inspector: \$230.00 Precinct Deputy: \$200.00 Standby Poll Worker (deployed by SOE): Paid at rate for the position which they are trained *Rate of pay is a lump sum that includes training and election day. The Clerk and VST pay rate also includes Monday set-up.	TBD
Any additional items requested by the municipality will be invoiced separately	
On call support (\$2500 range)	Invoiced by Vendor TBD
VBM Return Postage Fees	\$.60

*Itemized invoices will be provided in the event of a run-off election.



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves

FROM: Elizabeth Lenihan, Town Attorney

VIA: Francine L. Ramaglia, Town Manager

DATE: December 18, 2023

SUBJECT: Consideration of *Resolution No. 2023-86* establishing the Agritourism Committee

Background:

At its regular meeting on December 5, 2023, Town Council directed staff to bring back a proposed Resolution establishing an Agritourism Committee and making initial appointments to the Committee. The purpose of the Committee is to recommend to Town Council potential substantial offsite impacts of agritourism activities and to develop recommendations to mitigate substantial offsite impacts to balance the needs of the agritourism operation with the health, safety, and welfare of the public and the peace and tranquility of the surrounding residential communities. Such recommendations shall include identification of potential substantial offsite impacts and how to identify any additional potential substantial offsite impacts; how such impacts should be measured to establish whether the impact is substantial; and how such impacts should be mitigated to become less than substantial. The recommendations of the Committee may be utilized in creating an Ordinance regarding substantial offsite impacts from agritourism activities within the Town.

The Committee is advisory only and will be sunset at the end of March 2024.

Recommendation:

Move that Town Council approve and adopt *Resolution No. 2020-86* establishing the Agritourism Committee and making appointments to the Committee.

RESOLUTION NO. 2023-86

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE CREATION OF THE "LOXAHATCHEE GROVES AGRITOURISM COMMITTEE" TO IDENTIFY POTENTIAL SUBSTANTIAL OFFSITE IMPACTS FROM AGRITOURISM ACTIVITIES AND DEVELOP MITIGATION METHODS FOR SUBSTANTIAL OFFSITE IMPACTS; PROVIDING FOR DUTIES OF THE COMMITTEE; PROVIDING FOR COMPLIANCE WITH FLORIDA'S SUNSHINE LAW AND PUBLIC RECORDS LAW; PROVIDING FOR PROCEDURAL MATTERS OF THE COMMITTEE; APPOINTING THE MEMBERS OF THE COMMITTEE; PROVIDING FOR SUNSETTING OF THE COMMITTEE; PROVIDING FOR SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.

WHEREAS, in 2016, the Legislature amended Section 570.85, Florida Statutes, regarding agritourism to add its intent to promote agritourism as a way to support bona fide agricultural production and specifically state that the limitations on local governments “does not limit the powers and duties of a local government to address substantial offsite impacts of agritourism activities”; and

WHEREAS, since 2016, the Town of Loxahatchee Groves (Town) has become the home to many agritourism activities; and

WHEREAS, the Town Council desires to encourage agritourism activities within the Town and to mitigate the substantial offsite impacts of agritourism activities to balance the interests of the health, safety, and welfare of the public and maintain the peace and tranquility of surrounding residential communities; and

WHEREAS, it is the desire of the Town Council to create a Committee to advise the Town Council on potential substantial offsite impacts from agritourism activities, as set forth in more detail herein; and

WHEREAS, the Town Council determines that the creation of the Committee serves a valid public purpose.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Loxahatchee Groves, Florida, as follows:

Section 1. That the foregoing "WHEREAS" clauses are confirmed and ratified as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Council hereby establishes the Town's "Loxahatchee Groves Agritourism Committee" as follows:

I. Creation of the "Loxahatchee Groves Agritourism Committee." There is created the Loxahatchee Groves Agritourism Committee (Committee) to act as an advisory board to the Town Council, as follows:

- (A) Membership. The Committee shall be comprised of five (5) voting members.
 - 1. Qualifications. Each member shall be a resident or landowner within the Town and shall be active in the agritourism industry within the Town.
 - 2. Appointment. Each member of the Town Council shall appoint a qualified individual and notify the Town Clerk of the appointment. Once all appointments are submitted, the Town Clerk will place a notice of appointment of Committee members on the next available Town Council meeting agenda. The members shall serve at the pleasure of appointing members of the Town Council and Town Council.

- (B) Duty. The Committee's duties are to recommend to Town Council potential substantial offsite impacts of agritourism activities and to develop recommendations to mitigate substantial offsite impacts to balance the needs of the agritourism operation with the health, safety, and welfare of the public and the peace and tranquility of the surrounding residential communities. Such recommendations shall include identification of potential substantial offsite impacts and how to identify any additional potential substantial offsite impacts; how such impacts should be measured to establish whether the impact is substantial; and how such impacts should be mitigated to become less than substantial.

II. Advisory Only. The actions, decisions, and recommendations of the Committee shall be advisory only. All final decisions are solely at the discretion of the Town Council.

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

- (A) The Committee shall hold an organizational meeting within thirty (30) days of the appointment of a number of Committee members to have a quorum, at which the members of the Committee shall elect by a majority vote of its membership a chair and vice-chair.

- (B) The Committee shall meet on an as-needed basis, as determined by the Chair or the Town Manager.
- (C) All meetings, records and files of the Committee shall be open and available to the public, consistent with Chapter 119, Florida Statutes (the Public Records Law) and Chapter 286, Florida Statutes (the Sunshine Law). In addition, members of the Committee shall ensure that their actions are in compliance with the Public Records Law and the Sunshine Law.
- (D) Notice for any meeting of the Committee shall be posted in accordance with the Sunshine Law and on the Town's website and at the Town Office no later than 24 hours prior to the scheduled meeting.
- (E) Three (3) voting members shall constitute a quorum of the Committee, and official action shall be taken by the board by a majority vote of the members present at the meeting. If a quorum is not present, the Committee members may continue to meet and discuss issues; however, no official action may be taken.
- (F) The Town Manager or his/her designee shall act as secretary to the Committee and be responsible for attending all meetings and providing the items necessary for conducting meetings, as requested by the Chair, and for recording and preparation of meeting minutes. The Town Attorney or his/her designee shall act as attorney for the Committee, on an as-needed basis.
- (G) Town staff will reasonably provide adequate support to the Committee to discharge their responsibilities.
- (H) Members of the Committee shall serve without compensation for the performance of their duties.

Section 3. The following persons are appointed to be members of the Committee:

- | | |
|-----------------|--------------------------------|
| Darrin Swank | Mayor Laura Danowski |
| Simon Fernandez | Vice Mayor Robert Shorr |
| Liza Holman | Councilmember Margaret Herzog |
| Joseph Chammas | Councilmember Phillis Maniglia |
| | Councilmember Marianne Miles |

Section 4. Sunset of the Committee. Unless extended by the adoption of a Resolution by the Town Council, the Committee shall sunset on March 31, 2024.

Section 5. Severability. If any clause, section, or other part or application of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid,

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

Section 6. Conflicts. All Resolutions or parts of Resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 7. Effective Date. This Resolution shall take effective immediately upon its adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
LAURA DANOWSKI, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARIANNE MILES, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS ___ DAY OF DECEMBER 2023.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

Lakisha Q. Burch, Town Clerk

Mayor Laura Danowski

Vice Mayor Robert Shorr

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Councilmember Margaret Herzog

Councilmember Phillis Maniglia

Councilmember Marianne Miles



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves

FROM: Francine L. Ramaglia, Town Manager

DATE: December 18, 2023

SUBJECT: Discussion regarding Annexation.

Background: Staff will present updates regarding Annexation to Town Council.



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves
FROM: Francine L. Ramaglia, Town Manager
DATE: December 18, 2023
SUBJECT: Discussion regarding Roadway and Drainage update.

Background: Staff will present updates regarding Roadway and Drainage to Town Council.