

CITY OF WESTLAKE



AGENDA

City Council Regular Meeting (First Budget Hearing)

Monday, September 13, 2021, at 6:30 PM

Westlake Council Chambers
4005 Seminole Pratt Whitney Road
Westlake, Florida 33470

In efforts to balance the need for the City of Westlake to function and conduct business during the COVID-19 pandemic, we will adhere to the recommended social/physical distancing (staying at least six feet away from each other) guidelines, per the Centers for Disease Control and Prevention (CDC) and Palm Beach County's directives. There will be limited seating available in the Council Chambers. Therefore, preregistration will be required for in-person participation.

The instructions for preregistration attendance/participation and viewing of the meeting are outlined below:

PREREGISTRATION FOR IN-PERSON ATTENDANCE:

- All interested persons, Quasi-Judicial meeting applicants, their representatives, and witnesses must preregister to attend/participate in a meeting by sending an email to City Clerk, Zoie Burgess at zburgess@westlakegov.com or by phone at 561-530-5880 no later than one (1) business day prior to the meeting date (e.g. by 4:00 P.M. on a Friday, if the meeting is scheduled for that Monday, etc.)
- In-person attendance/participation will be based upon the order in which the preregistration requests are received by the City Clerk. For Public Hearing Quasi-Judicial meetings, precedence into the Council Chambers will be given to applicants, their representatives, and/or witnesses over all other preregistered parties.

COMMUNICATIONS MEDIA TECHNOLOGY – WEBEX:

Members of the public may also participate in the meeting through electronic means and may access as follows:

1. Join the Webex meeting from your computer, tablet or smartphone at the following link:
<https://cityofwestlake.my.webex.com/>

Meeting ID: 2630 086 5627

Password: hello

2. Participants may also dial in using your phone with any of the following number(s):

United States Toll: +1-408-418-9388

Meeting ID: 2630 086 5627

For participants attending the meeting via WebEx, public comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and also acknowledged during the meeting when participants utilize the “raise your hand” feature during the designated time.

Procedures for Public Comment are also provided via the City website:
<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

CITY COUNCIL:

Roger Manning, Mayor

JohnPaul O’Connor, Vice Mayor

Patric Paul, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

CITY STAFF:

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Donald J. Doody, Esq., Interim City Attorney

[TENTATIVE: SUBJECT TO REVISION]

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

PUBLIC COMMENTS AND REQUESTS- (OPEN FORUM NON-AGENDA ITEMS)

This section of the agenda allows for comments from the public to speak on any item not presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please go to the podium, and prior to addressing the Council, state your name and address for the record.

CONSENT AGENDA

This section of the agenda consists of routine or administrative items that require final approval by the City Council and may be approved in its entirety by a single motion. There will be no discussion of these items unless a City Council Member requests such, in which event, the item will be removed from the Consent Agenda and considered on a future agenda.

A. Approval of Meeting Minutes

[1.](#) August 2, 2021 - City Council Workshop Meeting Minutes - DRAFT

[2.](#) August 9, 2021 - City Council Regular Meeting Minutes - Draft

B. Approval Finance Statement

[1.](#) Financial Report - July 2021

PRESENTATIONS/PROCLAMATIONS

FIRST BUDGET HEARING

[A.](#) Resolution 2021-29-Approval of Proposed Millage Rate for Fiscal Year 2022

Submitted By: Finance

RESOLUTION 2021-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PROPOSED AD VALOREM MILLAGE RATE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021 AND ENDING ON SEPTEMBER 30, 2022.

[B.](#) Resolution 2021-30-Approval of Tentative Budget for Fiscal Year 2022

Submitted By: Finance

RESOLUTION 2021-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING THE TENTATIVE BUDGET FOR THE CITY OF WESTLAKE, FLORIDA, AND MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021 AND ENDING ON SEPTEMBER 30, 2022.

FIRST READING

- A. Ordinance 2021-06: Chapter 8 Parking Regulations, Land Development Regulations

Submitted By: Engineering

ORDINANCE NO. 2021-06

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING REGULATIONS FOR PARKING WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESIDENTIAL AND COMMERCIAL PROPERTY PARKING STANDARDS; ALL OF WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED "PARKING REGULATIONS", PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

- B. Ordinance 2021-07 - Solid Waste and Recyclable Receptacles, Collection, and Storage Areas Minimum Requirements

Submitted By: Planning & Zoning

ORDINANCE 2021-07

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MINIMUM REQUIREMENTS FOR SOLID WASTE AND RECYCLABLE RECEPTACLE COLLECTION AND STORAGE AREAS, WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES ENTITLED "SOLID WASTE AND RECYCLABLE RECEPTACLES, COLLECTION, AND STORAGE AREAS"; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

- C. Ordinance 2021-09: Chapter 7 Mobility Regulations, Land Development Regulations

Submitted By: Engineering

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MOBILITY PLANS WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING UTILIZATION OF PALM BEACH COUNTY'S TRAFFIC PERFORMANCE STANDARDS FOR MOTORIZED VEHICLES; PROVIDE FOR VEHICULAR LEVEL OF SERVICE STANDARDS; PROVIDES FOR TRAFFIC IMPACT STUDIES AND STATEMENTS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED 'MOBILITY', PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

PUBLIC HEARING - SECOND READING

- A. None

PUBLIC HEARING - QUASI JUDICIAL

- A. A Resolution for the Replat of Civic Tract C-2

Submitted By: Engineering

RESOLUTION 2021-27

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A REPLAT OF TRACT "C-2" OF THE PLAT OF WESTLAKE CIVIC TRACT C-2, PLAT BOOK 128, PAGES 33 AND 34, AND A REPLAT OF W.M.T.#1 AND O.S.T. 1 OF THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, PLAT BOOK 125, PAGES 106 AND 107, PUBLIC RECORDS C

PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

- B.** A Resolution for the Revised Plat of Orchards (Pod S) of Westlake Phase II

Submitted By: Engineering

RESOLUTION 2021-28

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, HEREBY APPROVES A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC HEARING - RESOLUTION(S)

- A.** Resolution 2021- 31 Residential Solid Waste Services Special Assessment

Submitted By: Legal

RESOLUTION 2021-31

A RESOLUTION OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES, IN THE CITY OF WESTLAKE, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE SERVICES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021; IMPOSING A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WESTLAKE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

NEW BUSINESS

- A.** Election – County Canvassing Board

Submitted By: Administration

RESOLUTION 2021-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, DELEGATING ALL CANVASSING DUTIES, AS DEFINED IN THE FLORIDA ELECTION CODE AND THE FLORIDA ADMINISTRATIVE CODE, TO THE COUNTY CANVASSING BOARD ESTABLISHED IN ACCORDANCE WITH SECTION 102.141, F.S., AUTHORIZING AND DESIGNATING THE CITY CLERK TO SERVE AS THE CITY'S OFFICIAL REPRESENTATIVE IN ALL TRANSACTIONS WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS IN RELATION TO MATTERS PERTAINING TO THE USE OF THE REGISTRATION BOOKS AND RECORDS NECESSARY FOR HOLDING MUNICIPAL ELECTIONS WITHIN THE CITY; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- B.** City Goals & Objectives Annual Workplan Update

CITY COUNCIL COMMENTS

- A. Councilwoman Katrina Long Robinson
- B. Councilwoman Kara Crump
- C. Councilman Patric Paul
- D. Vice Mayor JohnPaul O'Connor
- E. Mayor Roger Manning

REPORT - STAFF

- A.** Palm Beach County Sheriff's Office - Monthly Report: July

Submitted By: Captain Craig Turner

For Informational Purposes Only

- B.** Palm Beach County Fire Rescue - Monthly Report: July

Submitted By: Anthony Tozzi, District Chief

For Informational Purposes Only

REPORT - CITY ATTORNEY

REPORT - CITY MANAGER

PUBLIC COMMENTS - AGENDA ITEMS ONLY

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ADJOURNMENT

Next Meeting (Subject to Change or be Cancelled):
September 27, 2021 - City Council Final Budget Hearing

NOTICE: If a person, firm or corporation decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript). The City of Westlake does not prepare or provide such verbatim record.

In accordance with the Americans with Disabilities Act, persons who need an accommodation in order to attend or participate in this meeting should contact the City Clerk at (561) 530-5880 at least three (3) business days prior to the meeting in order to request such assistance.

AGENDA POSTED: September 3, 2021, Revised September 9, 2021

File Attachments for Item:

1. August 2, 2021 - City Council Workshop Meeting Minutes - DRAFT

CITY OF WESTLAKE



MINUTES - DRAFT

City Council Budget Workshop
Monday, August 02, 2021 at 6:30 PM

Westlake Council Chambers
4005 Seminole Pratt Whitney Road
Westlake, Florida 33470

In efforts to balance the need for the City of Westlake to function and conduct business during the COVID-19 pandemic, we will adhere to the recommended social/physical distancing (staying at least six feet away from each other) guidelines, per the Centers for Disease Control and Prevention (CDC) and Palm Beach County's directives. There will be limited seating available in the Westlake Community Center/City Council Chambers at 4005 Seminole Pratt Whitney Road. Therefore, preregistration will be required for in-person participation.

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VIRTUAL ATTENDANCE

The City of Westlake will also utilize the video conferencing, online meeting software [Cisco Webex Meetings](#) to broadcast City Meetings and allow for public participation.

Participants may use the Webex platform from personal devices, to include cell phone, tablet, laptop, PC or MacBook. The option to call in and listen may also be utilized. Residents may opt to download the meeting applications from the [Apple](#) or [Google Play](#) stores based on your selected device.

The following link, specific to the City of Westlake, will display upcoming meetings and direct links to join:
<https://cityofwestlake.my.webex.com>

Meeting ID: 132 674 7705

Meeting Password: hello

PHONE ATTENDANCE

You may listen and participate from your phone by dialing 1-408-418-9388 and follow the prompts of entering the Meeting ID: 132 674 7705. Upon access to the meeting, please mute your device.

PUBLIC PARTICIPATION

Residents will have the ability to participate and make comments in one of three ways:

1. Attending in person and completing the appropriate public comment card (available in chambers) prior to meeting.
2. Submitting an online public comment card up to **24 hours** prior to the scheduled Public Meeting. An online Public Comment Card may be retrieved and submitted on the City Website: <https://www.westlakegov.com/cityclerk/webform/public-comment-card>
3. Participants may request to speak during the designated time by utilizing the "Raise Hand" feature within the application at the designated time, and when acknowledged.

For additional information or assistance please contact the City Clerk prior to the meeting

CITY COUNCIL:

Roger Manning, Mayor

JohnPaul O'Connor, Vice Mayor

Patric Paul, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

CITY STAFF:

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Quenton Morgan, Interim City Attorney

A Workshop meeting of the City Council of the City of Westlake was held on Monday, August 2, 2021, at 6:30 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road.

As a preliminary matter, Ms. Burgess noted that Councilman Patric Paul, Vice Mayor JohnPaul O'Connor, Mayor Roger Manning, Councilwoman Katrina Long-Robinson, Councilwoman Kara Crump, are present physically.

Ms. Burgess noted that City Manager Kenneth Cassel, Interim City Attorney Quention Morgan, City Clerk Zoie Burgess and were present physically.

Ms. Burgess provided further instruction regarding public comments, noting that comments will be acknowledged by the Mayor and accepted at the appropriate times as indicated in the Agenda and those who wish to speak may use the "virtual" hand raise feature.

Ms. Burgess provided the disclaimer that the meeting is being recorded by both voice and video, reminding the audience that microphones are live.

Ms. Burgess further explained that microphones will be muted; audience members can unmute themselves and anyone that has called in should mute their device.

Ms. Burgess noted that anyone causing a disruption or being inappropriate will be removed from the meeting. Ms. Burgess reminded Council Members physically present to utilize microphones.

CALL TO ORDER

Mayor Manning called the City of Westlake City Council Budget Workshop of Monday, August 2, 2021, to order at 6:31 PM.

ROLL CALL

Present and constituting a quorum:

Councilwoman Katrina Long-Robinson
Councilwoman Kara Crump
Councilman Patric Paul
Vice Mayor JohnPaul O'Connor
Mayor Roger Manning

Also, present:

Kenneth Cassel, City Manager
Quentin E. Morgan, Interim City Attorney
Zoie P. Burgess, CMC, City Clerk

PLEDGE OF ALLEGIANCE

Mayor Manning led the Pledge of Allegiance.

BUDGET PRESENTATION

A. Fiscal Year 2022 Budget with Projections through Fiscal Year 2026

Submitted By: Kenneth Cassel, City Manager

Mayor Manning introduced the item.

Mr. Cassel reviewed the budget process and clarified taxes, noting that there may be misinformation in the community. He further explained the budget process for developed and undeveloped land; what is included in the tax bill; and what entities receive from the taxes collected. He said that the City receives about 22% of taxes that are collected if a house is valued at \$300k net which is roughly \$1,500. This is received from the taxes collected and advised where the dollars go once received.

Mr. Cassel presented a PowerPoint presentation Fiscal Year 2022 Budget. He advised that the City is looking at \$358 million worth of taxable value projected based on the 758 homes and noted the projection of \$1.6 million in net revenue based on ad valorem taxes coming in. Mr. Cassel further explained the sources of revenue and said that the City is working on six (6%) of taxes.

Mr. Cassel identified the franchise fee and explained the delay in bringing forward the agreement to Council and an upcoming meeting between Florida Public Utilities (FPU), the City's Interim Counsel and Seminole Improvement Districts Counsel to resolve details.

Council discussion and questions on the franchise fee, the timeframe for the agreement; and how the fee will be paid.

Mr. Cassel responded to Council questions and continued presentation of the Projected Revenues by Source Based on Home Construction.

Vice Mayor O'Connor inquired if revenue is based solely on homes.

Mr. Cassel confirmed that it was, noting the commercial projects that should be on site by January 2024.

Councilwoman Crump inquired if the Mobil gas station is on the tax roll.

Mr. Cassel confirmed that it was and he continued presenting the Budget Expenditures by Functions.

Mayor Manning identified the addition of a lobbyist, noting that one had been a part of the budget before, but was not utilized. Mr. Cassel explained that the lobbyist would be under the Legislative Department, and he is not sure that the city needs one this year.

Mr. Cassel continued and presented the Projected Operating Surplus/(Deficit).

Mayor Manning commented that he noticed \$729k less is forecasted in the budget and the budget is set for \$6.10 million which has increased from last year by \$1.5 million.

Mr. Cassel advised that the amended budget for 2021 was \$5.2 million and explained that the city will not spend if it does not need to, but it must be collected, noting that the change is about \$740k, a 14% difference.

Councilman Paul inquired where is the \$740k.

Mr. Cassel responded that it is spread-out in a number of places and advised the areas and line items.

Councilman Paul inquired on the \$2.9 million increase of operating expenses.

Mr. Cassel responded that the City had \$4.7 million last year; it has increased by 10% as a proposed change for operating expenditures for the total funding.

Mayor Manning noted that it shows 15% on page 10 and commented that there is a discrepancy on Council's cost.

Mr. Cassel advised that he does not have the exact detail.

Councilman Paul asked Mr. Cassel if Council can have more details going forward.

Vice Mayor O'Connor commented that he would like an in-depth itemized break down line by line, by function and department.

Mr. Cassel responded that some of it is a little difficult to break down as it is based on the contract by services provided. He said that it can be broken down by departments.

Vice Mayor O'Connor advised that he does not need to know what goes to each individual, he wants to know by departments.

Councilwoman Long-Robinson commented that she does not see the Operations Director position that was added, and she does not see where it is included in the budget; she would like to see it included. She said that she would like to know what and the why behind the 13% increase.

Mr. Cassel advised that the Operations Director is included in the 13% listed on page 23 under the Contract Administrative Services. He said that he will break it down by department.

Councilman Paul inquired what is the Public Service Tax Water.

Mr. Cassel responded that this is revenue; the City placed a 10% tax on utilities that is collected on every water bill, gas, and communications tax.

Councilman Paul inquired on the monthly cost for irrigation.

Mr. Cassel responded that irrigation has nothing to do with the City Budget; it is handled by Seminole Improvement District (SID). He advised that questions would be best presented before the SID Board and not the City Council meeting, as it is a SID function, SID's budget and SID's responsibility.

Councilman Paul requested Mr. Cassel to reach out to SID to obtain the numbers for irrigation.

Mr. Cassel acknowledged that he would.

Councilman Paul inquired of the \$63,800 increase in events.

Council discussion and questions on budget for events, fireworks, sponsorships.

Councilwoman Long-Robinson inquired to the remainder of time left for the Solid Waste collection contract.

Mr. Cassel noted that it is approximately 2 ½ - 3 years remaining.

Councilman Paul commented on the increase in printing cost. He asked whether SID is supposed to pay the City back for printing and cleaning.

Mr. Cassel said he will verify as he does not believe it is for the total portion. He said that the City pays a portion and SID pays a portion. He said that he will obtain the breakdown for printing and cleaning.

Mayor Manning inquired of the increase in the Information Technology budget.

Mr. Cassel responded that this is projection based on the amount of work that the GIS Team is anticipated to need.

Councilwoman Crump inquired on the building lease.

Mr. Cassel explained that it was added as a place holder; the City is looking to lease space for City Hall and noted that there are options in play to house City Hall services and other functions.

Council discussion and questions on the City Attorney fee, Administrative Services, and the Coordinator Operator duties.

Councilwoman Long-Robinson noted the City Manager highlights and goals and recommends Mr. Cassel remove himself from doing the Coffee with the Manager moving forward once the new Mayor comes in office next year; she advised the City Manager to work with the new Mayor to communicate information to the constituents.

Mr. Cassel identified that a transition may be made for Coffee with the Mayor, and it will be removed from the highlights and goals by year 2023.

Mayor Manning identified the Special Revenue and inquired of Council questions.

Mr. Cassel said that the Special Revenue funds are for the Housing Assistance program. He said that there is about \$2.56 million dollars available and currently the city has over \$250k committed that has not closed yet. He mentioned what the city is running up against the criteria threshold of \$367k and noted the increase of lumber bringing the cost to \$400 to \$450K. He expects more applicants for the townhomes.

Mayor Manning inquired of the projected construction for the townhomes.

Mr. Cassel advised that the site work is in progress, he believes that the lift station is installed, and the water, sewer and reuse lines are in. He noted that the permit is in for the first four units that will be used as models.

Council discussion and questions on when townhome sales will begin, and the cost of townhomes and what the development order allows.

Mr. Cassel responded to Council questions and said that he will have the Operations Coordinator identify the number of applicants that just missed the threshold.

Councilwoman Long-Robinson noted that when the program was written it was written by the City Attorney and suggests getting the attorneys involved and have someone at the table who knows about funding and helping people get in homes. She further suggested that Mr. Cassel and the attorney review the program to present before Council to help people get in the homes, identify where there are issues and advise how to move forward and would like to see an update in October or November.

Council discussion on housing program, purchase costs, income, and family size.

Vice Mayor O'Connor inquired if there is a sliding scale based on income verses assets.

Mr. Cassel responded that staff will look at it.

Council discussion on the housing markets.

Vice Mayor O'Connor asked if CARES funding is included in the budget, and if a workshop will be held.

Mr. Cassel said that CARES funding was not included, and a workshop would be held to discuss how funds may be spent.

Mr. Morgan advised that there are many caveats to the money and the City has to be careful how the money is spent. He advised that the City will be fully advised on how to spend.

There being no further comments, the next item followed.

PUBLIC COMMENT

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Mayor Manning inquired of public comments.

Ms. Burgess noted there were no public comment cards received prior to the meeting.

Ms. Burgess gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

Alicia Torres 5847 Whipoorwill Circle - Ms. Torres asked Mr. Cassel about the legal expenses listed on page 7 of the PowerPoint showing the amount to zero for the year 2025. Mr. Cassel advised that Legal is \$250K all the way out until the year 2026.

Ms. Torres inquired how SID is funded.

Mr. Cassel noted that SID collects revenue from the Non-Ad Valorem assessments on the tax bill and explained each.

Ms. Torres commented that she did not see the FPU gas franchise fee listed.

Mr. Cassel advised it is not listed; he said that unless he can estimate it, he will not include it in the budget.

Ms. Torres commented that Minto is paying zero in 2025, but if the city is not developed what will Minto pay.

Mr. Cassel advised that Minto pays taxes on everything they own; he said that the developer funding is a short mechanism to fund the City as necessary.

Ms. Torres asked if Minto is in charge until the city is developed.

Mr. Cassel responded that Minto is not in control; the Council is in charge and explained the responsibility of Minto and what they must comply with.

Ms. Torres inquired on the Town Center Parkway extension to Golden Grove and asked if the residents decided they want it now and Council votes to reflect that need or want; why is it not being built.

Mr. Cassel responded that it is not in the development plan. He said that if the residents wanted, they would have to pay the millions out of their own pocket in order to build the road and be paid back in the future. He said that the City would have to go out for bid which is expensive and mentioned that there would be debt service on the project and there is no debt service on any of the resident's property right now for any of the infrastructure.

Ms. Torres asked Mr. Cassel to talk about how operating surplus relates to the reserve; and inquired if the City has a reserved cap established.

Mr. Cassel noted that the city does not and further explained why.

Ms. Burgess gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

Mayor Manning thanked Mr. Cassel for the presentation. He commented that he looks forward to the clarifications that will be sent to Council. He thanked Mr. Morgan for attending the meeting.

Mayor Manning inquired of Council questions.

Mr. Cassel said that Council may need to hold a workshop and a special meeting on August 23rd; the Workshop would be for Art in Public Places and Traffic; the Special Meeting would be for the Mobility Chapter 5 on the Land Development Regulations (LDR) if Council is good with the date.

Council consensus on the Workshop and Special Meeting date of August 23rd.

Mr. Cassel said that he will know more by the next meeting, and he explained the reason for the hang up for the mobility fee and how the funds can be used.

Councilman Paul commented that he wants Mr. Cassel to speak with the SID Manager in order for Council to have a better understanding on irrigation. He would like to have a better idea of the Coronavirus cases in the City and inquired what the City has in place regarding masks and vaccinations.

Councilwoman Long-Robinson commented that the City is unable to identify the numbers as the City does not have its own zip code. She mentioned the Western Community call and advised that Betty Argue, President of Indian Trail District has a breakdown of the numbers.

Mr. Cassel said that he will follow up with Dr. Alonso.

Councilwoman Long-Robinson commented that Westlake Urgent Care previously provided vaccinations and requested Mr. Cassel to find out if vaccinations are being distributed again and update the website.

Mr. Cassel said okay.

Mr. Morgan said that he knows that the Coronavirus has affected some City's budgets; he advised that the City should follow the science with the guidance of the CDC. He said that the City would not be making the decision but making the recommendations for individuals to follow the CDC.

There being no further comments, the next item followed.

ADJOURNMENT

Mayor Manning identified the next Regular Council Meeting and adjourned at 7:55 PM.

Zoie P. Burgess, City Clerk

Roger Manning, Mayor

File Attachments for Item:

2. August 9, 2021 - City Council Regular Meeting Minutes - Draft

CITY OF WESTLAKE



MINUTES - DRAFT

City Council Regular Meeting

Monday, August 09, 2021 at 6:30 PM

Westlake Council Chambers,
4005 Seminole Pratt Whitney Road
Westlake, Florida 33470

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COMMUNICATIONS MEDIA TECHNOLOGY – WEBEX:

Members of the public may also participate in the meeting through electronic means and may access as follows:

1. Join the Webex meeting from your computer, tablet or smartphone at the following link:
<https://cityofwestlake.my.webex.com/>

Meeting ID: 132 296 9946

Password: hello

2. Participants may also dial in using your phone with any of the following number(s):

United States Toll: +1-408-418-9388

Meeting ID: 132 296 9946

For participants attending the meeting via WebEx, public comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and also acknowledged during the meeting when participants utilize the “raise your hand” feature during the designated time.

Procedures for Public Comment are also provided via the City website:

<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

CITY COUNCIL:

Roger Manning, Mayor

JohnPaul O’Connor, Vice Mayor

Patric Paul, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

CITY STAFF:

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Jacob Horowitz, Esq., Interim City Attorney

A Regular meeting of the City Council of the City of Westlake was held on Monday, August 9, 2021 at 6:30 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road.

As a preliminary matter, Ms. McNeil noted that Mayor Roger Manning, Vice JohnPaul O'Connor, Councilman Patric Paul, Councilwoman Kara Crump, Councilwoman Katrina Long-Robinson, are present physically.

Ms. McNeil noted that City Manager Kenneth Cassel and Interim City Attorney Jacob Horowitz, were present physically. Planning & Zoning Director, Nilsa Zacarias, City Clerk Zoie Burgess and Deputy City Clerk Jomekeyia McNeil was present physically.

Ms. McNeil identified the speakers on the agenda, Ms. Emily O'Mahoney was present via electronic media technology and present and capable of speaking and hearing.

Ms. McNeil provided further instruction regarding public comments, noting that comments will be acknowledged by the Mayor and accepted at the appropriate times as indicated in the Agenda and those who wish to speak may use the "virtual" hand raise feature.

Ms. Burgess provided the disclaimer that the meeting is being recorded by both voice and video, reminding the audience that microphones are live.

Ms. Burgess further explained that microphones will be muted; audience members have the ability to unmute themselves and anyone that has called in should mute their device.

Ms. Burgess noted that anyone causing a disruption or being inappropriate will be removed from the meeting. Ms. Burgess reminded Council Members physically present to utilize microphones.

CALL TO ORDER

Mayor Manning called the City of Westlake Regular City Council meeting of August 9, 2021 to order at 6:33 PM.

ROLL CALL

Present and constituting a quorum:

Councilwoman Katrina Long-Robinson
Councilwoman Kara Crump
Councilman Patric Paul
Vice Mayor JohnPaul O'Connor
Mayor Roger Manning

Also, present:

Kenneth Cassel, City Manager
Jacob Horowitz, Interim City Attorney
Zoie P. Burgess, CMC, City Clerk
Jomekeyia McNeil Deputy City Clerk
Nilsa Zacarias, Planning & Zoning Director

PLEDGE OF ALLEGIANCE

Mayor Manning led the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Mayor Manning called for any additions, deletions, or modifications to the Agenda.

Motion by Councilwoman Long-Robinson to approve agenda, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Long-Robinson	YES
Councilwoman Crump	YES
Councilman Paul	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (5-0).

PUBLIC COMMENTS AND REQUESTS- (OPEN FORUM NON-AGENDA ITEMS)

This section of the agenda allows for comments from the public to speak on any item not presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please go to the podium, and prior to addressing the Council, state your name and address for the record.

Mayor Manning inquired of any public comments.

Ms. McNeil noted there were no public comment cards received prior to the meeting.

Ms. McNeil gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

There being no further comments, the next item followed.

CONSENT AGENDA

This section of the agenda consists of routine or administrative items that require final approval by the City Council and may be approved in its entirety by a single motion. There will be no discussion of these items unless a City Council Member requests such, in which event, the item will be removed from the Consent Agenda and considered on a future agenda.

Mayor Manning introduced the Consent Agenda Item.

A. Approval of Meeting Minutes

1. July 12, 2021 - Regular City Council Meeting Minutes - DRAFT

B. Approval Finance Statement

1. Financial Report - June 2021

Motion by Vice Mayor O'Connor to approve Consent Agenda, seconded by Councilwoman Crump.

UPON ROLL CALL:

Councilwoman Crump	YES
Councilman Paul	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilman Long-Robinson	YES

With all in favor, motion carried without dissent (5-0).

PRESENTATIONS/PROCLAMATIONS

There being no Presentations or Proclamations, the next item followed.

PUBLIC HEARING - FIRST READING

There being no Public Hearing, the next item followed.

PUBLIC HEARING - SECOND READING

- A. **SECOND READING:** Ordinance 2021-08 – Establishing Qualifying Dates for the March 2022 Municipal Election

Submitted By: City Clerk

ORDINANCE 2021-08

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING QUALIFYING DATES FOR THE MARCH 2022 GENERAL MUNICIPAL ELECTIONS, IN ACCORDANCE WITH THE DIRECTION OF THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. McNeil read into record, by title only, Ordinance 2021-08, noting second reading and approval on first reading July 12, 2021.

Mayor Manning inquired of Council discussion.

Mr. Cassel responded that there are no changes.

Mr. Horowitz advised that this is a public hearing for public comments.

Mayor Manning inquired of public comments.

Ms. McNeil noted there were no public comment cards received prior to the meeting.

Ms. McNeil gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

Motion by Councilwoman Long-Robinson to approve Ordinance 2021-08, seconded by Councilwoman Crump.

UPON ROLL CALL:

Councilman Paul	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Long-Robinson	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (5-0).

PUBLIC HEARING - QUASI JUDICIAL

- A. A Resolution for the POD PC-1 Westlake Recreation Center Phase 2

Submitted By: Planning & Zoning

RESOLUTION 2021-05

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE SITE PLAN SUBMITTED BY MINTO PBLH, LLC FOR POD PC-1, AMENITY PARCEL PHASE 2, KNOWN AS WESTLAKE ADVENTURE PARK LOCATED AT 5490 KINGFISHER BOULEVARD IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item

Ms. McNeil advised that this item requires disclosure of any Ex-Parte communications.

Ms. McNeil read into record, by title only, Resolution 2021-05.

Ms. McNeil swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation of Phase 2 Westlake Adventure Park Site Plan Review. She noted that Council approved Phase 1 in 2018 and advised that Phase 2 will complete the amenity center.

Donaldson Hearing of Coteleur & Hearing on behalf of applicant Minto PBLH, LLC presented a PowerPoint presentation Westlake Adventure Park Pod PC-1, Phase 2. He mentioned they are trying to open in Spring 2022 and mentioned the features and parking being added to the area near the amenity center.

Councilman Paul inquired on the access points in Phase 2 to of the Amenity Center and parking.

Mr. Hearing responded that access points are interconnected and noted the access points and parking. He mentioned that they are working with the City Manager about more spaces and regulations for low speed electrical spaces.

Mayor Manning inquired on additional charging stations.

Mr. Hearing responded that he does not believe that additional stations are being added.

Ms. Zacarias advised that there will be 5 charging stations.

Council questions and discussion on the lodge building and the look of the formal lawn.

Mr. Hearing responded to Council questions.

Councilman Long-Robinson commented on the compliance report and inquired if individuals can rent the space.

Mr. Hearing said that he does not have all of the details.

Tara Duhy advised that she has specific answers for the Council; if Council would like for her to respond.

Mr. Horowitz advised the Mayor that Ms. Duhy would need to be sworn in.

Ms. Duhy advised that she was already sworn in.

Mr. Horowitz said that as long as you have been sworn in state your name for the record.

Tara Duhy Lewis, Longman & Walker on behalf of the applicant PBLH. LLC said that the lodge is a large meeting room that can be dividing into smaller rooms and she noted what is available in the space.

Councilwoman Long-Robinson inquired if the formal lawn will be lawn or turf.

Mr. Hearing responded that it is regular grass.

Mayor Manning inquired of public comments.

Ms. McNeil noted there were no public comment cards received prior to the meeting.

Ms. McNeil gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

Alicia Torres - 5847 Whipoorwill Circle - inquired on construction fencing.

Mr. Horowitz asked Ms. Torres if she was sworn in.

Ms. Torres advised that she is a resident that has a question.

Mr. Horowitz advised that she still needs to be sworn in.

Ms. McNeil swore in Ms. Torres.

Ms. Torres commented that she is a resident and she has a question.

Mr. Horowitz advised the Mayor that it is fine for Ms. Torres to ask her questions, but all testimony given should be on the record as testimony as this a Quasi-Judicial hearing.

Mayor Manning said okay.

Ms. Torres asked what will be fenced in and how will the kids be kept out of the adult pool.

Mr. Hearing advised that the construction fencing will come down and noted that there will be fencing for the formal lawn and pool areas.

Ms. Torres inquired on the access points to the adult pool.

Mr. Hearing responded that there is a primary access point to the adult pool and it is controlled access.

Vice Mayor O'Connor requested Mr. Hearing to expand on the Cabana pool.

Mr. Hearing advised that it is an open space structure and noted the area where it will be located.

Mayor Manning inquired on additional public comments.

Ms. McNeil gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address

Motion by Vice Mayor O'Connor to approve Resolution 2021-05, seconded by Councilwoman Long-Robinson.

UPON ROLL CALL:

Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Long-Robinson	YES
Councilwoman Crump	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

B. A Resolution for the 7-11 2.0 Master Sign Plan

Submitted By: Planning & Zoning

RESOLUTION 2021-23

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN SUBMITTED BY VRE WESTLAKE 2.0 LLC FOR 7-ELEVEN 2.0 CONVENIENCE STORE AND GAS STATION LOCATED AT 4965 SEMINOLE PRATT WHITNEY ROAD PURSUANT TO CHAPTER 6 OF THE SIGN CODE, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item

Ms. McNeil advised that this item requires disclosure of any Ex-Parte communications.

Ms. McNeil read into record, by title only, Resolution 2021-23.

Ms. Burgess said that you are a virtual participant and wish to speak please state your name for the record.

Ms. Duhy stated her name for the record.

Ms. McNeil swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation 7-Eleven 2.0 Master Sign Plan. She noted the approval dates of the site plan and site plan amendments by Council. She said that the applicant is requesting 3 waivers per Chapter 6. Sign Section 6.9 Master Sign Plan.

Mr. Hearing of Cotleur and Hearing on behalf of the owner VRE Westlake 2.0 LLC., and the Verdad organization presented a PowerPoint presentation 7-Eleven 2.0 Master Sign Plan Amendment. He mentioned the benefits of a master sign plan and the reasons for change in signage; he advised that the signage is consistent with 7-Eleven 1.0.

Vice Mayor O'Connor commented that he knows that 7-Eleven 1.0 requested a variance and he does not think that it was at 6 feet but 5 feet.

Mr. Hearing said he believes it was 6 feet and agrees to be consistent with 7-Eleven 1.0.

Vice Mayor O'Connor said that he is comfortable with what Council approved for 7-Eleven 1.0.

Mr. Hearing said that the rural parkway needs to be considered in the world of retail.

Ms. Zacarias advised that staff review the resolution that approved 7-Eleven 1.0 and said that a condition of approval that it needs to comply with the height in square footage of 7-Eleven 1.0.

Mayor Manning asked Mr. Cassel if he has any questions.

Mr. Cassel asked Mr. Hearing to clarify whether the stripping on the buildings were removed and if the striping's will remain on the car wash building and canopy.

Mr. Hearing responded this is correct.

Mayor Manning inquired of Council questions.

Councilwoman Crump inquired on landscaping.

Mr. Hearing responded that the landscaping within the rural parkway is maintained by Seminole Improvement District (SID) and noted that the landscape on the buffers and site can be maintained so that it meets the intent of the landscape.

Mayor Manning inquired of public comments.

Ms. McNeil noted there were no public comment cards received prior to the meeting.

Ms. McNeil gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address. Ms. McNeil advised participants to state their name for the record if they will be providing testimony.

Motion by Vice Mayor O'Connor to approve the 7-Eleven 2.0 sign plan Resolution 2021-23 with the provision that the variances will not exceed what Council approved for 7-Eleven 1.0 by, seconded by Councilwoman Long-Robinson.

UPON ROLL CALL:

Mayor Manning	YES
Councilwoman Long-Robinson	YES
Councilwoman Crump	YES
Councilman Paul	YES
Vice Mayor O'Connor	YES

With all in favor, motion carried without dissent (5-0).

C. A Resolution for the Grove Market Master Sign Plan

Submitted By: Planning & Zoning

RESOLUTION 2021-25

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN SUBMITTED BY 5060 LOXAHATCHEE RETAIL LLC FOR GROVE MARKET AT WESTLAKE LOCATED AT 5060 SEMINOLE PRATT WHITNEY ROAD PURSUANT TO CHAPTER 6 OF THE SIGN CODE, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item

Ms. McNeil advised that this item requires disclosure of any Ex-Parte communications.

Ms. McNeil read into record, by title only, Resolution 2021-25.

Ms. McNeil swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation Grove Market Master Sign Plan.

Ms. Burgess advised that staff lost internet connection.

Mayor Manning called for a 5 minute recess.

Due to technical difficulties this portion of the meeting starts at 7:40 PM.

Ms. Zacarias advised that the applicant was before Council in June. She explained each waiver and said that staff recommends approval of the 3 waivers. She noted that Grove Market applied for another site plan modification that is being reviewed to come before Council in September for parking and landscaping.

Emily O'Mahoney of Gentile Glas, Holloway, O'Mahoney, Associates Inc., introduced herself and advised that Michael Narula of Starwood Property Trust, Inc., Rob Spiak of Crossman & Company and the representative from Winn Dixie are in attendance in Chambers. She presented a PowerPoint presentation Grove Market at Westlake.

Mayor Manning called for Council questions.

Council questions on the existing signage and tenants leases.

Mr. Narula responded to Council questions. He said that they are willing to require and stipulate that any tenant during renewal refurbish or replace their signage.

Further Council questions on height of signage.

Mr. Narula responded to Council questions.

Mr. Cassel said that if the applicant is stating that anytime the tenant is coming up for renewal that part of his condition of renewal would be to update the sign to meet the current sign code; this would give the City sufficient protection to get things changed.

Mr. Narula advised that tenants are being encouraged to update signage.

Ms. Zacarias advised that when the signs were installed the signs followed the Palm Beach County Code; therefore, the signs are nonconforming signs. The City would need to look at each sign to determine if the signs are in compliance with the City's Code.

Further Council questions and discussion on signage and tenant renewals.

Mr. Narula responded to Council questions.

Ms. O'Mahoney said that it was not identified in the justification statement that there were non-conformity standards on the signs. She advised that regardless they would meet the standards of the City on those signs.

Vice Mayor O'Connor requested for a standard to be set in the next 3 years that the signage be refurbished or replaced.

Mr. Narula said that he would be comfortable with that condition.

Vice Mayor O'Connor inquired on the max height approved for signage.

Ms. Zacarias said that she will look at the signage approved for Publix.

Council discussion on height of signage

Councilwoman Long-Robinson mentioned that a stipulation needs to be put in for 3 years and said that she would like to see the parking lot and it needs to be consistent with everything that is being developed.

Mr. Narula said that a number of concerns are being addressing that were raised and noted the next steps.

Councilman Paul said that residents are not happy with the parking lot.

Mr. Cassel inquired on ground signs.

Mr. Narula explained what the signs would be used for.

Mayor Manning inquired on additional Council comments.

Mayor Manning inquired of public comments.

Ms. McNeil noted there were no public comment cards received prior to the meeting.

Ms. McNeil gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

Ms. McNeil advised participants to state their name for the record if they will be providing testimony.

Motion by Vice Mayor O'Connor to approve Resolution 2021-25 with a few provisions that all existing tenant signs be refurbished or replaced within 36 months not to exceed 36 months; and the variances applied for in terms of the height of the wall signs do not exceed any existing variance that the City has already approved.

Mr. Horowitz requested that the applicant confirm for the record that he is in agreement with the conditions for the record.

Mr. Narula said that he does agree.

Seconded by Councilman Long-Robinson.

Councilman Paul inquired if Council can make this 36 month provision.

Mr. Horowitz responded that this is a commitment that the applicant has made with the City.

Mr. Narula said that he is willing to make this commitment.

UPON ROLL CALL:

Councilwoman Long-Robinson	YES
Councilwoman Crump	YES
Councilman Paul	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (5-0).

NEW BUSINESS

A. Palm Beach County League of Cities Voting Delegate and Alternates

Submitted By: City Clerk

Mayor Manning introduced the item.

Mr. Cassel explained the reason for the item.

Mayor Manning inquired on the alternates.

Mr. Cassel advised who would be alternates.

Mayor Manning commented that new Council members will be in office in March and inquired how often this is done.

Council discussion on alternates.

Mr. Cassel advised that the alternates can be amended after the March 2022 meeting.

Councilwoman Long-Robinson advised that whoever takes her place; they must be willing to take her place on the Administrative Municipal Committee.

Motion by Councilwoman Long-Robinson to make Mayor Manning the Palm Beach County Voting Delegate with Vice Mayor O'Connor as the next in line alternate, second by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Councilman Paul	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Long-Robinson	YES

With all in favor, motion carried without dissent (5-0).

CITY COUNCIL COMMENTS

A. Councilwoman Katrina Long Robinson

No Comment.

B. Councilwoman Kara Crump

Councilwoman Crump asked Mr. Cassel who sprays the area.

Mr. Cassel responded that the County sprays.

C. Councilman Patric Paul

No Comment.

D. Vice Mayor JohnPaul O'Connor

Vice Mayor O'Connor asked Mr. Cassel for the FPU update.

Mr. Cassel responded that the report is due bi-monthly.

Vice Mayor O'Connor thanked everyone for their leadership.

E. Mayor Roger Manning

Mayor Manning thanked all the presenters for their presentations and a tremendous job they are doing. He mentioned an email from the City Manager regarding some exciting things that will be coming to Westlake

REPORT - STAFF

There being no Staff Reports, the next item followed.

REPORT - CITY ATTORNEY

Mr. Horowitz advised that he has nothing.

REPORT - CITY MANAGER

Mr. Cassel mentioned the Coffee with the City Manager tomorrow. He advised that the mail notice for the assessment letter will be going out later this week. Everything else is moving along rapidly.

PUBLIC COMMENTS - AGENDA ITEMS ONLY

This section of the agenda allows for comments from the public to speak on items only presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk.

Mayor Manning called for any public comments.

Ms. McNeil noted there were no public comment cards received prior to the meeting.

Ms. McNeil gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

Mr. Cassel confirmed with Council that the workshop is set for August 23rd at 6:30 PM.

Council consensus on the August 23rd workshop.

Vice Mayor O'Connor inquired on the water at the dog park.

ADJOURNMENT

Mayor Manning adjourned the meeting at 8:31 PM.

Zoie P. Burgess, City Clerk

Roger Manning, Mayor

File Attachments for Item:

1. Financial Report - July 2021



MEMORANDUM

TO: Members of the City Council, City of Westlake
FROM: Steven Fowler, Accountant; Trumaine Easy, Accounting Director
CC: Ken Cassel, City Manager
DATE: August 24, 2021
SUBJECT: July Financial Report

Please find attached the July 2021 financial report. During your review, please keep in mind that the goal is for revenue to meet or exceed the year-to-date budget and for expenditures to be at or below the year-to-date budget. An overview of the City's funds is provided below. Should you have any questions or require additional information, please contact me at Steven.Fowler@inframark.com.

General Fund

- Total Revenues through July were approximately 56% of the annual budget. FY2021 Ad Valorem Tax collections were approximately 97%. The annual budget includes revenue from a funding agreement with the Developer. The Developer is invoiced quarterly for any year-to-date excess of actual expenditures over actual revenue. The Developer was invoiced in July for the deficit at June 30.
- Total Expenditures through July were approximately 74% of the annual budget.

Special Revenue Fund – Housing Assistance Program

- Total Revenues through July were approximately 684% of the annual budget, which is a result of a higher than anticipated rate of residential construction. A donation of \$1,500 per Single Family Residence building permit is paid into the Housing Assistance Program.

Special Revenue Fund – Comprehensive Planning Services

- Total Revenues through July were approximately 154% of the annual budget.
- Total Expenditures through July were approximately 77% of the annual budget.

City of Westlake

Financial Report

July 31, 2021



Table of Contents

<u>FINANCIAL STATEMENTS</u>	Page #
Balance Sheet	1
Statement of Revenues, Expenditures and Changes in Fund Balance	
General Fund	2 - 4
Special Revenue Fund (Housing Assistance Program)	5
Special Revenue Fund (Comprehensive Planning Services)	6
<u>SUPPORTING SCHEDULES</u>	
Cash and Investment Report	7
Bank Reconciliation	8

City of Westlake

Financial Statements

July 31, 2021

Balance Sheet
July 31, 2021

ACCOUNT DESCRIPTION	GENERAL FUND	SPECIAL REVENUE FUND - HOUSING ASSISTANCE PROGRAM	SPECIAL REVENUE FUND - COMPREHENSIVE PLANNING SVCS	TOTAL
ASSETS				
Cash - Checking Account	\$ 1,635,712	\$ -	\$ -	\$ 1,635,712
Due From Other Funds	-	-	1,946,925	1,946,925
Investments:				
Money Market Account	573,078	2,067,412	-	2,640,490
Deposits	641	-	-	641
Mortgages Receivable	-	369,146	-	369,146
TOTAL ASSETS	\$ 2,209,431	\$ 2,436,558	\$ 1,946,925	\$ 6,592,914
LIABILITIES				
Accounts Payable	\$ 9,634	\$ -	\$ 181,015	\$ 190,649
Accrued Expenses	64,658	-	59,131	123,789
DBPR surcharge	3,491	-	-	3,491
DCA surcharge	5,153	-	-	5,153
Unearned Revenue	115,042	-	-	115,042
Due To Other Districts	4,084	-	-	4,084
Accrued Taxes Payable	2,879	-	-	2,879
Deferred Revenue-Developer Submittals (Minto)	-	-	105,069	105,069
Other Current Liabilities	403,246	-	-	403,246
Due To Other Funds	1,946,652	273	-	1,946,925
TOTAL LIABILITIES	2,554,839	273	345,215	2,900,327
FUND BALANCES				
Nonspendable:				
Deposits	641	-	-	641
Restricted for:				
Special Revenue	-	2,436,285	1,601,710	4,037,995
Unassigned:	(346,049)	-	-	(346,049)
TOTAL FUND BALANCES	\$ (345,408)	\$ 2,436,285	\$ 1,601,710	\$ 3,692,587
TOTAL LIABILITIES & FUND BALANCES	\$ 2,209,431	\$ 2,436,558	\$ 1,946,925	\$ 6,592,914

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending July 31, 2021

<u>ACCOUNT DESCRIPTION</u>	<u>ANNUAL ADOPTED BUDGET</u>	<u>YEAR TO DATE BUDGET</u>	<u>YEAR TO DATE ACTUAL</u>	<u>VARIANCE (\$) FAV(UNFAV)</u>
<u>REVENUES</u>				
Interest - Investments	\$ -	\$ -	\$ 544	\$ 544
Ad Valorem Taxes	1,164,549	1,164,549	1,130,469	(34,080)
Ad Valorem Taxes - Discounts	(46,582)	(46,582)	(43,037)	3,545
Local Option Gas Tax	100	83	-	(83)
FPL Franchise	113,700	94,750	104,432	9,682
Electricity	152,900	127,417	107,634	(19,783)
Water	27,000	22,500	25,367	2,867
Gas	19,000	15,833	21,127	5,294
Communication Services Taxes	17,800	14,833	22,252	7,419
Occupational Licenses	5,000	4,167	1,625	(2,542)
Building Permits - Admin Fee	45,500	37,917	100,687	62,770
Other Licenses, Fees & Permits	2,300	1,917	635	(1,282)
State Revenue Sharing Proceeds	4,700	3,917	4,942	1,025
Administrative Fees	10,500	8,750	12,298	3,548
Other Public Safety Chrgs/Fees	2,500	2,083	3,911	1,828
Garbage/Solid Waste Revenue	3,600	3,000	191,520	188,520
Other Operating Revenues	13,200	11,000	14,748	3,748
Judgements and Fines	-	-	856	856
Interest - Tax Collector	-	-	494	494
Developer Contribution	1,512,933	-	-	-
Lien Search Fee	-	-	4,418	4,418
TOTAL REVENUES	3,048,700	1,466,134	1,704,922	238,788
<u>EXPENDITURES</u>				
<u>Legislative</u>				
Mayor/Council Stipend	146,400	122,000	134,200	(12,200)
FICA Taxes	11,200	9,333	10,266	(933)
ProfServ-Legislative Expense	24,000	20,000	-	20,000
Public Officials Insurance	3,900	3,250	4,025	(775)
Misc-Event Expense	25,000	20,833	-	20,833
Council Expenses	15,000	12,500	5,409	7,091
Dues, Licenses, Subscriptions	1,900	1,900	1,395	505
Total Legislative	227,400	189,816	155,295	34,521
<u>City Manager</u>				
Contracts-City Manager	222,900	185,750	185,750	-
Office Supplies	15,500	12,917	9,558	3,359
Dues, Licenses, Subscriptions	2,200	1,833	3,467	(1,634)
Total City Manager	240,600	200,500	198,775	1,725

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending July 31, 2021

<u>ACCOUNT DESCRIPTION</u>	<u>ANNUAL ADOPTED BUDGET</u>	<u>YEAR TO DATE BUDGET</u>	<u>YEAR TO DATE ACTUAL</u>	<u>VARIANCE (\$) FAV(UNFAV)</u>
<u>City Clerk</u>				
ProfServ-Web Site Maintenance	18,000	15,000	9,833	5,167
Contracts-City Clerk	125,100	104,250	104,250	-
Postage and Freight	1,400	1,167	931	236
Printing	22,500	18,750	2,423	16,327
Legal Advertising	28,200	23,500	19,786	3,714
Miscellaneous Services	-	-	341	(341)
Office Supplies	-	-	1,117	(1,117)
Dues, Licenses, Subscriptions	1,400	1,400	9,878	(8,478)
Total City Clerk	196,600	164,067	148,559	15,508
<u>Finance</u>				
Auditing Services	5,300	5,300	5,250	50
Contracts-Finance	92,700	77,250	77,250	-
Total Finance	98,000	82,550	82,500	50
<u>Legal Counsel</u>				
ProfServ-Legal Services	404,000	336,667	47,651	289,016
ProfServ-Other Legal Charges	-	-	339,175	(339,175)
Outside Legal Services	115,000	95,833	-	95,833
Miscellaneous Services	-	-	180	(180)
Miscellaneous Expenses	10,100	8,417	5,891	2,526
Total Legal Counsel	529,100	440,917	392,897	48,020
<u>Other Administrative Services</u>				
ProfServ-Info Technology	144,700	120,583	142,300	(21,717)
ProfServ-Compliance Service	25,000	20,833	-	20,833
Contracts-Admin. Service	158,700	132,250	132,250	-
Misc-Public Relations	50,000	41,667	-	41,667
General Government	115,000	24,135	24,135	-
Emergency Comm. Program	25,000	20,833	-	20,833
Total Other Administrative Services	518,400	360,301	298,685	61,616
<u>Facility Services</u>				
Telephone, Cable & Internet Service	21,200	17,667	12,498	5,169
Lease - Copier	20,500	17,083	13,318	3,765
Lease - Building	12,500	10,500	500	10,000
Insurance (Liab,Auto,Property)	4,000	4,000	4,088	(88)
Miscellaneous Services	1,200	1,000	1,069	(69)
Cleaning Services	43,500	36,250	25,753	10,497
Principal-Capital Lease	7,600	6,275	6,300	(25)
Interest-Capital Lease	2,600	2,220	2,212	8
Total Facility Services	113,100	94,995	65,738	29,257

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending July 31, 2021

<u>ACCOUNT DESCRIPTION</u>	<u>ANNUAL ADOPTED BUDGET</u>	<u>YEAR TO DATE BUDGET</u>	<u>YEAR TO DATE ACTUAL</u>	<u>VARIANCE (\$) FAV(UNFAV)</u>
<u>Community Services</u>				
Contracts-Solid Waste	-	-	217,671	(217,671)
Contracts-Sheriff	662,000	551,667	541,667	10,000
Electricity	43,300	36,083	68,146	(32,063)
R&M-Community Maintenance	26,700	22,250	22,250	-
Operating Supplies	25,000	20,833	52,974	(32,141)
Total Community Services	757,000	630,833	902,708	(271,875)
<u>Other Fees and Charges</u>				
Misc-Contingency	134,000	111,667	8,737	102,930
Total Other Fees and Charges	134,000	111,667	8,737	102,930
<u>Reserves</u>				
1st Quarter Operating Reserves	234,500	195,417	-	195,417
Total Reserves	234,500	195,417	-	195,417
TOTAL EXPENDITURES & RESERVES	3,048,700	2,471,063	2,253,894	217,169
Excess (deficiency) of revenues				
Over (under) expenditures	-	(1,004,929)	(548,972)	455,957
Net change in fund balance	\$ -	\$ (1,004,929)	\$ (548,972)	\$ 455,957
FUND BALANCE, BEGINNING (OCT 1, 2020)	203,563	203,563	203,563	
FUND BALANCE, ENDING	\$ 203,563	\$ (801,366)	\$ (345,409)	

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending July 31, 2021

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Interest - Investments	\$ -	\$ -	\$ 3,173	\$ 3,173
Donations	150,000	125,000	1,022,222	897,222
TOTAL REVENUES	150,000	125,000	1,025,395	900,395
EXPENDITURES				
Public Assistance				
Misc-Admin Fee (%)	11,300	9,417	12,571	(3,154)
Assistance Program	138,700	115,583	-	115,583
Total Public Assistance	150,000	125,000	12,571	112,429
TOTAL EXPENDITURES	150,000	125,000	12,571	112,429
Excess (deficiency) of revenues				
Over (under) expenditures	-	-	1,012,824	1,012,824
Net change in fund balance	\$ -	\$ -	\$ 1,012,824	\$ 1,012,824
FUND BALANCE, BEGINNING (OCT 1, 2020)	1,423,461	1,423,461	1,423,461	
FUND BALANCE, ENDING	\$ 1,423,461	\$ 1,423,461	\$ 2,436,285	

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending July 31, 2021

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Building Permits	\$ 1,159,200	\$ 965,998	\$ 2,334,076	\$ 1,368,078
Reinspection Fees	8,600	7,167	43,400	36,233
Building Permits - Surcharge	2,000	1,667	24,667	23,000
Other Building Permit Fees	15,000	12,500	71,550	59,050
Building Permits - Admin Fee	64,400	53,667	139,685	86,018
Engineering Permits	590,900	492,417	494,712	2,295
Planning & Zoning Permits	231,000	192,500	84,014	(108,486)
TOTAL REVENUES	2,071,100	1,725,916	3,192,104	1,466,188
EXPENDITURES				
Comprehensive Planning				
ProfServ-Engineering	562,900	469,083	250,141	218,942
ProfServ-Info Technology	28,100	23,417	25,623	(2,206)
ProfServ-Planning/Zoning Board	231,000	192,500	251,428	(58,928)
ProfServ-Consultants	28,000	23,333	4,325	19,008
ProfServ-Building Permits	1,219,900	1,016,583	1,048,524	(31,941)
Outside Legal Services	-	-	825	(825)
Postage and Freight	-	-	19	(19)
Telephone, Cable & Internet Service	1,200	1,000	952	48
Lease - Copier	-	-	4,222	(4,222)
Printing	-	-	1,757	(1,757)
Miscellaneous Services	-	-	378	(378)
Office Supplies	-	-	2,200	(2,200)
Total Comprehensive Planning	2,071,100	1,725,916	1,590,394	135,522
TOTAL EXPENDITURES	2,071,100	1,725,916	1,590,394	135,522
Excess (deficiency) of revenues				
Over (under) expenditures	-	-	1,601,710	1,601,710
Net change in fund balance	\$ -	\$ -	\$ 1,601,710	\$ 1,601,710
FUND BALANCE, BEGINNING (OCT 1, 2020)	-	-	-	
FUND BALANCE, ENDING	\$ -	\$ -	\$ 1,601,710	

City of Westlake

Supporting Schedules

July 31, 2021

Cash and Investment Report

July 31, 2021

GENERAL FUND

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Yield</u>	<u>Balance</u>
Checking Account - Operating	BankUnited	Checking Account	n/a	\$1,635,712
Money Market	BankUnited	MMA	0.20%	\$573,078
		Subtotal		<u>\$2,208,790</u>

SPECIAL REVENUE FUND

Money Market	BankUnited	MMA	0.20%	\$2,067,412
		Subtotal		<u>\$2,067,412</u>
		Total		<u><u>\$4,276,202</u></u>

City of Westlake

Bank Reconciliation

Bank Account No. [REDACTED] Bank United GF
 Statement No. 0721
 Statement Date 7/31/2021

G/L Balance (LCY)	1,635,711.60	Statement Balance	1,696,626.46
G/L Balance	1,635,711.60	Outstanding Deposits	430.68
Positive Adjustments	0.00		
Subtotal	1,635,711.60	Subtotal	1,697,057.14
Negative Adjustments	0.00	Outstanding Checks	61,345.54
		Differences	0.00
Ending G/L Balance	1,635,711.60	Ending Balance	1,635,711.60
Difference	0.00		

Posting Date	Document Type	Document No.	Description	Amount	Cleared Amount	Difference	
Outstanding Checks							
6/21/2021	Payment	[REDACTED]	SKYY COVE, LLC	150.00	0.00	150.00	
7/7/2021	Payment	[REDACTED]	ADVANCED DISPOSAL	27,282.88	0.00	27,282.88	
7/20/2021	Payment	[REDACTED]	KH WESTLAKE, LLC	450.00	0.00	450.00	
7/29/2021	Payment	[REDACTED]	A&J BUSINESS SOLUTIONS INC	300.00	0.00	300.00	
7/29/2021	Payment	[REDACTED]	GATE HOUSE WEST PALM BCH-ADV	553.84	0.00	553.84	
7/29/2021	Payment	[REDACTED]	GATEHOUSE WEST PALM BCH	230.48	0.00	230.48	
7/29/2021	Payment	[REDACTED]	GREATAMERICA FINANCIAL SERVICES CO	315.13	0.00	315.13	
7/29/2021	Payment	[REDACTED]	MILNER INC LEASE	1,071.67	0.00	1,071.67	
7/29/2021	Payment	[REDACTED]	OFFICE DEPOT	193.32	0.00	193.32	
7/30/2021	Payment	[REDACTED]	DAKIM, INC	270.70	0.00	270.70	
7/30/2021	Payment	[REDACTED]	MILNER INC LEASE	1,105.04	0.00	1,105.04	
7/30/2021	Payment	[REDACTED]	NZ CONSULTANTS, INC.	26,453.75	0.00	26,453.75	
7/30/2021	Payment	[REDACTED]	OFFICE DEPOT	152.49	0.00	152.49	
7/30/2021	Payment	[REDACTED]	GATE HOUSE WEST PALM BCH-ADV	1,372.56	0.00	1,372.56	
7/30/2021	Payment	[REDACTED]	GATEHOUSE WEST PALM BCH	1,443.68	0.00	1,443.68	
Total Outstanding Checks.....				61,345.54		61,345.54	
Outstanding Deposits							
7/30/2021		DEP01837	GP TRASH BIN PURCHASE	G/L Ac	50.00	0.00	50.00
7/29/2021		DEP01841	GP TRASH BIN PURCHASE	G/L Ac	50.00	0.00	50.00
7/30/2021		DEP01840	PERMITS	G/L Ac	330.68	0.00	330.68
Total Outstanding Deposits.....				430.68		430.68	

File Attachments for Item:

A. Resolution 2021-29-Approval of Proposed Millage Rate for Fiscal Year 2022

Submitted By: Finance

RESOLUTION 2021-29

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA,
APPROVING THE PROPOSED AD VALOREM MILLAGE RATE FOR THE FISCAL YEAR
BEGINNING ON OCTOBER 1, 2021 AND ENDING ON SEPTEMBER 30, 2022.**



Meeting Agenda Item Coversheet

MEETING DATE:		9/13/2021	Submitted By: Finance	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		RESOLUTION 2021-29-Approval of Proposed Millage Rate for Fiscal Year 2022		
STAFF RECOMMENDATION: (MOTION READY)		Approve Proposed Millage Rate for Fiscal Year 2022		
SUMMARY and/or JUSTIFICATION:		A proposed millage rate must be adopted in order to notify residents by newspaper advertisement Fiscal Year 2022 ad valorem tax assessments as required by state law.		
SELECT, if applicable	AGREEMENT:		BUDGET:	X
	STAFF REPORT:		PROCLAMATION:	
	EXHIBIT(S):		OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Resolution 2021-29			
SELECT, if applicable	RESOLUTION:	X	ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank) <u>Please keep text indented.</u></i>	<p style="text-align: center;">A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PROPOSED AD VALOREM MILLAGE RATE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021 AND ENDING ON SEPTEMBER 30, 2022</p>			
FISCAL IMPACT (if any):				\$

RESOLUTION 2021-29

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PROPOSED AD VALOREM MILLAGE RATE TO BE LEVIED FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021, ENDING ON SEPTEMBER 30, 2022.

WHEREAS, pursuant to applicable provisions of law, the City of Westlake has computed a proposed millage rate and prepared a tentative budget for the fiscal year beginning October 1, 2021 and ending on September 30, 2022; and

WHEREAS, a Notice of Proposed Property Taxes has been mailed to residents by the Palm Beach County Property Appraiser advising them that a public hearing on the proposed millage rate and tentative budget would be held on September 13, 2021, at 6:30 pm; and

WHEREAS, said public hearing has been held as stated above and comments from the public concerning said proposed millage rate and tentative budget have been heard and considered; and

WHEREAS, the gross taxable value for operation purposed not exempt from taxation within Palm Beach County, has been certified by the Palm Beach County Appraiser to the City of Westlake is \$334,025,093; and

WHEREAS, it is the desire of the City Council for the City of Westlake to adopt a Proposed millage rate for the fiscal year beginning October 1, 2021 and ending on September 30, 2022;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA:

Section 1: That the proposed ad valorem millage rate of \$1,000.00 of assessed value for real and personal property value as established by the Palm Beach County Property Appraiser for the fiscal year 2022 is hereby set at _____ mills.

Section 2: The operating millage rate for the fiscal year 2022 is set at _____ mills, which is _____% of the "rolled-back" rate of 4.3296.

Section 3: The City of Westlake does not have voted debt for fiscal year 2022.

Section 4: That a public hearing to adopt a final millage rate and budget shall be held on _____ in accordance with Section 200.065, of the Florida Statutes.

Section 5: That this resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this 13th day of September 2021.

Roger Manning, Mayor
City of Westlake

Zoie P. Burgess, City Clerk

Approved as to Legal Form and Sufficiency:

Office of City Attorney

File Attachments for Item:

B. Resolution 2021-30-Approval of Tentative Budget for Fiscal Year 2022

Submitted By: Finance

RESOLUTION 2021-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING THE TENTATIVE BUDGET FOR THE CITY OF WESTLAKE, FLORIDA, AND MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021 AND ENDING ON SEPTEMBER 30, 2022.



Meeting Agenda Item Coversheet

MEETING DATE:		9/13/2021	Submitted By: Finance	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		RESOLUTION 2021-30-Approval of Tentative Budget for Fiscal Year 2022		
STAFF RECOMMENDATION: (MOTION READY)		Approve Tentative Budget		
SUMMARY and/or JUSTIFICATION:		Summary and Detailed Anticipated Revenues and Budgeted Expenditures for Westlake General Fund, Housing Assistance Fund and Comprehensive Planning Fund for Fiscal Year 2022		
SELECT, if applicable	AGREEMENT:		BUDGET:	X
	STAFF REPORT:		PROCLAMATION:	
	EXHIBIT(S):		OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>		Resolution 2021-30 Tentative Budget for Fiscal Year 2022		
SELECT, if applicable	RESOLUTION:	X	ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank) <u>Please keep text indented.</u></i>		<p style="text-align: center;">A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING THE TENTATIVE BUDGET FOR THE CITY OF WESTLAKE, FLORIDA, AND MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021 AND ENDING ON SEPTEMBER 30, 2022</p>		
FISCAL IMPACT (if any):			\$	

RESOLUTION 2021-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING THE TENTATIVE BUDGET FOR THE CITY OF WESTLAKE, FLORIDA, AND MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021, AND ENDING ON SEPTEMBER 30, 2022.

WHEREAS, in accordance with applicable provision of the law, the City of Westlake has prepared a tentative budget for the fiscal year beginning on October 1, 2021 and ending on September 30, 2022, and determined the amount of available funds on hand, the estimated revenues, and appropriated amounts for the support of various operations of the City for the fiscal period; and

WHEREAS, a "Notice of Proposed Tax Increase" advising the public that the public hearing on the proposed millage rate and the tentative budget would be held on September 13, 2021, at 6:30 pm, has been mailed as required by Florida Statute 200.065; and

WHEREAS, said public hearing has been held as stated above and comments from the public concerning said proposed millage rates and tentative budget have been heard and considered; and

WHEREAS, as set forth during the tentative budget hearing the City Council acknowledges that said tentative budgets reflect the following revenue and expenditure estimates for the fiscal year beginning on October 1, 2021 and ending September 30, 2022 for all funds total _____; and

WHEREAS, it is the desire of the City Council for the City of Westlake, to adopt a tentative budget for the fiscal year beginning October 1, 2021 and ending on September 30, 2022;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA:

SECTION 1. There is hereby approved the tentative budget for the City of Westlake, Florida, as reflected in Exhibit "A", which is attached hereto and made a part hereof, for the fiscal year beginning on October 1, 2021 and ending on September 30, 2022.

SECTION 2. There is hereby appropriated for all the funds of the City of Westlake, Florida, the sum of _____ as the appropriation for the fiscal year, October 1, 2021 through September 30, 2022.

SECTION 3. That the approved tentative operation budget for Fiscal Year 2022 established limitations on expenditures/expenses by fund total. Said limitation meaning that the total sum allocated to each fund for total expenditures/expenses may not be increased without specific authorization by a duly enacted resolution effecting such amendment or transfer.

SECTION 4. That during the course of Fiscal Year 2022 the City Council may authorize transfers of budgeted amounts from one fund or project to another fund or project, or other amendments to the budget by resolution, in accordance with laws of this state and the City Charter.

SECTION 5. This resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED BY the City Council for the City of Westlake, Florida, this 13th day of September 2021.

Roger Manning, Mayor
City of Westlake, Florida

Zoie P. Burgess, City Clerk

Approved as to Legal Form and Sufficiency:

Office of City Attorney

City of Westlake



FISCAL YEAR 2022

ANNUAL BUDGET

Table of Contents

	<u>Page</u>
Budget Message	1
Budget Calendar	3
Budget Summary	4
General Fund Summary	5
General Fund Revenue	6
General Fund Expenditure Summary	9
City Council	11
City Manager	12
City Clerk	14
City Attorney	16
Community Services	17
Other Departments	18
Special Revenue Fund Summary	19
Special Revenue Fund – Comprehensive Planning	20
Special Revenue Fund – Housing Assistance Program	21

Council Members

Roger Manning-Mayor
JohnPaul O'Connor -Vice Mayor
Kara Crump-Seat 2
Patric Paul-Seat 3
Katrina Long Robinson-Seat 4



City of Westlake

4001 Seminole Pratt Whitney Rd.
Westlake, Florida 33470
Phone: 561-530-5880
Fax: 561-790-5466

Budget Message

Honorable Mayor and City Council

I am pleased to submit the Fiscal Year 2022 budget message for the City of Westlake. The City continues to grow quickly. The last of the City's Land Development Regulations (LDR's) were adopted. The next step is to have the ordinance codified. After codification we will begin a thorough review and amend sections that may conflict with other portions of the LDRs. The teamwork between the City Council, City Manager, Interim City Attorney, City Planner, City Engineer, City Clerk, Building Department, administrative staff, Seminole Improvement District and the developers' representatives has allowed us to complete the last several sections.

According to the Palm Beach County Property Appraiser the City of Westlake's taxable value has increased forty-seven (47%) over last year. The growth in home construction and sales continues to be strong. We are seeing a rise in commercial development within the City. The City has processed an additional eleven plats this year to accommodate current and projected development.

Milestones in FY2021 included the following:

- Approved the site plan for the Publix Shopping center on the west side of Seminole Pratt Whitney Road north of Persimmon Blvd.
- Approved the site plan for the self-storage facility in POD H west of Seminole Pratt Whitney Road and south of Persimmon Blvd.
- Approved the site plan for the Shops at Westlake Landings.
- Approved the plats for the Orchards, Crossings town homes, Cresswind phase 3, and Sky South neighborhoods.
- Approved Town Center Parkway South west roadway plat.

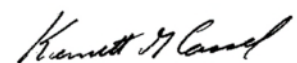
The **proposed millage rate for the FY2022 is 5.125**. This rate is projected to generate \$1,711,879 in ad-valorem taxes to the City based on the taxable value as of January 1st as provided by Palm Beach County Property Appraiser. The total proposed general fund budget for FY2022 is \$3,693,400, which is a 21.1% increase over the current year. The difference between the taxes received and the budget is made up of several components, including interest, licenses, permits & fees, other taxes and deficit funding from the primary developer as needed.

The proposed millage rate of 5.125 mills is a 18.37% tax increase over the rolled-back rate of 4.3296. Generating revenue based on the rolled-back rate would not be practical as the City must be able to provide the administrative infrastructure to operate. With a growing city the administrative expenses occur before the tax revenue is received and therefore, it appears to be a tax increase. The actual ad-valorem tax rate per property remains flat at 5.125 mills. The largest impact on the taxes is the assessed value established by the County Property Appraiser.

Due to the lag time of taxable values and the budget cycle, this budget is again dependent on deficit funding from the primary developer. One of the areas that has increased is the reserve and contingency funds. This increase is necessary in order to have the appropriate level of funds for first quarter reserves and contingency balances needed by FY2024. It is still important to remember that a portion of land within the City limits is assessed based on agricultural use by the property assessor. The agricultural land use assessed value is a lower taxable value therefore generates lower tax revenues. As the City continues to develop residential and commercial properties the tax base will continue to increase. This increase in taxable value reduces the dependency on deficit funding.

There are approximately fifty individuals involved in the overall operation and administration of the City. These individuals are part of the contracted service provided by the various entities. These individuals are a combination of dedicated full-time personnel and those that work a percentage of their time on City business. This is part of the overall vision of the City to remain a government-light operation. This allows for an efficient effective government providing a high level of service to the residents.

Respectfully submitted,



Kenneth Cassel

City of Westlake

Budget Calendar - Fiscal Year 2022 Annual Budget

Key Dates	Activity / Tasks	
By June 1	Receipt of Estimated Assessable Property Values	
Thu July 1	Property Appraiser certifies the taxable values	
Mon July 12	City of Westlake Regular Council Meeting – Preliminary Budget Presentation; Approve Tentative Millage Rate and date of first public hearing; Set Assessment Rate for Solid Waste Collection.	
Wed July 28	County School Board Budget 1st Hearing	**
Mon August 2	City of Westlake Budget Workshop – Budget Presentation with Council changes	
Wed August 4	Deadline for submitting DR 420 to Property Appraiser & Tax Collector a) Include Proposed Millage Rate b) the current rollback rate c) The date, time, and meeting place of the tentative budget hearing	
Mon August 23	City of Westlake Budget Workshop – As needed	
Thu September 9	County Budget 1st Hearing	**
Mon September 13	City of Westlake Regular Council Meeting – 1st Budget & Millage Rate Hearing; Assessment Rates for Solid Waste Collection	
Tue September 14	County School Board Budget 2nd Hearing	**
Mon September 20	County Budget 2nd Hearing	**
Thu September 23	Publish Notice of Budget Increase and Budget Summary in PB Post	
Mon September 27	City of Westlake Special Council Meeting - 2nd and Final Budget Hearing	
Thu September 30	Deadline to Send Adopted Millage Rate to Property Appraiser & Tax Collector	
Wed October 27	Deadline to Certify Compliance with Florida Department of Revenue	

** Per Florida Statutes, the hearing dates scheduled by the county commission and school board shall not be utilized by any other taxing authority within the county for its public hearings.



**City of Westlake
Fiscal Year 2022 Budget**

All Funds – Total Budget

Description	FY 2021			FY 2022		
	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./(Decr.) Over Budget	% Budget Incr./(Decr.)
FUNDING						
Total Revenue	\$5,269,800	\$7,899,076	\$ 2,629,275	\$6,405,600	\$ 1,135,800	21.6%
Total Fund Bal. Use / (Addition)	-	(3,075,145)	(3,075,145)	-	-	NA
Total Funding	\$5,269,800	\$4,823,931	\$ (445,870)	\$6,405,600	\$ 1,135,800	21.6%
EXPENDITURES						
Personnel Expenditures	\$ 157,600	\$ 157,600	\$ -	\$ 118,800	\$ (38,800)	-24.6%
Operating Expenditures	4,743,700	4,657,594	86,106	5,620,500	876,800	18.5%
Debt Service Expenses	-	-	-	-	-	NA
Capital Expenditures	-	-	-	50,000	50,000	NA
Contingency	134,000	8,737	125,263	151,400	17,400	13.0%
Reserves	234,500	-	234,500	464,900	230,400	98.3%
Total Expenditures	\$5,269,800	\$4,823,931	\$ 445,869	\$6,405,600	\$ 1,135,800	21.6%



**City of Westlake
Fiscal Year 2022 Budget**

General Fund – Summary

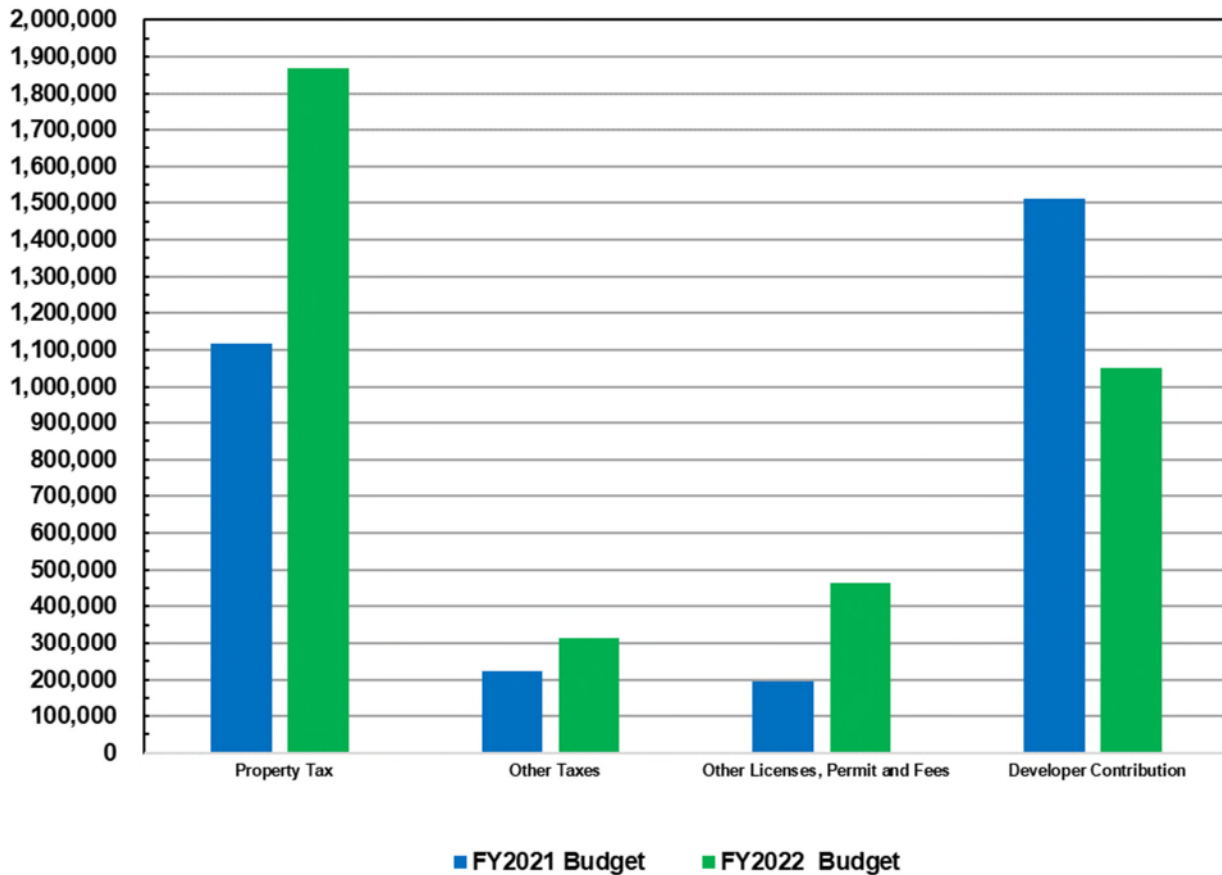
Description	FY 2021			FY 2022		
	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./ (Decr.) Over Budget	% Budget Incr./ (Decr.)
<u>FUNDING</u>						
Total Revenue	\$3,048,700	\$2,646,325	\$ (402,375)	\$3,693,400	\$ 644,700	21.1%
Total Funding	\$3,048,700	\$2,646,325	\$ (402,375)	\$3,693,400	\$ 644,700	21.1%
<u>EXPENDITURES</u>						
Personnel Expense	\$ 157,600	\$ 157,600	\$ -	\$ 118,800	\$ (38,800)	-24.6%
Operating Expense	2,522,600	2,479,988	42,612	2,908,300	385,700	15.3%
Capital Expenditures	-	-	-	50,000	50,000	NA
Contingency	134,000	8,737	125,263	151,400	17,400	13.0%
Reserves	234,500	-	234,500	464,900	230,400	98.3%
Total Expenditures	\$3,048,700	\$2,646,325	\$ 402,375	\$3,693,400	\$ 644,700	21.1%
<u>AVAILABLE FUND BALANCE</u>						
Opening Balance	\$ 203,643	\$ 203,643	\$ -	\$ 203,643	\$ -	0.0%
Closing Balance	\$ 203,643	\$ 203,643	\$ -	\$ 203,643	\$ -	0.0%
Closing Bal % Of Total Exp	6.7%	7.7%	1.0%	5.5%	0.0%	N/A

City of Westlake Fiscal Year 2022 Budget

General Fund – Source of Funds

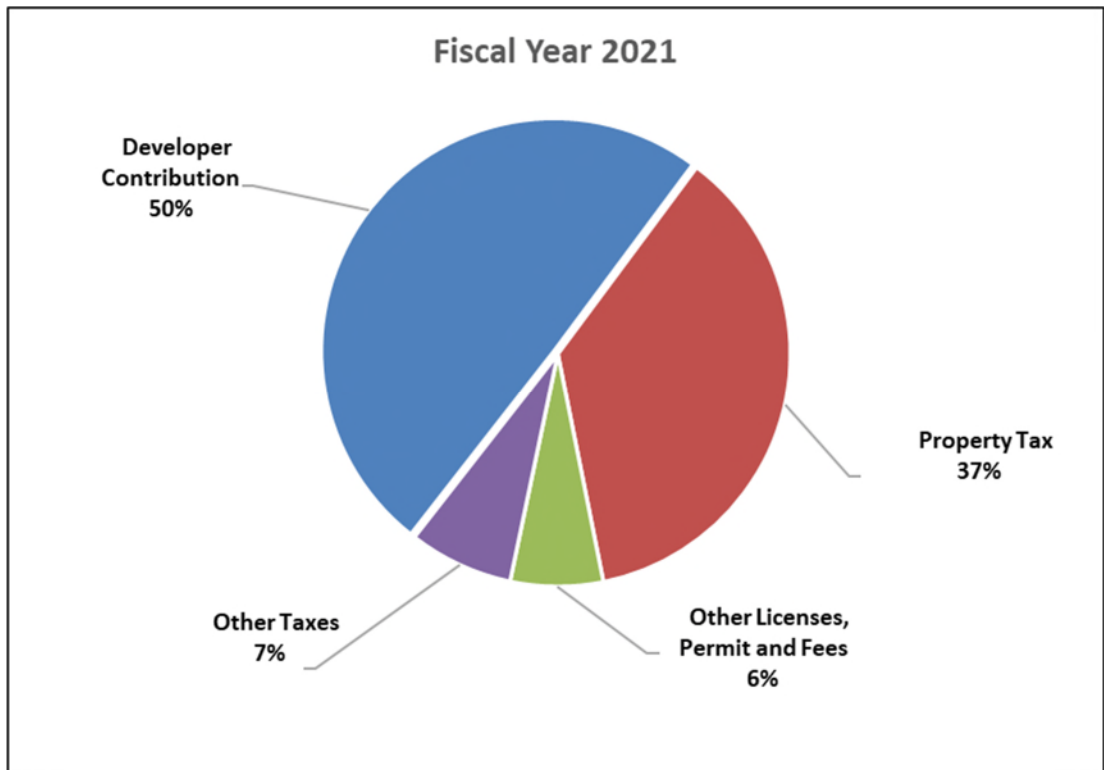
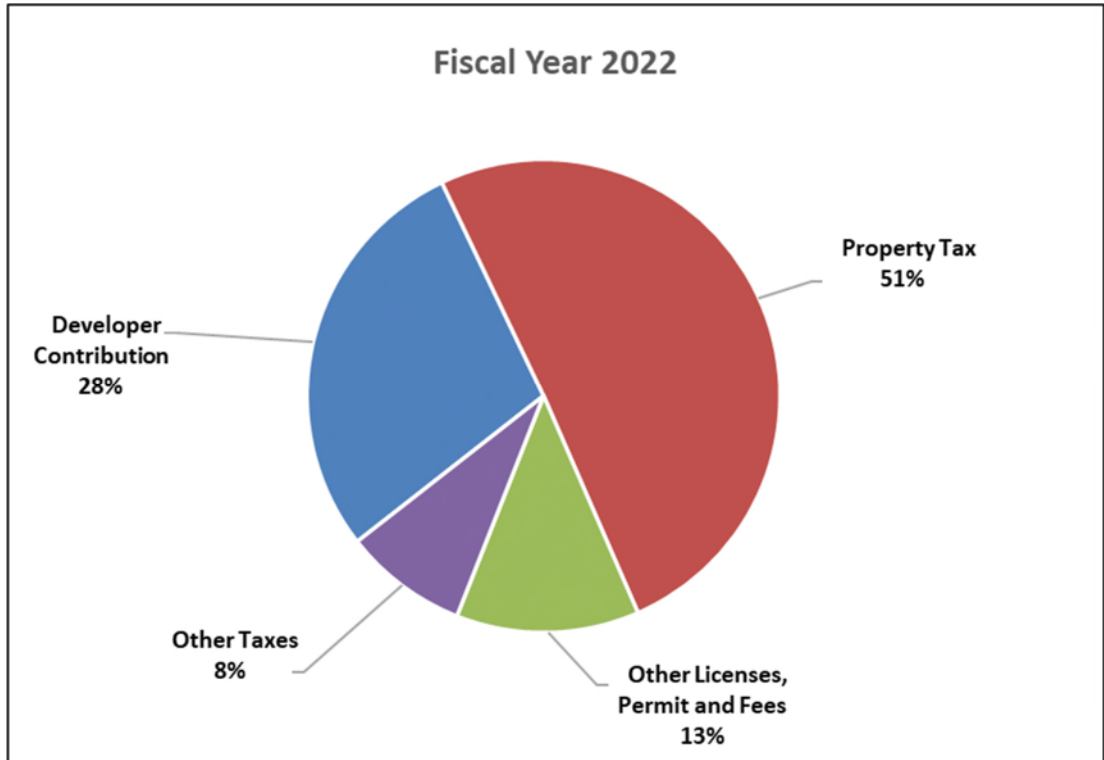
Description	FY 2021			FY 2022		
	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./(Decr.) Over Budget	% Budget Incr./(Decr.)
Property Tax	\$1,117,967	\$1,087,432	\$ (30,535)	\$1,866,704	\$ 748,737	67.0%
Other Taxes	221,500	217,605	(3,895)	312,800	91,300	41.2%
Other Licenses, Permit and Fees	196,300	775,967	579,667	462,100	265,800	135.4%
Developer Contribution	1,512,933	564,175	(948,758)	1,051,796	(461,137)	-30.5%
Interest Income	-	1,146	1,146	-	-	NA
Total Source of Funds	\$3,048,700	\$2,646,325	\$ (402,375)	\$3,693,400	\$ 644,700	21.1%

FY2021 Budget vs. FY2022 Budget



City of Westlake Fiscal Year 2022 Budget

General Fund – Source of Funds



**City of Westlake
Fiscal Year 2022 Budget**

General Fund – Revenue Detail

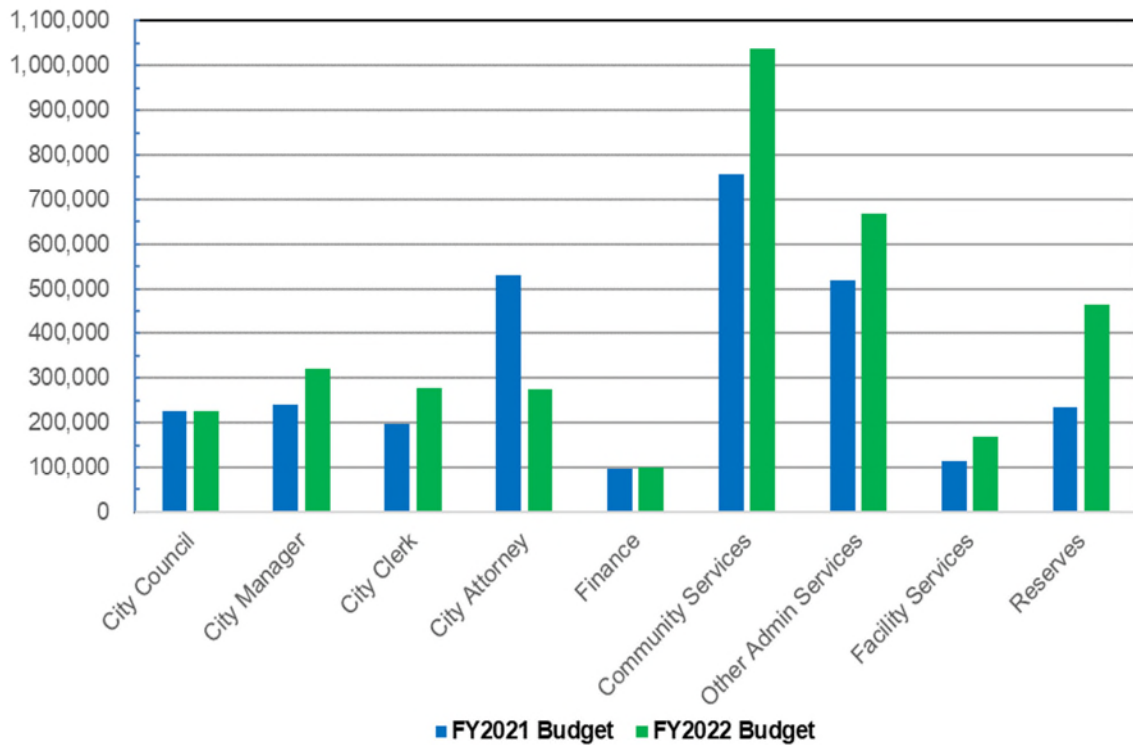
Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./(Decr.) Over Budget	% Budget Incr./(Decr.)
Property Tax								
Tax Receipts - Current Year	\$ 229,571	\$ 554,887	\$ 1,164,549	\$ 1,130,469	\$ (34,080)	\$ 1,711,879	\$ 547,330	47.0%
Tax Receipts - Discounts	(7,573)	(19,605)	(46,582)	(43,037)	3,545	(68,475)	(21,893)	47.0%
Special Assessments-Tax Collector	-	-	-	-	-	232,600	232,600	NA
Special Assmnts- Discounts	-	-	-	-	-	(9,300)	(9,300)	NA
Total - Property Tax	\$ 221,998	\$ 535,282	\$ 1,117,967	\$ 1,087,432	\$ (30,535)	\$ 1,866,704	\$ 748,737	67.0%
Other Taxes								
Local Option Fuel Tax	47	138	100	20	(80)	-	(100.00)	-100.0%
Municipal Revenue Sharing	-	864	4,700	5,930	1,230	17,200	12,500	266.0%
Local Discretionary Sales Tax	-	-	-	-	-	69,700	69,700	NA
Public Service Tax-Electricity	28,645	119,672	152,900	129,161	(23,739)	113,600	(39,300)	-25.7%
Public Service Tax-Water	4,603	20,755	27,000	30,440	3,440	41,500	14,500	53.7%
Public Service Tax-Gas	8,118	17,573	19,000	25,352	6,352	34,600	15,600	82.1%
Communications Svcs. Tax	16,353	15,190	17,800	26,702	8,902	36,200	18,400	103.4%
Total - Other Taxes	\$ 57,766	\$ 174,192	\$ 221,500	\$ 217,605	\$ (3,895)	\$ 312,800	\$ 91,300	41.2%
Other Licenses, Permits and Fees Fees								
FPL Franchise Fee	\$ 83,563	\$ 94,338	\$ 113,700	\$ 125,318	\$ 11,618	\$ 110,300	\$ (3,400)	-3.0%
Occupational Licenses	8,700	6,060	5,000	5,000	-	6,100	1,100	22.0%
Building Reinspection Fees	13,400	24,550	-	-	-	-	-	NA
State Building Surcharge Admin.Fees	1,461	3,497	-	-	-	-	-	NA
FPL TUG Program Admin.Fee	16,800	49,500	-	-	-	-	-	NA
Solid Waste Disposal Fees	-	53,917	3,600	229,824	226,224	29,100	25,500	708.3%
County Impact Fee Admin.Fees	63,229	149,209	45,500	120,824	75,324	62,100	16,600	36.5%
County Solid Waste Admin.Fees	5,728	-	-	-	-	-	-	NA
Contractor Registration Fees	4,775	2,175	2,300	762	(1,538)	-	(2,300)	-100.0%
Impact Fees	-	-	-	-	-	-	-	NA
Lien Search Fees	570	1,330	-	5,302	5,302	1,300	1,300	NA
Administrative Fees	-	-	10,500	265,519	255,019	245,400	234,900	2237.1%
Burgler Alarm Fees	-	2,438.00	2,500	4,693	2,193	2,400	(100)	-4.0%
Other Fees	40,324	7,508	13,200	18,725	5,525	5,400	(7,800)	-59.1%
Total - Other Licenses, Permits and Fees	\$ 238,550	\$ 394,522	\$ 196,300	\$ 775,967	\$ 579,667	\$ 462,100	\$ 265,800	135.4%
Developer Contribution	\$ 1,100,000	\$ 625,000	\$ 1,512,933	\$ 564,175	\$ (948,758)	\$ 1,051,796	\$ (461,137)	-30.5%
Interest Income								
Interest Income	\$ 1,161	\$ 28	\$ -	\$ 652	\$ 652	\$ -	\$ -	NA
Interest Income - Tax Collector	42	610	-	494	494	-	-	NA
Total - Interest Income	\$ 1,203	\$ 638	\$ -	\$ 1,146	\$ 1,146	\$ -	\$ -	NA
Total Revenue	\$ 2,492,761	\$ 3,921,070	\$ 3,048,700	\$ 2,646,325	\$ (402,375)	\$ 3,693,400	\$ 644,700	21.1%
Use / (Add't) Fund Balance	161,016	116,791	-	-	-	-	-	NA
Total Funding	\$ 2,653,777	\$ 4,037,861	\$ 3,048,700	\$ 2,646,325	\$ (402,375)	\$ 3,693,400	\$ 644,700	21.1%

City of Westlake Fiscal Year 2022 Budget

General Fund – Expenditures by Function

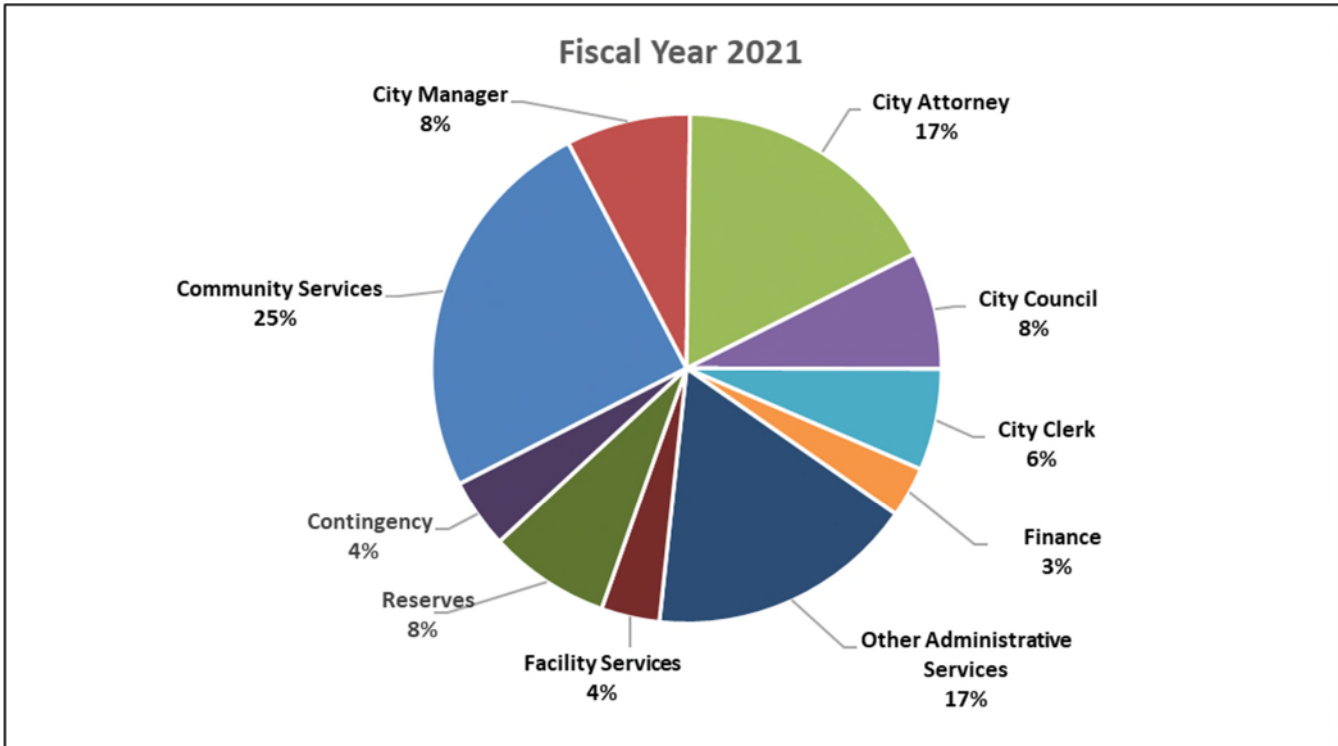
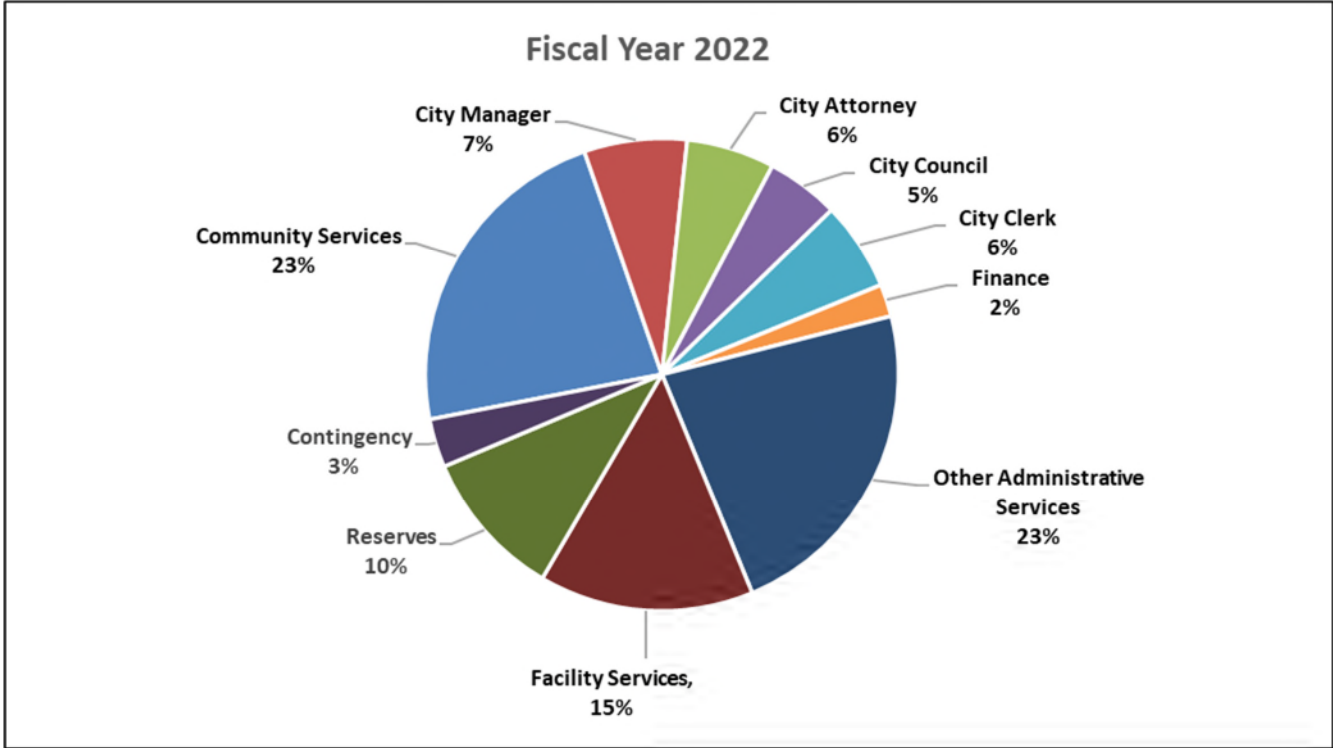
Description	FY 2021			FY 2022		
	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./(Decr.) Over Budget	% Budget Incr./(Decr.)
City Council	\$ 227,400	\$ 168,751	\$ 58,649	\$ 227,400	\$ -	0.0%
City Manager	240,600	238,122	2,478	320,700	80,100	33.3%
City Clerk	196,600	176,248	20,352	278,200	81,600	41.5%
City Attorney	529,100	438,730	90,370	275,000	(254,100)	-48.0%
Finance	98,000	97,950	50	100,800	2,800	2.9%
Community Services	757,000	1,071,994	(314,994)	1,037,300	280,300	37.0%
Other Administrative Services	518,400	368,051	150,349	669,400	151,000	29.1%
Facility Services	113,100	77,741	35,359	168,300	55,200	48.8%
Contingency	134,000	8,737	125,263	151,400	17,400	13.0%
Reserves	234,500	-	234,500	464,900	230,400	98.3%
Total Expense	\$3,048,700	\$2,646,325	\$ 402,375	\$3,693,400	\$ 644,700	21.1%

FY2021 Budget vs. FY2022



City of Westlake Fiscal Year 2022 Budget

General Fund – Expenditures by Function



City of Westlake Fiscal Year 2022 Budget

General Fund – City Council Department

Summary

The form of government used by the City of Westlake is a Council-Manager form. The City Council shall conduct regular meetings, special meetings, adopt codes and ordinances, and approve the annual budget by September 30th each year by resolution.

Mission

To serve as the legislative body in accordance with the Charter and applicable statutes.

Current Year Highlights

- Approved over eight plats for future development.
- Adopted ordinances for additional chapters of the City’s Land Development regulations.
- Approved three site plans for nonresidential properties.
- Conducted annual budget workshops with the City Manager and staff.
- Approved plans to remodel the Grove Market Place and Winn Dixie.
- Implemented an evaluation process for applicable staff.
- Released the first video of “Back and Beyond” describing the City’s origin and future.

Next Year Goals

- Improve Communication with the Residents through multiple media methods.
- Finish the adoption of the remaining chapters of the City’s Land Development regulations.
- Approve additional plats as presented by staff.
- Approve nonresidential site plans for developments in conformance with the City’s Land Development Regulations (LDRs).

Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./(Decr.) Over Budget	% Budget Incr.(Decr.)
Personal Services								
Mayor/Council Stipend	\$ 204,000	\$ 175,200	\$ 146,400	\$ 146,400	\$ -	\$ 110,400	\$ (36,000)	-24.59%
FICA	15,606	13,403	11,200	11,200	-	8,400	(2,800)	-25.00%
Total Personal Services	\$ 219,606	\$ 188,603	\$ 157,600	\$ 157,600	\$ -	\$ 118,800	\$ (38,800)	-24.62%
Operating Expenses								
ProfServ-Legislative Expense	\$ -	\$ -	\$ 24,000	\$ -	\$ 24,000	\$ 24,000	\$ -	0.00%
Public Officials Insurance	-	3,500	3,900	4,025	(125)	4,400	500	12.82%
City Events	-	-	25,000	-	25,000	63,800	38,800	155.20%
Election Fees	-	560	-	-	-	-	-	NA
Council Expenses	4,617	8,068	15,000	5,731	9,269	15,000	-	0.00%
Dues, Licenses, Subscriptions	-	-	1,900	1,395	505	1,400	(500)	-26.3%
Total Operating Expenses	\$ 4,617	\$ 12,128	\$ 69,800	\$ 11,151	\$ 58,649	\$ 108,600	\$ 38,300	55.6%
Total City Council	\$ 224,223	\$ 200,731	\$ 227,400	\$ 168,751	\$ 58,649	\$ 227,400	\$ (500)	0.0%

City of Westlake Fiscal Year 2022 Budget

General Fund – City Manager Department

Summary

The City Manager is the chief administrative officer of the City and is responsible for directing and supervising the administration of all departments, offices, and agencies of the City except the City Attorney, unless otherwise directed in the City Charter. The City Manager shall:

- Execute all laws and provisions of the Charter and acts of the City Council.
- Make recommendations to the City Council concerning the affairs of the City.
- Prepare the annual operating and capital budgets.
- Ensure that the City Clerk prepares the agendas for City Council meetings.
- Draw and sign vouchers as provided by ordinance.
- Provide administrative services to support the City Council.
- Keep the City Council advised as to the financial condition of the City.
- Provide reports to the City Council on the finances and administrative services of the City.
- Perform other duties as outlined in the Charter or requested by the City Council.

Mission

To implement the policies and direction of the City Council, serve the residents of the community by fulfilling duties as the legislative body directs through developing policies designed to successfully perform municipal functions and render other municipal services.

Major Challenges

- Planning for sufficient space or alternate means to provide City services.
- Final implementation of the Building Department software allowing the electronic submission, approval and inspections reporting of the Building Department.
- Maintaining the proper level of service while minimizing the overall cost for services.
- Identifying services needed in the future and available revenues.
- Maintaining cooperation with other agencies surrounding and impacting the City.
- Working with the developers and other third parties to maintain the original vision of the City.

Current Year Highlights

- Completed drafting and first reading of Chapter 5 “Land Development”.
- Completed drafting of the noise ordinance.
- Held monthly “Coffee with the Manager” online discussions with the residents.
- Ensured that development complied with the comprehensive master plan and current LDRs.
- Processed eight additional plats for development within the City.
- Continued to implement the GIS program for all facilities located within the City.
- Made progress toward implementation of a building department software system.
- Made progress toward implementation of administrative processes and software that improves efficiency and minimizes additional staffing requirements.
- Implemented additional social media outreach to the residents through the City Clerk’s office.
- Implemented the Public Relations video for the “Back and Beyond” messaging.

City of Westlake Fiscal Year 2022 Budget

General Fund – City Manager Department

Next Year Goals

- Continue monthly “Coffee with the Manager” to keep residents informed of what is happening within the city.
- Work on City Hall planning and facilities.
- Draft and adopt the final chapters of the City Code.
- Codify the LDR ordinances in Municode.
- Review all LDRs and modify as necessary.
- Review new commercial and residential plats as submitted for future development and ensure that conflicts with developers and the Seminole Improvement District are minimized.
- Review and draft contracts for additional services as needed.
- Work with new commercial and residential developers to ensure compliance with the City code.
- Improve community outreach through the appropriate combination of meetings and media.
- Improve the City website and ensure compliance with applicable ADA requirements.

Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./ (Decr.) Over Budget	% Budget Incr./ (Decr.)
Operating Expenses								
Contracts - City Manager	\$ -	\$ 251,882	\$ 222,900	\$ 222,900	\$ -	\$ 251,900	\$ 29,000	13.0%
Office Supplies	8,817	14,851	15,500	11,470	4,030	14,900	(600)	-3.9%
Dues, Licenses, Subscriptions	4,929	5,032	2,200	3,752	(1,552)	3,900	1,700	77.3%
Management Services	413,956	-	-	-	-	-	-	NA
Total Operating Expenses	\$ 427,702	\$ 271,765	\$ 240,600	\$ 238,122	\$ 2,478	\$ 270,700	\$ 30,100	12.5%
Capital Expenses								
Capital Outlay	39,646	-	-	-	-	50,000	50,000	NA
Total Capital Expenses	\$ 39,646	\$ -	\$ -	\$ -	\$ -	\$ 50,000	\$ 50,000	NA
Total City Manager	\$ 467,348	\$ 271,765	\$ 240,600	\$ 238,122	\$ 2,478	\$ 320,700	\$ 80,100	33.3%

City of Westlake Fiscal Year 2022 Budget

General Fund – City Clerk Department

Summary

The City Clerk reports to the City Manager and serves as a liaison between the City Council, City staff, the public, other local governing bodies, and governmental agencies at various levels. The City Clerk's office renders unbiased and impartial service to all residents. The City Clerk is the official record keeper responsible for maintaining, preserving, and recording official actions, documents, and legislative history for the City and is responsible for ensuring the order, accessibility, and transparency of such records. The Clerk's office is the local supervisor of elections for the City. The City Clerk administers the City's website and other social media.

Mission

Establish confidence and trust in municipal government while providing efficient, effective, and transparent public service to the City Council, City Departments, and the Citizens of Westlake, safeguarding accurate records of municipal activities in accordance with applicable federal, state, and local laws. The City Clerk shall:

- Prepare and publish meeting notices, including legally required advertisements, and prepare and distribute agenda packets in advance of City Council meetings and public hearings.
- Provide clerical support to the City Council.
- Prepare and publish meeting notices and prepare and distribute agenda packets in advance of Advisory Board meetings and facilitate recruitment of Advisory Board members.
- Maintain the City's official records, provide information and records to the public and staff, maintain data on legislative history, and update the City Charter and City Code.
- Coordinate and manage municipal elections and serve as the filing clerk.
- Draft and disseminate public information through various modes of communication.
- Oversee website updates, site navigations, and ensure document accuracy and accessibility.

Current Year Highlights

- Filled a Deputy Clerk position.
- Created an additional social media platform to improve resident communications, in conjunction with an archiving platform to maintain compliance with public records law.
- Expanded various website features for enhanced resident communications and transparency.
- Modified and oversaw systems for public meeting notification, publication, virtual meeting broadcasting, and sustained civic engagement.
- Continue developing operating procedures and a manual for the Clerk's department.
- Implemented business registration software including online application and renewal processes.
- Established various electronic city processes.

City of Westlake Fiscal Year 2022 Budget

General Fund – City Clerk Department

Next Year Goals

- Enhance and promote accessibility to ensure services are provided in an open and transparent manner.
- Maintain and seek strong cooperative partnerships, relationships, and opportunities to improve services, meeting the changing needs of the community, including the rapidly increasing size and variety of its population.
- Develop additional records management policies and procedures in accordance with State guidelines.
- Oversee the 2022 municipal election process.
- Improve virtual meeting access.
- Implement codification project to ensure that accurate information is available and organized for dissemination.
- Improve website redevelopment for enhanced user experience.
- Improve business licensing processes.
- Pursue municipal clerk education opportunities.
- Maintain relationships with local and state municipal clerk associations.

Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./(Decr.) Over Budget	% Budget Incr./(Decr.)
Operating Expenses								
Website Support	\$ 5,904	\$ 14,641	\$ 18,000	\$ 10,600	\$ 7,400	\$ 10,600	\$ (7,400)	-41.1%
Contracts-City Clerk	-	123,764	125,100	125,100	-	206,000	80,900	64.7%
Postage and Freight	855	866	1,400	1,009	391	1,000	(400)	-28.6%
Printing	3,370	7,047	22,500	4,265	18,235	19,400	(3,100)	-13.8%
Advertising	21,442	31,177	28,200	23,743	4,457	31,200	3,000	10.6%
Office Supplies	-	-	-	1,117	(1,117)	-	-	NA
Miscellaneous Services	532	1,094	-	341	(341)	-	-	NA
Dues, Licenses, Subscriptions	-	-	1,400	10,073	(8,673)	10,000	8,600	614.3%
Total City Clerk	\$ 32,103	\$ 178,589	\$ 196,600	\$ 176,248	\$ 20,352	\$ 278,200	\$ 81,600	41.5%

City of Westlake Fiscal Year 2022 Budget

General Fund – City Attorney

Summary

The City Attorney is a designated Charter Officer appointed by a majority vote of the City Council and serves at its pleasure. The City Attorney provides legal support and advice to the City Council, City Manager, Staff, and Advisory Boards on all legal matters affecting or involving the City. The City Attorney works with the City Manager drafting policies as requested by the City Council. The City Attorney provides services as outlined in the City Charter. The City Attorney is a contracted service.

Mission

To provide efficient, effective, and competent legal advice to the City Council, the City Manager and staff on legal matters and their impacts on the City of Westlake, including legislative and statutory changes.

Current Year Highlights

- Drafted the remaining Land Development Regulations with the City Manager and Planning & Zoning and Engineering personnel.
- Reviewed and approved the plat language and bonds on eight new plats for development.
- Drafted appropriate mortgage documents for Housing Assistance awards.
- Monitored the legislature for potential impacts on the City.
- Advised City Council on plats and LDRs.

Next Year Goals

- Draft and adopt the remaining chapters of the City's Land Development regulations.
- Provide legal review for the Housing Assistance program to the City Manager and staff.
- Review plat language for consistency with the City's interests.
- Provide legal advice and reviews as needed and directed by the City Council.

Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./ (Decr.) Over Budget	% Budget Incr./ (Decr.)
Operating Expenditures								
ProfServ-Legal Services	\$ 369,100	\$ 414,079	\$ 404,000	\$ 93,484	\$ 310,516	\$ 275,000	\$ (129,000)	-31.9%
ProfServ-Other Legal Charges	-	-	-	339,175	(339,175)	-	-	NA
Miscellaneous Services	-	119	-	180	(180)	-	-	NA
Outside Legal Services	-	23,970	115,000	-	115,000	-	(115,000)	-100.0%
Miscellaneous Expenses	-	-	10,100	5,891	4,209	-	(10,100)	-100.0%
Total City Attorney	\$ 369,100	\$ 438,168	\$ 529,100	\$ 438,730	\$ 90,370	\$ 275,000	\$ (254,100)	-48.0%

City of Westlake Fiscal Year 2022 Budget

General Fund – Community Services Department

Summary

The Community Services department consists of solid waste collection, law enforcement, electricity and community service functions.

Solid Waste Collection – Costs related to the collection and disposal of resident solid waste are accounted for in the Community Service Department

Law Enforcement - The current contract with the Palm Beach County Sheriff’s department calls for one 24/7 deputy. To accomplish this coverage, five deputies are required. The contract includes dedicated officers, vehicles, and dispatch. The contract also includes the supervisory personnel, K-9, detectives, crime lab, SWAT, and other resource necessary for the safety of the residents.

Electricity – Expenditures for roadway lighting and traffic control are accounted for in the Community Service Department.

Community Service – Expenditures for personnel performing community-wide maintenance are accounted for in the Community Service Department, along with the cost to purchase trash collection bins and other necessary maintenance supplies.

Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Budget	Forecast	Fav / (Unfav)	Budget	Incr./ (Decr.) Over Budget	% Budget Incr./ (Decr.)
Operating Expenditures								
Contracts-Solid Waste	\$ -	\$ 51,350	\$ -	\$ 261,205	\$(261,205)	\$ 248,600	\$ 248,600	N/A
Contracts-Sheriff	74,067	650,451	662,000	650,000	12,000	656,500	(5,500)	-0.8%
Electricity-Streetlighting	3,866	47,255	43,300	81,115	(37,815)	98,600	55,300	127.7%
R&M-Community Service	-	26,700	26,700	26,700	-	27,500	800	3.0%
Operating Supplies	-	6,121	25,000	52,974	(27,974)	6,100	(18,900)	-75.6%
Total Community Services	\$77,933	\$781,877	\$757,000	\$1,071,994	\$(314,994)	\$1,037,300	\$ 280,300	37.0%

**City of Westlake
Fiscal Year 2022 Budget**

General Fund – Other Departments

Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./((Decr.) Over Budget	% Budget Incr./((Decr.)
Finance								
Auditing Services	\$ 3,225	\$ 5,250	\$ 5,300	\$ 5,250	\$ 50	\$ 5,300	\$ -	0.0%
Contracts - Finance	-	91,769	92,700	92,700	-	95,500	2,800	3.0%
Total Finance	\$ 3,225	\$ 97,019	\$ 98,000	\$ 97,950	\$ 50	\$ 100,800	\$ 2,800	2.9%
Comprehensive Planning								
Engineering	188,591	352,565	-	-	-	-	-	NA
Planning & Zoning	237,434	240,146	-	-	-	-	-	NA
Building	738,120	999,480	-	-	-	-	-	NA
Total Comprehensive Planning	\$1,164,145	\$1,592,191	\$ -	\$ -	\$ -	\$ -	\$ -	NA
Other Administrative Services								
ProfServ-Information Technology	190,948	164,744	144,700	169,389	(24,689)	195,100	50,400	34.8%
ProfServ-Compliance Service	-	-	25,000	-	25,000	25,000	-	0.0%
ProfServ-Consultants	13,775	9,625	-	-	-	-	-	NA
Contracts-Admin. Service	-	156,997	158,700	158,700	-	257,000	98,300	61.9%
Misc-Assessmnt Collection Cost	-	-	-	-	-	2,300	2,300	NA
Misc-Public Relations	-	1,244	50,000	-	50,000	75,000	25,000	50.0%
General Government	51,189	278	115,000	39,962	75,038	90,000	(25,000)	-21.7%
Misc. Late Fees	455	-	-	-	-	-	-	NA
Emergency Comm. Program	-	-	25,000	-	25,000	25,000	-	0.0%
Total Community Services	\$ 256,367	\$ 332,888	\$ 518,400	\$ 368,051	\$ 150,349	\$ 669,400	\$ 151,000	29.1%
Facility Services								
Telephone, Cable and Internet Service	22,237	19,104	21,200	14,864	6,336	13,200	(8,000)	-37.7%
Lease - Building	500	500	12,500	500	12,000	86,700	74,200	593.6%
Lease-Copier	-	52,207	20,500	15,982	4,518	16,000	(4,500)	-22.0%
Insurance(Liab,Auto,Property)	7,120	3,620	4,000	4,088	(88)	4,500	500	12.5%
Miscellaneous Services	-	-	1,200	1,204	(4)	1,200	-	0.0%
Cleaning Services	-	36,497	43,500	30,904	12,596	36,500	(7,000)	-16.1%
Principal-Capital Lease Payments	5,524	6,848	7,600	7,600	-	8,500	900	11.8%
Interest-Capital Lease Payments	2,988	3,366	2,600	2,600	-	1,700	(900)	-34.6%
Total Facility Services	\$ 38,369	\$ 122,142	\$ 113,100	\$ 77,741	\$ 35,359	\$ 168,300	\$ 55,200	48.8%
Contingency	\$ 20,964	\$ 22,491	\$ 134,000	\$ 8,737	\$ 125,263	\$ 151,400	\$ 17,400	13.0%
Reserves								
1st Quarter Operating	-	-	234,500	-	234,500	264,900	30,400	13.0%
Building	-	-	-	-	-	200,000	200,000	NA
Total Reserves	\$ -	\$ -	\$ 234,500	\$ -	\$ 234,500	\$ 464,900	\$ 230,400	98.3%
Total Other Departments	\$ 318,925	\$ 574,540	\$1,098,000	\$ 552,479	\$ 545,521	\$1,554,800	\$ 456,800	41.6%



**City of Westlake
Fiscal Year 2022 Budget**

Special Revenue Fund Summary

Description	FY 2021			FY 2022		
	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./(Decr.) Over Budget	% Budget Incr./(Decr.)
<u>FUNDING</u>						
Revenue	\$ 2,221,100	\$ 5,252,751	\$ 3,031,651	\$ 2,712,200	\$ 491,100	22.1%
Addition to Fund Balance	-	(3,075,145)	(3,075,145)	-	-	NA
Total Funding	\$ 2,221,100	\$ 2,177,607	\$ (43,493)	\$ 2,712,200	\$ 491,100	22.1%
<u>EXPENDITURES</u>						
Expense	2,221,100	2,177,607	(43,493)	2,712,200	491,100	22.1%
Total Expenditures	\$ 2,221,100	\$ 2,177,607	\$ 43,493	\$ 2,712,200	\$ 491,100	22.1%

**City of Westlake
Fiscal Year 2022 Budget**

Special Revenue Fund Detail-Comprehensive Planning Services

Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./(Decr.) Over Budget	% Budget Incr./(Decr.)
Revenue								
Building Permits	\$ -	\$ -	\$ 1,159,200	\$ 2,800,891	\$ 1,641,691	\$ 1,561,100	\$ 401,900	34.7%
Reinspection Fees	-	-	8,600	52,080	43,480	24,600	16,000	186.0%
Building Permits-Surcharge	-	-	2,000	29,600	27,600	3,500	1,500	75.0%
Other Building Permit Fees	-	-	15,000	85,860	70,860	30,000	15,000	100.0%
Building Permits-Admin Fee	-	-	64,400	167,622	103,222	87,900	23,500	36.5%
Engineering Permits	-	-	590,900	593,654	2,754	374,600	(216,300)	-36.6%
Planning/Zoning Permits	-	-	231,000	301,714	70,714	301,700	70,700	30.6%
Developer Contributions	-	-	-	-	-	25,000	25,000	NA
Total Revenue	\$ -	\$ -	\$ 2,071,100	\$ 4,031,422	\$ 1,960,322	\$ 2,408,400	\$ 337,300	16.3%
Expenditures								
ProfServ-Engineering	\$ -	\$ -	\$ 562,900	\$ 300,169	\$ 262,731	\$ 352,600	\$ (210,300)	-37.4%
ProfServ-Information Technology	-	-	28,100	32,223	(4,123)	170,900	142,800	508.2%
ProfServ-Planning/Zoning Board	-	-	231,000	301,714	(70,714)	301,700	70,700	30.6%
ProfServ-Consultants	-	-	28,000	4,325	23,675	22,000	(6,000)	-21.4%
ProfServ-Building Permits	-	-	1,219,900	1,258,229	(38,329)	1,258,200	38,300	3.1%
Outside Legal Services	-	-	-	825	(825)	-	-	NA
Postage and Freight	-	-	-	19	(19)	-	-	NA
Telephone, Cable and Internet Service	-	-	1,200	1,142	58	1,100	(100)	-8.3%
Lease - Building	-	-	-	-	-	43,400	43,400	NA
Lease - Copier	-	-	-	5,066	(5,066)	5,100	5,100	NA
Printing	-	-	-	1,757	(1,757)	1,800	1,800	NA
Miscellaneous Services	-	-	-	378	(378)	-	-	NA
Administration Fee	-	-	-	250,761	(250,761)	224,400	224,400	NA
Office Supplies	-	-	-	2,200	(2,200)	2,200	2,200	NA
Capital Improvements	-	-	-	-	-	25,000	25,000	NA
Total Expenditures	\$ -	\$ -	\$ 2,071,100	\$ 2,158,808	\$ (87,708)	\$ 2,408,400	\$ 337,300	16.3%
Change in Fund Balance	\$ -	\$ -	\$ -	\$ 1,872,613	\$ (1,872,613)	\$ -	\$ -	NA
Beginning Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,872,613	\$ 1,872,613	NA
Ending Fund Balance	\$ -	\$ -	\$ -	\$ 1,872,613	\$ (1,872,613)	\$ 1,872,613	\$ 1,872,613	NA

**City of Westlake
Fiscal Year 2022 Budget**

Special Revenue Fund Detail-Housing Assistance

Description	FY 2019	FY 2020	FY 2021			FY 2022		
	Actual	Actual	Amended Budget	Forecast	Fav / (Unfav)	Budget	Incr./ (Decr.) Over Budget	% Budget Incr./ (Decr.)
Revenue								
Interest-Investments	\$ 7,549	\$ 6,775	\$ -	\$ 3,808	\$ 3,808	\$ 3,800	\$ 3,800	NA
Donations	349,608	736,863	150,000	1,217,522	1,067,522	300,000	150,000	100.0%
Total Revenue	\$ 357,157	\$ 743,638	\$ 150,000	\$1,221,330	\$ 1,071,330	\$ 303,800	\$ 153,800	102.5%
Expenditures								
Assistance Program	3,713	10,550	138,700	3,713	134,987	282,800	144,100	103.9%
Administration Fee	-	-	11,300	15,085	(3,785)	21,000	9,700	85.8%
Bank Charges	24	-	-	-	-	-	-	NA
Total Expenditures	\$ 3,737	\$ 10,550	\$ 150,000	\$ 18,798	\$ 131,202	\$ 303,800	\$ 153,800	102.5%
Change in Fund Balance	\$ 353,420	\$ 733,088	\$ -	\$1,202,531	\$(1,202,531)	\$ -	\$ -	NA
Beginning Fund Balance	\$ 336,953	\$ 690,373	\$1,423,461	\$1,423,461	\$ -	\$2,625,992	\$ 1,202,531	84.5%
Ending Fund Balance	\$ 690,373	\$1,423,461	\$1,423,461	\$2,625,992	\$(1,202,531)	\$2,625,992	\$ 1,202,531	84.5%

File Attachments for Item:

A. Ordinance 2021-06: Chapter 8 Parking Regulations, Land Development Regulations

Submitted By: Engineering

ORDINANCE NO. 2021-06

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING REGULATIONS FOR PARKING WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESIDENTIAL AND COMMERCIAL PROPERTY PARKING STANDARDS; ALL OF WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED "PARKING REGULATIONS", PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		September 13, 2021	Submitted By: Engineering	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		Ordinance 2021-06: Chapter 8 Parking Regulations, Land Development Regulations		
STAFF RECOMMENDATION: (MOTION READY)		Recommend approval of Chapter 8 Parking Regulations, as amended.		
SUMMARY and/or JUSTIFICATION:		The amendments proposed for Chapter 8 encourage multiple modes of transportation and provide guidance for accommodating electric vehicles, low speed electric vehicles, and motorcycles.		
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:	X	PROCLAMATION:	
	EXHIBIT(S):	X	OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Engineering Staff Report Ordinance 2021-06 – Chapter 8 Parking Regulations			
SELECT, if applicable	RESOLUTION:		ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is not a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>	ORDINANCE NO. 2021-06			
	AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING REGULATIONS FOR PARKING WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESIDENTIAL AND COMMERCIAL PROPERTY PARKING STANDARDS; ALL OF WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED "PARKING REGULATIONS", PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.			
FISCAL IMPACT (if any):				\$



CITY OF WESTLAKE
Engineering Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

STAFF MEMORANDUM

DATE: 8/27/2021

DESCRIPTION: Chapter 8 Parking Regulations, Land Development Regulations

Introduction

Chapter 8 of the Land Development Regulations provides standards to ensure that adequate parking is provided to meet the needs of all uses in the City. Chapter 8 was adopted by the City Council on February 10, 2020.

To encourage land development to support multiple modes of transportation, changes to the regulations are proposed. These regulations provide guidance for accommodating low speed electric vehicles and motorcycles.

Other minor changes and clarifications are proposed within the chapter as described further in this memorandum.

All of the information in this memorandum was presented to Council at a workshop on 8/23/2021. Council provided feedback and additional changes were made to address those comments.

Benefits of Electric Vehicles

In the Comprehensive Plan, Objective TE 1.7 is "Promote energy efficiency and greenhouse gas reduction strategies". The use of electric vehicles (EV) and low speed electric vehicles (LSEV) meets the intent of this objective by reducing greenhouse gases. Providing EV and LSEV charging stations and parking has numerous benefits to the City including:

- Showing a commitment to cleaner air and environmental sustainability
- Paves the way for other forms of clean transportation
- Increase property values
- Provides another potential revenue source for others coming to the City to utilize the EV charging stations
- Available parking for (LSEV gives the active adult population with an affordable mode of transportation that is environmentally friendly

Summary of Chapter 8 Revisions

A summary of the changes proposed in Chapter 8 is listed below. Minor changes for grammar, formatting, or moving text to different sections are not included below and were not redlined in the Chapter. Items

that were discussed at the Council Workshop held on 8/23/2021 are shown in blue italicized text for clarity in review.

1. Electric vehicle charging stations are allowed in all multi-family and non-residential areas.
2. In Graphic 8-2, the drive aisle width for 90 degree parking was changed to 25-feet. This corresponds to Table 8-1 on the following page. This revision corrects the inconsistency.
3. In Table 8-1, the maximum size of LSEV parking was provided. The dimensional requirements for motorcycle parking were added.
4. In Table 8-3, Note 1 was revised to allow a maximum of 25% (instead of 20%) of the required spaces to count towards the off-street parking space minimums. This change results in the same number of parking spaces being allowed to count towards the parking minimums. A breakdown of the previous and proposed parking space requirements is as follows:
 - a. Queue length per adopted code
Drive-through Queue Length Restaurant (min) = 4 spaces before menu board + 3 spaces after menu board but before point of service + 1 space after point of service = 8 spaces total
Drive-through Queue Length Non-Restaurant (min) = 7 spaces before point of service + 1 space after point of service = 8 spaces total
 - b. Per adopted code number of spots in queue that can count towards off-street parking per adopted code: 8 spaces x 20% = 1.6 = round up to 2 spaces
 - c. Per proposed code number of spots in queue that can count towards off-street parking per adopted code: 8 spaces x 25% = 2 spaces
 - d. *Note that this item was proposed after the 8/23/2021 City Council Workshop and therefore was not included in that presentation.*
5. In Table 8-3, a note was added to allow spots required for drive-throughs to be both in the drive through aisle and in a designated parking spot.
6. Article 8.9, Section 1(E) and (F) were added for requirements of Electric Vehicle Charging Stations (EVCD) and Electric Vehicle Charging Parking Spaces (EVCPS).
 - a. Minimum number of EVCPS for non-residential developments is one (1) space or 2% of the total required spaces (whichever is greater).
 - b. Parking space must have Level 2 or higher electric vehicle charger.
 - c. All parking areas are allowed to be developed with the electrical infrastructure, even if the chargers are not installed.
 - d. EVPC shall count towards the total parking requirement.
 - e. EVPC shall be painted green or striped green.
 - f. Low Speed Electric Vehicles (LSEV) are defined per the Golf Cart Ordinance 2020-11.
 - g. Golf cart parking may occupy 30% of parking at recreational areas within residential developments.
 - h. LSEV *shall occupy a minimum of 2% and a maximum of 10% of parking at non-residential developments. If the overall number of required parking spaces is less than or equal to 30, no LSEV parking spaces are required but they are permitted.*
 - i. The LSEV parking, *if more than the minimum required is proposed*, shall be designed so permanent features (curbing, asphalt) will be meet the dimensional requirements for standard vehicles, but can be striped for LSEV vehicles. This will allow flexibility for transitioning the spaces to from LSEV to standard, and vice versa, depending on the operations of the facility.
 - j. *LSEV are permitted to park in standard vehicle parking spaces.*
7. Article 8.9, Section 1(G) was added to address motorcycle parking. For non-residential uses with 50 parking spaces or less, one (1) motorcycle spot is allowed. For non-residential uses with over

50 parking spaces, a maximum of three (3) motorcycle parking spaces are allowed for every 50 standard spaces.

Additional Discussion

Additional topics that were discussed at the 8/23/2021 City Council workshop included:

- (1) Are third parties allowed to install the Level 2 Chargers
- (2) Can the City generate revenue from the chargers?

To address these items, the chapter does not specifically allow or prohibit this. Staff recommends pursuing these topics apart from this chapter, as they relate to the operation of the facility and not necessarily the regulations for development of the parking.

Conclusion

The City has supported the use of EV and LSEV by providing a network of pathways and roadways that the vehicles can utilize. Additional parking regulations that support these vehicles will allow for greater flexibility and use throughout the City. The Engineering Department recommends approval of Chapter 8 Parking Regulations, as amended.

1st Reading: September 13, 2021

2nd Reading: September 27, 2021

ORDINANCE NO. (TBD)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING REGULATIONS FOR PARKING WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESIDENTIAL AND COMMERCIAL PROPERTY PARKING STANDARDS; ALL OF WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED "PARKING REGULATIONS", PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about May 3, 2018, the Florida Department of Economic Opportunity provided the City with notice of intent to find the City's initial comprehensive plan in compliance and is now the effective and controlling Comprehensive Plan for the City of Westlake (Comprehensive Plan); and

Whereas, the purpose and intent of the off-street parking and loading standards in the City of Westlake Land Development Regulations is to ensure that adequate parking is provided to meet the parking needs of all uses located within the City of Westlake; and

Whereas, the parking code provides standards and requirements for parking both on-site and off-site, loading requirements and stacking requirements for parking facilities based upon the density and intensity of residential and non-residential use; and

Whereas, the parking code provides requirements for pedestrian circulation, lighting standards within parking lots, and standards for reduced and shared parking requirements for new or expanded uses; and

Whereas, the parking code does not regulate every form and instance of parking which may occur within the jurisdictional limits for the City of Westlake, rather they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes contained herein; and

Whereas, if any provision of this parking regulations code is found by a court of competent jurisdiction to be invalid, such finding will not affect the validity of the other provisions of the parking regulations ordinance, which can be given effect without the invalid provision; and

Whereas, the Local Planning Agency has conducted a hearing on TBD, and made a recommendation to the City Council with respect to the adoption of the parking regulations ordinance; and

Whereas, the City Council has conducted a public hearing on TBD, wherein it considered the recommendation of the Local Planning Agency Board, the City staff and comments from the public into consideration and has determined that the adoption of this parking regulations ordinance is in the best interest of the public safety and welfare of the City of Westlake; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, as follows:

Section 1: **Incorporation.** The above recitals are confirmed, adopted and are incorporated herein by reference.

Section 2: **Parking Regulations.** The code of ordinances for the City of Westlake shall contain a chapter entitled "***Parking Regulations***" which code shall contain the provisions as specifically set forth herein.

CHAPTER 8 PARKING REGULATIONS

Article 8.1 INTENT

Section 1: **Intent.** This Chapter is intended to ensure that adequate parking is provided to meet the parking needs of all uses located within the City. All parking areas shall be designed and located for the following purposes:

- A) To serve the use for which constructed; and
- B) To protect the public safety; and
- C) To mitigate potential adverse traffic and parking impacts on adjacent uses.

ARTICLE 8.2 APPLICABILITY OF CHAPTER

Section 1: **Applicability.** The requirements of this Chapter shall apply to all development, including new structures, alterations or improvements to existing structures, establishment of new uses, or change of use. Off-street parking shall be available for use prior to the issuance of any certificate of occupancy or occupational license.

Section 2: **Expansion.** If an existing building, structure, or use that conforms to the off-street parking requirements is expanded, the area of expansion shall be consistent with requirements of this chapter, including off-street parking and landscaping.

Section 3: **Change in use.** Whenever a change of use or occupancy occurs and does not involve expansion of an existing building, the new use or occupancy shall meet the off-street parking requirements of this chapter.

Section 4: **Nonconformities.** Whenever an expansion occurs to a building or structure that is not in conformance with the off-street parking requirements established in this chapter, the area of expansion shall be consistent with requirements of this chapter, including off-street parking **and landscaping.**

Section 5: **Calculations.** Calculations shall be rounded to the nearest whole number.

Section 6: **Handicapped Parking.** These regulations hereby incorporate by reference all applicable provisions of Chapter 553, Part II, Accessibility by Handicapped Persons, Florida Statutes, as they apply to parking requirements and which incorporate the federal Americans with Disabilities Act Standards for Accessible Design. These requirements control over any other regulation in this code that may be in conflict.

ARTICLE 8.3 RESTRICTIONS ON PARKING

Section 1. **General Use Restriction of Parking Areas.** Required parking spaces shall not be used for the storage, sale or display of goods or materials or for the sale, repair, or servicing of vehicles unless specifically exempted or permitted as indicated in this section.

Section 2. **Operable Vehicles.** All vehicles parked within off-street parking areas shall be registered and capable of moving under their own power.

Section 3. C) Repairs and Maintenance. Minor repairs and motor vehicle maintenance on personal vehicles may be conducted in residential driveways. Other repairs of personal vehicles may be made within enclosed garages. Use of residential property to repair vehicles as a commercial transaction is prohibited.

Section 4. Electric vehicle charging stations. Electric vehicle charging stations are allowed in all multi-family residential and non-residential areas.

Section 5. Portable Storage Units. Parking and storage of portable storage units in residential areas or on residential lots.

(1) **Time limitation.** The temporary use and placement of a portable storage unit for the loading or unloading of items to or from the unit or residence is permitted on residential property for a period not to exceed fourteen (14) consecutive days. The planning and zoning director or designee may grant one (1) extension not to exceed fourteen (14) additional consecutive days for good cause. The temporary use and placement of a portable storage unit for the loading and unloading of items to or from a unit or residence is permitted only once per any twelve- (12-) month period unless there is a change of ownership of the residential premises during such twelve- (12-) month period.

(2) **Placement.** The placement of the portable storage unit shall be on either the driveway or approved parking area surface and shall be accomplished in such a manner that no landscaping is damaged as a result. Portable storage units shall not be placed within any right-of-way or over any easement.

(3) **Removal of portable storage units during tropical storm watch or warning and hurricane warning or watch required.** In the event the National Weather Service, National Hurricane Center, or appropriate weather agency declares a tropical storm watch or warning or a hurricane watch or warning that would impact the City of Westlake, all portable storage units located within the city shall be immediately removed from the property so as not to create a safety hazard because of hurricane or tropical storm force winds. The removal and replacement of any portable storage unit pursuant to this subsection shall not count toward the twelve- (12-) month limitation period as set forth in subsection (1) above nor shall compliance with this subsection diminish the total number of days allowed.

Section 6. Commercial Vehicles in Residential Areas. Commercial vehicles shall not be parked, stored, or repaired in a residential subdivision, in guest parking, or on a residential lot unless subject to one of the following exceptions:

(1) **Construction sites.** Vehicles parked temporarily at a site undergoing construction, for which a current and valid building permit has been issued by the City. The vehicle may remain at the construction site only as long as necessary. However, under no circumstances shall the vehicle remain after completion of the construction or expiration of the building permit, whichever occurs first.

(2) **Sales office use.** The use of a vehicle as a sales office on an approved development site, subject to all provisions of this subdivision pertaining to such use.

(3) **Security.** The use of a vehicle for security, subject to all provisions of this subdivision pertaining to such use.

(4) **Deliveries and service calls.** The use of a vehicle for deliveries, service calls, and other related trade services, provided such use is limited to the reasonable time necessary to complete a delivery or service.

(5) **Disabled vehicles.** A vehicle which becomes disabled and, as a result of such status, cannot reasonably comply with this subdivision. Such vehicle shall be removed from the residential district within 48 hours of the disabling incident, regardless of the nature of the disabling incident.

(6) **Public safety.** A vehicle which is owned, maintained, or operated by an agency of government for the purpose of public safety.

(7) **Enclosed parking.** A vehicle which is parked or stored in a fully-enclosed garage facility.

Section 7. Recreational Vehicles and Watercraft

(1) **Storage.** Recreational vehicles and watercraft shall be stored in a fully-enclosed garage facility.

(2) **Loading and unloading.** An RV or watercraft may be permitted in the front yard of a lot for one 24-hour period to permit loading or unloading. This period may be extended by the Planning and Zoning Director.

(3) **Residential use prohibited.** Under no circumstances shall an RV or watercraft, parked or stored pursuant to this subdivision, be used for temporary or permanent residential purposes, including living, sleeping, or other similar occupancy, or storage in any manner.

(4) **Watercraft and trailers.** For the purposes of this subdivision, when a watercraft is parked, stored, or resting on a trailer or similar device used or intended for storage or transportation, the watercraft and the trailer shall be considered a single unit and subject to the regulations and restrictions applicable to a watercraft.

ARTICLE 8.4 Provision of adequate parking. The owner, developer, or operator of a specific use shall be responsible to provide and maintain adequate off-street parking to meet the specific characteristics of a use or combination of uses located on a site or property.

ARTICLE 8.5 LOCATION OF REQUIRED PARKING

Section 1: General Location. All off-street parking shall be located on or near the same lot or parcel as the use for which the parking is provided in order to provide convenient and safe access to the uses served by such facilities.

Section 2: Off-site Location. Parking located off of the same lot or parcel as the use for which the parking is provided is allowed only if the provision of such parking and access will be available and guaranteed via ownership, lease, or other legally binding mechanism in a recordable form acceptable to the City Attorney. The off-site parking shall remain in place until said legally binding document is released by the City. Off-Site parking may be conditionally allowed only for non-residential uses with the approval by City Council. The City Council will evaluate the on-site parking provided along with a parking study completed by a licensed professional engineer to justify the proposed for parking solution(s). Off-site parking must be located within eight hundred (800) feet of the applicant's project site. This distance shall be measured from property line to property line. Off-site parking may not be located adjacent to or within a single-family residential area.

Section 3: Residential Driveways. Driveways are required for single family detached dwellings, and are considered off-street parking spaces for single-family dwellings. However, the length and width of the driveway must provide sufficient space to comply with the requirements of this chapter.

4

For single family attached dwellings, if driveways are not provided. off-street, on-street, or other alternative parking shall be provided within 360 feet of the single family attached dwelling unit in order to meet parking requirements.

Section 4: **Building setbacks.** Parking of vehicles in any front, side, or rear building setback or landscape buffer, except on driveways, other designated parking areas and other approved surfaces, is prohibited unless allowed as temporary parking as defined below.

Section 5: **Temporary Residential Yard Parking.** Temporary parking of vehicles in a yard is permitted for social or other events held at a residence, provided such parking shall not exceed eight hours in a 24-hour period. Temporary parking in a yard due to renovation or repair of a driveway or residence is permitted for the duration of the construction of the improvements.

ARTICLE 8.6 DIMENSIONS OF PARKING SPACES

Section 1: The dimensions and geometrics of off-street parking areas shall conform to the following minimum standards.

A) **Residential.**

(1) **Individual Parking Space.** Each parking space for dwelling units that do not share a common parking lot, including spaces provided in single-family dwelling unit driveways, shall be a minimum of eight and one half (8'6") feet wide and twenty (20) feet long. Parking spaces may be side to side, end to end or not contiguous to each other.

(2) **Common Parking Lots.** For dwelling units that share a common parking lot, parking spaces and aisles shall be subject to Table 8-1, Minimum Parking Dimensions.

B) **Nonresidential.**

(1) All nonresidential uses shall provide parking spaces that comply with Table 8-1, Minimum Parking Dimensions. Use of parking angles not listed in the Table shall use dimensions based on linear interpolation.

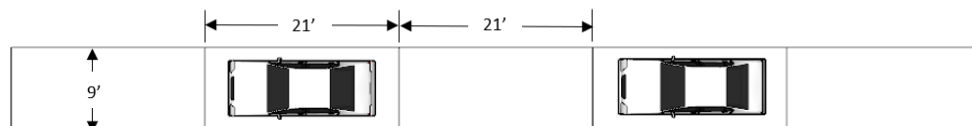
Section 2: **Parking along road or drive aisle.**

A) **On-road parking requirement.** On-road parking may only be provided on roads with curbing and shall not encroach upon required spaces for motor vehicle or bicycle lanes and shall not conflict with other code requirements.

B) **On-road parking options.** On-road parking may be parallel or angled on local roads.

(1) **Parallel Parking.** On-road parking must be parallel on collector or higher function roads. Parallel parking spaces shall have a minimum length of twenty-one (21) feet and a minimum width of nine (9) feet. Parallel parking spaces on local residential roads may have a reduced width of eight (8) feet.

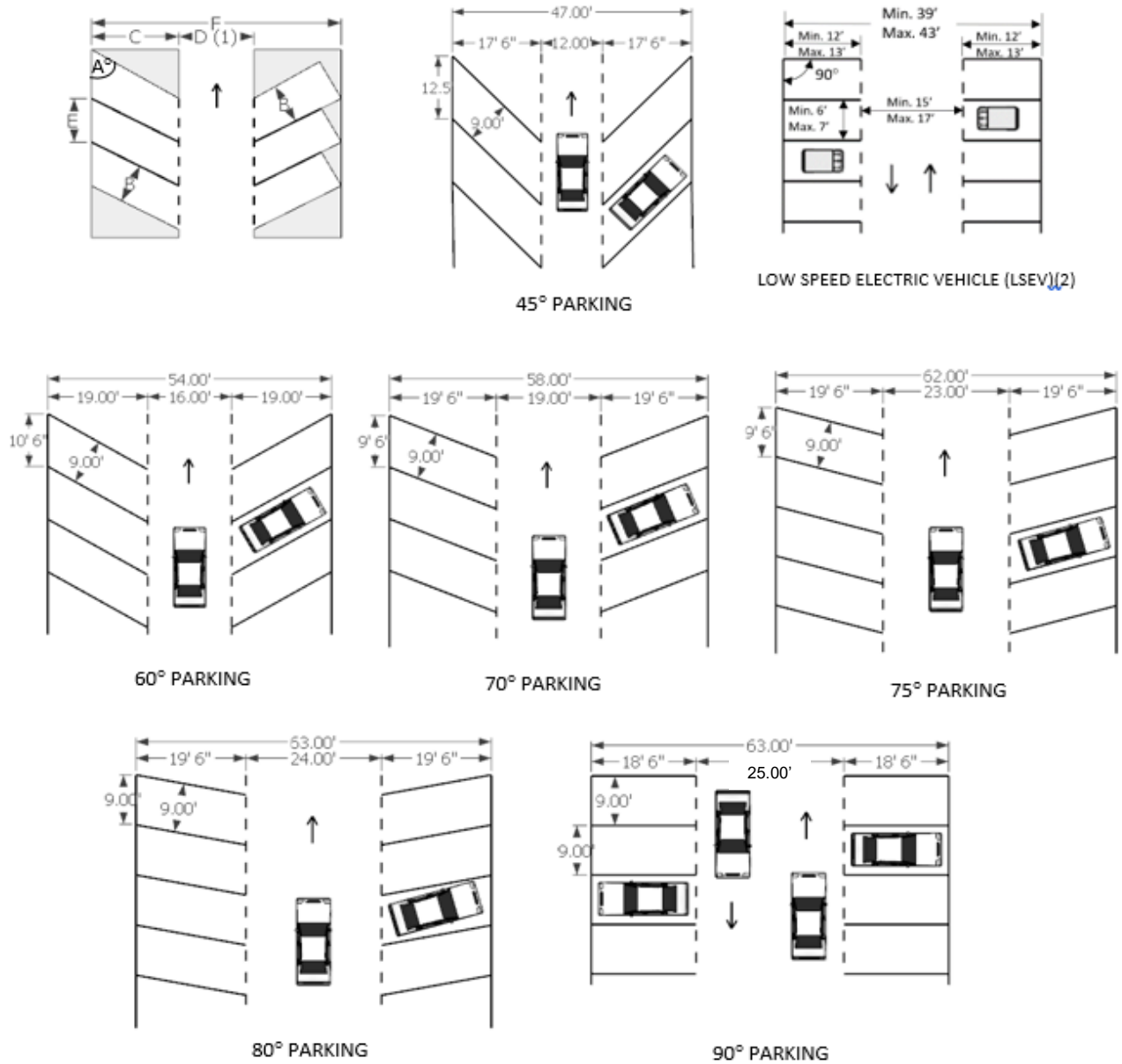
Graphic 8-1



(2) **Angled parking.** Angled parking is allowed along local roads and shall meet the

dimensional requirements of Table 8-1 when applicable. Back-in angle parking may be used for on-street parking on local roads.

Graphic 8-2



Key					
A	Parking Angle	C	Space Depth	E	Curb Length
B	Space Width	D	Aisle Width (1)	F	Wall to Wall Width
Notes:					
1. All angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90-degree parking spaces, or unless stated otherwise herein.					
2. While drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.					

TABLE 8-1: MINIMUM PARKING DIMENSIONS FOR NONRESIDENTIAL USES AND RESIDENTIAL USES WITH SHARED PARKING LOTS

A Angle	Use (1)	B Space Width (feet)	C Space Depth (feet)	D Aisle Width (feet)	E Curb Length (feet)	F Module Width (feet)
45	General	9.0	17.5	12.0	12.5	47.0
	Retail	9.5	17.5	12.0	13.5	47.0
	Handicapped	12.0	17.5	12.0	17.0	47.0
60	General	9.0	19.0	16.0	10.5	54.0
	Retail	9.5	19.0	15.0	11.0	53.0
	Handicapped	12.0	19.0	14.0	14.0	52.0
70	General	9.0	19.5	19.0	9.5	58.0
	Retail	9.5	19.5	18.0	10.0	57.0
	Handicapped	12.0	19.5	17.0	12.5	56.0
75	General	9.0	19.5	23.0	9.5	62.0
	Retail	9.5	19.5	22.0	10.0	61.0
	Handicapped	12.0	19.5	21.0	12.5	60.0
80	General	9.0	19.5	24.0	9.0	63.0
	Retail	9.5	19.5	23.0	9.5	62.0
	Handicapped	12.0	19.5	22.0	12.0	61.0
90	General	9.0	18.5	25.0	9.0	63.0
	Retail	9.0	18.5	25.0	9.5	62.0
	Handicapped	12.0	18.5	25.0	12.0	61.0
90	Low Speed Electric Vehicle (LSEV)	Min. 6.0	Min. 12.0	Min. 15.0(2)	Min. 6.0	Min. 39.0(2)
		Max. 7.0	Max. 13.0	Max. 17.0(2)	Max. 7.0	Max. 43.0(2)
90	Motorcycle	4.0	9.0	15.0(2)	6.0	39.0(2)

(1) The term "general" applies to parking spaces designated to serve all commercial uses except retail and residential uses with shared parking lots. Spaces reserved for use by disabled persons shall be governed by the rows labeled "handicap." Handicapped dimensions are intended to meet or exceed the requirements of Ch. 553, Part II, F.S., however Ch. 553, Part 11, F.S. controls if more restrictive.

(2) Where drive aisles in LSEV or motorcycle parking areas are not intended solely for use by LSEV or motorcycle, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.

(3) Angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90- degree parking stalls, or unless stated otherwise herein.

(4) Parking spaces using geometric standards other than those specified may be considered and approved by the City Engineer if the alternative standards are developed and sealed by a professional engineer licensed in Florida with expertise in parking facility design, demonstrating an equivalent degree of safety and convenience.

(5) LSEV is defined below.

ARTICLE 8.7 PARKING LOT FEATURES

Section 1: Circulation Plan

- A) **Coordinated Circulation Plan.** There shall be safe, adequate, and convenient arrangement of off-street parking, queuing spaces, loading spaces, and drive aisles in coordination with pedestrian pathways, bikeways, roads, driveways, access points, landscaping, open space, and adjacent buildings.

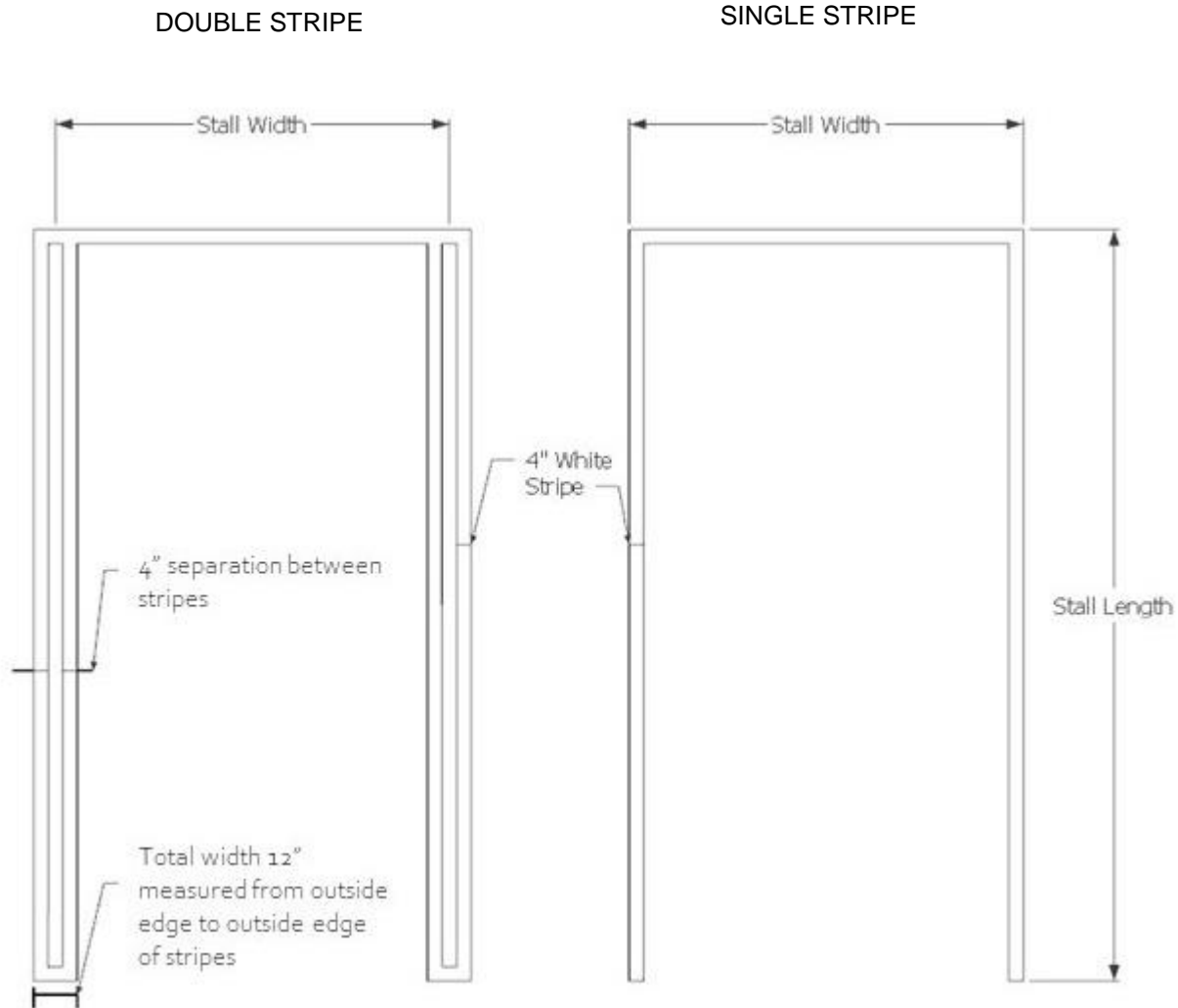
Section 2: Vehicle Encroachment Barriers

- A) **General.** Parking areas shall provide curbing, bollards, wheel stops, elevated pathways, additional spacing, or other methods to deter vehicles from damaging walls, structures, poles, columns, signage, fences, outdoor furniture, or other facilities or equipment (e.g., bike racks, shopping cart corrals, electrical/communication/drainage devices, etc.) or encroach upon pedestrian pathways, sidewalks, shared use paths, or required landscaping.
- B) **Bollards.** Bollards are encouraged to protect areas of concentrated pedestrian traffic and otherwise limit encroachment onto pedestrian pathways. Bollards shall not be less than three (3) feet high and shall be marked or colored to enhance visibility.
- C) **Wheel stops.** Wheel stops are suitable against walls or other boundary conditions where pedestrians cannot travel. The use of wheel stops to deter vehicle encroachment upon pedestrian pathways should be avoided when practicable. Wheel stops shall not exceed six (6) inches in height.
- D) **Curbing.** Curbing shall not exceed six (6) inches in height.
- E) **Placement.** Wheel stops and bollards shall be placed two and one-half (2.5) feet back from walls, structures, poles, columns, signage, fences, outdoor furniture, or other facilities or equipment, pedestrian pathways, sidewalks, shared use paths, and required landscaping. Continuous curbing shall not be placed within the tree drip line of landscaped areas that include trees. Curb placement, additional spacing, or other methods shall ensure that vehicle overhang does not encroach upon required pedestrian pathways, sidewalks, shared use paths, or required landscaping.
- F) **Pedestrian safety.** The use of wheel stops to protect pedestrian pathways shall minimize pedestrian vulnerability to slipping, tripping, or falling due to the use of wheel stops in areas where pedestrians (including those entering and exiting motor vehicles) may walk to access pedestrian pathways.
 - (1) The wheel stops shall be clearly visible by coloration which contrasts with the surroundings and by adequate lighting.
 - (2) When used in parking stalls, wheel stops shall be no longer than six (6) feet and shall be centered within the width of the stall such that the ends of the wheel stops are no closer than eight (8) inches from the inner edge of the painted perimeter striping in order to provide for an adequate spacing between adjacent wheel stops where pedestrians can safely walk.
 - (3) Wheel stops shall not be placed within pedestrian pathways.
 - (4) Wheel stops must be permanently secured to the pavement or ground and maintained in good condition. Any damage to wheel stops, including protruding anchors, shall be repaired promptly.
- G) **Handicapped Accessibility.** Notwithstanding these local provisions, statutory provisions for use of vehicle encroachment barriers, such as wheel stops, or curbing are required.

Section 3: Pavement Marking/Striping/Signage

- A) Parking lots containing spaces for three or more vehicles shall delineate each space by single or double stripes on each side of the space. All stripes shall be delineated in white paint, thermal plastic coating, or pavers, except for handicapped spaces. The width of the delineated stripe shall be four (4") inches. Double striping separation from inside edge of stripe to inside edge of stripe shall be no less than eight (8") inches and no more than sixteen (16") inches. The effective width of the double stripes shall range from sixteen (16") inches to twenty-four (24") inches, measured from outside edge of stripe to outside edge of stripe.

Graphic 8-3



- A) Striping of handicapped spaces shall meet the requirements of Chapter 553, Part II, F.S.

Section 4: Maintenance.

- A) All parking lots shall be maintained in safe condition to prevent any hazards, such as cracked asphalt or potholes.

- B) Sealcoating shall be used only for preventative maintenance and shall not be permitted for pavement structural repairs or cracks.
- C) Pavement markings shall be clearly visible.
- D) Off-street parking facilities and parking facilities for all residential uses shall be free of weeds, dust, trash, and debris. Drainage systems for off-street parking facilities shall be maintained in a manner acceptable to the City Engineer.

Section 5: Shell Rock

- A) The uses listed below may construct surface parking lots with shell-rock or similar material approved by the City Engineer. Parking areas connected to a public road, shall be paved.
 - (1) Agricultural uses requiring less than 20 spaces.
 - (2) Communication towers.
 - (3) Accessory uses to a bona fide agricultural use, such as farm workers quarters.
 - (4) Nurseries.

Section 6: Access

- A) Ingress and egress shall be located to present the least interference with traffic and the least nuisance on any adjacent road. The location, size and number of entrances and exits shall be subject to approval by the City Engineer.
- B) Each parking space shall have appropriate access to a road or alley. Legally platted lots that accommodate one or two units shall be allowed backward egress from a driveway onto a road. In all other cases, maneuvering and access aisle area shall be sufficient to permit vehicles to enter and leave the parking lot in a forward motion.
- C) Access ways, except those associated with a single-family residential driveway, shall be subject to the following dimensional standards in Table 8-2.

TABLE 8-2: DIMENSIONS OF ACCESS WAYS

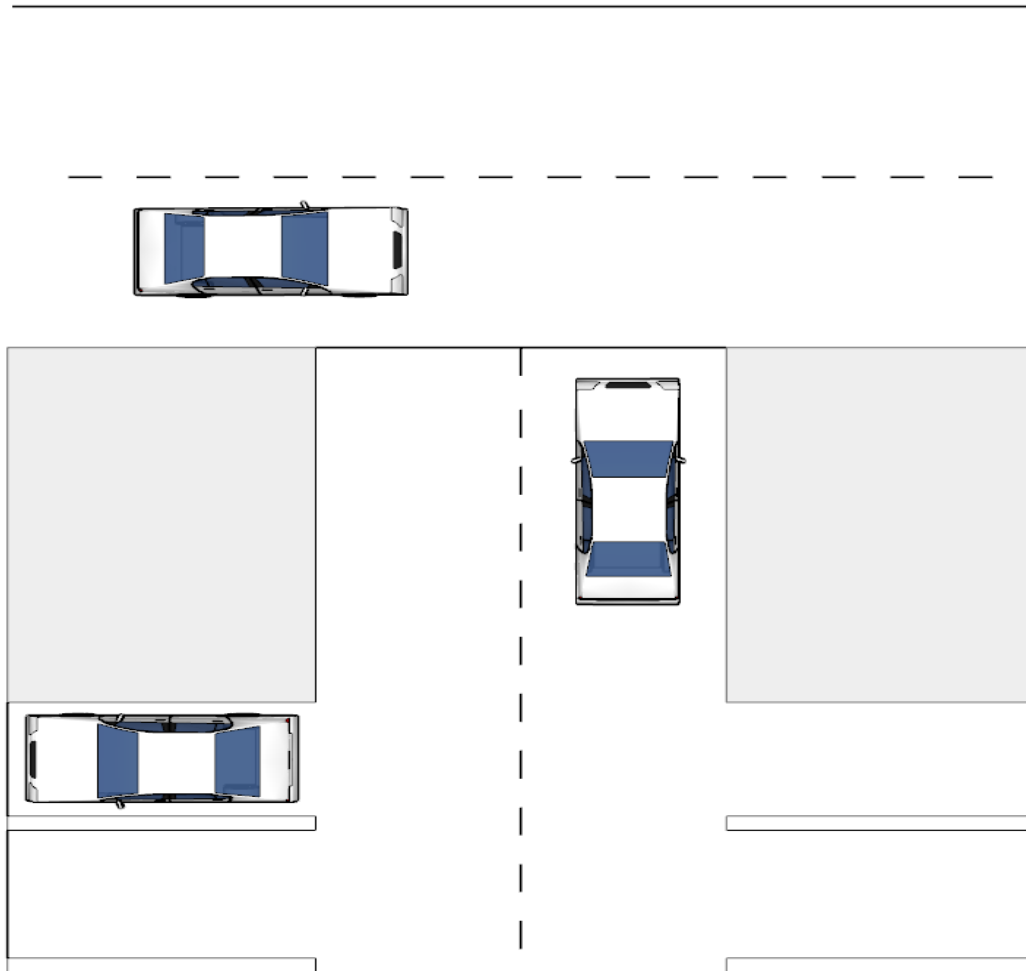
Minimum Width at Street	Feet (1)
One-Way	20
Two-way with median	40 ⁽²⁾
Two-way without median	25
Right Turn Radius (3)	
Minimum	25
Maximum	30
Notes:	
1. Widths exceeding these standards may be approved by the Planning Director or the City Engineer, depending on the use.	

2. Width excludes median. 20-foot unobstructed pavement required on both sides of median, excluding guardhouses and landscape islands.

3. Measured on side of driveway exposed to entry or exit by right turning vehicles.

A) **Entrance Queue.** In a parking lot a minimum queuing distance of 25 feet is required between the property line or lot line at the point of access and the first parking space, unless otherwise specified in Minimum Queuing Standards.

Graphic 8-4



B) Queuing and By-Pass Standards for Drive-Through Establishments

(1) **Queuing shall be provided for all drive-through establishments.** Each queuing space shall be a minimum of ten feet (10') by twenty (20') feet, clearly defined and designed so as not to conflict or interfere with other traffic using the site. The dimensions for the point of service space may be reduced to nine (9') feet by twenty (20') feet. Unless otherwise indicated below, queuing shall be measured from the front of the stopped vehicle located at the point of service to the rear of the queuing lane. One additional queuing space shall also be provided after the point of service for all uses.

(2) **A by-pass lane a minimum of ten feet wide shall be provided before or around the point of service.** Subject to the Planning and Zoning Director's approval, a by-pass lane may not be required if the queuing lane is adjacent to a vehicular use area which functions as a by-pass lane. The by-pass lane shall be clearly designated and distinct from the queuing area.

(3) **Number of Queuing Spaces.** The number of queuing spaces is based on the type of use. The number of required spaces may be allocated to one or more drive-through lanes. The required number of queuing spaces is provided in Table 8-3.

TABLE 8-3: MINIMUM DRIVE-THROUGH QUEUING STANDARDS

Use	Number of Spaces (1)	Required By-pass (2)
Drive-through Financial Institution		
Teller Lanes	3	Yes
Automatic Teller Machine Lanes	2	No
Drive-through Restaurant	7 (3)	Yes
Minimum before Menu Board	4 (3)	Yes
High Intensity Drive Through	12 (3)	Yes
Drive-through Car Wash		
Automatic	5	No
Self-Service	3	Yes
Drive-through Oil Change	4	Yes
Gasoline Pump Island	1 queue at each end of pump island.	No
Drive-through Dry Cleaning or Laundry	3	Yes
Drive-through General Retail	4	Yes

Commercial Parking Lot	3	No
<p>Notes:</p> <p>1. The space accommodating the vehicle being serviced shall be counted as one of the minimum number of spaces. Also, a maximum of 25% of the required spaces may count toward the off-street parking space minimums.</p> <p>2. All Uses: a by-pass lane shall be required if more than 5 queuing spaces are provided.</p> <p>3. Up to two (2) reserved spaces after the menu board and adjacent to, or in the vicinity of, the drive-through lane(s) and can be easily accessed from drive-through lane(s) can be credited towards the queuing requirement. These spaces shall be clearly marked as "reserve for drive-through only" and shall not be credited towards the total number of required parking spaces.</p>		

Section 7: Valet Parking: Any use may utilize valet parking, subject to the following criteria: Valet parking area must be clear of fire lanes and Americans with Disabilities Act accessible parking spaces and/or accessible ramps.

- A) Valet parking for restaurants and within retail commercial shopping centers shall not utilize more than twenty (20%) percent of the on-site parking provided for the project.
- B) The area of the valet parking shall be clear of driveways, drive aisles, and shall not modify the approved access circulation, unless otherwise approved by the City.
- C) Parking spaces reserved for valet parking shall be located in the portion of the parking lot farthest from the principal structure.
- D) A request to establish valet parking shall include:
 - (1) The location of the valet booth/drop-off area;
 - (2) The location and number of parking spaces to be utilized for valet parking;
 - (3) Consent of the property owner;
 - (4) The hours of operation; and
 - (5) Location and dimensions of any signage associated with the valet parking service.

Section 8: Loading

- A) Off-street loading facilities shall be provided and maintained in the amount required in this section. These requirements may be waived or lessened in whole or part by the Planning and Zoning Director upon recommendation of the City Engineer. Any request for a waiver allowing a reduction in the number of loading spaces, size of loading area, shared use of loading facilities or other terms of this section shall require an applicant to submit a "justification statement" from a licensed professional engineer, professional landscape architect, certified planner, or other appropriate professional including the following as applicable:
 - (1) The need for the reduction and how the site functionality will be maintained;
 - (2) A conceptual layout showing vehicle paths;
 - (3) Parking reduction analysis; and
 - (4) Loading demand analysis.
 - (5) An analysis of location which does not impede traffic safety and circulation.

- B) **Minimum dimensions.** Off-street loading spaces shall comply with the minimum dimensions indicated below.
- (1) **Overhead clearance:** 15 feet.
 - (2) **Minimum width:** 12 feet.
 - (3) **Minimum length:** 35 feet long, exclusive of access or maneuvering areas, platforms and other appurtenances.
 - (4) **Maneuvering apron.** A maneuvering apron, a minimum of twelve (12') feet wide and thirty-five (35') feet long, shall be provided directly behind the loading space intended to serve, or as otherwise may be approved by the city.
- C) **Location.** Except as provided in Shared use of loading facilities, off-street loading facilities shall be located on the same property which they serve.
- (1) **Residential development.** Off-street loading facilities shall not be located within one hundred (100') feet of a single family residential developed area.
 - (2) **Enclosure.** The city may require off-street loading facilities to be enclosed, screened, or buffered to minimize visual impacts, noise, or other off-site impacts on adjacent property owners.
 - (3) **Refrigerated trucks.** Refrigerated trucks, and other trucks which require compressors, engines, refrigeration equipment, and similar equipment to be continuously or periodically operational shall not park within two hundred-fifty (250') feet of any single family residential developed area during the hours of 7:00 p.m. to 7:00 a.m. on weekdays, and 7:00 p.m. to 9:00 a.m. on Saturday and Sunday.
 - (4) **Location:** The location of the loading facility can not impede traffic safety and circulation.
- D) **Circulation.**
- (1) Access and maneuvering areas, ramps, and other vehicular circulation areas associated with such facilities shall not be located on a public or private road right-of-way.
 - (2) **Entrances and exits.** Entrances and exits to the facility shall be located so as to minimize traffic congestion or prevent vehicles from backing from the street into the facility. Roads, alleys, or other public rights-of-way shall not be considered part of an off-street loading facility.
 - (3) All vehicular circulation shall be so arranged that the vehicles are not required to back from the road into the facility nor required to back from the facility into a road or other public-right-of way.
 - (4) In areas where access drives to off-street loading facilities occur in conjunction with off-street parking facilities that provide parking at road level for more than six hundred (600) cars, separate circulation routes within such facilities shall be maintained.
- E) **Required Features.**
- (1) **Maintenance.** Off-street loading facilities shall be maintained in good condition, free of weeds, dust, trash, and debris.
 - (2) **Lighting.** Lighting facilities shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic on adjoining roads.
 - (3) **Markings.** All off-street loading spaces shall be striped and clearly marked in a manner acceptable to the City Engineer.

F) **Number of loading spaces required.**

- (1) **Minimum requirements.** Off-street loading facilities shall comply with the requirements of Table 8-4 and shall be applicable to a building, group of buildings, or part thereof that includes commercial, industrial, office, or other non-residential uses requiring the frequent receipt or distribution by motor vehicles of materials or merchandise as determined by the Planning and Zoning Director. Notwithstanding the requirements provided herein, structures less than ten thousand (10,000) square feet may provide a loading space of a size and at such location as is consistent with the use of the structure.

Table 8-4: REQUIRED OFF-STREET LOADING SPACES

Size (Gross Square Feet)	Number of Spaces	
	Office	Non-Residential
0 to 10,000	1	1
10,001 to 50,000	1	2
50,001 to 100,000	2	3
Each additional 100,000	0.5	1

Exceptions. Hotels shall provide loading spaces based upon the number of rooms. An application for development order approval for a hotel, or which includes a hotel, shall provide a study documenting the number of loading spaces to be provided.

G) Shared use of loading facilities.

- (1) **Establishment.** Two or more neighboring uses may establish common off-street loading facilities, subject to approval by the city council. The total number of common off-street loading spaces shall not be less than the number required for individual users, unless otherwise approved by the city council. Criteria for reduction in the total number of off-street loading spaces include the following:
 - (a) Times of usage of the truck loading facilities by the individual users;
 - (b) The location of the proposed common facilities; and
 - (c) The character of the merchandise involved.
- (2) **Other requirements.** In order to establish common off-street loading facilities, the standards listed below are applicable.
 - (a) **Consent.** Written consent, in a form acceptable to the City Attorney, is obtained from all affected property owners.
 - (b) **Written agreement.** All conditions relating to the use, location, construction, and maintenance of the common facilities will be provided in a form acceptable to the City Attorney.
 - (c) **Use of common facility.** All users and property owners participating in a common off-street truck loading facility shall agree, in a form acceptable to the City Attorney, that goods moved from the common facility shall not involve movement by truck, automobile, or other vehicle.

Section 9: Pedestrian Circulation

- A) **Pedestrian safety.** Pedestrian pathways shall be arranged so that pedestrians moving between buildings and through parking areas are not unnecessarily exposed to vehicular traffic.
- B) **Pedestrian convenience.** Pedestrian walkways shall connect the parking areas to building entrances and roadside sidewalks, including a continuous internal pedestrian walkway from each adjacent perimeter public sidewalk to customer entrances. Such pedestrian access way shall be a minimum of four (4') feet in width, clearly marked, well lighted, safely surfaced, and unobstructed.

- C) **Building sidewalks.** Where off-street parking spaces directly face the front of a structure and are not separated by an access aisle from the structure, a paved pedestrian walkway shall be provided between the front of the parking space and the structure. The walkway shall be a minimum of four (4') feet wide, exclusive of vehicle overhang, and shall be separated from the parking space by concrete wheel stops or continuous curbing.

Section 10: Alternative Parking Surfaces

A) **Grassed Parking Surface**

- (1) **Grass Parking:** A portion of the required parking spaces may be grass parking subject to the following:

- (a) A written statement that the area proposed for grass parking shall be used for parking on an average of no more than three (3) days or nights each week.
- (b) The City Engineer shall confirm that the grass parking area will perform adequately and be appropriately maintained.
- (c) The City Engineer shall require grass parking area to be replaced with paving materials if the area becomes unsafe or hazardous.

- (2) **Pervious Parking Surface**

- (a) **Pervious Parking Surface.** Pervious parking surfaces may be used to satisfy the paved parking requirements subject to the City Engineer's confirmation that the pervious surface will perform adequately, meet all other applicable code and regulatory requirements, and be appropriately maintained.

ARTICLE 8.8 PARKING GARAGES

Section 1: Parking Garages General. Parking garages may be used to provide all or a portion of the required parking. Parking garages shall comply with all standards with regard to space sizing, striping, signage, construction, design, and other relevant requirements in the land development regulations.

Section 2: Parking Garage Design Standards. The unobstructed distance between columns or walls measured at any point between the ends of the parking aisle shall be as indicated in Table 8-5, Minimum Floor Width.

TABLE 8-5: PARKING GARAGES: MINIMUM FLOOR WIDTH

Angle	Parking on Both Sides of Aisle	Parking on One Side of Aisle
90	60 feet one-or two-way aisle	43 feet one-or two-way aisle
75	59 feet one-way aisle (1)	40 feet one-way aisle
60	53 feet one-way aisle (1)	34 feet one-way aisle
Notes: 1. Requests for reductions of unobstructed distances will be considered if aisle and sight parking dimensions are met, and the columns are not located at the rear of the parking spaces nor interfere with the opening of doors.		

ARTICLE 8.9 Number of Parking Spaces Required

Section 1: General Provisions

- A) **Miscellaneous Uses.** For any use not listed in Table 8-6, Required Off-street Parking Spaces, the planning and zoning director shall determine off-street parking requirements based on uses with similar characteristics.
- B) **Required spaces.** The number of off-street parking spaces required for individual uses is established in Table 8-6. The standards established in this section provide the minimum vehicular parking requirements for the various uses as classified. As indicated in Table 8-6, the planning and zoning director may request additional information to demonstrate compliance with overall parking demand.
- C) **Mixed uses.** For mixed use projects approved by the city council with a specific percentage of individual uses, total off-street parking requirements shall be calculated based upon the requirements applicable to each individual use. For commercial shopping centers or other centers which may provide a variety of mixed uses, the parking requirements for a shopping center shall apply.
- D) **Parking Deviation(s).** Deviation(s) from the provisions of this Chapter may be permitted for government facilities within the Downtown Mixed Use and Civic Zoning Districts, subject to approval by the City Council utilizing the following standards:
 - (1) The proposed deviation(s) maintains compatibility with the uses and character of land surrounding and in the vicinity of the land proposed for development;
 - (2) Adverse effects on adjacent uses and lands, including but not limited to visual impact, are determined to be minimal or otherwise negligible upon review and consideration of surrounding lands, uses, zoning, Future Land Use (FLU), character, or other pre-existing conditions;
 - (3) Special or unique circumstances or factors exist that are applicable to the proposed use, structure, feature, or land proposed for development;

- (4) The proposed deviation(s) allows for reasonable or practical use of the land proposed for development;
 - (5) Approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Comprehensive Plan and these Land Development Regulations; and,
 - (6) Approval of the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare.
- E) **Electric Vehicle Charging Stations.** Each Electric Vehicle Charging Parking Space (EVCPS) shall be marked by a sign designating the parking space as an EVCPS parking space, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration for electric vehicles.
- (1) For multi-family residential developments, Electric Vehicle Charging Parking Space(s) (EVCPS) are permitted by right.
 - (2) Non-residential developments shall have a minimum of one (1) space or 2% of the total required parking spaces (whichever is greater) designated as EVCPS, up to a maximum of 20 spaces or up to 10% of the total required parking spaces (whichever is greater).
 - (3) In order to qualify as an EVCPS, the parking space must have a Level 2 or higher electric vehicle charger.
 - (4) By right, any space in any residential or non-residential development may be developed with the electrical and other infrastructure necessary to support an electric vehicle charger, whether or not such charger is installed.
 - (5) All EVCPSs shall count towards parking space requirements. Vehicles that are not capable of charging by using the EVCPS are prohibited from parking in these space.
 - (6) EVCPSs shall be painted green or shall be marked by green painted lines or curbs.
- F) **Low Speed Electric Vehicles (LSEV).** For purposes of this ordinance LSEV shall mean Golf carts, Hybrid golf carts, Low Speed vehicles, Neighborhood electric vehicles, Speed modified golf carts, and Slow moving vehicles, as those terms are defined in Ordinance 2020-11.
- (1) Residential developments with recreation areas (such as Recreation Pods, Golf Courses, or recreational facilities designed and intended for use by occupants of residential developments or subdivisions) may provide LSEV parking spaces to be used to meet up to 30% of the required recreational parking spaces. Recreational parking spaces are defined as those that serve recreational areas exclusively.
 - (2) Non-residential developments shall provide a minimum of 2% and a maximum of 10% LSEV parking spaces to meet parking space requirements. These spaces are to be accessible from the shared use path. If the overall number of parking spaces required is less than or equal to 30, no LSEV parking spaces are required but they are permitted.
 - (3) Parking lots that have LSEV greater than the minimum required shall be designed to accommodate the required number of general use parking spaces, and LSEV parking shall be so delineated by striping, signage, or other measures to meet the minimum standards as provided for in Table 8-1.
 - (4) For purposes of counting LSEV spaces towards parking requirements one (1) LSEV parking space shall be considered equivalent to one (1) general-use space.

- (5) When there is a change of land use and/or in ownership, these spaces may be converted to general-use spaces at the option of the landowner.
- (6) LSEV chargers may be provided as LSEV spaces, but are not required.
- (7) LSEV are permitted to park in standard vehicle parking spaces.
- G) **Motorcycles.** For non-residential use providing fewer than 50 parking spaces, one (1) off-street parking space may be provided to accommodate parking of motorcycles. For non-residential use providing 50 or more spaces, a maximum of three (3) off-street spaces (per 50 general use spaces) may be redesigned and designated to accommodate parking of motorcycles. These spaces may be included in or counted towards the number of parking spaces required.
- H) **Assigned parking.** Parking spaces assigned to a specific use may be authorized by the city manager or his/her designee, provided the number of spaces assigned to a particular use does not exceed 5% of the number of spaces required for such use. Assigned spaces shall be clearly identified by signage. Assigned spaces and required signage shall be indicated on the approved site plan associated with the affected use. Assigned parking shall not be considered in shared parking calculations.
- I) **Parking lot landscaping, signage and drainage.** Parking lot landscaping, signage, drainage, and construction standards are addressed in other Chapters of the Westlake Land Development Regulations.

TABLE 8-6: REQUIRED OFF-STREET PARKING SPACES

USE/CATEGORY	SPACES REQUIRED
RESIDENTIAL (*1,2)	
Dwelling, Single-Family, Detached or Attached	2 spaces per unit plus minimum of 4% of total required spaces for guest parking
Dwelling, Multi-Family	1 space per <u>bedroom unit</u> plus minimum of 5% of total required spaces for guest parking
Dwelling, Single-Family, Detached or Attached, Affordable or Workforce Housing	1 space per unit
Dwelling, Mobile Home/Manufactured Home	1 space per unit plus minimum of 4% of total spaces for guest parking
Accessory Dwelling Unit	1 space per unit
Residence Hall or Dormitory	0.75 spaces resident
Community Residential Home, Type I (6 or less residents)	Greater of 2 spaces per unit or 1 space for each bedroom
Community Residential Home, Type II (7-14 residents)	1 space per 4 residents
Assisted Living Facility (1 or more residents)	1.25 space per dwelling unit for independent living; 1 space per 2 beds for assisted living; 1 space per 4 beds.
Foster Care Facilities and Group Homes	Lesser of 1 space for each bedroom or 0.5 space per resident
RETAIL & COMMERCIAL	
Sexually Oriented Business	1 space per 250 square feet

Antique Store	1 space per 400 square feet
Appliance and Electronics Store	1 space per 400 square feet
Motor vehicle repair and/or service establishments, gasoline stations, and car washes	1 space per 300 square feet, plus 1 space per service bay for repair and 1 space per 2 bays for car wash, plus 1 space per 5,400 square feet of outdoor storage area.
Auto Dealership	1 space per 250 square feet of enclosed display area and offices plus 1 space per 4,500 square feet of outdoor sales, display and rental plus 1 space for every 2 service bays* <i>*Vehicle sales, storage, or display areas shall not be counted towards meeting required parking.</i>
Auto Rental, Accessory	1 space per 600 square feet of storage area
General Retail Sales or Service not specifically listed in this table	1 space per 300 square feet
Banquet Facility	1 space per 125 feet of indoor and outdoor assembly area
Convenience Store with or without Gas Sales	1 space per 240 square feet, plus 1 space per gas pump island (bay) if provided
Farm Equipment and Sales	1 space per 250 square feet of enclosed display area and offices plus 1 space per 4,500 square feet of outdoor sales, display and rental plus 1 space for every 2 service bays. At least one off-street loading area for equipment transport trailers shall be provided.
Feedstore	1 space per 300 square feet
Grocery Store/Supermarket	1 space per 240 square feet
Hotels, motels, other accommodation services	.75 spaces per room plus 1 space per 300 SF of event/conference space. Restaurant oriented toward use of public at large shall be separately calculated.
Landscape, Nursery, and Garden Supplies	1 space per 300 square feet plus 1 space per 1,200 square feet of outdoor display area
Medical Office	1 space per 240 square feet
Motorcycle Sales and Service	1 space per 600 square feet of enclosed display area and offices plus 1 space per 5,400 square feet of outdoor sales, display and rental plus 1 space for every 2 service bays
Nightclub, Bar, or Lounge	1 space per 2 seats but not less than 1 space per 100 square feet

Restaurant, Fast Food (with or without Drive-through)	1 space per 150 gross square feet including outdoor seating, plus 1 space per 250 square feet for employee parking
Restaurant, General, without Bar	1 space per 150 gross square feet including outdoor seating, plus 1 space per 250 square feet for employee parking
Restaurant, General, with Bar	1 space per 100 gross square feet including outdoor seating, plus 1 space per 250 square feet for employee parking
Restaurant, Take Out	1 space per 100 gross square feet including outdoor seating, plus 1 space per 250 square feet for employee parking
Shopping Center/Mixed Uses	1 space per 225 square feet
Showrooms, General	1 space per 600 square feet
PERSONAL SERVICES	
Animal Boarding Kennel and Pet Grooming	1 space per 400 square feet of office
Bank/Financial Institution with or without Drive Through	1 space per 300 square feet
Business, Trade and Vocational Schools	1 space for every 3 students plus 1 space per 360 square feet of classroom and office space plus 1 space for every 5 seats in gymnasiums and auditoriums
Cemetery, Funeral Home, Mausoleum	1 space per 200 square feet of office space plus 1 space per 100 feet of assembly area [1 per 4 seats]
Professional Medical Services Office or Health Care Clinic	1 space per 240 square feet
Clinic, Veterinary	1 space per 300 square feet
Day Care, Child and Adult	1 space per 12 students or clients plus 1 pickup/drop off space per 12 students plus 1 space per every 2 vans and/or buses
Emergency Health Care, Standalone, No Overnight Stay	1 space per 110 square feet.
Health, Physical Fitness, Massage Therapist, and Spa	1 space per 250 square feet
Housekeeping and Janitorial Services	1 space per 300 square feet plus 1 space for every 2 company vehicles
Laboratory: General, Dental, or Medical	1 space per 300 square feet
Laundry, Self Service	1 space per 240 square feet
Laundry, Linen Supply and Cleaning Service	1 space per 1,200 square feet plus 1 space for every 2 bays
Motion Picture Studio	1 space per 360 square feet of office space plus 6 spaces per studio plus 1 space per 1,200 square feet

Nursing Homes and Continuing Care Facilities	1 space per 5 beds plus 1 space per 300 square feet of office space, 1.25 spaces per DU for independent living.
Self Service Storage	1 space per 150 storage spaces plus 1 spaces per security quarters plus 3 spaces per office
OFFICE	
Office, Business and Professional	1 space per 300 square feet
PUBLIC AND INSTITUTIONAL	
Places of Worship	1 space per 4 seats plus 1 space per 300 square feet of office plus required parking for additional use (child or adult day care, elementary or secondary school, etc.).
College or University, Public or Private	1 space per 360 square feet of classroom, office, meeting, and assembly rooms.
Emergency Department	1 space per 200 square feet; plus 1 space per employee
Governmental Uses	1 space per 360 square feet
<u>Hospice Care Center</u>	2 spaces per bed; plus 1 space per 200 square feet of outpatient treatment area
Hospital	2 spaces per bed; plus 1 space per 200 square feet of outpatient treatment area
<u>Medical Facility with overnight stay</u>	1 space per bed; plus 1 space per 200 square feet of outpatient treatment area
Post Office	1 space per 360 square feet
Post Office, Accessory	4 spaces
Schools, Elementary and Middle	1 space for every 2 classrooms plus 1 space per 300 square feet of office plus 1 pickup/drop off space per 12 students
Schools, High	1 space per classroom, plus 1 space per 250 square feet of office, plus 1 space per every 3 students
Urgent Care Center	1 space per 200 square feet; plus 1 space per employee
CULTURAL, ENTERTAINMENT, AND RECREATIONAL	
Art Gallery and Museum, Public or Private	1 space per 720 square feet
Auditorium, Public or Private	1 space per 3 seats
Bowling Alley	1 spaces per lane plus required parking for additional use (lounge restaurant, meeting rooms, etc.)
Club, Lodge, or Clubhouse, Private	1 space per 360 square feet
Golf Course, Public or Private	3 spaces per hole plus 1 space per 360 square feet of clubhouse plus required parking for additional uses
Park, Public	To be determined
Recreation Center, Public	Greater of 1 space per 240 square feet or 1 space per 4 seats

Recreation, Commercial-Indoor	To be determined
Recreation, Commercial-Outdoor	6 spaces per acre
Recreational Vehicle Park	1 space per RV parking space; 1 space per camping cabin; 1 space per 600 square feet of administrative, maintenance, or commercial space; 1 spaces per security dwelling
Stadium or Arena, Public or Private	1 space per 3 seats
Theater, Indoor	1 space per 3 seats
Zoo, Public or Private	8 spaces per acre
WHOLESALE	
Wholesale and Warehousing, General	1 space per 2,400 square feet plus 1 space per 300 square feet of office
LIGHT INDUSTRIAL	
Manufacturing, General	1 space per 1,200 square feet plus 1 space per 300 square feet of office
Contractor's Storage Yard	1 space per 300 square feet of office plus 1 space per 20,000 square feet of open storage area
Express or Parcel Delivery Distribution Center	1 space per 1,200 square feet plus 1 space for every 2 bays
TRANSPORT, UTILITIES, AND COMMUNICATIONS	
Airport, General Aviation	1 space for every 2 tie-downs and/or hangar spaces
Automobile, RV, and Boat Storage, Commercial	1 space per 300 square feet of office plus 1 space per vehicle to be stored
Freight Depot	1 space per 1,200 square feet plus 1 space per 300 square feet of office
Helistop	Number of spaces to be determined by the Planning and Zoning Director
Passenger Station	To be determined
Radio/Television Broadcast Studio	1 space per 300 square feet
Utility Plant and Major Substations	To be determined
Wireless Telecommunication Facilities	Number of spaces to be determined by Planning and Zoning Director
OTHER	
Mixed Uses, excluding Shopping Centers	The total requirement for off-street parking shall be the sum of the requirements of the various uses computed separately
Mobile Home, Temporary	1 space per 300 square feet plus additional spaces as determined by the Planning and Zoning Director
Recreation, Accessory	Number of spaces to be determined by Planning and Zoning Director
Uses Not Specifically Mentioned	Apply requirements for a use which is mentioned and similar to the subject use

Master Site Plan	Non-residential and mixed use projects may submit a parking study to address the entire development's parking requirements, which may include shared or off-site parking.
<p><i>NOTES:</i></p> <ol style="list-style-type: none"> 1. <i>Garages may be used to meet per unit residential parking requirements.</i> 2. <i>The guest parking requirement can be met by allowing daytime guest parking on street, calculated by using 20 lineal feet (exclusive of driveway entrances) per space, or by guest parking spaces elsewhere throughout the project, such as mail kiosk, park, clubhouse or other parking spaces.</i> 3. <i>Square Feet = Gross Floor Area.</i> 4. <i>Parking Studies. Parking studies, when provided, to be conducted in a professionally accepted manner to determine adequate parking for proposed use.</i> 	

Section 2: Reduction of Minimum Space Requirements

A) Shared Parking

- (1) The City Council shall as part of an approval of a new or expanded use, new construction, substantial renovation, or alteration or expansion of an existing site, approve the use of shared parking to reduce overall parking requirements. The basis for approval of an application to establish shared parking includes the factors listed below.
 - (a) Two or more uses located in the same structure, on the same site, or within 1000 feet (measured property line to property line) of each other that possess complementary peak hours of parking usage.
 - (b) The proposed shared parking areas must be reasonably accessible to all participating uses and shared parking spaces may not be reserved for a particular use or otherwise restricted.
 - (c) **Shared parking study.** Preparation, in a professionally accepted manner, of a shared parking study by a qualified professional engineer, architect, or planner. The shared parking study shall be the most recent version based on the Urban Land institute's (ULI) methodology for determining shared parking, or other professionally accepted methodology.
 - (d) **Legal documentation.** The property owner(s) shall submit an appropriate restrictive covenant or access easement in recordable form acceptable to the City Attorney.
 - (e) **Development order.** Any development order approved by the city council which includes the use of shared parking shall:
 - (i) Provide the city a means to readdress the shared parking in the event future parking problems or changes in use occur;

- (ii) Provide a legal description of the land and structures affected;
 - (iii) Provide for a term of at least five years;
 - (iv) Provide a site plan to indicate uses, hours of operation, parking, etc.; and
 - (v) Assure the availability of all parking spaces affected by the agreement.
- (2) The amount of parking provided pursuant to a shared parking agreement shall not be more than 20% of the required parking.

B) The minimum required number of spaces may be reduced as follows:

- (1) On-road parking may be used to meet a portion of the required minimum parking if it is located on the road adjacent to the structure or use for which the parking is required.
- (2) A maximum of 20 percent of the required queuing spaces may count toward the amount of minimum required parking if the minimum amount of required parking equals at least 25 spaces.
- (3) An electric vehicle charging station space may be included in or count towards the minimum number of parking spaces required.
- (4) **Landscaping.** The required minimum number of parking spaces may be reduced by 5% if the parking lot landscaped areas provide 20 percent more than the required number of trees pursuant to the landscape ordinance and plant or retain existing trees to shade parking lots such that the vegetated and pervious areas surrounding the trees will accommodate tree roots while minimizing interference and damage to infrastructure including the following:
 - (a) Locate trees in wide twenty (20 foot or wider) vegetated buffer strips or vegetated islands with at least twenty (20') foot diameters or similarly sized vegetated peninsulas away from overhead power lines and
 - (b) Use porous pavers that support grass growth next to areas where trees are planted.

ARTICLE 8.10 BICYCLE PARKING

Section 1: All bicycle parking facilities provided to satisfy the requirements of this subdivision shall be located on the same lot or building site as the uses they serve. Bicycle parking shall be located as close as is practical to the entrance to the use served but situated so as not obstruct the flow of pedestrians using the building entrance or sidewalk.

Section 2: **General design standards.** All bicycle parking facilities shall be anchored so as to avoid or deter easy removal. All such facilities shall be clearly identified as available for bicycle parking. Wherever the design of the building or use being served by the bicycle parking facility includes covered areas which could accommodate such facilities, either as proposed or through economical redesign, covered bicycle parking shall be encouraged.

Section 3: The following uses shall be required to provide bicycle parking in accordance with the minimum standards as listed in Table 8-7.

TABLE 8-7: MINIMUM STANDARDS FOR BICYCLE PARKING

Use	Percent of Required Vehicular Parking Spaces or as Otherwise Specified
Amusement parlors	15
Bowling lanes	10
Child care centers	10
Community centers	15
Game rooms	12
All commercial uses not listed	5
Libraries	15
Recreation, outdoor	12
All institutional uses not listed	5
Primary or Secondary School	10% of the number of students, plus 3% of the number of employees
College or University Classrooms	6% of the number of students, plus 3% of the number of employees
Multi-family Residential	1 space per 2 apartments

Section 4: **Severability:** Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

Section 5: **Codification:** It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance entitled "**Parking Regulations**" shall become and be made a part of the Code of Ordinances for the City of Westlake, Florida and the sections of this ordinance may be re-numbered or re-lettered to accomplish such intentions, and the word "ordinance" shall be changed to "section" or other appropriate word.

Section 6: **Scrivener's Error:** The City Attorney is hereby authorized to correct scrivener's errors found in this Ordinance by filing a corrected copy with the City Clerk without the need for approval by the City Council.

Section 7: **Effective Date:** This ordinance shall be effective upon adoption on second reading.

PASSED this ____ day of _____ 2021, on first reading.

PUBLISHED this ____ day of _____ 2021, in the Palm Beach Post.

PASSED AND ADOPTED this ____ day of _____ 2021, on second reading.

City of Westlake
Roger Manning, Mayor

Zoie P. Burgess, City Clerk

Approved as to Form and Sufficiency
Donald J. Doody, Interim City Attorney

File Attachments for Item:

B. Ordinance 2021-07 - Solid Waste and Recyclable Receptacles, Collection, and Storage Areas Minimum Requirements

Submitted By: Planning & Zoning

ORDINANCE 2021-07

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MINIMUM REQUIREMENTS FOR SOLID WASTE AND RECYCLABLE RECEPTACLE COLLECTION AND STORAGE AREAS, WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES ENTITLED "SOLID WASTE AND RECYCLABLE RECEPTACLES, COLLECTION, AND STORAGE AREAS"; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		September 13, 2021	Submitted By: Planning & Zoning	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		FIRST READING: Ordinance 2021-07 - Solid Waste and Recyclable Receptacles, Collection, and Storage Areas Minimum Requirements		
STAFF RECOMMENDATION: (MOTION READY)		Motion to approve First Reading of Ordinance 2021-07 - Solid Waste and Recyclable Receptacles, Collection, and Storage Areas Minimum Requirements		
SUMMARY and/or JUSTIFICATION:		<p>On January 8, 2018, the City Council adopted Ordinance No. 2017-17 known as "Solid Waste Collection", thereby establishing mandatory solid waste collection within the City of Westlake and made part of the City's Code of Ordinances.</p> <p>This Ordinance establishes minimum requirements for Solid Waste and Recyclable Receptacles, and Collection and Storage Areas in the Code of Ordinances by adding new provisions for general standards, access, location, maintenance, setbacks, screening, security, sizing, alternative compliance, retrofitting existing non-residential developments, dumpster enclosure detail, compactors, and curbside pickup.</p>		
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:		PROCLAMATION:	
	EXHIBIT(S):	X	OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Exhibit A: Ordinance 2021-07: Solid Waste and Recyclable Receptacle Collection and Storage Areas Minimum Requirements First Reading			
SELECT, if applicable	RESOLUTION:		ORDINANCE:	X
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i> <u>Please keep text indented.</u>	<p style="text-align: center;">ORDINANCE 2021-07</p> <p>AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MINIMUM REQUIREMENTS FOR SOLID WASTE AND RECYCLABLE RECEPTACLE COLLECTION AND STORAGE AREAS, WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES ENTITLED "SOLID WASTE AND RECYCLABLE RECEPTACLES, COLLECTION, AND STORAGE AREAS"; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.</p>			
FISCAL IMPACT (if any):	No Fiscal Impact		\$0	

1st Reading September 13, 2021

2nd Reading October 11, 2021

ORDINANCE 2021-07

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MINIMUM REQUIREMENTS FOR SOLID WASTE AND RECYCLABLE RECEPTACLE COLLECTION AND STORAGE AREAS, WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES ENTITLED "SOLID WASTE AND RECYCLABLE RECEPTACLES, COLLECTION, AND STORAGE AREAS"; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Westlake believes regulations governing solid waste and recyclable receptacle, collection, and storage and will promote public health, safety and welfare; and

WHEREAS, on January 8, 2018, the City Council of the City of Westlake enacted Ordinance 2017-7 "Solid Waste Collection" to provide for a mandatory solid waste collection program, and that the City would provide for the collection of solid waste, bulk waste, vegetative waste and recyclable materials from all residential dwelling units in the City; and,

WHEREAS, Ordinance 2017-7 "Solid Waste Collection", was amended by Ordinance 2021-02 on July 12, 2021, to include definitions and other matters that provide for the intent of the City to enter into a services contract for solid waste and recycling services, as well as the levy of a special assessment to collect the costs of providing such services;

WHEREAS, the City Council of Westlake deems it in the best interest of the City to amend its existing code of ordinances by adding new provisions for minimum requirements regarding solid waste and recyclable receptacle collection and storage areas; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.

Section 2. Code Reference. The City Council hereby adds to the Code of Ordinances for the City of Westlake by incorporating provisions entitled "Solid Waste and Recyclable Receptacle, Collection, and Storage Areas Minimum Requirements," as specifically set forth herein.

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

Solid Waste and Recyclable Receptacles, Collection, and Storage Areas

MINIMUM REQUIREMENTS

Section 1: Collection and Storage Areas:

1. Applicability. Temporary dumpsters, such as those that are placed on job sites during construction activity, are not subject to the provisions of this Chapter. These provisions shall not apply to litter containers provided for the convenience of pedestrians.
2. Single Family Dwelling Units. For single-family dwelling units, accessory dwelling units, and mobile homes, all solid waste and recyclable receptacles, used for the storage and disposal of trash, garbage or recyclables, shall be stored in a location screened from public rights-of-way and from public streets and shall not be placed or stored beyond the front plane of the residential primary structure except put out to the curb for collection. Receptacles may not be put out for collection sooner the night before collection day.
3. All Other Collection and Storage Areas. For all uses except single family dwelling units, accessory dwelling units, and mobile homes, solid waste and recyclable material collection and storage areas (including dumpsters) shall be allowed on-site and are subject to the following standards:
 - (a) General standards. Collection and storage facilities shall be in accordance with any requirements of the City, the Solid Waste Authority, and the City's franchise solid waste and recycling service provider.
 - (b) Access. Access to collection and storage areas shall be designed to be reasonably accessible and require minimal turning and backing movements for sanitation pickup and removal vehicles.
 - (c) Location. All solid waste/recycling collection and storage areas shall be located on the property serviced. Multifamily recyclable material collection and storage areas shall be located within the building containing the multifamily dwelling units, within an accessory building such as a parking structure, or within or adjacent to the disposable material dumpster area used by the residents. Non-residential collection and storage areas shall be located on the same lot as the principal structure or main use. Collection and storage areas shall not be in any setback, or located within required parking spaces, nor shall they be located within the right-of-way of a street or alley.
 - (d) Maintenance. All collection and storage areas shall be maintained in good appearance, kept neat, clean, and free from debris, residue, and foul odor on a daily basis. SEE PROPERTY MAINTENANCE PROVISIONS Chapter 22 Property Maintenance.
 - (e) Setback. The minimum setback for recyclable material collection and storage areas that are located on the exterior of buildings shall be twenty-five (25) feet from the nearest residence and twenty-five (25) feet from the nearest entrance to a non-residential use.

CODING: Words in ~~strike through~~ type are deletions from existing law;
Words in underlined type are additions.

Commented [KR1]: I took out "abutting properties" – don't we allow garbage cans to be stored on the side of houses?

Commented [KR2]: I removed the section on screening mechanical equipment, because the LDRS already requires:

-Screening on rooftops (see eg table 3-9 note 2) in Chapter 3
-Dumpsters and mechanical utilities screening – see section 4.14 in landscaping.

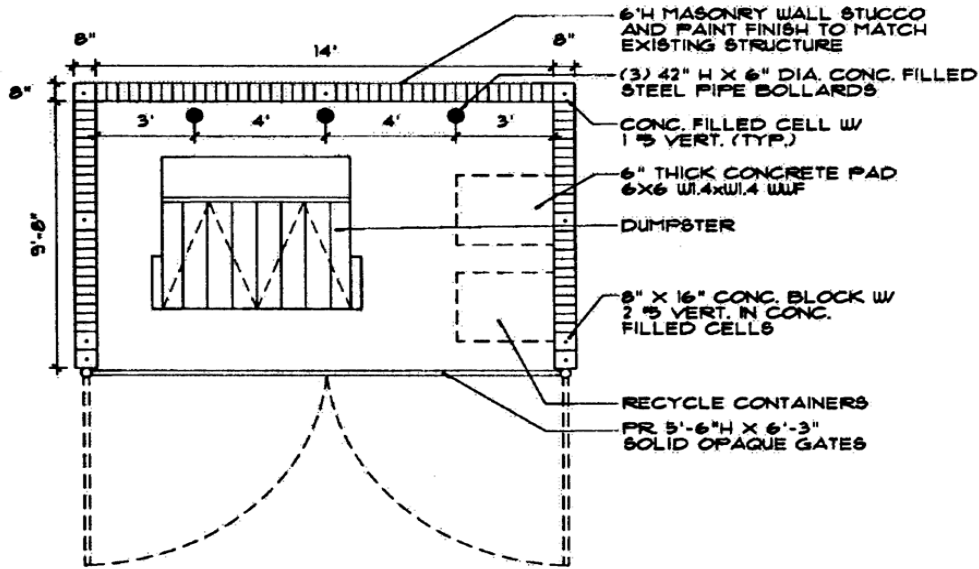
Commented [KR3]: Might there be times when we want them in an alley?

Commented [KR4]: I deleted the "review" section because Chapter 2 already contains those requirements for site plans.

- (f) **Screening.** Screening shall be as required in Chapter 4 – Landscape and Buffer Code of these Land Development Regulations. The City Manager may grant exceptions to these requirements for ninety-gallon or smaller recycling containers.
- (g) **Security.** Doors on solid waste and recyclable material collection and storage areas must be kept closed at all times except when the area is being serviced. The doors must be kept in good repair.
- (h) **Sizing.** The required collection and storage areas or structures shall be sized to properly handle the volume of materials anticipated to be generated by all users of the storage area combined.
- (i) **Alternative compliance.** Applicants shall be entitled to demonstrate that collection and storage space needs can be effectively met through an alternative plan. An alternative plan shall be consistent with the requirements of the Solid Waste Authority of Palm Beach County (SWA), and, if approved by the City, shall be substituted for standards of this section.
- (j) **Retrofitting of existing non-residential developments.** The retrofitting of existing non-residential developments to comply with the standards of this section is permitted at a ratio of one parking space for each recycling material storage and collection area, not to exceed ten (10) percent of the total parking spaces.
- (k) **Dumpster Enclosure Dimensions.** All dumpsters must be located or installed on a hard impermeable surface of adequate size to fully accommodate the dumpster, as indicated in the typical layout provided as Figure A. All enclosures shall be permitted and meet the appropriate building code requirements.

Figure A: TYPICAL Dimensional Specifications

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 Words in underlined type are additions.



3. Compactors. Multi-family and non-residential developments may utilize compactors as a substitute for dumpsters or curbside pickup to dispose of non-recyclable material. Screening shall be as required in Chapter 4 – Landscape and Buffer Code of these Land Development Regulations.

4. Curbside pickup. The City Manager or his or her designee, may approve, during the development review process, curbside pickup in lieu of dumpsters or compactors for individually owned multi-family developments and small non-residential developments provided that such developments:

- a. utilize permitted receptacles;
- b. do not generate more solid waste than is allowed per collection service agreement requirements; and
- c. do not generate more than 90 gallons of solid waste per week or per scheduled pick up day.

SECTION 3. Codification. It is the intention of the City Council of the City of Westlake that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Westlake, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

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Words in underlined type are additions.

SECTION 4. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions which are in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 5. Severability. Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

SECTION 6. Effective Date. This ordinance shall be effective upon adoption on second reading.

PASSED this ____ day of _____, 2021, on first reading.

PUBLISHED on this ____ day of _____, 2021 in the Palm Beach Post.

PASSED AND ADOPTED this ____ day of _____, 2021, on second reading.

City of Westlake
Roger Manning, Mayor

ATTEST:

Zoie Burgess, City Clerk

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

OFFICE OF THE CITY ATTORNEY

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

File Attachments for Item:

C. Ordinance 2021-09: Chapter 7 Mobility Regulations, Land Development Regulations

Submitted By: Engineering

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MOBILITY PLANS WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING UTILIZATION OF PALM BEACH COUNTY'S TRAFFIC PERFORMANCE STANDARDS FOR MOTORIZED VEHICLES; PROVIDE FOR VEHICULAR LEVEL OF SERVICE STANDARDS; PROVIDES FOR TRAFFIC IMPACT STUDIES AND STATEMENTS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED 'MOBILITY', PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		September 13, 2021	Submitted By: Engineering	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		Ordinance 2021-09: Chapter 7 Mobility Regulations, Land Development Regulations		
STAFF RECOMMENDATION: (MOTION READY)		Staff recommends approval of the proposed Chapter		
SUMMARY and/or JUSTIFICATION:		Chapter 7 Mobility provides the Engineering Department with the standards at which to review traffic impacts from development in the City. Adherence to these standards is critical to maintain adequate level of service of the transportation network.		
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:	X	PROCLAMATION:	
	EXHIBIT(S):	X	OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Engineering Staff Report Ordinance 2021-09: Chapter 7 Mobility Regulations			
SELECT, if applicable	RESOLUTION:		ORDINANCE:	X
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>	ORDINANCE NO. 2021-09			
	AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MOBILITY PLANS WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING UTILIZATION OF PALM BEACH COUNTY'S TRAFFIC PERFORMANCE STANDARDS FOR MOTORIZED VEHICLES; PROVIDE FOR VEHICULAR LEVEL OF SERVICE STANDARDS; PROVIDES FOR TRAFFIC IMPACT STUDIES AND STATEMENTS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED 'MOBILITY', PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.			
FISCAL IMPACT (if any):				\$

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MOBILITY PLANS WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING UTILIZATION OF PALM BEACH COUNTY'S TRAFFIC PERFORMANCE STANDARDS FOR MOTORIZED VEHICLES; PROVIDE FOR VEHICULAR LEVEL OF SERVICE STANDARDS; PROVIDES FOR TRAFFIC IMPACT STUDIES AND STATEMENTS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED 'MOBILITY', PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about May 3, 2018, the Florida Department of Economic Opportunity provided the City with notice of intent to find the City's initial comprehensive plan in compliance and the same is now the effective and controlling Comprehensive Plan for the City of Westlake ("Comprehensive Plan"); and

WHEREAS, the City's adopted comprehensive plan contains a transportation element which provides for multi-modal transportation facilities and strategic transportation planning to ensure safe and accessible transportation network; and

WHEREAS, adoption of this chapter, entitled "Mobility" will assist the City in carrying out the goals, objectives and policies of the adopted comprehensive plan; and

WHEREAS, the purpose of this ordinance is to promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development while minimizing transportation-related fuel consumption and air pollution within the corporate limits of the City of Westlake, and

WHEREAS, pursuant to Section 316.006(2)(a) F.S., chartered municipalities shall have original jurisdiction over all streets and highways located within their boundaries, except state roads, and may place and maintain such traffic control devices which conform to the manual and specifications of the Department of Transportation upon all streets and highways under their original jurisdiction as they shall deem necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic; and

WHEREAS, pursuant to Section 339.175(1) F.S., such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate to ensure that the process is integrated with the statewide planning process, and

WHEREAS, pursuant to Section 334.046(1) F.S., the prevailing principles to be considered in planning and developing an integrated transportation system are to preserve the existing transportation infrastructure; enhance Florida's economic competitiveness; and improve travel choices to ensure mobility, and

WHEREAS, the City seeks to promote mobility in the short and long term to promote greater connectivity, access, and quality of life and recognizes shared mobility is essential to improve air quality, reduce motor vehicle traffic, and promote equitable and accessible systems of transportation; and

WHEREAS, the City Council finds it is in the public's interest to establish policies and procedures to improve mobility options while protecting health, safety, and general welfare of individuals and the community at large.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, as follows:

CHAPTER 7: MOBILITY

Section 1. Incorporation. The above recitals are confirmed, adopted and are incorporated herein by reference.

Section 2. Mobility. The code of ordinances for the City of Westlake shall contain a chapter entitled "Mobility" which code shall contain the provisions as specifically set forth herein.

Chapter 7 Mobility

ARTICLE 7.1 **PURPOSE AND INTENT.** The purpose and intent of this chapter is to implement the goals, objectives, and policies of the Comprehensive Plan to ensure mobility is maintained within the City. This Article will include procedures for the City to administer the County-wide Traffic Performance Standards (TPS) for motorized vehicles, as they apply.

ARTICLE 7.2 **APPLICABILITY**

Section 1: *General.* This Chapter shall apply to all development orders or any other official action of the City having the effect of permitting the development of land, unless otherwise exempt in accordance with this Chapter. Traffic Mobility Standards in this Chapter only apply to the roads and intersections that are located within the City and identified on Comprehensive Plan TE Map 3.5.

Section 2: *Exemptions, Existing Development Orders.*

- (A) This Chapter shall not apply to City-initiated changes to the Future Land Use Map or Official Zoning Map.
- (B) This Chapter shall not apply to City-sponsored or co-sponsored special/community events.
- (C) This Chapter shall not apply, or impair rights established pursuant to Florida law, to the extent any project or portion thereof is exempt from the requirements of this Chapter.
- (D) Development orders and/or traffic concurrency approvals issued prior to incorporation are deemed to be consistent with the provisions of this Chapter. A Traffic Statement pursuant to the following methodology shall be submitted for all applications related to development pursuant to or amendment of such development orders:
 - (a) Project traffic credits shall be calculated by using trip generation rates, internalization rates, and pass-by rates to the land use or uses previously-approved by a development order per the originally approved Traffic Study.
 - (b) The statement shall demonstrate that the Net PM Peak Hour Two-Way trips are less than or equivalent to the previously-approved project.
 - (c) A cumulative tracking of the daily, AM and PM peak hour trips generated by the development and monitoring of respective conditions shall also be submitted.
 - (d) Project driveways providing ingress and egress shall also be evaluated.

ARTICLE 7.3 **TRAFFIC STUDIES**

Section 1: *General.* A Traffic Study shall be required as part of any development application. The Traffic Study shall address the requirements and standards of this Chapter and the County-wide

CHAPTER 7: MOBILITY

TPS as they apply, using maps whenever practicable, and shall state all assumptions and sources of information used.

- (A) Projects that demonstrate that they will generate fewer than twenty (20) Gross Peak Hour Trips based on current trip generation rates shall not be required to submit a traffic study. The Net Peak Hour Directional Trips shall be distributed over the City Road system by the City Engineer, in accordance with generally accepted traffic engineering principles.
- (B) All other development, including development that does not meet the requirements of subsection 7.2(2)(D)(b) above, shall submit a Traffic Study meeting the requirements of this Article.
- (C) The City Engineer, or designee, shall review the information submitted and determine whether the proposed project complies with this Chapter and the County-wide TPS, as applicable.

Section 2: Submittal Requirement. The Traffic Study shall be prepared, signed and sealed by a qualified professional Florida Registered Engineer, practicing traffic engineering. The analysis is required to demonstrate compliance with this Chapter. The following shall be addressed:

- (A) **County TPS.** Applicable County-wide TPS requirements.
- (B) **Vested project traffic.** Any application for a development order on property on which there is an existing use shall receive a vested project traffic determination subject to the provisions of this section. The vesting shall be calculated by applying current trip generation rates and pass-by rates generated by the most recent use at the time of application. A proposed project shall not be eligible for an existing use vesting determination if the structure or land on the property has been discontinued or abandoned for more than five (5) years prior to the time of application.
- (C) **Applicable standards.** The applicant shall use the adopted LOS for all roads and intersections identified on Comprehensive Plan TE Map 3.5. The submittal shall analyze roads within the Radius of Development Influence as shown on Table 7-1 for the specific volume of the proposed project's net new external trips where the level of significance is one percent of LOS D or greater. Intersections at each terminus of significantly impacted directly accessed link shall be analyzed.

Table 7-1: Radius of Development Influence

<u>Net New External Two-Way Peak Hour Trip Generation</u>	<u>Radius of Development Influence</u>
<u>21 thru 50</u>	<u>0.5 Miles</u>
<u>51 thru 100</u>	<u>1 Mile</u>
<u>101 thru 500</u>	<u>2 Miles</u>
<u>501 thru 1,000</u>	<u>3 Miles</u>
<u>1,001 thru 2,000</u>	<u>4 Miles</u>
<u>2,001 and up</u>	<u>5 Miles</u>

CHAPTER 7: MOBILITY

- (D) **Peak Hour Traffic.** The Traffic Study shall analyze Peak Hour traffic (both weekday AM and PM Peak Hours), unless traffic characteristics dictate only one of the peak hours be analyzed. The total peak hours analyzed are as follows:
- (a) Generally, the morning peak hours between 6:00 AM and 9:00 AM and afternoon peak hours between 4:00 PM and 7:00 PM during the peak season shall be studied in all cases; unless higher volumes are observed outside of this window time period, then other peak hours shall be used.
 - (b) Each AM and PM peak hour shall be the highest sum of the volume on the approaches to an intersection and shall be the highest sum of four (4) continuous 15-minute periods.
- (E) **Season Factors.** Off-peak to peak season factors shall be approved by the City Engineer, based upon the best available data and generally accepted traffic engineering principles. Other factors, based on accepted traffic engineering principles, shall be used to update data where newer data is not available.
- (F) **Peak Hour Turning Movements.** In addition to link and intersection standards, studies for all peak hour(s) turning movements, including pass-by trips, shall be shown and analyzed for all points where the project's traffic meets the directly accessed links and other roads where traffic control or geometric changes may be needed, as determined by the City Engineer. Signalization, turn lanes, and/or other site related improvements may be required for mitigation.
- (G) **Total Traffic at the Buildout Period.** The Total Traffic at the Buildout Period of the project as follows:
- (a) Existing two-way and directional peak season peak hour traffic counts, counted by FDOT, Palm Beach County and/or City, may be used. The most recent of the Palm Beach County or the City peak season peak hour traffic counts must be used. If the traffic counts collected by the County and/or the City are more than thirty (30) months old, prior to the submittal of the Traffic Study, the applicant shall conduct counts in accordance with accepted traffic engineering principles and as follows:
 - (i) Peak hour counts shall be made during weekdays between 6:00 AM and 9:00 AM and 4:00 PM and 7:00 PM. There shall be no counts on Mondays, Fridays, or legal holidays for the analysis, unless otherwise authorized or required by the City Engineer.
 - (ii) Where Peak Season traffic counts are not readily available, the counts that are unavailable may be generated using factors established by the City Engineer for various areas of the County based on the best available data.
 - (iii) All data is subject to review and acceptance by the City Engineer.
 - (b) Traffic generated by the project shall be computed in the following manner:
 - (i) For project trip generation, the rates or equations published by the County shall be used. If the proposed land use is not listed in the PBC Traffic Engineering website Trip Generation tables, then the latest available Trip Generation Manual published by the Institute of Transportation Engineers (ITE) shall be used. Alternative rates may be approved by the City Engineer based on acceptable standards to provide a more accurate means to evaluate the rates of generation

CHAPTER 7: MOBILITY

or if documentation is supplied by the applicant which affirmatively demonstrates more accurate generation rates.

- (ii) Palm Beach County or the City Engineer may publish and update, from time to time, trip generation rates for local conditions. If applicable, these rates shall be used instead of the ITE rates.
- (iii) Actual traffic counts that establish a generation rate at three (3) similar developments, and located in similar areas, as the one proposed may be approved for use by the City Engineer in accordance with accepted traffic engineering principles. These counts shall be made for the peak hour weekdays as necessary (excluding legal holidays) for each site and averaged.
- (iv) It is acknowledged some trips generated by mixed use projects do not exit the project or enter the City road system and are internal to the project. Internalization rates shall be approved by the City Engineer based on acceptable standards.
- (v) It is acknowledged some trips generated by a proposed non-residential project are from existing traffic passing the proposed project (pass-by trips) and are not newly generated trips. Credit against the trip generation of the proposed project may be taken for these trips up to the percentage shown in Palm Beach County's trip generation rates table or the ITE manual, when approved by the City Engineer. The Traffic Study must detail:
 - 1. All traffic generated from the project.
 - 2. The number of pass-by trips subtracted from the traffic generated by the project during the Buildout Period of the project.
 - 3. Uses other than those listed in Palm Beach County's trip generation rates table, and any percentage credit proposed, shall be justified based upon the peculiar characteristics and location of the proposed project and accepted by the City Engineer.
 - 4. Factors which should be considered in determining a different pass-by rate include type and size of land use, location with respect to service population, location with respect to competing uses, location with respect to the surrounding City road system and the existing and projected traffic volumes. In no case shall the number of pass-by trips exceed twenty-five (25) percent of existing traffic plus Background Traffic on the link, unless demonstrated and approved by the City Engineer.
- (c) Traffic volumes will likely change during the Buildout Period of the proposed project. The traffic study must account for this change based on Background Traffic. The projection of Total Traffic shall include existing traffic volumes, traffic from approved development and proposed project traffic.

ARTICLE 7.4 **PROJECT BUILDOUT STANDARD**

Section 1: Level of Service. The City shall use Traffic Studies and Statements or other acceptable empirical data to monitor LOS on roads within the City. LOS D is the City's adopted LOS for

CHAPTER 7: MOBILITY

transportation facilities. This LOS standard is not regulatory or part of any concurrency review. The standards shall provide a basis for the City to monitor congestion and coordinate needed improvements. This LOS analysis provides information which allows the City to evaluate the impact of a development and establish mitigation measures as needed.

Section 2: Analysis Requirements.

- (A) For signalized City intersections, the intersection analysis shall be conducted using the most recently adopted version of the Highway Capacity Manual (HCM) Operational Analysis. The HCM Operational Analysis shall comply with the default input values published by the County Engineer. Revisions to the input values may be made, subject to approval by the City Engineer, to reflect actual or projected field conditions where substantial differences from the published values can be demonstrated.
- (B) The intersection average total delay will be compared to the thresholds identified in Table 7-2 (LOS D Intersection Thresholds) for monitoring purposes.
- (C) For unsignalized City Intersections, the intersections shall be analyzed using the most recent version of the HCM Unsignalized Intersection Analysis and all minor movements of Rank 2 or higher shall be monitored to determine if they operate at LOS D or better. In addition, roundabout evaluation or a signal warrant analysis with Total Traffic for the intersection may be required by the City Engineer.
- (D) For City road links, the Total Traffic in the peak hour peak direction on the link shall be compared to applicable thresholds in Table 7-3 (LOS D link service volumes) for monitoring purposes. The applicable facility class for each link shall be determined on the basis of the posted speed limit.

Section 3: Level of Service Standards. The LOS D thresholds relative to intersections are set forth in Table 7-2 (LOS D Intersection Thresholds). The LOS D standard service volumes peak season, peak hour directional for links are set forth in Table 7-3 (LOS D link service volumes).

Table 7-2: LOS D Intersection Thresholds

<u>LOS</u>	<u>Intersection Type</u>	<u>HCM Operational Analysis</u>
<u>D</u>	<u>Signalized</u>	<u>35.0 to 55.0 Seconds of Delay</u>
<u>D</u>	<u>Unsignalized</u>	<u>25.0 to 35.0 Seconds of Delay (all minor movements of Rank 2 or higher)</u>

Table 7-3: LOS D Peak Hour Directional Volumes

<u>Facility Type (by direction)</u>	<u>Peak Hour Directional</u>	
	<u>Class I</u>	<u>Class II</u>

CHAPTER 7: MOBILITY

<u>2-lane undivided</u>	<u>(1-lane)</u>	<u>792</u>	<u>675</u>
<u>4-lane divided</u>	<u>(2-lane)</u>	<u>1,800</u>	<u>1,467</u>
<u>6-lane divided</u>	<u>(3-lane)</u>	<u>2,718</u>	<u>2,268</u>

Notes:

Based on the 2020 FDOT Quality/Level of Service Handbook

Class I: Non-state arterials with posted speeds of 40 mph or higher

Class II: Non-state arterials with posted speed of 35 mph or lower

See instructions below for Median, Turn Lane, and One-way Facility Adjustments

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
1	Divided	Yes	No	+5%
1	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
-	-	-	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding directional volumes in this table by 1.2

CHAPTER 7: MOBILITY

ARTICLE 7.5 SITE-RELATED IMPROVEMENTS

Section 1: Peak Hour Volumes. All peak hour turning movements (including pass-by trips) shall be shown and analyzed for all points where the Project's traffic meets the public roads.

Section 2: Required Site-Related Improvements. The City Engineer may require applicant to provide required site-related improvements, pursuant to the standards below:

- (A) Signalization. Signalization may be required when warranted per Manual on Uniform Traffic Control Devices standards;
- (B) Exclusive Turn Lanes.
 - (1) Exclusive left turn lane may be required so that the impacted lane group would maintain the adopted level-of-service D and/or the safety issue may be mitigated by said left-turn lane.
 - (2) Exclusive right turn lane may be required under the following traffic conditions:
 - (a) 2-lane roadways with posted speed of 45 mph or less with 80 or more right-turning vehicles per hour
 - (b) multi-lane roadways with posted speed of 45 mph or less carrying more than 600 vehicles per lane per hour with 80 or more right-turning vehicles per hour
 - (c) multi-lane roadways with posted speed of 45 mph or less with 125 or more right-turning vehicles per hour
 - (d) 2-lane roadways with posted speed more than 45 mph with 35 or more right-turning vehicles per hour
 - (e) multi-lane roadways with posted speed more than 45 mph with 55 or more right-turning vehicles per hour
 - (f) where safety issues may be mitigated by said right-turn lane
- (C) Other improvements, including roundabouts, all-way stops, or other measures. The City Engineer may require other site-related improvements to ensure the safe and orderly flow of traffic.

Section 3: Construction. Required site-related improvements shall be provided at the sole expense of the applicant.

ARTICLE 7.6 MOBILITY FEE

Within eighteen (18) months of the adoption of this ordinance, the City shall undertake a mobility fee study consistent with the requirements of Florida Statutes for the purpose of considering establishing a mobility fee to be applied to new development to ensure that the City's level of service standards are maintained by addressing impacts to the City's local roads and mobility infrastructure, including parking, shared use paths, public transportation, bicycle lanes, and sidewalks.

CHAPTER 7: MOBILITY

Section 3 Severability. Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

Section 4. Codification. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Westlake, Florida, and the sections of this ordinance may be re-numbered or re-lettered to accomplish such intentions, and the word 'ordinance' shall be changed to "section" or other appropriate word.

Section 5. Effective Date: This ordinance shall be effective upon adoption on second reading.

City of Westlake
Roger Manning, Mayor

Zoie P. Burgess, CMC, City Clerk

Approved as to Form and Sufficiency

City Attorney

Print



STAFF MEMORANDUM

DATE: 8/27/2021

DESCRIPTION: Chapter 7 Mobility, Land Development Regulations

I. Introduction

The purpose of the Mobility chapter is to present the City's standards for mobility and provide procedures for traffic analysis required for development applications. The following information was presented to Council at a workshop on 8/23/2021. Council had no comments.

II. Applicability

The provisions of this chapter apply to all land development in the City with the following exceptions:

- A. City initiated changes to future land use and zoning
- B. City sponsored events
- C. Development orders issued prior to incorporation of the City

III. Traffic Studies

Traffic studies are required for development applications to address the standards in this Chapter and the County Traffic Performance Standards (TPS), as applicable.

- A. Traffic studies are not required for projects with fewer than 20 peak hour trips.
- B. Traffic studies shall address:
 - a. County TPS and applicability
 - b. Vested project traffic
 - c. Applicable standards
 - i. Level of Service (LOS) D established in the Comprehensive Plan
 - ii. Radius of Development Influence – based on the new external two-way peak hour trip generation
 - d. Peak hour traffic (AM and PM)
 - e. Seasonal factors
 - f. Peak hour turning movements
 - g. Total traffic at the buildout period (traffic volume and trip generation)

IV. Project Buildout Standards

- A. The comprehensive plan establishes a LOS D for City roads and intersections.
- B. Intersections are analyzed using the Highway Capacity Manual (HCM) methodology.
- C. Links are analyzed according to Table 7-3 in the Chapter.

Table 7-3: LOS D Link Service Volumes

Facility Type				Peak Hour Directional	
				Class I	Class II
2 lanes undivided ⁽¹⁾	2L			792	675
2 lanes divided	2LD			832	709
4 lanes undivided ⁽¹⁾	4L			1,710	1,394
4 lanes divided	4LD			1,800	1,467

V. Site Related Improvements

Developers may be required to provide improvements to accommodate their site. This is based on the analysis of the peak hour volumes at points where the project's traffic meets the public roads. The following site-related improvements may be required:

- Traffic signal
- Turn lanes
- Roundabouts
- Stop signs

Cost of construction of the site-related improvements shall be the responsibility of the applicant.

VI. Mobility Fee

Within one-year of adoption of this Ordinance, the City shall undertake a mobility fee study consistent with the requirements of the Florida Statutes. The mobility fee is a mechanism for the City to acquire funds to maintain the desired level of service for the City's roads, parking lots, shared use paths, public transportation, bicycle lanes, and sidewalks. The mobility fee study will come to the City Council for approval and adoption.

Conclusion

Chapter 7 Mobility provides the Engineering Department with the standards at which to review traffic impacts from development in the City. Adherence to these standards is critical to ensure the City can maintain adequate level of service of the transportation network. The City Engineering Department recommends that Chapter 7 proceed to the Local Planning Agency.

File Attachments for Item:

A. A Resolution for the Replat of Civic Tract C-2

Submitted By: Engineering

RESOLUTION 2021-27

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A REPLAT OF TRACT "C-2" OF THE PLAT OF WESTLAKE CIVIC TRACT C-2, PLAT BOOK 128, PAGES 33 AND 34, AND A REPLAT OF W.M.T.#1 AND O.S.T. 1 OF THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, PLAT BOOK 125, PAGES 106 AND 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		September 13, 2021	Submitted By: Engineering	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		A Resolution for the Replat of Civic Tract C-2		
STAFF RECOMMENDATION: (MOTION READY)		Motion to Approve		
SUMMARY and/or JUSTIFICATION:		The City of Westlake has the exclusive jurisdiction to approve the revised plat pursuant to Florida Statutes, §177.071. The application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirement under Florida Statutes, Chapter 177. The revised plat has been reviewed and approved by the City Engineer, Seminole Improvement District, and the City Attorney.		
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:	X	PROCLAMATION:	
	EXHIBIT(S):	X	OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Resolution Staff Report, including: Exhibit A - Legal Description Exhibit B - Boundary Survey Exhibit C - Plat Approval Letter(s)			
SELECT, if applicable	RESOLUTION:	X	ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>	A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A REPLAT OF TRACT "C-2" OF THE PLAT OF WESTLAKE CIVIC TRACT C-2, PLAT BOOK 128, PAGES 33 AND 34, AND A REPLAT OF W.M.T.#1 AND O.S.T. 1 OF THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, PLAT BOOK 125, PAGES 106 AND 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.			
FISCAL IMPACT (if any):				\$

RESOLUTION 2021-27

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A REPLAT OF TRACT "C-2" OF THE PLAT OF WESTLAKE CIVIC TRACT C-2, PLAT BOOK 128, PAGES 33 AND 34, AND A REPLAT OF W.M.T.#1 AND O.S.T. 1 OF THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, PLAT BOOK 125, PAGES 106 AND 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for Westlake Civic Tract C-2, Being A Replat Of Tract "C-2" Of The Plat Of Westlake Civic Tract C-2, Plat Book 128, Pages 33 And 34, And A Replat Of W.M.T.#1 And O.S.T. 1 Of The Plat Of Persimmon Boulevard East - Plat 1, Plat Book 125, Pages 106 And 107, Public Records Of Palm Beach County, Florida. Lying In Section 1, Township 43 South, Range 40 East, City Of Westlake, Palm Beach County, Florida, containing approximately 64.766 acres as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat and boundary survey pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final replat, attached hereto as "Exhibit A", and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the City's land development regulations and Florida law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: **Incorporation:** The above recitals are true and correct and are incorporated herein by this reference.

Section 2: **City Council Approval:** The City Council for the City of Westlake hereby approves the Westlake Civic Tract C-2 Replat as described in the attached Exhibit "A", containing approximately 64.766 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.

Section 3: **Recordation:** The applicant shall provide a certified copy of the recorded plat and the applicant shall cover the costs of recording the replat in the public records in and for Palm Beach County Florida.

Section 4: Scrivener's Errors: The City of Westlake intends that the Resolution can be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the City Manager and City Attorney without the need for public hearing.

Section 5. Conflicts: All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 6. Severability: If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

Section 7: Effective Date: This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this ____ day of _____, 2021.

PUBLISHED on this _____ day of _____ 2021 in the Palm Beach Post.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk



CITY OF WESTLAKE
Engineering Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

STAFF MEMORANDUM

DATE: 8/27/2021
PETITION NO.: ENG-2021-15
DESCRIPTION: Review of Westlake Civic Tract C-2 Replat
APPLICANT: Cotleur and Hearing
OWNER: Minto PBLH, LLC
REQUEST: Owner (Minto PBLH, LLC) is requesting approval of the Westlake Civic Tract C-2 Replat

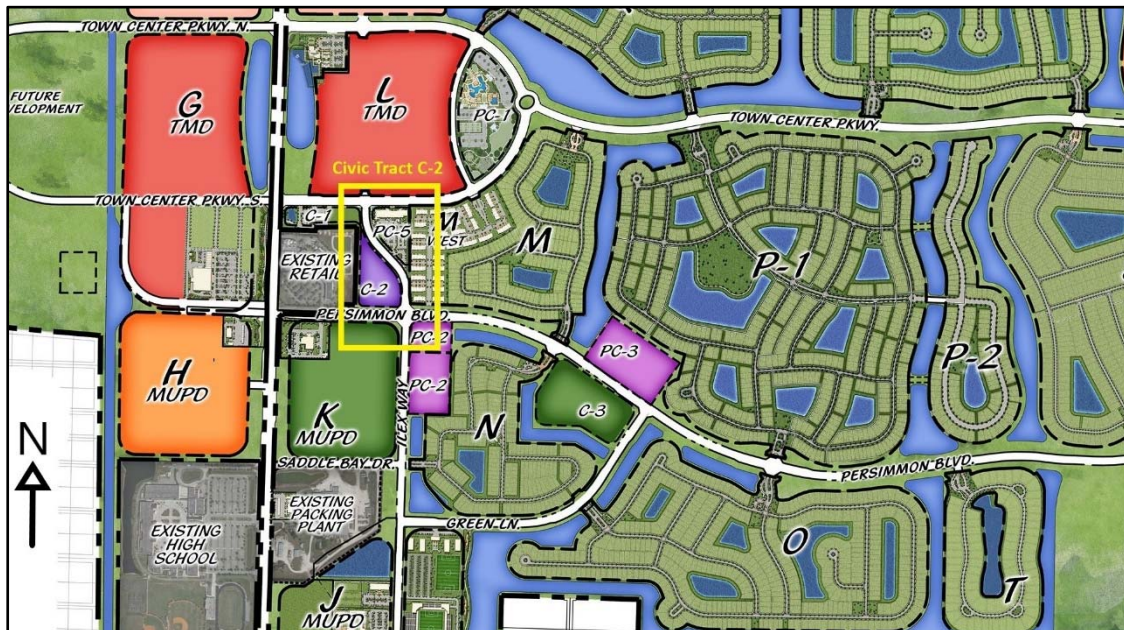
Final Recommendation

The Office of the City Engineer has reviewed the documents associated with the application referenced above and recommends approval by the Council. The revised plat was approved by the Seminole Improvement District's (SID) Engineering Department on August 11, 2021 and is scheduled for approval by the SID Board on September 6, 2021.

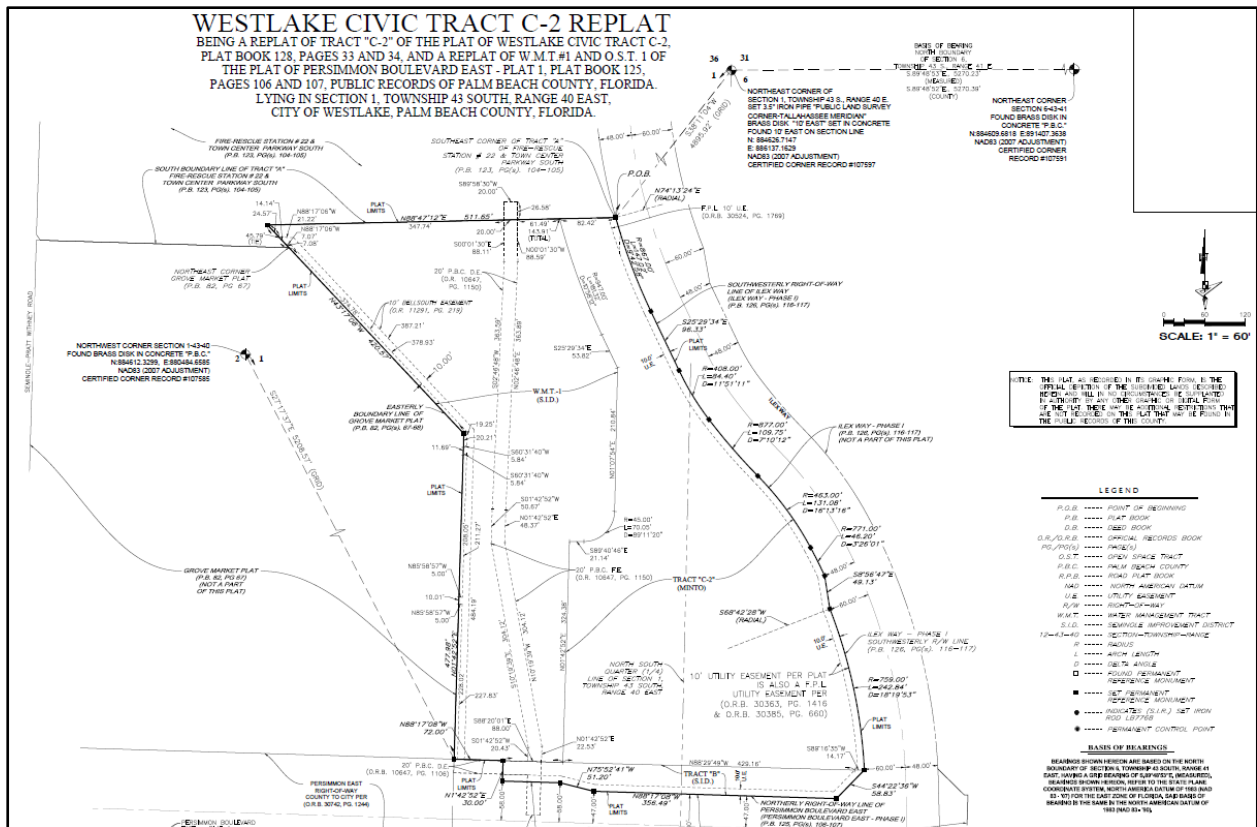
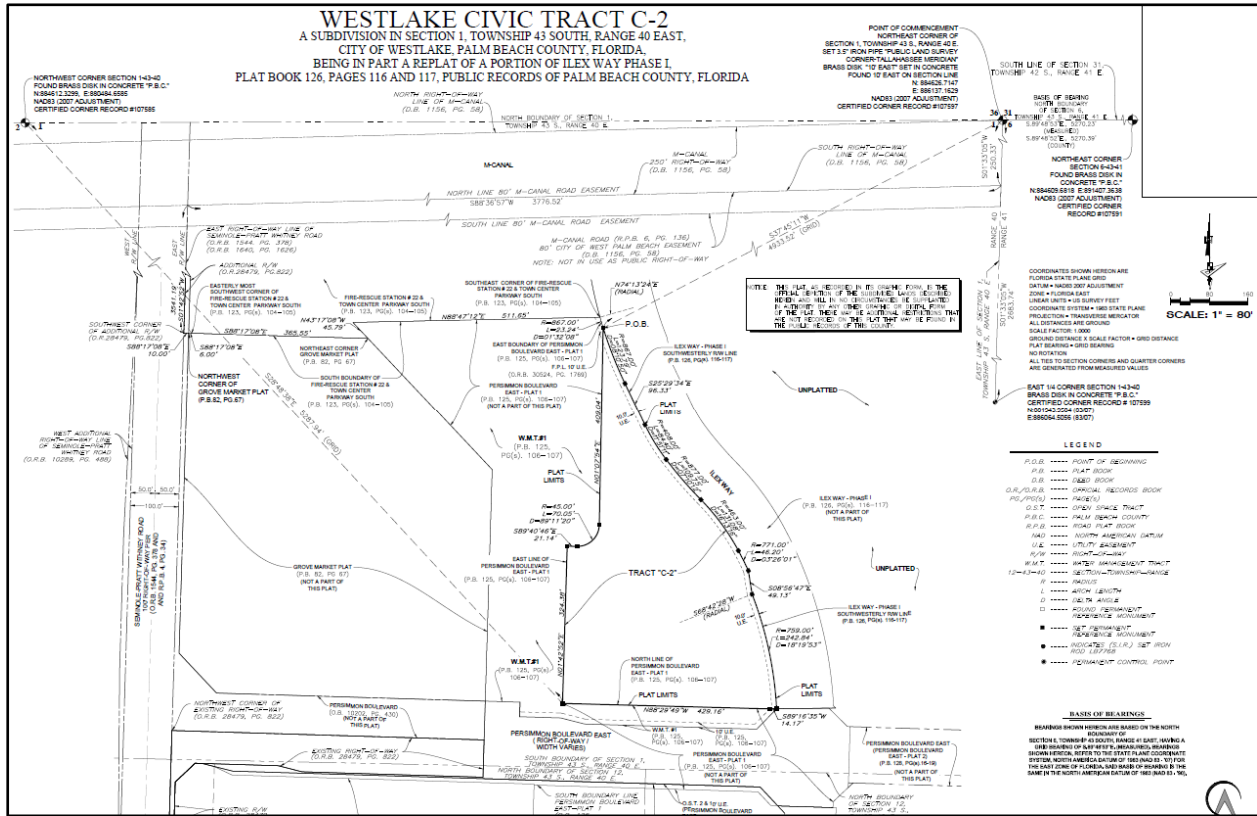
Discussion

Civic Tract C-2 is centrally located within Westlake, east of Seminole Pratt Whitney Road, south of Town Center Parkway South, west of Ilex Way, and north of Persimmon Boulevard East, as shown in the graphic below.

Location Map



The original plat for C-2 Civic Tract was approved by the Engineering Department on 2/21/2019 and by council on 3/11/2019. Along the southern portion of the site, the plat boundaries were changed to define a tract to SID that was shown in the previous plat as a water management tract. See plat comparison in the graphics below.



The Legal Description of the Plat can be found in Exhibit A, and replications of the plat topographical survey and plat can be found in Exhibits B and C.

Review Criteria

Plats shall be prepared in accordance with the provisions of Chapter 177 F.S., as amended, and the City of Westlake Land Development Regulations. The plat was reviewed for clarity, legibility, and conformance with this statute and City requirements. The plat provides a graphic depiction of the legal description through geometric data. The data includes but is not limited to parcel, block, tract, right-of-way, street and associated names, easement, permanent reference monuments and permanent control points, and interior excepted parcels. Other requirements such as paper size, line work, layout of sheet and required content including the subdivision name, title, legal description, key map, vicinity map, north arrow, scale, and legend are verified in the Engineering Department review.

Conclusion

(2) reviews of the revised plat occurred, which resulted in an acceptable plat. The review was done for compliance with Chapters 177, 5J-17, Florida Statutes, and the City of Westlake's codes and ordinances. All comments have been adequately addressed and the plat is in compliance. We therefore recommend that the plat be approved for recording.

Exhibit 'A'
LEGAL DESCRIPTION
Westlake Civic Tract C-2 Replat

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING ALL OF TRACT "C-2" OF WESTLAKE CIVIC TRACT C-2, AS RECORD IN PLAT BOOK 128, PAGES 33 AND 34 AND W.M.T.#1 AND O.S.T. 1 OF PERSIMMON BOULEVARD EAST - PLAT 1, AS RECORDED IN PLAT BOOK 125, PAGES 106 AND 107, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF TRACT "A" OF THE PLAT OF FIRE-RESCUE STATION #22 AND TOWN CENTER PARKWAY SOUTH, AS RECORDED IN PLAT BOOK 123, PAGES 103 AND 104, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID SOUTHEAST CORNER OF TRACT "A" BEING THE INTERSECTION OF THE SOUTH BOUNDARY LINE OF SAID TRACT "A" AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ILEX WAY, ILEX WAY - PHASE I, AS RECORDED IN PLAT BOOK 126, PAGES 116 AND 117, OF SAID PUBLIC RECORDS, ALSO BEING A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 867.00 FEET AND A RADIAL BEARING OF N.74°13'24"E. AT SAID INTERSECTION; THENCE BY THE FOLLOWING EIGHT (8) COURSES BEING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF ILEX WAY: 1) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°42'58", A DISTANCE OF 147.02 FEET TO A POINT OF TANGENCY; 2) THENCE S.25°29'34"E., A DISTANCE OF 96.33 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 408.00 FEET; 3) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°51'11", A DISTANCE OF 84.40 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 877.00 FEET; 4) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°10'12", A DISTANCE OF 109.75 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 463.00 FEET; 5) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°13'16", A DISTANCE OF 131.08 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 771.00 FEET; 6) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°26'01", A DISTANCE OF 46.20 FEET TO A NON-TANGENT INTERSECTION; 7) THENCE S.08°56'47"E., A DISTANCE OF 49.13 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 759.00 FEET, AND A RADIAL BEARING OF S.68°42'28"W. AT SAID INTERSECTION; 8) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°19'53", A DISTANCE OF 242.84 FEET TO A NON-TANGENT INTERSECTION AND A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF PERSIMMON BOULEVARD EAST, AS SHOWN ON THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, RECORDED IN PLAT BOOK 125, PAGES 105 AND 106, OF SAID PUBLIC RECORDS; THENCE BY THE FOLLOWING SIX (6) BEING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE: 1) THENCE S.44°22'36"W., A DISTANCE OF 58.83 FEET; 2) THENCE N.88°17'08"W., A DISTANCE OF 356.49 FEET; 3) THENCE N.75°52'41"W., A DISTANCE OF 51.20 FEET; 4) THENCE N.88°17'08"W., A DISTANCE OF 84.95 FEET; 5) THENCE N.01°42'52"E., A DISTANCE OF 30.00 FEET; 6) THENCE N.88°17'08"W., A DISTANCE OF 72.00 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE PLAT OF GROVE MARKET PLAT, AS RECORDED IN PLAT BOOK 82, PAGES 67 AND 68, OF SAID PUBLIC RECORDS; THENCE N.01°42'52"E., ALONG THE EASTERLY BOUNDARY LINE OF SAID GROVE MARKET PLAT, A DISTANCE OF 477.98 FEET; THENCE N.43°17'08"W., ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 420.57 FEET TO SAID SOUTH BOUNDARY LINE OF TRACT "A" OF THE PLAT OF FIRE-RESCUE STATION #22 AND TOWN CENTER PARKWAY SOUTH; THENCE N.88°47'12"E., ALONG SAID SOUTH BOUNDARY LINE OF TRACT "A", A DISTANCE OF 511.65 FEET TO THE POINT OF BEGINNING.

CONTAINING: 412,410 SQUARE FEET OR 9.468 ACRES, MORE OR LESS.

Exhibit 'B'
TOPOGRAPHICAL SURVEY
Westlake Civic Tract C-2 Replat

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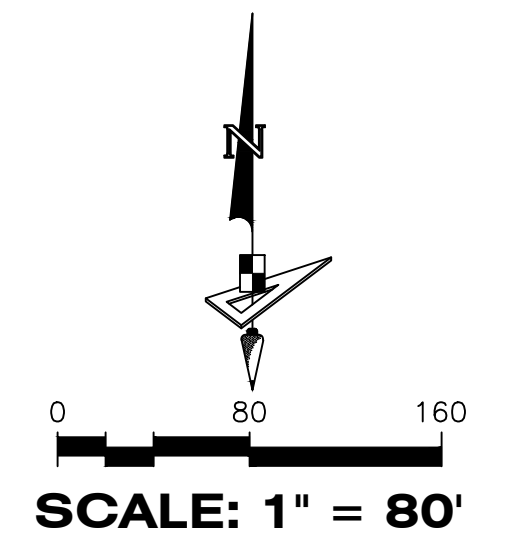
NORTHWEST CORNER SECTION 1-43-40
 FOUND BRASS DISK IN CONCRETE "P.B.C."
 N:884612.3299, E:880484.6585
 NAD83 (2007 ADJUSTMENT)
 CERTIFIED CORNER RECORD #107585

NORTHEAST CORNER OF
 SECTION 1, TOWNSHIP 43 S., RANGE 40 E.
 SET 3.5" IRON PIPE "PUBLIC LAND SURVEY
 CORNER-TALLAHASSEE MERIDIAN"
 BRASS DISK "10' EAST" SET IN CONCRETE
 FOUND 10' EAST ON SECTION LINE
 N: 884626.7147 - E: 886137.1629
 NAD83 (2007 ADJUSTMENT)
 CERTIFIED CORNER RECORD #107597

SOUTH LINE OF SECTION 31,
 TOWNSHIP 42 S., RANGE 41 E.

BASIS OF BEARING
 NORTH BOUNDARY
 OF SECTION 6,
 TOWNSHIP 43 S., RANGE 41 E.
 S.89°48'53"E., 5270.23'
 (MEASURED)
 S.89°48'52"E., 5270.39'
 (COUNTY)

NORTHEAST CORNER
 SECTION 6-43-41
 FOUND BRASS DISK IN
 CONCRETE "P.B.C."
 N:884609.6818 E:891407.3638
 NAD83 (2007 ADJUSTMENT)
 CERTIFIED CORNER
 RECORD #107591



LEGEND

- P.O.B. --- POINT OF BEGINNING
- O.R.B. / O.R. --- OFFICIAL RECORD BOOK
- P.B. --- PLAT BOOK
- R.P.B. --- ROAD PLAT BOOK
- PG.(s) --- PAGE(S)
- D.B. --- DEED BOOK
- W.M.T. --- WATER MANAGEMENT TRACT
- S.I.D. --- SEMINOLE IMPROVEMENT DISTRICT
- P.B.C. --- PALM BEACH COUNTY
- 6-43-41 --- SECTION-TOWNSHIP-RANGE
- R --- RADIUS
- L --- ARCH LENGTH
- D --- DELTA ANGLE
- P.C. --- POINT OF CURVATURE
- P.T. --- POINT OF TANGENCY
- NAD83 --- NORTH AMERICAN DATUM 1983
- L.M.E. --- LAKE MAINTENANCE EASEMENT
- TYP. --- TYPICAL
- EP --- ELECTRIC PEDESTAL
- ES --- ELECTRIC SWITCH BOX
- IBV --- IRRIGATION BUTTERFLY VALVE
- SIR --- SET 5/8" IRON ROD LB7768
- --- FOUND PERMANENT REFERENCE MONUMENT LB7768
- EP --- ELECTRIC PEDESTAL
- ICV --- IRRIGATION CONTROL VALVE
- MW --- MONITORING WELL
- W --- WATER GATE VALVE
- WBV --- WATER BUTTERFLY VALVE
- TOP OF BANK
- EDGE OF WATER
- ⊙ --- DRAINAGE MANHOLE
- --- UTILITY POLE
- GUY ANCHOR
- ⊥ --- SIGN

EAST 1/4 CORNER SECTION 1-43-40
 BRASS DISK IN CONCRETE "P.B.C."
 CERTIFIED CORNER RECORD # 107599
 N:881943.9584 (83/07)
 E:886064.5056 (83/07)

**WESTLAKE CIVIC TRACT C-2-REPLAT
 BOUNDARY SURVEY**

REVISIONS				Prepared For: MINTO COMMUNITIES, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey:	JULY 22, 2021

GeoPoint
 Surveying, Inc.

4152 W. Blue Heron Blvd. Phone: (561) 444-2720
 Suite 105 www.geopointsurvey.com
 Riviera Beach, FL 33404 Licensed Business Number LB 7768

Drawn: SWM Date: 07/19/21 Data File: Westlake Pod C-2
 Check: GAR P.C.: Field Book:
 Section: 1 Twn. 43 S, Rng. 40 E Job #: POD C-2, BS

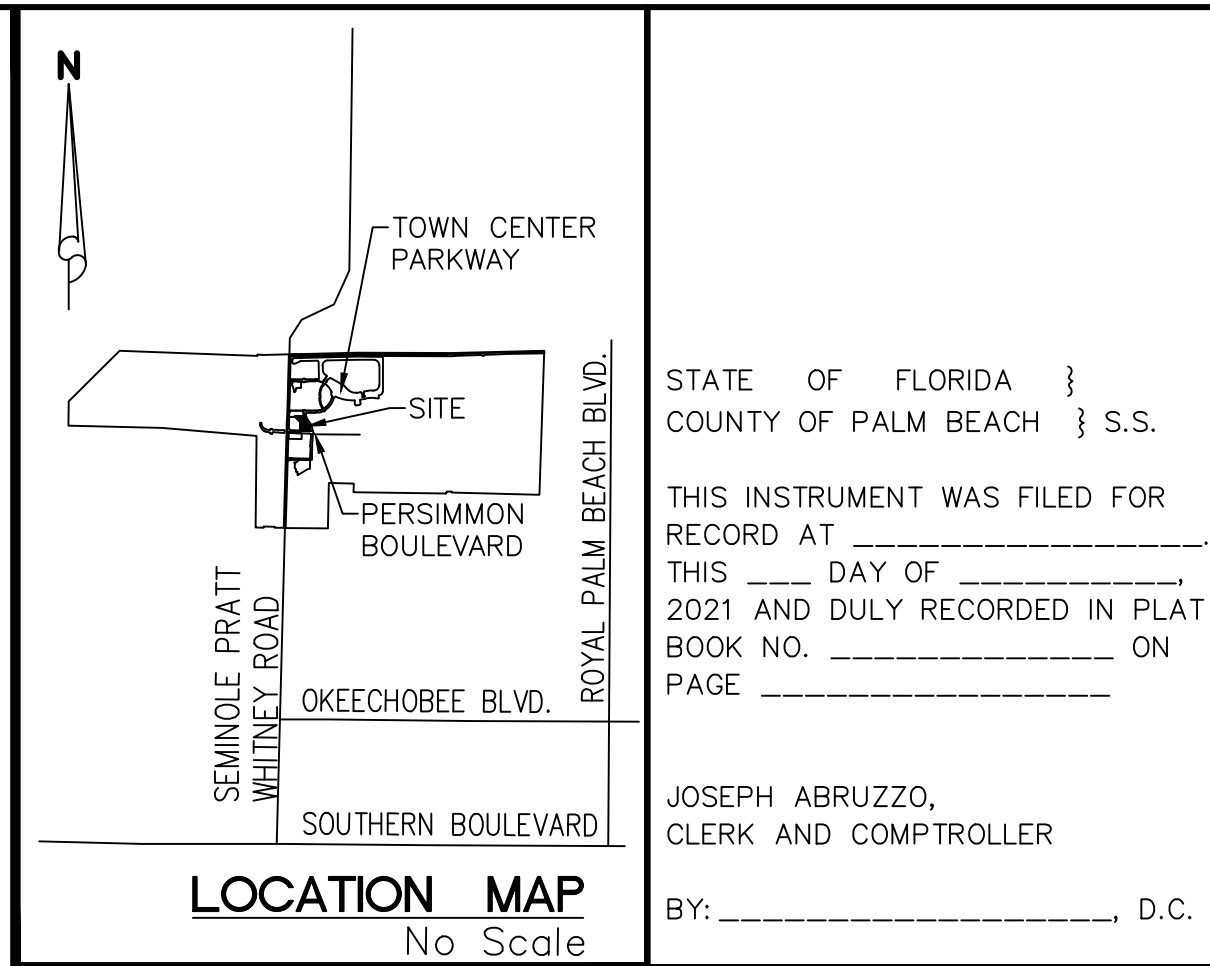
PLOT FILED BY: SERGIO MACHADO, ON: 8/24/21 2:18 PM, LAST SAVED BY: SERGIO MACHADO, ON: 8/24/21 2:18 PM

Exhibit 'C'
PLAT
Westlake Civic Tract C-2 Replat

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WESTLAKE CIVIC TRACT C-2 REPLAT

BEING A REPLAT OF TRACT "C-2" OF THE PLAT OF WESTLAKE CIVIC TRACT C-2,
PLAT BOOK 128, PAGES 33 AND 34, AND A REPLAT OF W.M.T.#1 AND O.S.T. 1 OF
THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, PLAT BOOK 125,
PAGES 106 AND 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.



DEDICATION AND RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AS WESTLAKE CIVIC TRACT C-2 REPLAT BEING A REPLAT OF TRACT "C-2" OF THE PLAT OF WESTLAKE CIVIC TRACT C-2, PLAT BOOK 128, PAGES 33 AND 34, AND A REPLAT OF W.M.T.#1 AND O.S.T. 1 OF THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, PLAT BOOK 125, PAGES 106 AND 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA AND DESCRIBED AS FOLLOWS:

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING ALL OF TRACT "C-2" OF WESTLAKE CIVIC TRACT C-2, AS RECORD IN PLAT BOOK 128, PAGES 33 AND 34 AND W.M.T.#1 AND O.S.T. 1 OF PERSIMMON BOULEVARD EAST - PLAT 1, AS RECORDED IN PLAT BOOK 125, PAGES 106 AND 107, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT "A" OF THE PLAT OF FIRE-RESCUE STATION #22 AND TOWN CENTER PARKWAY SOUTH, AS RECORDED IN PLAT BOOK 123, PAGES 103 AND 104, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID SOUTHEAST CORNER OF TRACT "A" BEING THE INTERSECTION OF THE SOUTH BOUNDARY LINE OF SAID TRACT "A" AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ILEX WAY, ILEX WAY - PHASE I, AS RECORDED IN PLAT BOOK 126, PAGES 116 AND 117, OF SAID PUBLIC RECORDS, ALSO BEING A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 867.00 FEET AND A RADIAL BEARING OF N.74°13'24"E. AT SAID INTERSECTION; THENCE BY THE FOLLOWING EIGHT (8) COURSES BEING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF ILEX WAY: 1) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°42'58", A DISTANCE OF 147.02 FEET TO A POINT OF TANGENCY; 2) THENCE S.25°29'34"E., A DISTANCE OF 96.33 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 408.00 FEET; 3) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1°51'11", A DISTANCE OF 84.40 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 877.00 FEET; 4) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°10'12", A DISTANCE OF 109.75 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 463.00 FEET; 5) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°13'16", A DISTANCE OF 131.08 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 771.00 FEET; 6) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°26'01", A DISTANCE OF 46.20 FEET TO A NON-TANGENT INTERSECTION; 7) THENCE S.08°56'47"E., A DISTANCE OF 49.13 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 759.00 FEET, AND A RADIAL BEARING OF S.68°42'28"W. AT SAID INTERSECTION; 8) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°19'30", A DISTANCE OF 242.34 FEET TO A NON-TANGENT INTERSECTION AND A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF PERSIMMON BOULEVARD EAST, AS SHOWN ON THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, RECORDED IN PLAT BOOK 125, PAGES 105 AND 106, OF SAID PUBLIC RECORDS; THENCE BY THE FOLLOWING SIX (6) BEING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE: 1) THENCE S.44°22'36"W., A DISTANCE OF 58.83 FEET; 2) THENCE N.88°17'08"W., A DISTANCE OF 356.49 FEET; 3) THENCE N.75°52'41"W., A DISTANCE OF 51.20 FEET; 4) THENCE N.88°17'08"W., A DISTANCE OF 84.95 FEET; 5) THENCE N.01°42'52"E., A DISTANCE OF 30.00 FEET; 6) THENCE N.88°17'08"W., A DISTANCE OF 72.00 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE PLAT OF GROVE MARKET PLAT, AS RECORDED IN PLAT BOOK 82, PAGES 67 AND 68, OF SAID PUBLIC RECORDS; THENCE N.01°42'52"E., ALONG THE EASTERLY BOUNDARY LINE OF SAID GROVE MARKET PLAT, A DISTANCE OF 477.98 FEET; THENCE N.43°17'08"W., ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 420.57 FEET TO SAID SOUTH BOUNDARY LINE OF TRACT "A" OF THE PLAT OF FIRE-RESCUE STATION #22 AND TOWN CENTER PARKWAY SOUTH; THENCE N.88°47'12"E., ALONG SAID SOUTH BOUNDARY LINE OF TRACT "A", A DISTANCE OF 511.65 FEET TO THE POINT OF BEGINNING.

CONTAINING: 412,410 SQUARE FEET OR 9.468 ACRES, MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AND RESERVE AS FOLLOWS:

TRACT "C-2"

TRACT "C-2", AS SHOWN HEREON, IS HEREBY RESERVED FOR MINTO PBLH, LLC, ITS SUCCESSORS AND ASSIGNS, FOR FUTURE DEVELOPMENT AND PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF THE CITY OF WESTLAKE, FLORIDA, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

WATER MANAGEMENT TRACTS

WATER MANAGEMENT TRACT W.M.T. #1, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, IN FEE SIMPLE, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

CITY OF WESTLAKE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO CONSTRUCT AND MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR DRAINAGE PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS, AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

ROAD RIGHT-OF-WAY

TRACT "B", AS SHOWN HEREON, IS HEREBY DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, IN FEE SIMPLE, FOR ROAD RIGHT-OF-WAY PURPOSES AND FOR ANY AND ALL PURPOSES AUTHORIZED BY CHAPTER 2000-431, LAWS OF FLORIDA AND CHAPTERS 189 AND 298, FLORIDA STATUTES, RESPONSIBILITY FOR THE INSTALLATION, MAINTENANCE, OPERATIONS, REPAIR AND/OR REPLACEMENT OF THE ROAD RIGHT-OF-WAY AND ANY FACILITIES SHALL REMAIN THE PERPETUAL OBLIGATION OF THE SEMINOLE IMPROVEMENT DISTRICT WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

THE CITY OF WESTLAKE, A FLORIDA MUNICIPAL CORPORATION, ITS SUCCESSORS AND ASSIGNS, IS HEREBY GRANTED AND RESERVED AN EASEMENT OVER TRACT "B" FOR ANY AND ALL MUNICIPAL PURPOSES, INsofar AS SUCH USES ARE NOT INCONSISTENT WITH ITS UTILIZATION FOR ROAD RIGHT-OF-WAY PURPOSES.

UTILITY EASEMENTS

ALL UTILITY EASEMENTS DESCRIBED ON THIS PLAT ARE PRIVATE NON-EXCLUSIVE EASEMENTS UNLESS EXPRESSLY STATED OTHERWISE THEREIN. ALL UTILITY RIGHTS AND EASEMENTS ESTABLISHED BY OR RESERVED BY THIS PLAT ARE HEREBY DEDICATED IN PERPETUITY TO THE SEMINOLE IMPROVEMENT DISTRICT. (A LOCAL UNIT OF SPECIAL PURPOSE GOVERNMENT ESTABLISHED PURSUANT TO CHAPTERS 189 AND 298, FLORIDA STATUTES, AS A PUBLIC UTILITY PROVIDER OF WATER, SEWER AND RECLAIMED WATER), ITS SUCCESSORS AND ASSIGNS, SUBJECT TO THOSE CERTAIN RESTRICTION OF RIGHTS, COVENANTS AND DEDICATIONS AS MAY HEREAFTER BE IMPOSED BY GRANTOR; PROVIDED FURTHER SAID GRANTS OR ASSIGNMENTS SHALL NOT BE DEEMED A PUBLIC DEDICATION OF SAID RIGHTS OR EASEMENTS. THE SEMINOLE IMPROVEMENT DISTRICT SHALL HAVE THE RIGHT TO GRANT OTHER UTILITY PROVIDERS THE ABILITY TO USE THE EASEMENT, IN ITS SOLE DISCRETION.

IN FURTHERANCE OF THE FOREGOING, THERE IS HEREBY GRANTED TO FLORIDA POWER & LIGHT COMPANY, A FLORIDA CORPORATION, ITS AFFILIATES, LICENSEES, AGENTS, SUCCESSORS, AND ASSIGNS ("FPL"), A NON-EXCLUSIVE EASEMENT FOREVER OVER, UNDER, IN, ON, UPON AND ACROSS THE UTILITY EASEMENTS DESCRIBED ON THE PLAT, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND ELECTRIC UTILITY FACILITIES (INCLUDING CABLES, CONDUITS, APPURTENANT EQUIPMENT, AND APPURTENANT ABOVE-GROUND EQUIPMENT) TO BE INSTALLED FROM TIME TO TIME, TOGETHER WITH THE RIGHT TO PERMIT FLORIDA POWER & LIGHT TO ATTACH OR PLACE WIRES TO OR WITHIN ANY FACILITIES HEREUNDER AND LAY CABLE AND CONDUIT WITHIN THE EASEMENT AREA AND TO OPERATE THE SAME FOR FLORIDA POWER & LIGHT'S COMMUNICATIONS PURPOSES IN CONNECTION WITH ELECTRIC SERVICE AND THE RIGHT OF INGRESS AND EGRESS TO THE UTILITY EASEMENTS AT ALL TIMES.

IN WITNESS WHEREOF, MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER AND ITS COMPANY SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS MEMBERS THIS _____ DAY OF _____, 2021.

WITNESS: _____ MINTO PBLH, LLC
A FLORIDA LIMITED LIABILITY COMPANY

PRINT NAME: _____ BY: _____
JOHN F. CARTER, MANAGER

WITNESS: _____

PRINT NAME: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS _____ DAY OF _____, 20____, BY JOHN F. CARTER, AS MANAGER FOR MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____

SIGNATURE

(PRINT NAME) - NOTARY PUBLIC

(SEAL)

IN WITNESS WHEREOF, SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT AND ITS DISTRICT SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS MEMBERS THIS _____ DAY OF _____, 2021.

WITNESS: _____ SEMINOLE IMPROVEMENT DISTRICT
AN INDEPENDENT SPECIAL DISTRICT
OF THE STATE OF FLORIDA

PRINT NAME: _____ BY: _____
SCOTT MASSEY, PRESIDENT

WITNESS: _____

PRINT NAME: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS _____ DAY OF _____, 20____, BY SCOTT MASSY AS PRESIDENT FOR SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ON BEHALF OF THE DISTRICT, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____

SIGNATURE

(PRINT NAME) - NOTARY PUBLIC

(SEAL)

ACCEPTANCE OF DEDICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, HEREBY ACCEPTS THE DEDICATIONS AND RESERVATIONS TO SAID DISTRICT AS STATED AND SHOWN HEREON, AND ITS MAINTENANCE OBLIGATIONS FOR SAME, AND HEREBY JOINS IN AND CONSENTS TO THE UTILITY EASEMENTS DEDICATION, DATED THIS _____ DAY OF _____, 2021.

WITNESS: _____ SEMINOLE IMPROVEMENT DISTRICT
AN INDEPENDENT SPECIAL DISTRICT
OF THE STATE OF FLORIDA

PRINT NAME: _____ BY: _____
SCOTT MASSEY, PRESIDENT

WITNESS: _____

PRINT NAME: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS _____ DAY OF _____, 20____, BY SCOTT MASSEY AS PRESIDENT FOR SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ON BEHALF OF THE DISTRICT, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____

SIGNATURE

(PRINT NAME) - NOTARY PUBLIC

(SEAL)

CITY OF WESTLAKE'S APPROVAL

THIS CERTIFIES THAT THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE BY A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____, 2021, IN ACCORDANCE WITH SEC. 177.07(2), F.S., AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY THE CITY OF WESTLAKE IN ACCORDANCE WITH SEC. 177.08(1), F.S.

ATTEST: _____ BY: _____
CITY MANAGER, KEN CASSEL CITY MAYOR, ROGER MANNING

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF _____

WE, FOUNDERS TITLE, A TITLE INSURANCE COMPANY, AS DULY AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREOF DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA; THAT THE CURRENT TAXES HAVE BEEN PAID; AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT ITEMS, AND ALL OTHER ITEMS HELD AGAINST SAID LANDS HAVE BEEN SATISFIED; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: _____ HARRY BINNIE, PRESIDENT, FOUNDERS TITLE

AREA TABULATION (IN ACRES)

TRACT "C-2":	4.591
ROADWAY TRACT (TRACT "B"):	0.462
WATER MANAGEMENT TRACT #1:	4.415
TOTAL ACRES, MORE OR LESS:	9.468

MINTO PBLH, LLC SEMINOLE IMPROVEMENT DISTRICT OWNER SEMINOLE IMPROVEMENT DISTRICT ACCEPTANCE CITY OF WESTLAKE APPROVAL SURVEYOR'S SEAL

STATE OF FLORIDA }
COUNTY OF PALM BEACH } S.S.

THIS INSTRUMENT WAS FILED FOR RECORD AT _____ THIS _____ DAY OF _____, 2021 AND DULY RECORDED IN PLAT BOOK NO. _____ ON PAGE _____

JOSEPH ABRUZZO,
CLERK AND COMPTROLLER

BY: _____, D.C.

CLERK'S SEAL

SURVEYORS NOTES

- PERMANENT REFERENCE MONUMENTS ARE SHOWN THUS: ■ "A 1 1/2" BRASS DISK STAMPED "PRM LB7768" SET IN A 4"x4"x24" CONCRETE MONUMENT. PERMANENT CONTROL POINTS ARE SHOWN AS THUS: ● "A MAGNETIC NAIL AND DISK STAMPED "PCP LB7768". (UNLESS OTHERWISE NOTED)
- BEARINGS SHOWN HEREON ARE BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53"E. BEARINGS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83 / 07) FOR THE EAST ZONE OF FLORIDA, SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 / 90).
- NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE CITY OR SEMINOLE IMPROVEMENT DISTRICT APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS. THERE WILL BE NO ABOVE GROUND ENCROACHMENTS WHERE LAKE MAINTENANCE EASEMENTS AND UTILITY EASEMENTS OVERLAP.
- THE BUILDING SETBACKS SHALL BE AS REQUIRED BY THE CITY OF WESTLAKE ZONING REGULATIONS.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- ALL LINES INTERSECTING CIRCULAR CURVES ARE RADIAL UNLESS OTHERWISE NOTED.
- COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID DATUM = NAD83 2007 ADJUSTMENT ZONE = FLORIDA EAST LINEAR UNITS = US SURVEY FEET COORDINATE SYSTEM = 1983 STATE PLANE PROJECTION = TRANSVERSE MERCATOR ALL DISTANCES ARE GROUND SCALE FACTOR: 1.0000 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE PLAT BEARING = GRID BEARING NO ROTATION ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES

SURVEYOR & MAPPER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.S.") HAVE BEEN PLACED AS REQUIRED BY LAW, AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF CITY OF WESTLAKE, FLORIDA.

DATED: _____ GARY A. RAGER, P.S.M.
LICENSE NO. LS4828
STATE OF FLORIDA

THIS INSTRUMENT PREPARED BY
GARY A. RAGER, P.S.M.
LS4828 STATE OF FLORIDA.
GEOPOINT SURVEYING, INC.
4152 WEST BLUE HERON BOULEVARD, SUITE 105,
RIVIERA BEACH, FLORIDA 33404.
CERTIFICATE OF AUTHORIZATION NO. LB7768

4152 W. Blue Heron Blvd. Phone: (561) 444-2720
Suite 105 www.geopointsurvey.com
Riviera Beach, FL 33404 Licensed Business Number LB 7768

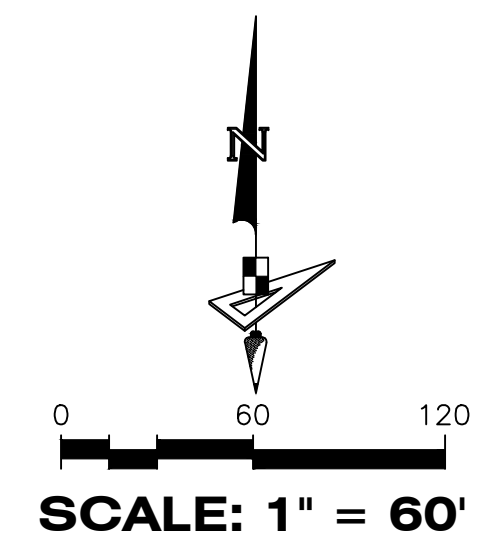
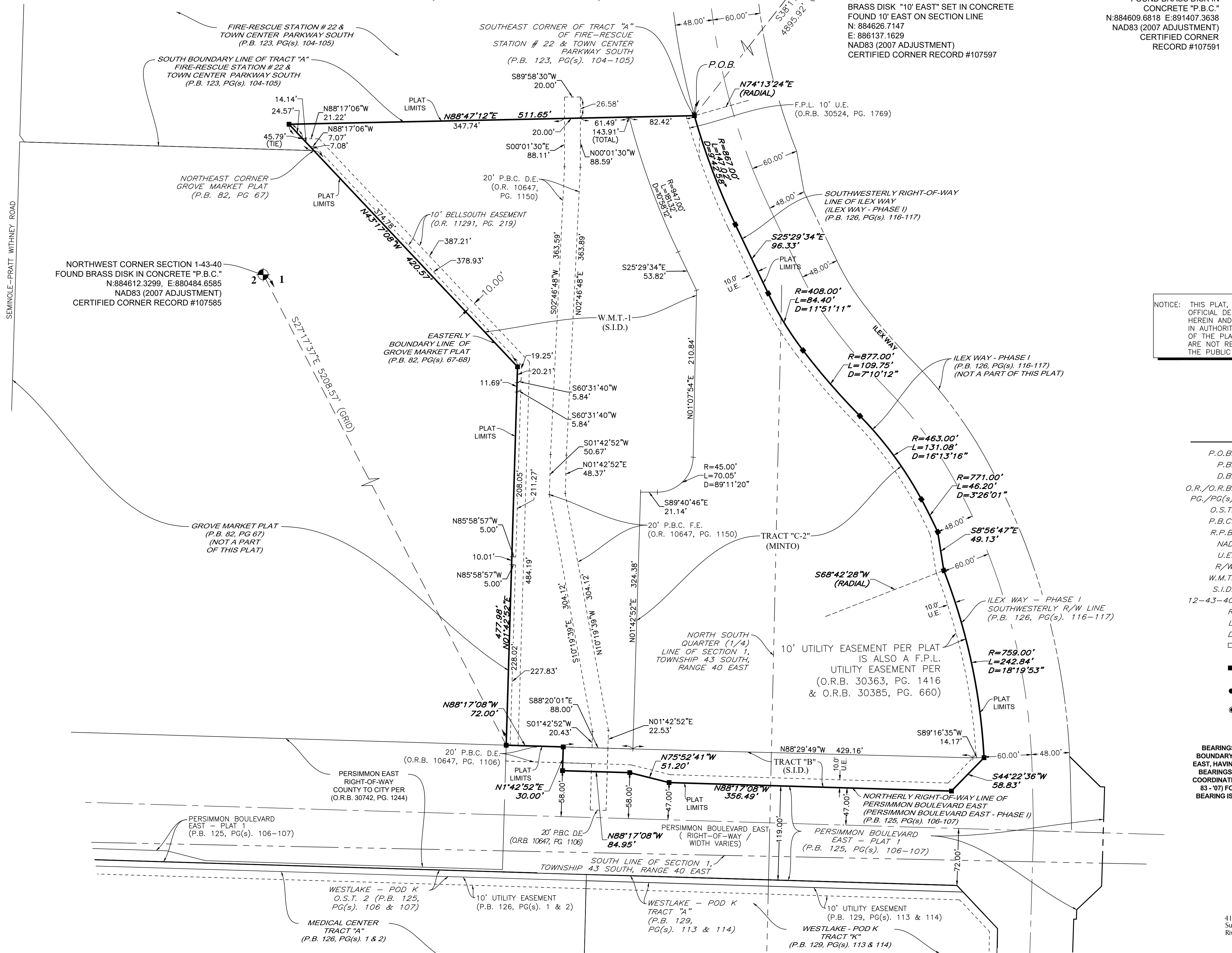
WESTLAKE CIVIC TRACT C-2 REPLAT

BEING A REPLAT OF TRACT "C-2" OF THE PLAT OF WESTLAKE CIVIC TRACT C-2, PLAT BOOK 128, PAGES 33 AND 34, AND A REPLAT OF W.M.T.#1 AND O.S.T. 1 OF THE PLAT OF PERSIMMON BOULEVARD EAST - PLAT 1, PLAT BOOK 125, PAGES 106 AND 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

BASIS OF BEARING
NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 S., RANGE 41 E.
S.89°48'53"E., 5270.23'
(MEASURED)
S.89°48'52"E., 5270.39'
(COUNTY)

NORTHEAST CORNER SECTION 6-43-41 FOUND BRASS DISK IN CONCRETE "P.B.C." N:884609.6818 E:891407.3638 NAD83 (2007 ADJUSTMENT) CERTIFIED CORNER RECORD #107591

NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 S., RANGE 40 E. SET 3.5" IRON PIPE "PUBLIC LAND SURVEY CORNER-TALLAHASSEE MERIDIAN" BRASS DISK "10' EAST" SET IN CONCRETE FOUND 10' EAST ON SECTION LINE N: 884626.7147 E: 886137.1629 NAD83 (2007 ADJUSTMENT) CERTIFIED CORNER RECORD #107597



NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

- LEGEND**
- P.O.B. ----- POINT OF BEGINNING
 - P.B. ----- PLAT BOOK
 - D.B. ----- DEED BOOK
 - O.R./O.R.B. ----- OFFICIAL RECORDS BOOK
 - PG./PG(S) ----- PAGE(S)
 - O.S.T. ----- OPEN SPACE TRACT
 - P.B.C. ----- PALM BEACH COUNTY
 - R.P.B. ----- ROAD PLAT BOOK
 - NAD ----- NORTH AMERICAN DATUM
 - U.E. ----- UTILITY EASEMENT
 - R/W ----- RIGHT-OF-WAY
 - W.M.T. ----- WATER MANAGEMENT TRACT
 - S.I.D. ----- SEMINOLE IMPROVEMENT DISTRICT
 - 12-43-40 ----- SECTION-TOWNSHIP-RANGE
 - R ----- RADIUS
 - L ----- ARCH LENGTH
 - D ----- DELTA ANGLE
 - ----- FOUND PERMANENT REFERENCE MONUMENT
 - ----- SET PERMANENT REFERENCE MONUMENT
 - ----- INDICATES (S.I.R.) SET IRON ROD LB7768
 - ⊙ ----- PERMANENT CONTROL POINT

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53"E. (MEASURED). BEARINGS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICA DATUM OF 1983 (NAD 83 - 07) FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 - 90).

GeoPoint
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Licensed Business Number: LB 7768

Sheet No. 2 of 2 Sheets



CITY OF WESTLAKE

Engineering Department

4001 Seminole Pratt Whitney Road

Westlake, Florida 33470

Phone: (561) 530-5880

www.westlakegov.com

DATE:	8/11/2021
PETITION NUMBER:	ENG-2021-15
DESCRIPTION:	C-2 Replat
APPLICANT:	Cotleur-Hearing
OWNER:	Minto PBLH, LLC
REQUEST:	Plat Review
LOCATION:	Westlake, Florida
STAFF REVIEW:	Recommendation of Approval

This is the second review of this Plat. This review is done for compliance with Chapters 177, 5J-17, Florida Statutes, and the City of Westlake's codes and ordinances. All of our previous comments have been adequately addressed. The plat is now in compliance with Chapter 177 and the City of Westlake's codes and ordinances. We can therefore recommend approval of the plat for recording.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

A handwritten signature in blue ink, appearing to read "Suzanne Dombrowski".

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com

File Attachments for Item:

B. A Resolution for the Revised Plat of Orchards (Pod S) of Westlake Phase II

Submitted By: Engineering

RESOLUTION 2021-28

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, HEREBY APPROVES A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		September 13, 2021	Submitted By: Engineering	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		A Resolution for the Revised Plat of Orchards (Pod S) of Westlake Phase II		
STAFF RECOMMENDATION: (MOTION READY)		Motion to Approve		
SUMMARY and/or JUSTIFICATION:		The City of Westlake has the exclusive jurisdiction to approve the revised plat pursuant to Florida Statutes, §177.071. The application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirement under Florida Statutes, Chapter 177. Pod S Phase II contains 71.90 acres of land which include 13.89 acres of lake which was platted with Phase I. The net area of the revised plat excluding the lakes is 64.766 acres. The revised plat has been reviewed and approved by the City Engineer, Seminole Improvement District, and the City Attorney.		
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:	X	PROCLAMATION:	
	EXHIBIT(S):	X	OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Resolution Staff Report, including: Exhibit A - Legal Description Exhibit B - Boundary Survey Exhibit C - Plat Approval Letter(s)			
SELECT, if applicable	RESOLUTION:	X	ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>	<p align="center"><u>RESOLUTION 2021-28</u></p> <p>A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, HEREBY APPROVES A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT #12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.</p>			
FISCAL IMPACT (if any):				\$

RESOLUTION 2021-28

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, HEREBY APPROVES A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for Orchards of Westlake Phase II plat and boundary survey, being a Replat of Tract "S", A Portion Of Open Space Tract #11, Open Space Tract # 12 And Water Management Tract #9, Orchards Of Westlake - Phase I, Plat Book 131, Pages 192 Through 210, Inclusive, Of The Public Records Of Palm Beach County, Florida, Within Sections 5, 6, 7 And 8, All In Township 43 South, Range 41 East, City Of Westlake, Palm Beach County, Florida; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the replat and boundary survey pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat, attached hereto as "Exhibit B", and the boundary survey, attached hereto as "Exhibit C", and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the City's land development regulations and Florida law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: **Incorporation:** The above recitals are true and correct and are incorporated herein by this reference.

Section 2: **City Council Approval:** The City Council for the City of Westlake hereby approves the replat, and boundary survey, for the Orchards of Westlake Phase II as described in the attached composit Exhibit "A", which is located in the City of Westlake, and in Palm Beach County, Florida.

Section 3: **Recordation:** The applicant shall provide a certified copy of the recorded replat and the applicant shall cover the costs of recording the replat in the public records in and for Palm Beach County Florida.

Section 4: **Scrivener's Errors:** The City of Westlake intends that the Resolution can be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the City Manager and City Attorney without the need for public hearing.

Section 5. Conflicts: All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 6. Severability: If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

Section 7: **Effective Date:** This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this _____ day of _____, 2021.

PUBLISHED on this _____ day of _____ 2021 in the Palm Beach Post.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk



CITY OF WESTLAKE
Engineering Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

STAFF MEMORANDUM

DATE: 8/27/2021
PETITION NO.: ENG-2021-10
DESCRIPTION: Review of Revised Plat for Orchards (Pod S) of Westlake Phase II
APPLICANT: Cotleur and Hearing
OWNER: Minto PBLH, LLC
REQUEST: Owner (Minto PBLH, LLC) is requesting approval of the revised plat for Orchards (Pod S) of Westlake Phase II

Final Recommendation

The Office of the City Engineer has reviewed the documents associated with the application referenced above and recommends approval by the Council. The revised plat was approved by the Seminole Improvement District's (SID) Engineering Department on August 3, 2021 and approved by the SID Board on August 17, 2021.

Discussion

Pod S, Phase II, is the final phase of Pod S within the City of Westlake, containing 241 of the 599 single-family detached homes to be approved. Phase II contains 71.90 acres of land which include 13.89 acres of lake which was platted with Phase I. The net area of the new plat excluding the lakes is 64.766 acres. Phase II was previously approved by staff on February 22, 2021. Pod S is located within the Residential 2 Land Use category and contains an R-2 zoning district designation. Pod S is designated on the Westlake Master Plan for single-family dwelling units and is a total of 209.65 acres in size, consistent with the proposed amended Final Master Plan. Pod S is located in the central east portion of Westlake, south of Town Center Parkway and north of Persimmon Boulevard East, as shown in the graphic below.



WESTLAKE MASTER PLAN



The primary access points to the Orchards community will be on Town Center Parkway from the north, opposite the secondary entrance to Meadows, and from Persimmon Boulevard East on the south. Both entries are designed and articulated as primary entries with full bus turnarounds and related amenities.

The Applicant is requesting a minor modification to the previously staff approved plat. The primary access points to the Orchards community will be Town Center Parkway from the north. The secondary entrance has been moved further north on Persimmon Blvd. East, to occur on the west side of that future north-south collector road. This new location will more efficiently facilitate inner connectivity with the anticipated development planned for the northeast quadrant of Westlake. As a result of this access relocation, the applicant has gained 1 (one) unit, for a total of 241 single family detached 50-foot-wide and 65-foot-wide lots containing front-loaded and sideloaded homes. Phase II will contain 73 65-foot-wide lots and 168 50-foot-wide lots. The lot design is consistent with the setbacks and lot coverages for the R-2 Zoning District. This community will have an overall density of 3.66 dwelling units per acre. The homes will contain a range of architectural styles drawing from historic coastal styles with a cleaner, more contemporary vibe.

The Legal Description of the Plat can be found in Exhibit A, and replications of the plat topographical survey and plat can be found in Exhibits B and C.

Review Criteria

Plats shall be prepared in accordance with the provisions of Chapter 177 F.S., as amended, and the City of Westlake Land Development Regulations. The revised plat was reviewed for clarity, legibility, and conformance with this statute and City requirements. The revised plat provides a graphic depiction of the legal description through geometric data. The data includes but is not limited to parcel, block, tract, right-of-way, street and associated names, easement, permanent reference monuments and permanent control points, and interior excepted parcels. Other requirements such as paper size, line work, layout of sheet and required content including the subdivision name, title, legal description, key map, vicinity map, north arrow, scale, and legend are verified in the Engineering Department review.

Conclusion

(2) reviews of the revised plat occurred, which resulted in an acceptable plat. The review was done for compliance with Chapters 177, 5J-17, Florida Statutes, and the City of Westlake's codes and ordinances. All comments have been adequately addressed and the plat is in compliance. We therefore recommend that the revised plat be approved for recording.

Exhibit 'A'
LEGAL DESCRIPTION
POD S (ORCHARDS) PHASE II – REVISED

BEING A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, THENCE S.89°48'53"E. ALONG THE NORTH BOUNDARY LINE OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, A DISTANCE OF 5270.23 FEET TO THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE S.01°57'47"W., ALONG THE EAST LINE OF SAID SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, A DISTANCE OF 4600.13 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT "S", AS SHOWN ON ORCHARDS OF WESTLAKE - PHASE I, AS RECORDED IN PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE BY THE FOLLOWING EIGHT (8) COURSES BEING ALONG SAID NORTHERLY LINE OF TRACT "S": 1) N.46°00'00"E., A DISTANCE OF 176.16 FEET; 2) THENCE N.66°33'06"E., A DISTANCE OF 251.59 FEET; 3) THENCE N 73°00'00" E, A DISTANCE OF 105.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, WITH A RADIUS OF 844.00 FEET; 4) THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°32'40", A DISTANCE OF 376.28 FEET TO A POINT OF TANGENCY; 5) THENCE S.81°27'20"E., A DISTANCE OF 211.22 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 4271.00 FEET AND A RADIAL BEARING OF N 81°27'20" W AT SAID INTERSECTION; 6) THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°32'11", A DISTANCE OF 114.52 FEET TO A NON-TANGENT INTERSECTION; 7) THENCE S. 85°07'38"E., A DISTANCE OF 50.03 FEET; 8) THENCE S.83°01'00"E., A DISTANCE OF 185.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I, AND A POINT OF NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 4506.00 FEET AND A RADIAL BEARING OF N 83°01'00" W AT SAID INTERSECTION, SAID POINT ALSO BEING REFERENCE POINT "A"; THENCE BY THE FOLLOWING SEVEN (7) COURSES BEING ALONG SAID EASTERLY AND SOUTHERLY LINE OF SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I: 1) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°04'02", A DISTANCE OF 1263.60 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 140.00 FEET, AND A RADIAL BEARING OF S.19°42'32"E., AT SAID INTERSECTION; 2) THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°25'19", A DISTANCE OF 132.98 FEET TO A NON-TANGENT INTERSECTION; 3) THENCE S.59°02'46" W., A DISTANCE OF 520.37 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 1998.00 FEET; 4) THENCE WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°34'37", A DISTANCE OF 1170.88 FEET TO A POINT OF TANGENCY; 5) THENCE N.87°22'37"W., A DISTANCE OF 292.26 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 1898.00 FEET; 6) THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°17'26", A DISTANCE OF 142.13 FEET TO A POINT OF TANGENCY; 7) THENCE N.83°05'11"W., A DISTANCE OF 59.23 FEET; THENCE N.26°42'06"E, A DISTANCE OF 142.26 FEET TO A POINT ON THE WESTERLY LINE OF SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I, AND A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 364.00 FEET, AND A RADIAL BEARING OF N.44°00'00"E., AT SAID INTERSECTION; THENCE BY THE FOLLOWING THREE (3) COURSES BEING ALONG SAID WESTERLY LINE OF SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I: 1) THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 46°20'00", A DISTANCE OF 294.36 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING REFERENCE POINT "B"; 2) THENCE N.00°20'00"E., A DISTANCE OF 487.53 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 1650.00 FEET; 3) THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF

16°44'10", A DISTANCE OF 481.96 FEET TO A NON-TANGENT INTERSECTION AND A POINT ON THE NORTHERLY LINE OF TRACT "S", AS SHOWN ON ORCHARDS OF WESTLAKE - PHASE I, AS RECORDED IN PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE BY THE FOLLOWING THIRTEEN (13) COURSES, BEING ALONG SAID NORTHERLY LINE OF TRACT "S": 1) THENCE N.73°15'00"E., A DISTANCE OF 125.00 FEET TO A POINT OF NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 1775.00 FEET AND A RADIAL BEARING OF S.73°34'22"W., AT SAID INTERSECTION; 2) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°58'17", A DISTANCE OF 30.09 FEET TO A NON-TANGENT INTERSECTION; 3) THENCE N.74°42'49"E., A DISTANCE OF 50.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 1825.00 FEET AND A RADIAL BEARING OF S.74°32'55"W., AT SAID INTERSECTION; 4) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°09'57", A DISTANCE OF 100.84 FEET TO A NON-TANGENT INTERSECTION; 5) THENCE N.73°00'00"E., A DISTANCE OF 280.28 FEET; 6) THENCE N.17°00'00"W., A DISTANCE OF 100.00 FEET; 7) THENCE N.73°00'00"E., A DISTANCE OF 50.00 FEET; 8) THENCE N.28°00'00"E., A DISTANCE OF 35.36 FEET; 9) THENCE N.73°00'00"E., A DISTANCE OF 212.00 FEET; 10) THENCE S.62°00'00"E., A DISTANCE OF 35.36 FEET; 11) THENCE N.73°00'00"E., A DISTANCE OF 50.00 FEET; 12) THENCE S.17°00'00"E., A DISTANCE OF 100.00 FEET; 13) THENCE N.73°00'00"E., A DISTANCE OF 125.00 FEET TO A POINT ON THE BOUNDARY OF WATER MANAGEMENT TRACT #7, AS SHOWN ON SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I; THENCE BY THE FOLLOWING SEVEN (7) COURSES, BEING ALONG SAID BOUNDARY OF WATER MANAGEMENT TRACT #7: 1) THENCE S.17°00'00"E., A DISTANCE OF 200.43 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 1538.00 FEET; 2) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°30'00", A DISTANCE OF 308.70 FEET TO A POINT OF TANGENCY; 3) THENCE S.28°30'00"E., A DISTANCE OF 425.18 FEET; 4) THENCE N.61°30'00"E., A DISTANCE OF 233.72 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 160.00 FEET; 5) THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 105°30'00", A DISTANCE OF 294.61 FEET TO A POINT OF TANGENCY; 6) THENCE N.44°00'00"W., A DISTANCE OF 553.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 650.00 FEET; 7) THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°32'56", A DISTANCE OF 165.05 FEET TO A NON-TANGENT INTERSECTION AND A POINT ON THE NORTHERLY LINE OF SAID TRACT "S"; THENCE THE FOLLOWING FOUR (4) COURSES, BEING ALONG SAID NORTHERLY LINE OF TRACT "S": 1) THENCE N.73°00'00"E., A DISTANCE OF 128.76 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 525.00 FEET AND A RADIAL BEARING OF N.57°31'04"E., AT SAID INTERSECTION; 2) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°31'04", A DISTANCE OF 105.54 FEET TO A POINT OF TANGENCY; 3) THENCE S.44°00'00"E., A DISTANCE OF 26.47 FEET; 4) THENCE N.46°00'00"E., A DISTANCE OF 16.64 FEET TO THE POINT OF BEGINNING.

CONTAINING: 3,131,811 SQUARE FEET OR 71.896 ACRES, MORE OR LESS.

Exhibit 'B'
TOPOGRAPHICAL SURVEY
POD S (ORCHARDS) PHASE II – REVISED

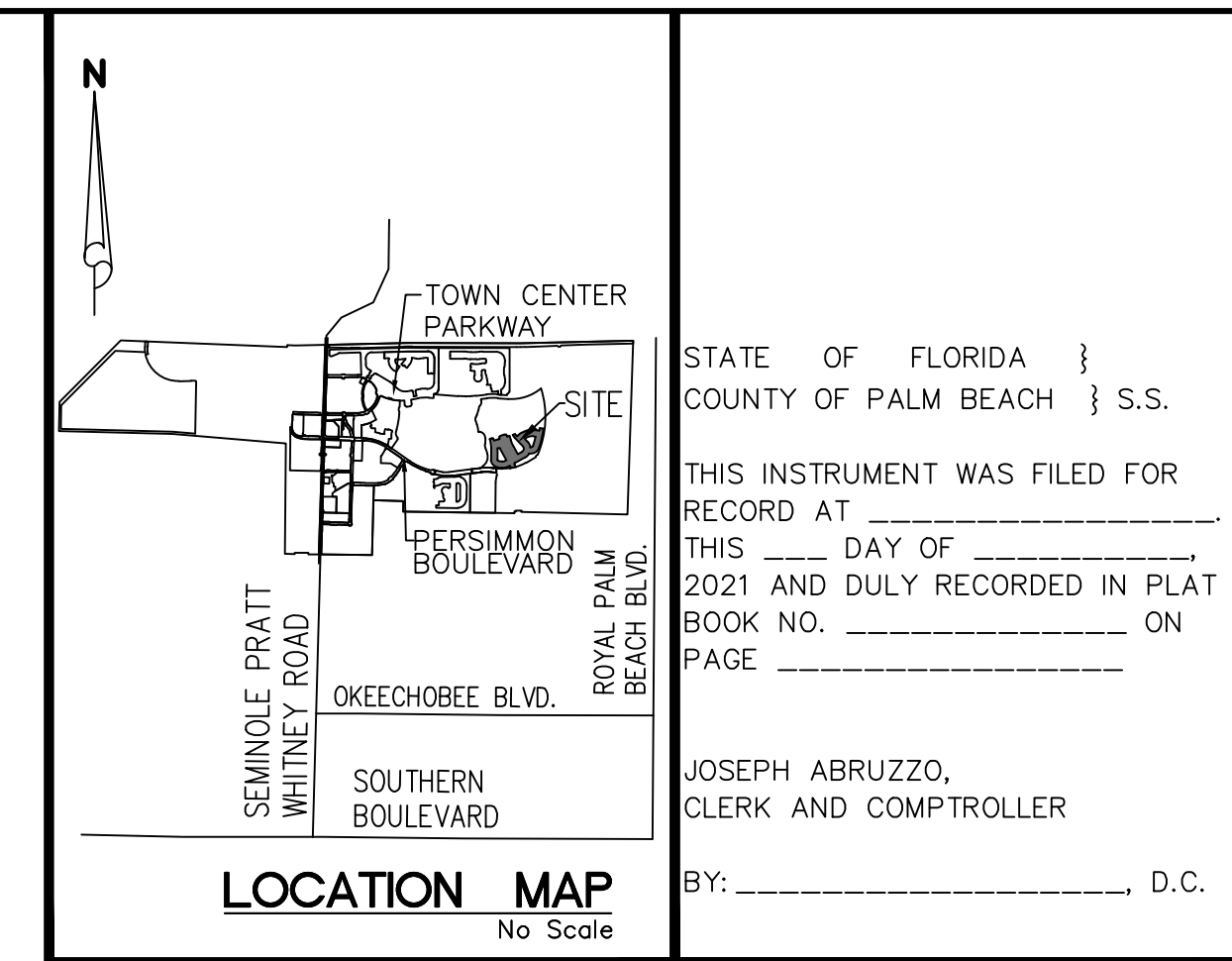
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Exhibit 'C'
PLAT
POD S (ORCHARDS) PHASE II – REVISED

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ORCHARDS OF WESTLAKE - PHASE II

BEING A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.



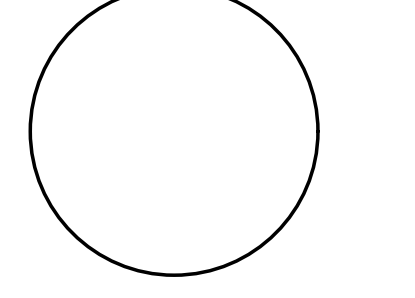
STATE OF FLORIDA }
COUNTY OF PALM BEACH } S.S.

THIS INSTRUMENT WAS FILED FOR
RECORD AT _____
THIS ____ DAY OF _____
2021 AND DULY RECORDED IN PLAT
BOOK NO. _____ ON
PAGE _____

JOSEPH ABRUZZO,
CLERK AND COMPTROLLER

BY: _____, D.C.

CLERK'S SEAL



DEDICATION AND RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN AND DESCRIBED HEREON AS ORCHARDS OF WESTLAKE - PHASE II, BEING A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, THENCE S.89°48'53"E, ALONG THE NORTH BOUNDARY LINE OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, A DISTANCE OF 5270.23 FEET TO THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE S.01°57'47"W, ALONG THE EAST LINE OF SAID SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, A DISTANCE OF 4600.13 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT "S", AS SHOWN ON ORCHARDS OF WESTLAKE - PHASE I, AS RECORDED IN PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE BY THE FOLLOWING EIGHT (8) COURSES BEING ALONG SAID NORTHERLY LINE OF TRACT "S": 1) N.46°00'00"E, A DISTANCE OF 176.16 FEET; 2) THENCE N.66°33'06"E, A DISTANCE OF 251.59 FEET; 3) THENCE N.73°00'00"E, A DISTANCE OF 105.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, WITH A RADIUS OF 844.00 FEET; 4) THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°32'40", A DISTANCE OF 376.28 FEET TO A POINT OF TANGENCY; 5) THENCE S.81°27'20"E, A DISTANCE OF 211.22 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 4271.00 FEET AND A RADIAL BEARING OF N.81°27'20" W AT SAID INTERSECTION; 6) THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°32'11", A DISTANCE OF 114.52 FEET TO A NON-TANGENT INTERSECTION; 7) THENCE S. 85°07'38"E, A DISTANCE OF 50.03 FEET; 8) THENCE S.83°01'00"E, A DISTANCE OF 185.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I, AND A POINT OF NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 4506.00 FEET AND A RADIAL BEARING OF N.83°01'00" W AT SAID INTERSECTION, SAID POINT ALSO BEING **REFERENCE POINT "A"**; THENCE BY THE FOLLOWING SEVEN (7) COURSES BEING ALONG SAID EASTERLY AND SOUTHERLY LINE OF SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I: 1) SAID POINT SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°04'02", A DISTANCE OF 1263.60 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 140.00 FEET, AND A RADIAL BEARING OF S.19°42'32"E, AT SAID INTERSECTION; 2) THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°25'19", A DISTANCE OF 132.98 FEET TO A NON-TANGENT INTERSECTION; 3) THENCE S.59°02'46" W, A DISTANCE OF 520.37 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 1998.00 FEET; 4) THENCE WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°34'37", A DISTANCE OF 170.88 FEET TO A POINT OF TANGENCY; 5) THENCE N.87°22'37"W, A DISTANCE OF 292.26 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 1898.00 FEET; 6) THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°17'26", A DISTANCE OF 142.13 FEET TO A POINT OF TANGENCY; 7) THENCE N.83°05'11"W, A DISTANCE OF 59.23 FEET; THENCE N.26°42'06"E, A DISTANCE OF 142.26 FEET TO A POINT ON THE WESTERLY LINE OF SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I, AND A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 364.00 FEET, AND A RADIAL BEARING OF N.44°00'00"E, AT SAID INTERSECTION; THENCE BY THE FOLLOWING THREE (3) COURSES BEING ALONG SAID WESTERLY LINE OF SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I: 1) THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 46°29'00", A DISTANCE OF 294.36 FEET TO A POINT OF TANGENCY; SAID POINT ALSO BEING **REFERENCE POINT "B"**; 2) THENCE N.00°20'00"E, A DISTANCE OF 487.53 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 1650.00 FEET; 3) THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°44'10", A DISTANCE OF 481.96 FEET TO A NON-TANGENT INTERSECTION AND A POINT ON THE NORTHERLY LINE OF TRACT "S", AS SHOWN ON ORCHARDS OF WESTLAKE - PHASE I, AS RECORDED IN PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE BY THE FOLLOWING THIRTEEN (13) COURSES, BEING ALONG SAID NORTHERLY LINE OF TRACT "S": 1) THENCE N.73°15'00"E, A DISTANCE OF 125.00 FEET TO A POINT OF NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 1775.00 FEET AND A RADIAL BEARING OF S.73°34'22"W, AT SAID INTERSECTION; 2) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°58'17", A DISTANCE OF 30.09 FEET TO A NON-TANGENT INTERSECTION; 3) THENCE N.74°42'49"E, A DISTANCE OF 50.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 1825.00 FEET AND A RADIAL BEARING OF S.74°32'55"W, AT SAID INTERSECTION; 4) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°09'57", A DISTANCE OF 100.84 FEET TO A NON-TANGENT INTERSECTION; 5) THENCE N.73°00'00"E, A DISTANCE OF 280.28 FEET; 6) THENCE N.17°00'00"W, A DISTANCE OF 100.00 FEET; 7) THENCE N.73°00'00"E, A DISTANCE OF 50.00 FEET; 8) THENCE N.28°00'00"E, A DISTANCE OF 35.36 FEET; 9) THENCE N.73°00'00"E, A DISTANCE OF 212.00 FEET; 10) THENCE S.62°00'00"E, A DISTANCE OF 35.36 FEET; 11) THENCE N.73°00'00"E, A DISTANCE OF 50.00 FEET; 12) THENCE S.17°00'00"E, A DISTANCE OF 100.00 FEET; 13) THENCE N.73°00'00"E, A DISTANCE OF 125.00 FEET TO A POINT ON THE BOUNDARY OF WATER MANAGEMENT TRACT #7, AS SHOWN ON SAID PLAT OF ORCHARDS OF WESTLAKE - PHASE I; THENCE BY THE FOLLOWING SEVEN (7) COURSES, BEING ALONG SAID BOUNDARY OF WATER MANAGEMENT TRACT #7: 1) THENCE S.17°00'00"E, A DISTANCE OF 200.43 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 1538.00 FEET; 2) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°30'00", A DISTANCE OF 308.70 FEET TO A POINT OF TANGENCY; 3) THENCE S.28°30'00"E, A DISTANCE OF 425.18 FEET; 4) THENCE N.61°30'00"E, A DISTANCE OF 233.72 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 160.00 FEET; 5) THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 105°30'00", A DISTANCE OF 294.61 FEET TO A POINT OF TANGENCY; 6) THENCE N.44°00'00"W, A DISTANCE OF 553.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 650.00 FEET; 7) THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°32'56", A DISTANCE OF 165.05 FEET TO A NON-TANGENT INTERSECTION AND A POINT ON THE NORTHERLY LINE OF SAID TRACT "S"; THENCE THE FOLLOWING FOUR (4) COURSES, BEING ALONG SAID NORTHERLY LINE OF TRACT "S": 1) THENCE N.73°00'00"E, A DISTANCE OF 128.76 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 525.00 FEET AND A RADIAL BEARING OF N.57°31'04"E, AT SAID INTERSECTION; 2) THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°31'04", A DISTANCE OF 105.54 FEET TO A POINT OF TANGENCY; 3) THENCE S.44°00'00"E, A DISTANCE OF 26.47 FEET; 4) THENCE N.46°00'00"E, A DISTANCE OF 16.64 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 3,131,811 SQUARE FEET OR 71.896 ACRES, MORE OR LESS.

LESS AND EXCEPT:

A PARCEL OF LAND BEING ALL OF WATER MANAGEMENT TRACT #6 AS SHOWN ON THE PLAT OF ORCHARDS OF WESTLAKE - PHASE I PER PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE ON SAID **REFERENCE POINT "B"**; THENCE S.89°40'00"E, A DISTANCE OF 300.00 FEET TO THE **POINT OF BEGINNING WATER MANAGEMENT TRACT #6**; THENCE N.00°20'00"E, A DISTANCE OF 487.53 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 1950.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°29'00", A DISTANCE OF 50.48 FEET TO A NON-TANGENT INTERSECTION; THENCE N.88°51'00"E, A DISTANCE OF 62.05 FEET; THENCE N.85°46'05"E, A DISTANCE OF 50.09 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 2150.00 FEET AND A RADIAL BEARING OF N.67°23'24"E, AT SAID INTERSECTION; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°53'24", A DISTANCE OF 221.02 TO A POINT OF TANGENCY; THENCE S.28°30'00"E, A DISTANCE OF 425.18 FEET; THENCE S.61°30'00"W, A DISTANCE OF 56.60 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 212.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°00'00", A DISTANCE OF 125.50 FEET TO A POINT OF TANGENCY; THENCE N.84°30'00"W, A DISTANCE OF 184.41 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 64.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 84°50'00", A DISTANCE OF 94.76 FEET TO THE **POINT OF BEGINNING WATER MANAGEMENT TRACT #6**.

CONTAINING: 162,179 SQUARE FEET OR 3.723 ACRES, MORE OR LESS.

LESS AND EXCEPT:

A PARCEL OF LAND BEING ALL OF WATER MANAGEMENT TRACT #8 AS SHOWN ON THE PLAT OF ORCHARDS OF WESTLAKE - PHASE I PER PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT **REFERENCE POINT "A"**, SAID POINT BEING ON THE EASTERLY LINE OF THE PLAT OF ORCHARDS OF WESTLAKE - PHASE I, AS RECORDED IN PLAT BOOK 131, PAGES 191 THROUGH 210, OF SAID PUBLIC RECORDS, SAID POINT ALSO BEING ALONG THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 4506.00 FEET AND A RADIAL BEARING OF N.83°01'00"W, AT SAID POINT OF COMMENCEMENT; THENCE SOUTHERLY, ALONG SAID EASTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'48", A DISTANCE OF 893.66 FEET TO A RADIAL INTERSECTION; THENCE N.71°39'12"W, A DISTANCE OF 360.00 FEET TO THE **POINT OF BEGINNING WATER MANAGEMENT TRACT #8**; THENCE S.18°20'48"W, A DISTANCE OF 50.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 100.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH CENTRAL ANGLE OF 83°39'12", A DISTANCE OF 146.00 FEET TO A POINT OF TANGENCY; THENCE N.78°00'00"W, A DISTANCE OF 14.19 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 460.00 FEET AND A RADIAL BEARING OF S.82°58'07"W, AT SAID INTERSECTION; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°59'07", A DISTANCE OF 296.80 FEET TO A POINT OF TANGENCY; THENCE N.44°00'00"W, A DISTANCE OF 175.31 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 538.00 FEET AND A RADIAL BEARING OF S.40°08'18"E, AT SAID INTERSECTION; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 50°52'34", A DISTANCE OF 477.72 FEET TO A POINT OF TANGENCY; THENCE S.79°15'44" E, A DISTANCE OF 54.18 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 4146.00 FEET AND A RADIAL BEARING OF N.77°11'20"W, AT SAID INTERSECTION; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°32'08", A DISTANCE OF 400.55 FEET TO THE **POINT OF BEGINNING WATER MANAGEMENT TRACT #8**.

CONTAINING: 148,413 SQUARE FEET OR 3.407 ACRES, MORE OR LESS.

TOTAL CONTAINING: 2,821,220 SQUARE FEET OR 64.766 ACRES, MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AND RESERVE AS FOLLOWS:

ROAD RIGHT-OF-WAY

TRACT "A" SHOWN HEREON AS EMPIRE DRIVE, LIBERTY LANE, MACCOON WAY, PECAN DRIVE AND REDCOVE PLACE ARE HEREBY DEDICATED TO THE ORCHARDS OF WESTLAKE HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, IN FEE SIMPLE, AS A PRIVATE ROADWAY FOR INGRESS AND EGRESS, ACCESS, UTILITIES AND DRAINAGE PURPOSES, AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, AN EASEMENT OVER AND UNDER SAID TRACT "A" AS SHOWN HEREON IS ALSO DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, FOR ACCESS TO, AND FOR THE INSTALLATION AND MAINTENANCE OF, PUBLIC UTILITY FACILITIES, INCLUDING BUT NOT LIMITED TO, WATER, REUSE WATER AND WASTEWATER LINES AND APPURTENANT FACILITIES AND THE INSPECTION, REPAIR, REPLACEMENT, UPGRADE AND MAINTENANCE OF WATER, REUSE WATER, WASTEWATER, AND WATER MANAGEMENT FACILITIES. THE SEMINOLE IMPROVEMENT DISTRICT SHALL HAVE THE RIGHT TO GRANT OTHER UTILITY PROVIDERS THE ABILITY TO USE THE EASEMENT, IN ITS SOLE DISCRETION, AN EASEMENT OVER AND UNDER SAID TRACT "A" AS SHOWN HEREON IS ALSO RESERVED IN FAVOR OF THE CITY OF WESTLAKE FOR SERVICE VEHICLES AND EMERGENCY VEHICLES. THE CITY OF WESTLAKE AND THE SEMINOLE IMPROVEMENT DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY MAINTENANCE OBLIGATIONS FOR SAID EASEMENT AREA OR SAID TRACT "A" EXCEPT AS SHALL RELATE TO THE SERVICING OF SUCH PUBLIC UTILITIES BY THE SEMINOLE IMPROVEMENT DISTRICT, AND FOR MAINTENANCE AS IT RELATES TO THE CITY OF WESTLAKE'S SERVICE VEHICLES AND EMERGENCY VEHICLES.

OPEN SPACE TRACTS

TRACTS O.S.T. #11, O.S.T. #12 AND O.S.T. #17, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, IN FEE SIMPLE, AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

OPEN SPACE TRACTS

TRACTS O.S.T. #14 THROUGH O.S.T. #16, AS SHOWN HEREON, ARE HEREBY DEDICATED TO ORCHARDS OF WESTLAKE HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, IN FEE SIMPLE, AND AN EASEMENT IS ALSO DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS FOR LAKE MAINTENANCE ACCESS AND ALL OTHER PROPER PURPOSES OF THE DISTRICT AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ORCHARDS OF WESTLAKE HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

OPEN SPACE TRACTS

TRACTS O.S.T. #18 THROUGH O.S.T. #24, AS SHOWN HEREON, ARE HEREBY DEDICATED TO ORCHARDS OF WESTLAKE HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, IN FEE SIMPLE, FOR OPEN SPACE PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

WATER MANAGEMENT TRACTS

WATER MANAGEMENT TRACT W.M.T. #9, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, IN FEE SIMPLE, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

CITY OF WESTLAKE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO CONSTRUCT AND MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR DRAINAGE PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS, AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

LAKE MAINTENANCE ACCESS EASEMENTS

THE LAKE MAINTENANCE ACCESS EASEMENTS (L.M.A.E.) AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES LOCATED WITHIN THE ASSOCIATED WATER MANAGEMENT TRACTS FOR PURPOSES OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES PURSUANT TO THE MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

UTILITY EASEMENTS

ALL UTILITY EASEMENTS DESCRIBED ON THE PLAT ARE PRIVATE NON-EXCLUSIVE EASEMENTS UNLESS EXPRESSLY STATED OTHERWISE THEREIN. ALL UTILITY RIGHTS AND EASEMENTS ESTABLISHED BY OR RESERVED BY THIS PLAT ARE HEREBY DEDICATED IN PERPETUITY TO THE SEMINOLE IMPROVEMENT DISTRICT, (A LOCAL UNIT OF SPECIAL PURPOSE GOVERNMENT ESTABLISHED PURSUANT TO CHAPTERS 189 AND 298, FLORIDA STATUTES, AS A PUBLIC UTILITY PROVIDER OF WATER, SEWER AND RECLAIMED WATER, ITS SUCCESSORS AND ASSIGNS, SUBJECT TO THOSE CERTAIN RESTRICTION OF RIGHTS, COVENANTS AND DEDICATIONS AS MAY HEREAFTER BE IMPOSED BY GRANOR; PROVIDED FURTHER SAID GRANTS OR ASSIGNMENTS SHALL NOT BE DEEMED A PUBLIC DEDICATION OF SAID RIGHTS OR EASEMENTS. THE SEMINOLE IMPROVEMENT DISTRICT SHALL HAVE THE RIGHT TO GRANT OTHER UTILITY PROVIDERS THE ABILITY TO USE THE EASEMENT, IN ITS SOLE DISCRETION.

IN FURTHERANCE OF THE FOREGOING, THERE IS HEREBY GRANTED TO FLORIDA POWER & LIGHT COMPANY, A FLORIDA CORPORATION, ITS AFFILIATES, LICENSEES, AGENTS, SUCCESSORS, AND ASSIGNS ("FPL"), A NON-EXCLUSIVE EASEMENT FOREVER OVER, UNDER, IN, ON, UPON AND ACROSS THE UTILITY EASEMENTS DESCRIBED ON THE PLAT, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND ELECTRIC UTILITY FACILITIES (INCLUDING CABLES, CONDUITS, APPURTENANT EQUIPMENT, AND APPURTENANT ABOVE-GROUND EQUIPMENT) TO BE INSTALLED FROM TIME TO TIME, TOGETHER WITH THE RIGHT TO PERMIT FLORIDA POWER & LIGHT TO ATTACH OR PLACE WIRES TO OR WITHIN ANY FACILITIES HEREUUNDER AND LAY CABLE AND CONDUIT WITHIN THE EASEMENT AREA AND TO OPERATE THE SAME FOR FLORIDA POWER & LIGHT'S COMMUNICATIONS PURPOSES IN CONNECTION WITH ELECTRIC SERVICE AND THE RIGHT OF INGRESS AND EGRESS TO THE UTILITY EASEMENTS AT ALL TIMES.

DRAINAGE EASEMENTS

THE 20-FOOT-WIDE AND THE 32-FOOT-WIDE DRAINAGE EASEMENTS (D.E.) AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, IN PERPETUITY FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE SEMINOLE IMPROVEMENT DISTRICT WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

CITY OF WESTLAKE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR DRAINAGE PURPOSES, ANY AND ALL DRAINAGE AREAS, LAKE MAINTENANCE AREAS, AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

DRAINAGE EASEMENT (PRIVATE)

THE 6-FOOT-WIDE AND THE 12-FOOT-WIDE DRAINAGE EASEMENTS (PRIVATE), AS SHOWN HEREON, ARE HEREBY DEDICATED TO ORCHARDS OF WESTLAKE HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, IN PERPETUITY FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

CITY OF WESTLAKE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR DRAINAGE PURPOSES, ANY AND ALL DRAINAGE AREAS, LAKE MAINTENANCE AREAS, AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

IN WITNESS WHEREOF, MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER AND ITS COMPANY SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS MEMBERS THIS ____ DAY OF _____, 2021.

WITNESS: _____ MINTO PBLH, LLC
A FLORIDA LIMITED LIABILITY COMPANY

PRINT NAME: _____ BY: _____
JOHN F. CARTER, MANAGER

WITNESS: _____
PRINT NAME: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS ____ DAY OF _____, 20____, BY JOHN CARTER, AS MANAGER FOR MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____

(PRINT NAME) - NOTARY PUBLIC

(SEAL)

ACCEPTANCE OF DEDICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, HEREBY ACCEPTS THE DEDICATIONS AND RESERVATIONS TO SAID DISTRICT AS STATED AND SHOWN HEREON, AND ITS MAINTENANCE OBLIGATIONS FOR SAME, AND HEREBY JOINS IN AND CONSENTS TO THE UTILITY EASEMENTS DEDICATION, DATED THIS ____ DAY OF _____, 2021.

WITNESS: _____ SEMINOLE IMPROVEMENT DISTRICT
AN INDEPENDENT SPECIAL DISTRICT
OF THE STATE OF FLORIDA

PRINT NAME: _____ BY: _____
SCOTT MASSEY, PRESIDENT

WITNESS: _____
PRINT NAME: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS ____ DAY OF _____, 20____, BY SCOTT MASSEY AS PRESIDENT FOR SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ON BEHALF OF THE DISTRICT, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____

(PRINT NAME) - NOTARY PUBLIC

(SEAL)

MINTO PBLH, LLC	SEMINOLE IMPROVEMENT DISTRICT	ORCHARDS OF WESTLAKE HOMEOWNERS ASSOCIATION	SURVEYOR'S SEAL

ACCEPTANCE OF DEDICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

ORCHARDS OF WESTLAKE HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, HEREBY ACCEPTS THE DEDICATIONS AND RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS ____ DAY OF _____, 2021.

WITNESS: _____ ORCHARDS OF WESTLAKE
HOMEOWNERS ASSOCIATION, INC.
A FLORIDA CORPORATION NOT-FOR-PROFIT

PRINT NAME: _____ BY: _____
JOHN CARTER, PRESIDENT

WITNESS: _____
PRINT NAME: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS ____ DAY OF _____, 20____, BY JOHN CARTER, AS PRESIDENT FOR ORCHARDS OF WESTLAKE HOMEOWNERS ASSOCIATION, INC., ON BEHALF OF THE ASSOCIATION, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____

(PRINT NAME) - NOTARY PUBLIC

(SEAL)

SURVEYOR & MAPPER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.S") HAVE BEEN PLACED AS REQUIRED BY LAW, AND THAT PERMANENT CONTROL POINTS ("P.C.P.S"), AND MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF WESTLAKE FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF CITY OF WESTLAKE, FLORIDA.

DATE: _____ GARY A. RAGER, P.S.M.
LICENSE NO. LS4828
STATE OF FLORIDA

THIS INSTRUMENT PREPARED BY
GARY A. RAGER, P.S.M.
LS4828 STATE OF FLORIDA.
GEOPOINT SURVEYING, INC.
4152 WEST BLUE HERON BOULEVARD, SUITE 105,
RIVIERA BEACH, FLORIDA 33404,
CERTIFICATE OF AUTHORIZATION NO. LB7768



4152 W. Blue Heron Blvd. Phone: (561) 444-2720
Suite 105 www.geopointsurvey.com
Riviera Beach, FL 33404 Licensed Business Number LB7768

ORCHARDS OF WESTLAKE - PHASE II
 BEING A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND
 WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210,
 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN
 TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

CITY OF WESTLAKE'S APPROVAL

THIS CERTIFIES THAT THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE BY A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____ 2021, IN ACCORDANCE WITH SEC. 177.071(2), F.S., AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY THE CITY OF WESTLAKE IN ACCORDANCE WITH SEC. 177.081(1), F.S.

ATTEST: _____
 CITY MANAGER, KEN CASSEL

BY: _____
 CITY MAYOR, ROGER MANNING

TITLE CERTIFICATION

STATE OF FLORIDA
 COUNTY OF _____

WE, FOUNDERS TITLE, A TITLE INSURANCE COMPANY, AS DULY AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN MINTO PBLH, LLC; THAT THE CURRENT TAXES HAVE BEEN PAID; AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT ITEMS, AND ALL OTHER ITEMS HELD AGAINST SAID LANDS HAVE BEEN SATISFIED; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: _____

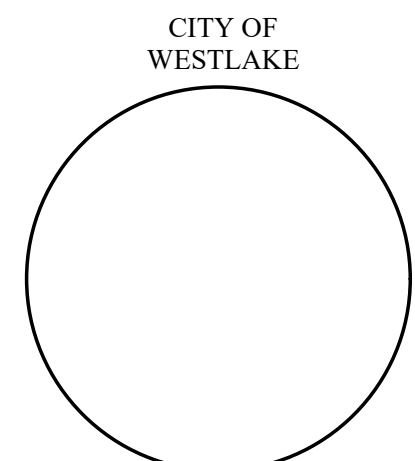
HARRY BINNIE, PRESIDENT, FOUNDERS TITLE

AREA TABULATION (IN ACRES)

SINGLE FAMILY LOTS (241 LOTS):	42.671
ROADWAY TRACT (TRACT "A"):	10.276
OPEN SPACE TRACT #11:	1.569
OPEN SPACE TRACT #12:	1.422
OPEN SPACE TRACT #14:	0.057
OPEN SPACE TRACT #15:	0.057
OPEN SPACE TRACT #16:	0.092
OPEN SPACE TRACT #17:	0.307
OPEN SPACE TRACT #18:	0.108
OPEN SPACE TRACT #19:	0.143
OPEN SPACE TRACT #20:	0.302
OPEN SPACE TRACT #21:	0.219
OPEN SPACE TRACT #22:	0.203
OPEN SPACE TRACT #23:	0.188
OPEN SPACE TRACT #24:	0.388
WATER MANAGEMENT TRACT #9:	6.764
TOTAL ACRES, MORE OR LESS:	64.766

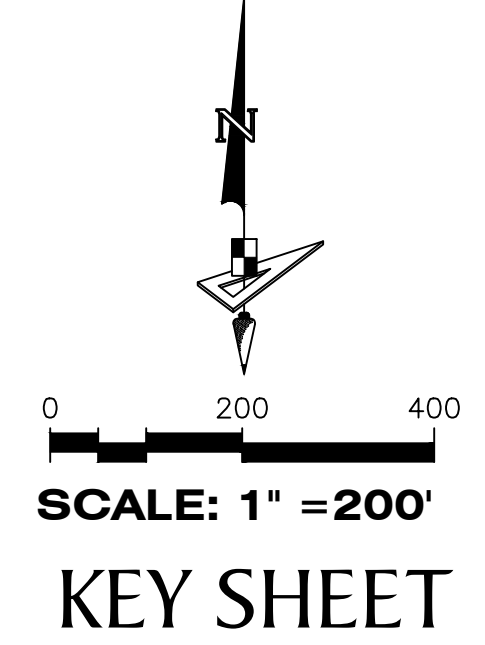
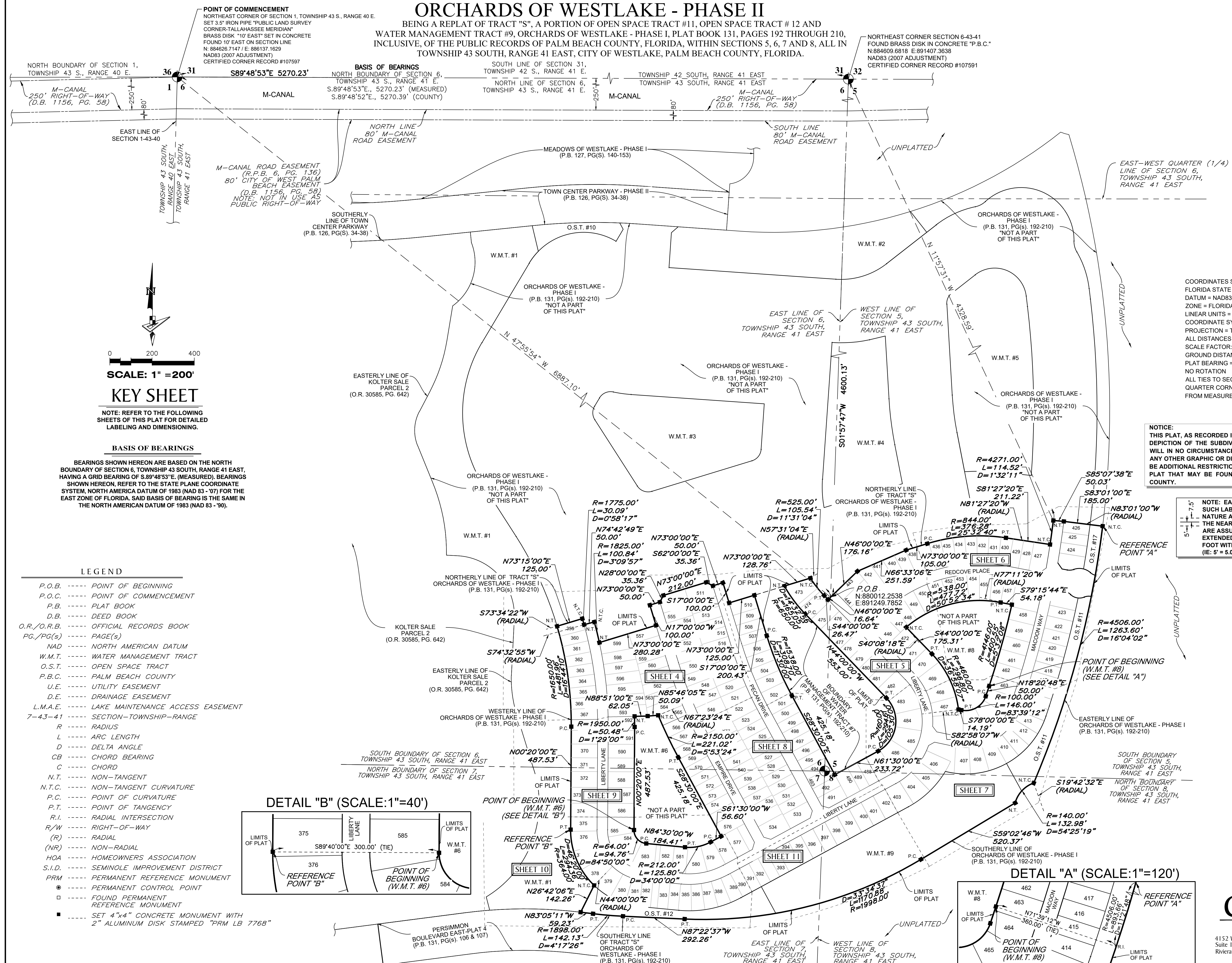
SURVEYORS NOTES

- PERMANENT REFERENCE MONUMENTS ARE SHOWN THUS: "■" = A 1 1/2" BRASS DISK STAMPED "PRM LB7768" SET IN A 4"x4"x24" CONCRETE MONUMENT. PERMANENT CONTROL POINTS ARE SHOWN AS THUS: "●" = A MAGNETIC NAIL AND DISK STAMPED "PCP LB7768". (UNLESS OTHERWISE NOTED)
- BEARINGS SHOWN HEREON ARE BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53"E. BEARINGS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83 / '07) FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 / '90).
- NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE CITY OR SEMINOLE IMPROVEMENT DISTRICT APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS. THERE WILL BE NO ABOVE GROUND ENCROACHMENTS WHERE LAKE MAINTENANCE EASEMENTS AND UTILITY EASEMENTS OVERLAP.
- THE BUILDING SETBACKS SHALL BE AS REQUIRED BY THE CITY OF WESTLAKE ZONING REGULATIONS.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- ALL LINES INTERSECTING CIRCULAR CURVES ARE RADIAL UNLESS OTHERWISE NOTED.
- COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID
 DATUM = NAD83 2007 ADJUSTMENT
 ZONE = FLORIDA EAST
 LINEAR UNITS = US SURVEY FEET
 COORDINATE SYSTEM = 1983 STATE PLANE
 PROJECTION = TRANSVERSE MERCATOR
 ALL DISTANCES ARE GROUND
 SCALE FACTOR: 1.0000
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 PLAT BEARING = GRID BEARING
 NO ROTATION
 ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES



ORCHARDS OF WESTLAKE - PHASE II

BEING A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

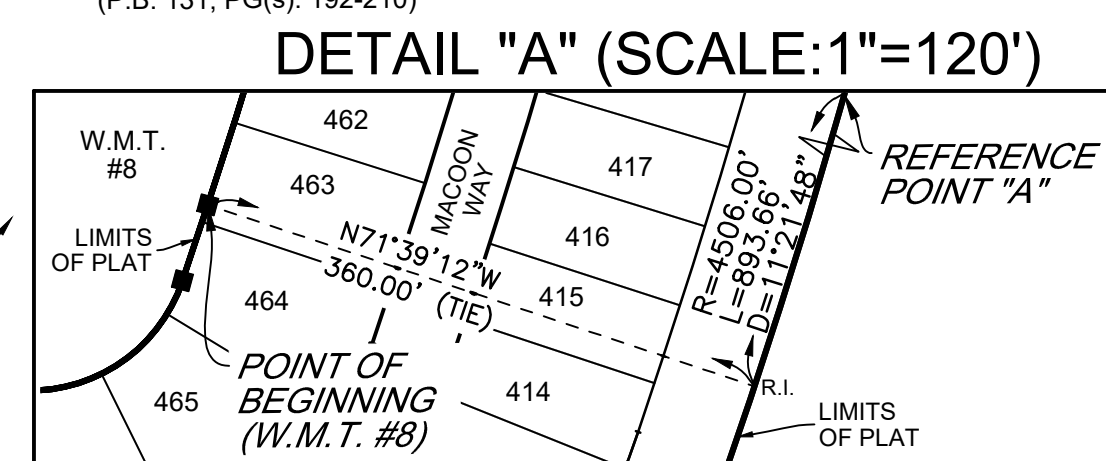
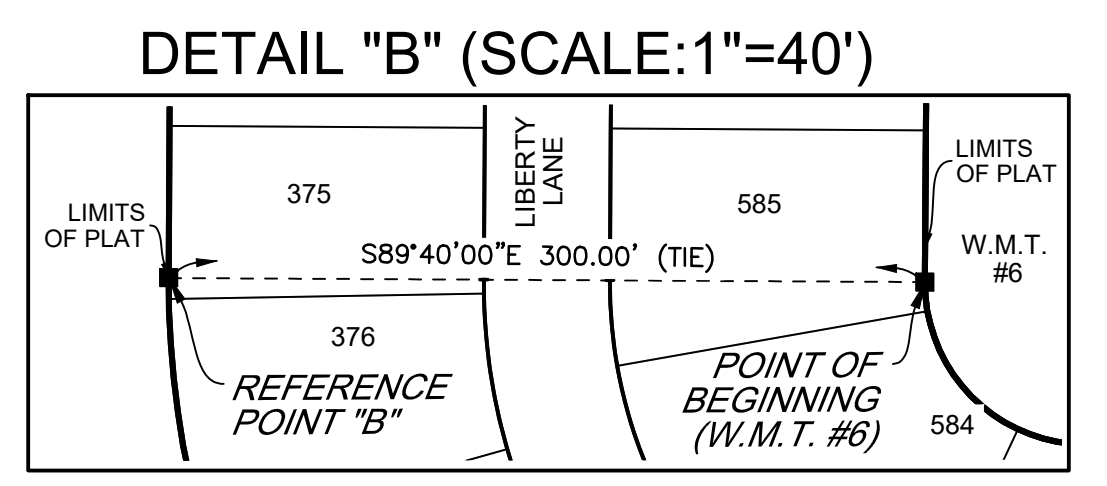


KEY SHEET
NOTE: REFER TO THE FOLLOWING SHEETS OF THIS PLAT FOR DETAILED LABELING AND DIMENSIONING.

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53\"/>

- LEGEND**
- P.O.B. ----- POINT OF BEGINNING
 - P.O.C. ----- POINT OF COMMENCEMENT
 - P.B. ----- PLAT BOOK
 - D.B. ----- DEED BOOK
 - O.R./O.R.B. ----- OFFICIAL RECORDS BOOK
 - PG./PG(S) ----- PAGE(S)
 - NAD ----- NORTH AMERICAN DATUM
 - W.M.T. ----- WATER MANAGEMENT TRACT
 - O.S.T. ----- OPEN SPACE TRACT
 - P.B.C. ----- PALM BEACH COUNTY
 - U.E. ----- UTILITY EASEMENT
 - D.E. ----- DRAINAGE EASEMENT
 - L.M.A.E. ----- LAKE MAINTENANCE ACCESS EASEMENT
 - 7-43-41 ----- SECTION-TOWNSHIP-RANGE
 - R ----- RADIUS
 - L ----- ARC LENGTH
 - D ----- DELTA ANGLE
 - CB ----- CHORD BEARING
 - C ----- CHORD
 - N.T. ----- NON-TANGENT
 - N.T.C. ----- NON-TANGENT CURVATURE
 - P.C. ----- POINT OF CURVATURE
 - P.T. ----- POINT OF TANGENCY
 - R.I. ----- RADIAL INTERSECTION
 - R/W ----- RIGHT-OF-WAY
 - (R) ----- RADIAL
 - (NR) ----- NON-RADIAL
 - HOA ----- HOMEOWNERS ASSOCIATION
 - S.I.D. ----- SEMINOLE IMPROVEMENT DISTRICT
 - PRM ----- PERMANENT REFERENCE MONUMENT
 - ----- PERMANENT CONTROL POINT
 - ----- FOUND PERMANENT REFERENCE MONUMENT
 - ----- SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"



COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID DATUM = NAD83 2007 ADJUSTMENT ZONE = FLORIDA EAST LINEAR UNITS = US SURVEY FEET COORDINATE SYSTEM = 1983 STATE PLANE PROJECTION = TRANSVERSE MERCATOR ALL DISTANCES ARE GROUND SCALE FACTOR: 1.0000 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE PLAT BEARING = GRID BEARING NO ROTATION ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

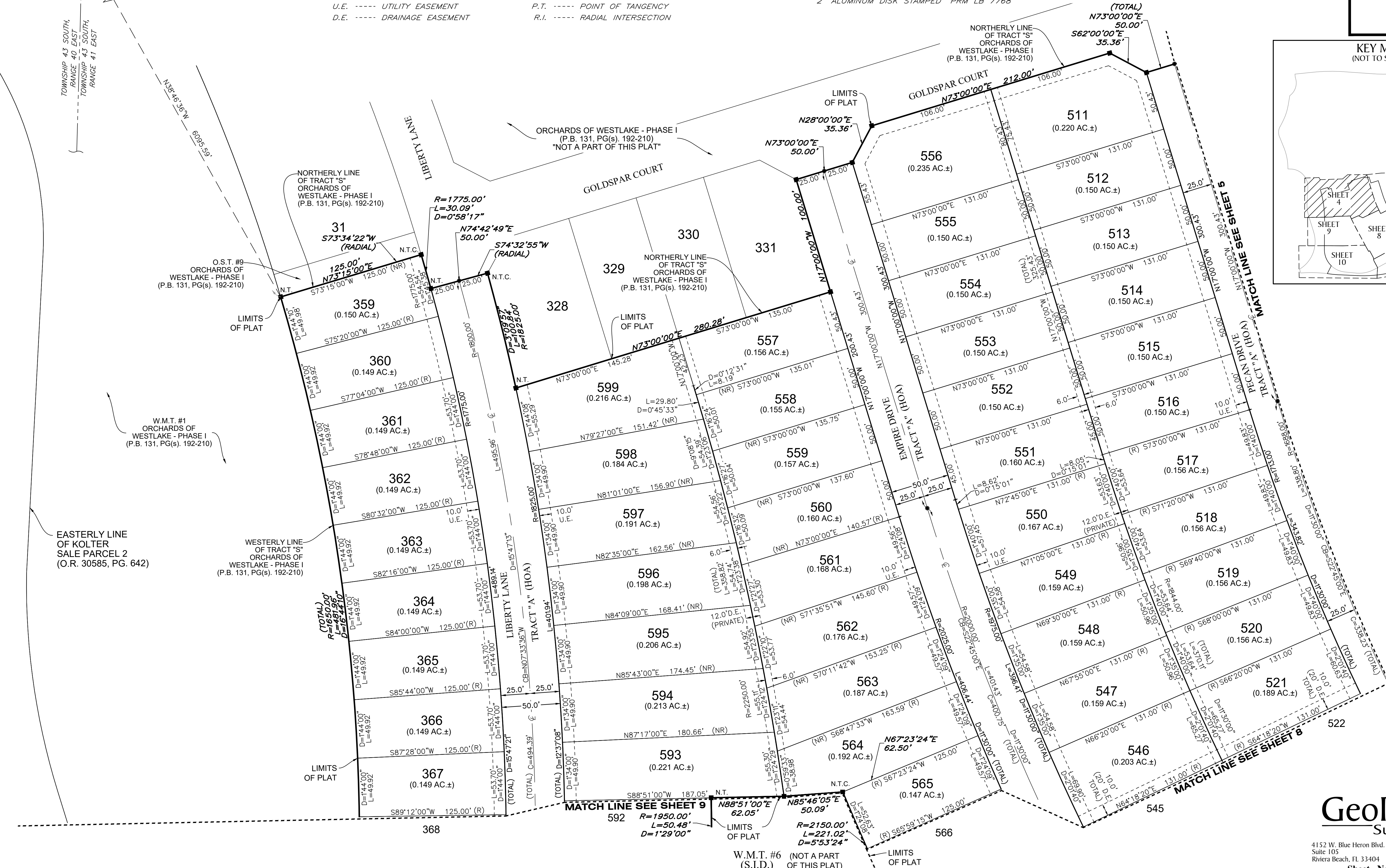
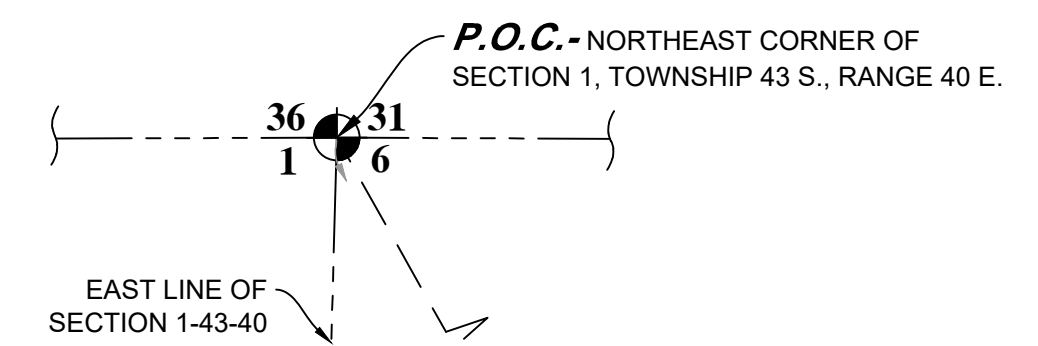
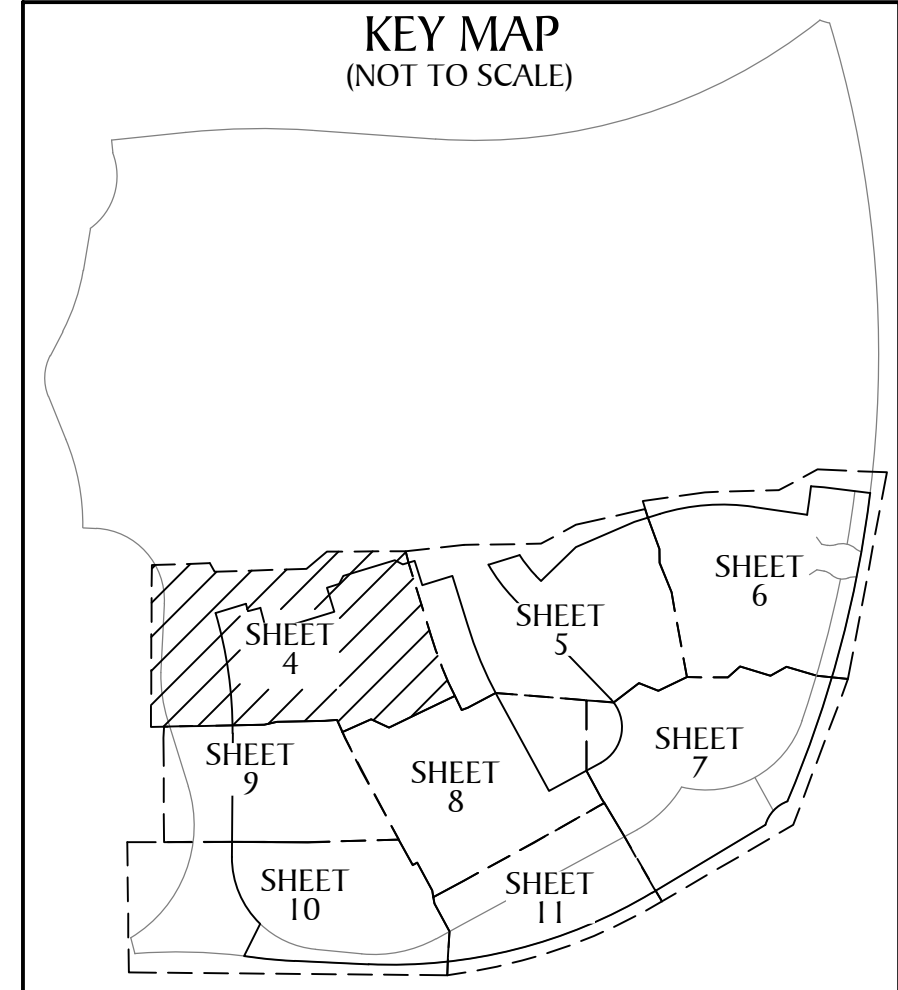
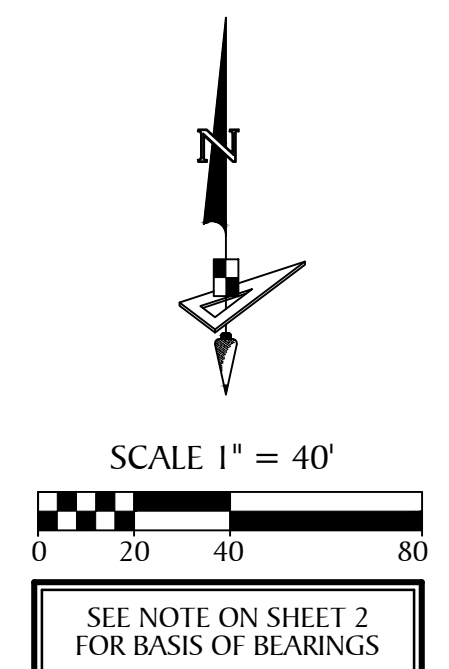
NOTE: EASEMENTS, BUFFERS AND OTHER SUCH LABELS AND DIMENSIONS OF A PARALLEL NATURE AS SHOWN HEREON AND INDICATED TO THE NEAREST FOOT (IE: 5' UTILITY EASEMENT) ARE ASSUMED TO BE THE SAME DIMENSION EXTENDED TO THE NEAREST HUNDREDTH OF A FOOT WITH NO GREATER OR LESSER VALUE (IE: 5' = 5.00") (IE: 7.5' = 7.50")

ORCHARDS OF WESTLAKE - PHASE II

BEING A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT #12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

LEGEND

P.O.B. ----- POINT OF BEGINNING	L.M.A.E. ----- LAKE MAINTENANCE ACCESS EASEMENT	R/W ----- RIGHT-OF-WAY
P.O.C. ----- POINT OF COMMENCEMENT	7-43-41 ----- SECTION-TOWNSHIP-RANGE	(R) ----- RADIAL
P.B. ----- PLAT BOOK	R ----- RADIUS	(NR) ----- NON-RADIAL
D.B. ----- DEED BOOK	L ----- ARC LENGTH	HOA ----- HOMEOWNERS ASSOCIATION
O.R./O.R.B. ----- OFFICIAL RECORDS BOOK	D ----- DELTA ANGLE	S.I.D. ----- SEMINOLE IMPROVEMENT DISTRICT
PG./PG(s) ----- PAGE(S)	CB ----- CHORD BEARING	PRM ----- PERMANENT REFERENCE MONUMENT
NAD ----- NORTH AMERICAN DATUM	C ----- CHORD	● ----- PERMANENT CONTROL POINT
W.M.T. ----- WATER MANAGEMENT TRACT	N.T. ----- NON-TANGENT	□ ----- FOUND PERMANENT REFERENCE MONUMENT
O.S.T. ----- OPEN SPACE TRACT	N.T.C. ----- NON-TANGENT CURVATURE	■ ----- SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"
P.B.C. ----- PALM BEACH COUNTY	P.C. ----- POINT OF CURVATURE	
U.E. ----- UTILITY EASEMENT	P.T. ----- POINT OF TANGENCY	
D.E. ----- DRAINAGE EASEMENT	R.I. ----- RADIAL INTERSECTION	



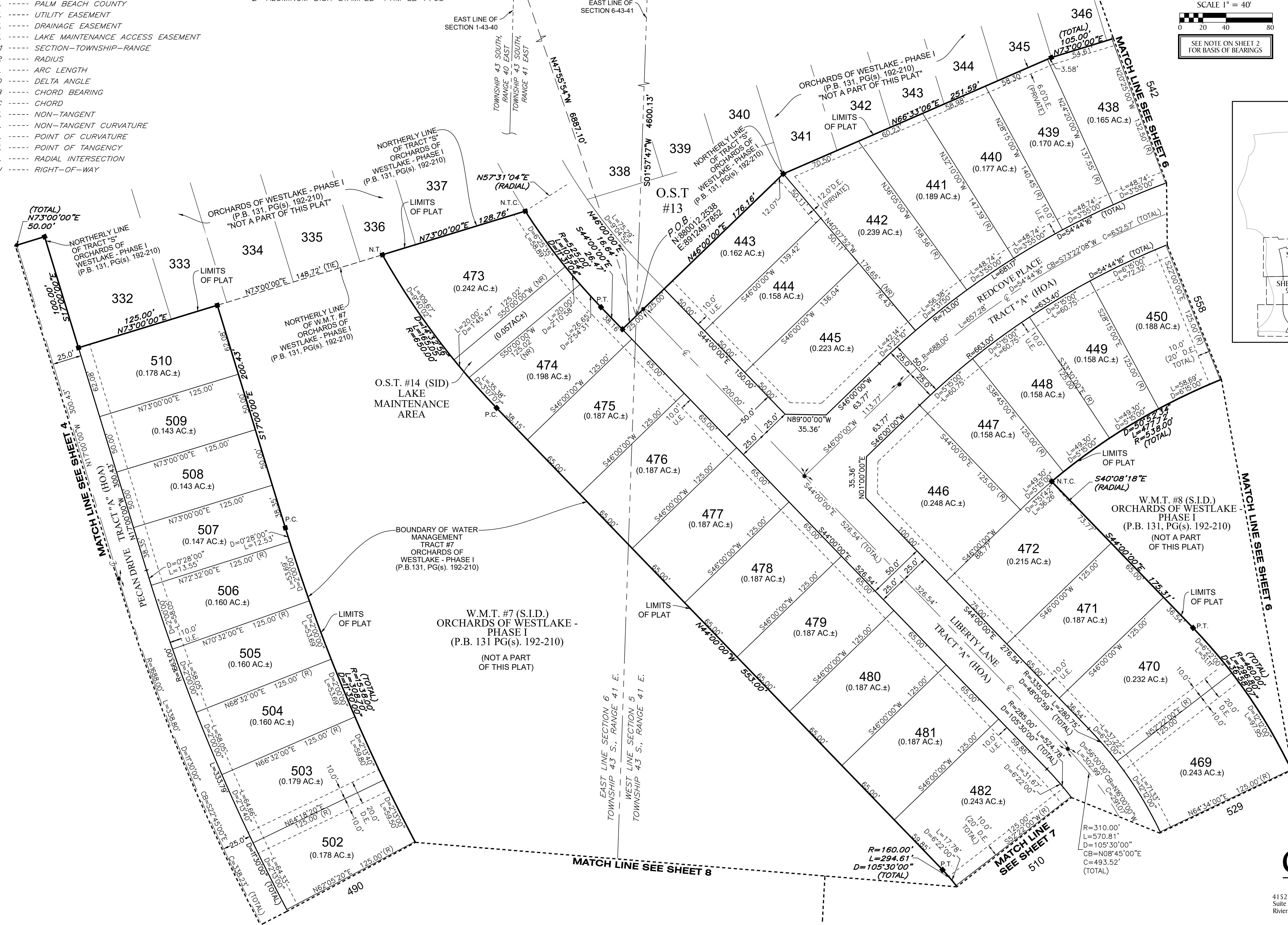
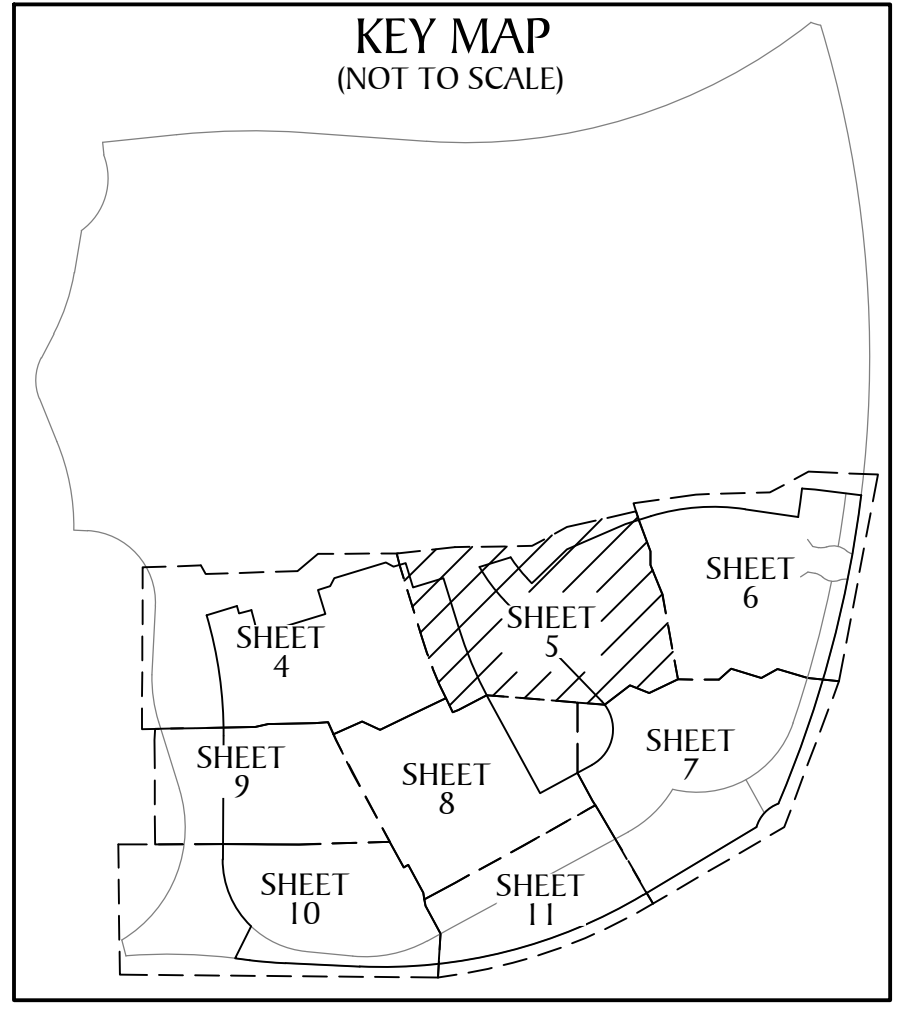
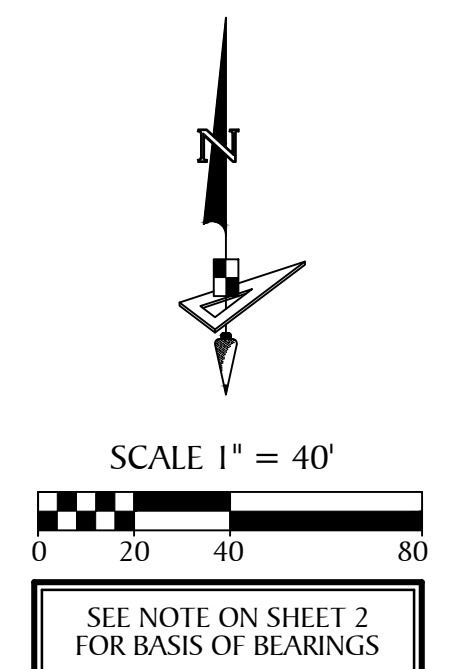
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- LEGEND**
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 - P.B. ----- PLAT BOOK
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 - PG./PG(s) ----- PAGE(S)
 - NAD ----- NORTH AMERICAN DATUM
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 - D.E. ----- DRAINAGE EASEMENT
 - L.M.A.E. ----- LAKE MAINTENANCE ACCESS EASEMENT
 - 7-43-41 ----- SECTION-TOWNSHIP-RANGE
 - R ----- RADIUS
 - L ----- ARC LENGTH
 - D ----- DELTA ANGLE
 - CB ----- CHORD BEARING
 - C ----- CHORD
 - N.T. ----- NON-TANGENT
 - N.T.C. ----- NON-TANGENT CURVATURE
 - P.C. ----- POINT OF CURVATURE
 - P.T. ----- POINT OF TANGENCY
 - R.I. ----- RADIAL INTERSECTION
 - R/W ----- RIGHT-OF-WAY
 - (R) ----- RADIAL
 - (NR) ----- NON-RADIAL
 - HOA ----- HOMEOWNERS ASSOCIATION
 - S.I.D. ----- SEMINOLE IMPROVEMENT DISTRICT
 - PRM ----- PERMANENT REFERENCE MONUMENT
 - ----- PERMANENT CONTROL POINT
 - ----- FOUND PERMANENT REFERENCE MONUMENT
 - ----- SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"

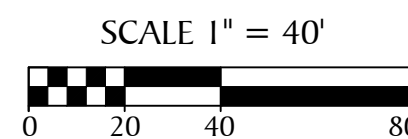
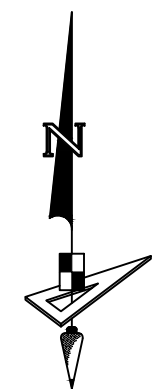
P.O.C. - NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 S., RANGE 40 E.

NORTHEAST CORNER SECTION 6-43-41
FOUND BRASS DISK IN CONCRETE "P.B.C."
N:884609.6818 E:891407.3638
NAD83 (2007 ADJUSTMENT)
CERTIFIED CORNER RECORD #107591

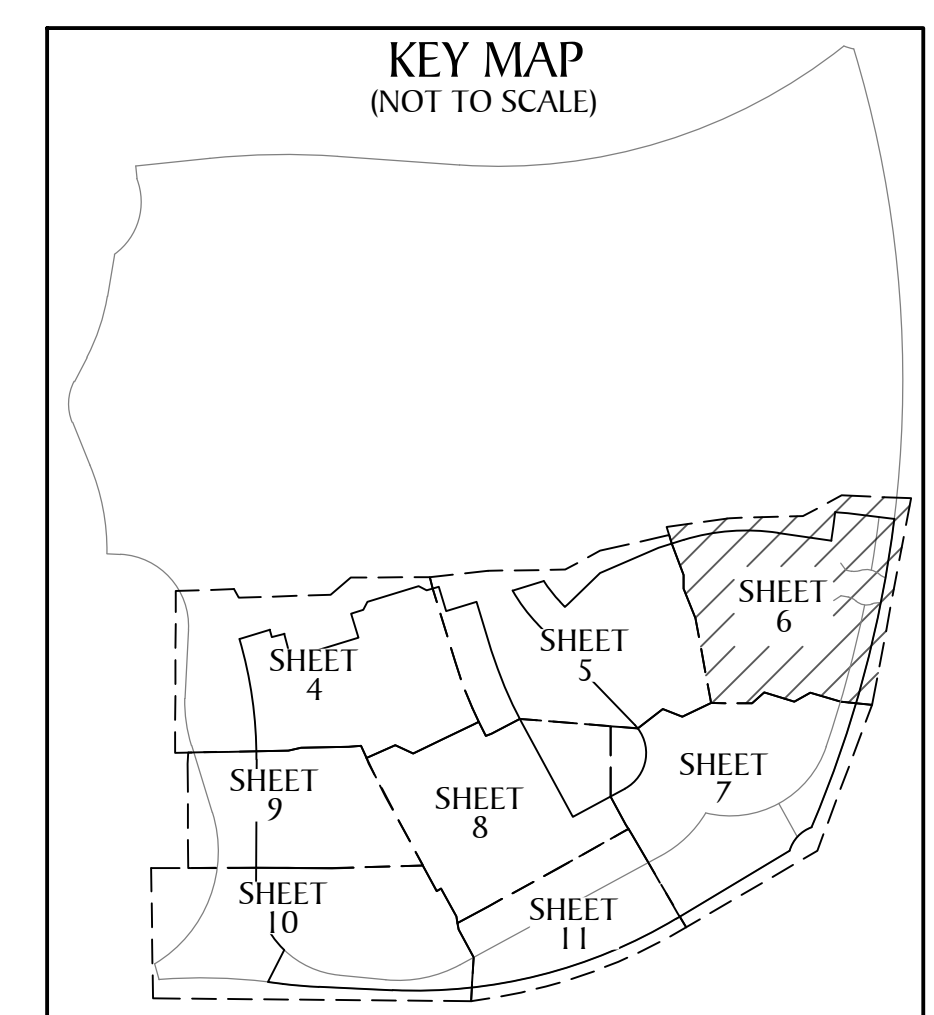
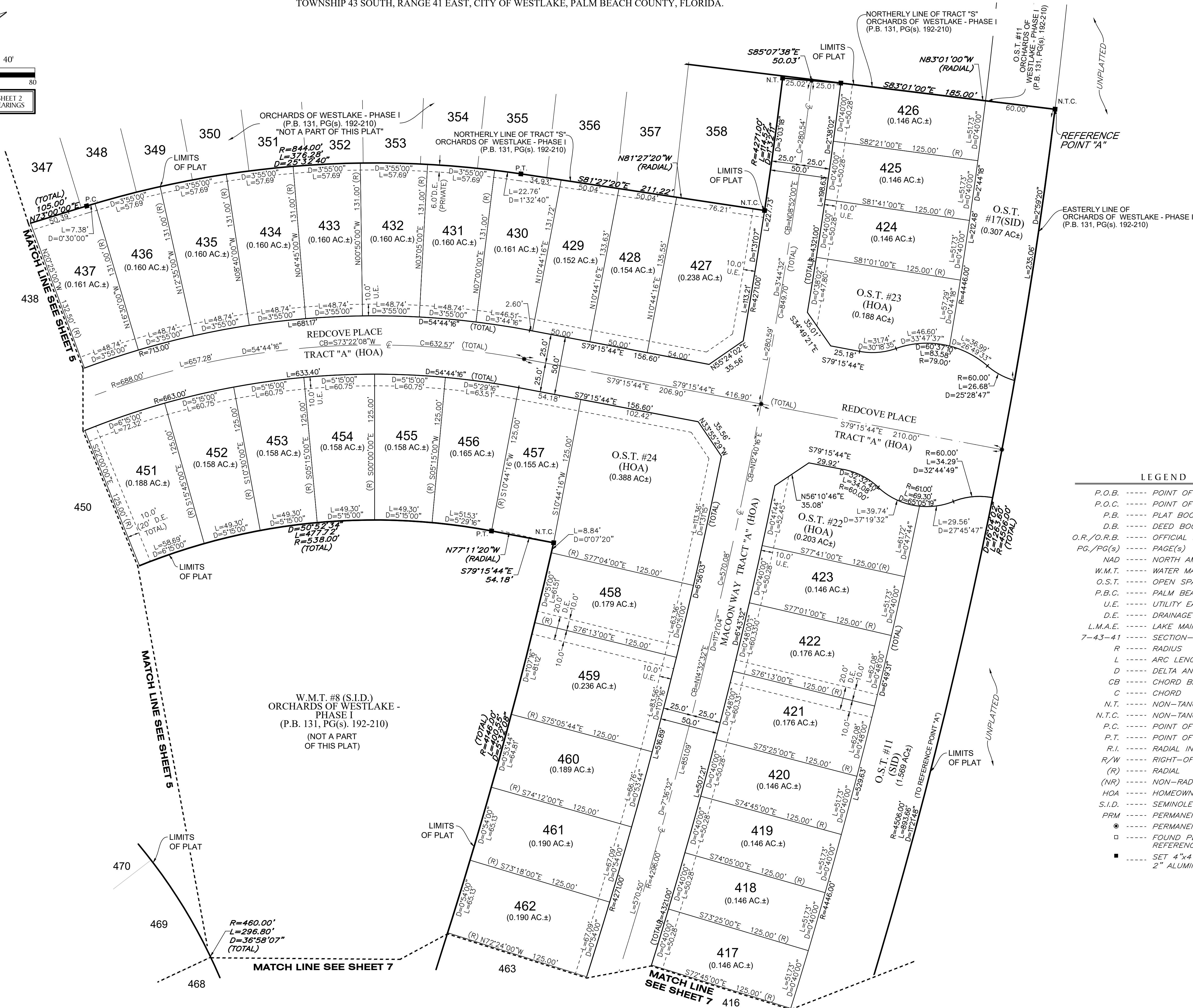


ORCHARDS OF WESTLAKE - PHASE II

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SEE NOTE ON SHEET 2 FOR BASIS OF BEARINGS



LEGEND

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- ----- SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"

GeoPoint
Surveying, Inc.

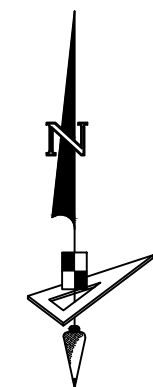
4152 W. Blue Heron Blvd.
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www.geopointsurvey.com
Licensed Business Number LB 7768

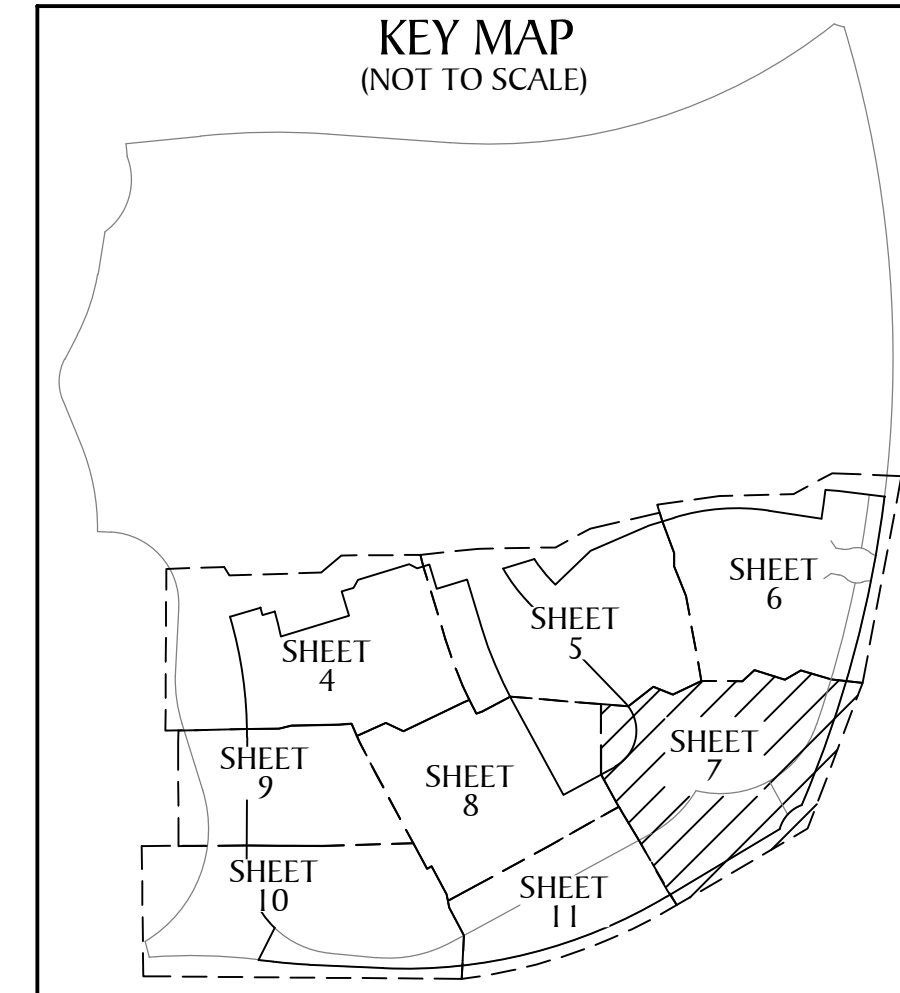
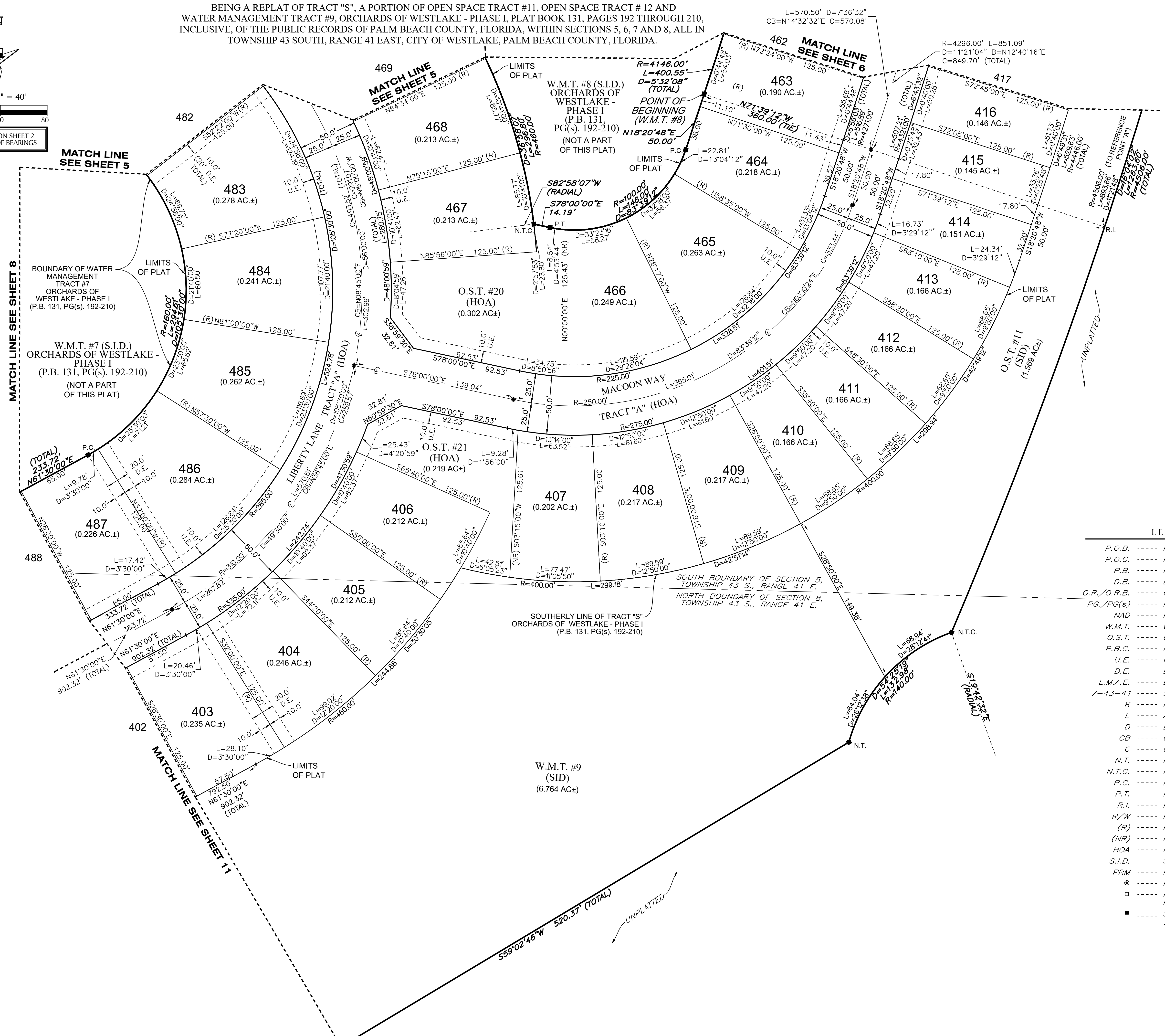
Sheet No. 6 of 11 Sheets

ORCHARDS OF WESTLAKE - PHASE II

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SCALE 1" = 40'
0 20 40 80
SEE NOTE ON SHEET 2 FOR BASIS OF BEARINGS



LEGEND

- P.O.B. ----- POINT OF BEGINNING
- P.O.C. ----- POINT OF COMMENCEMENT
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GeoPoint
Surveying, Inc.

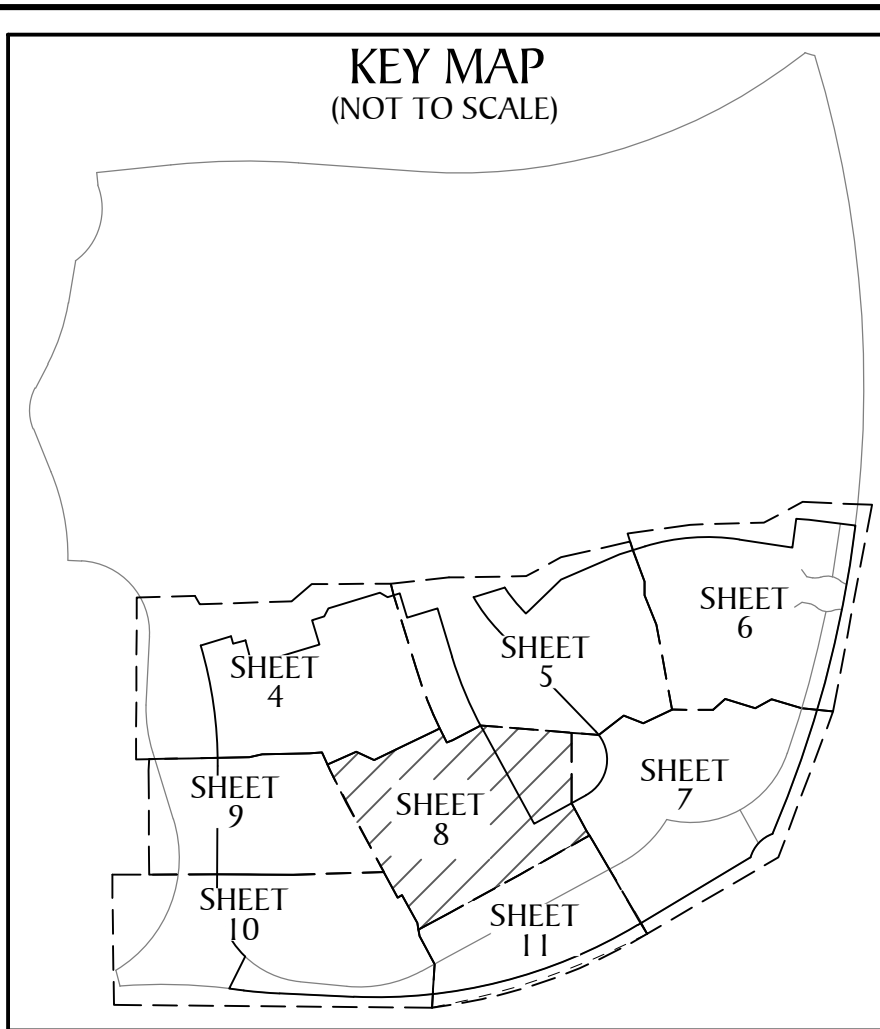
4152 W. Blue Heron Blvd.
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www.geopointsurvey.com
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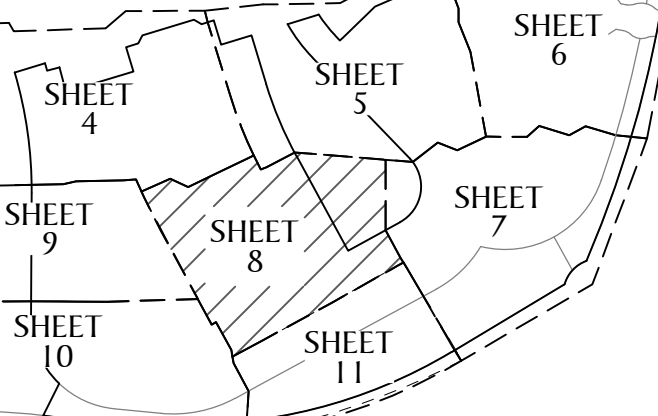
Sheet No. 7 of 11 Sheets

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KEY MAP
(NOT TO SCALE)

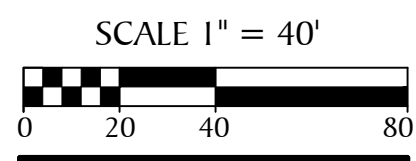
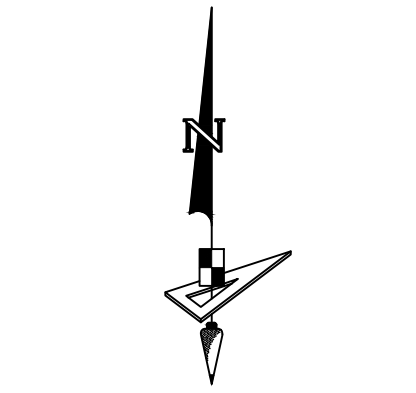


W.M.T. #6 (S.I.D.)
ORCHARDS OF WESTLAKE -
PHASE I
(P.B. 131, PG(s). 192-210)
(NOT A PART
OF THIS PLAT)

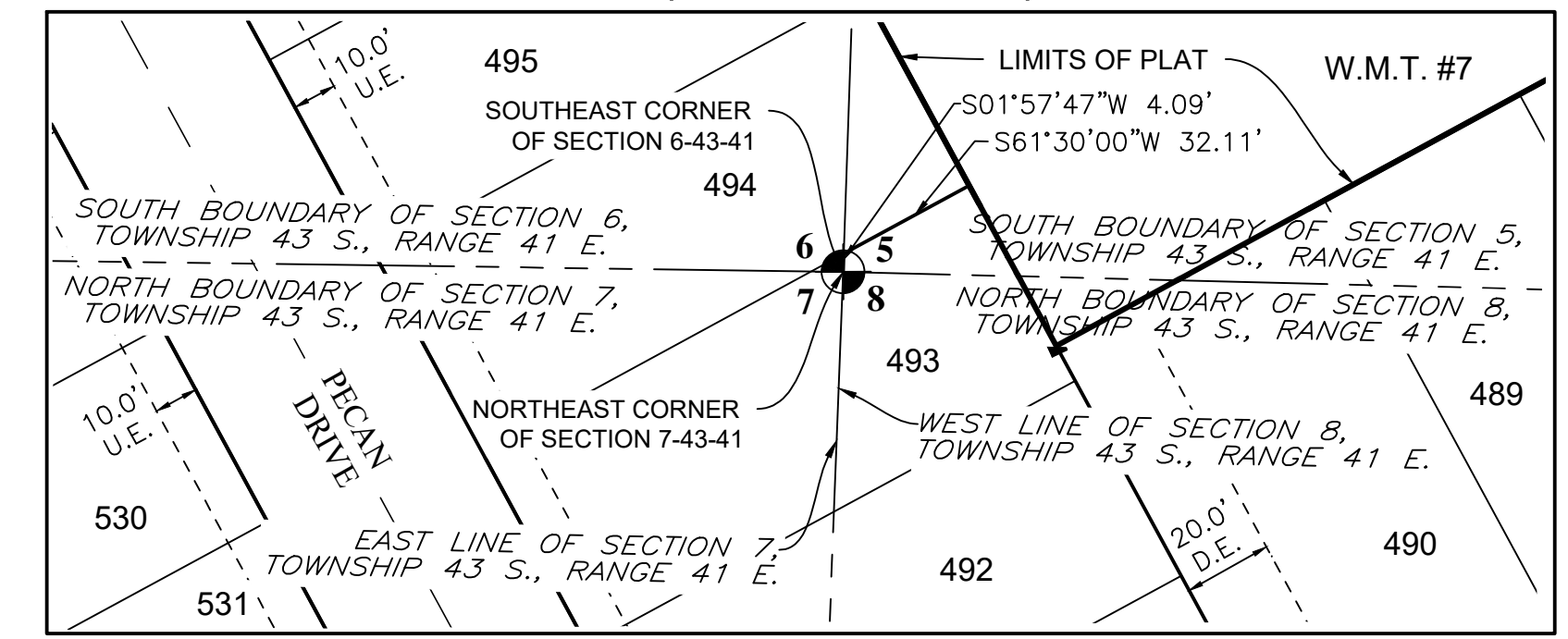
W.M.T. #6 (S.I.D.)
ORCHARDS OF WESTLAKE -
PHASE I
(P.B. 131, PG(s). 192-210)
(NOT A PART
OF THIS PLAT)

W.M.T. #7 (S.I.D.)
ORCHARDS OF WESTLAKE -
PHASE I
(P.B. 131, PG(s). 192-210)
(NOT A PART
OF THIS PLAT)

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SCALE 1" = 40'
SEE NOTE ON SHEET 2
FOR BASIS OF BEARINGS



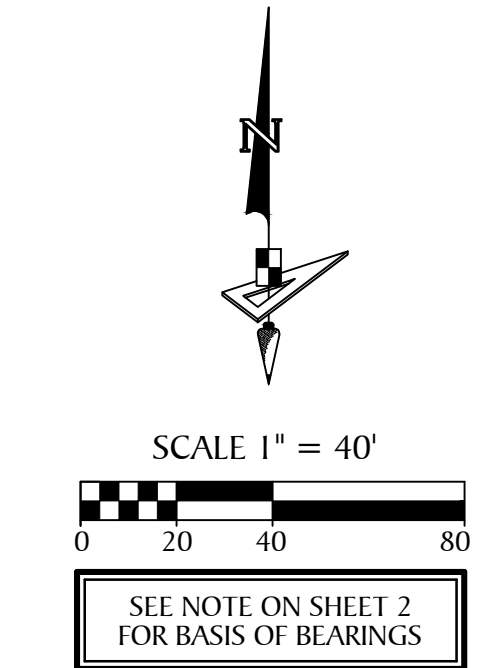
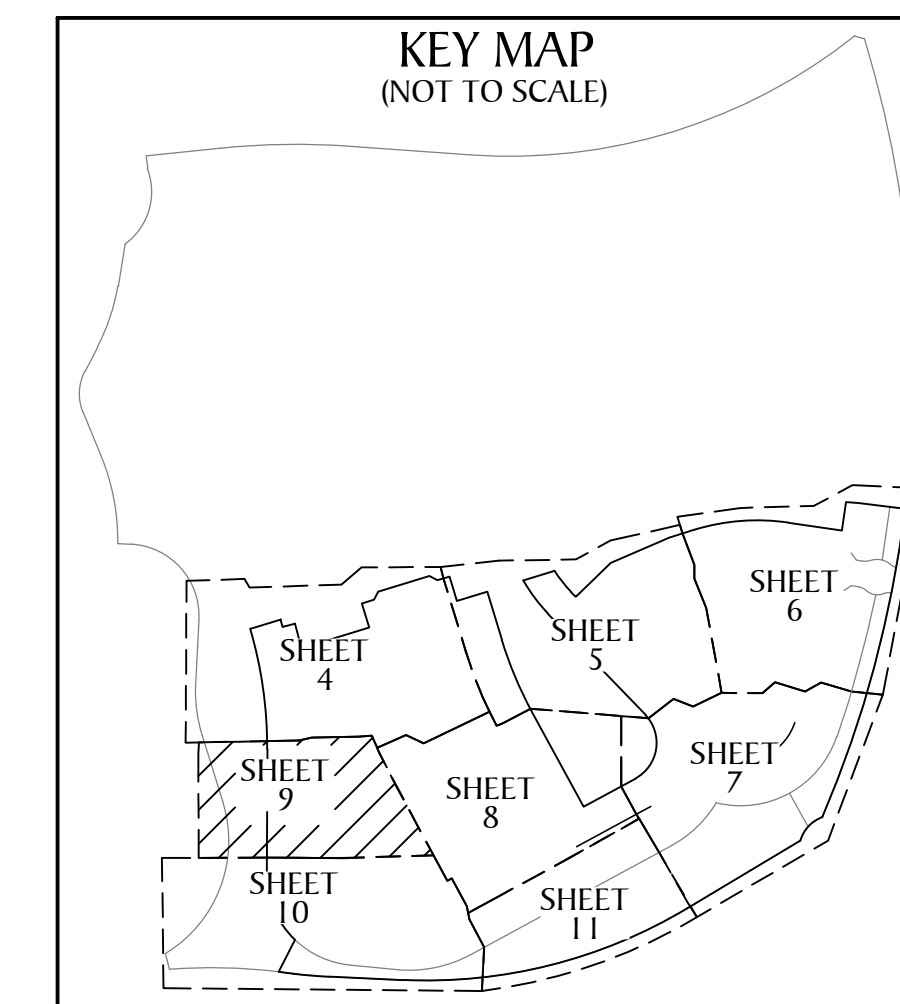
DETAIL "C"
(SCALE: 1"=40')



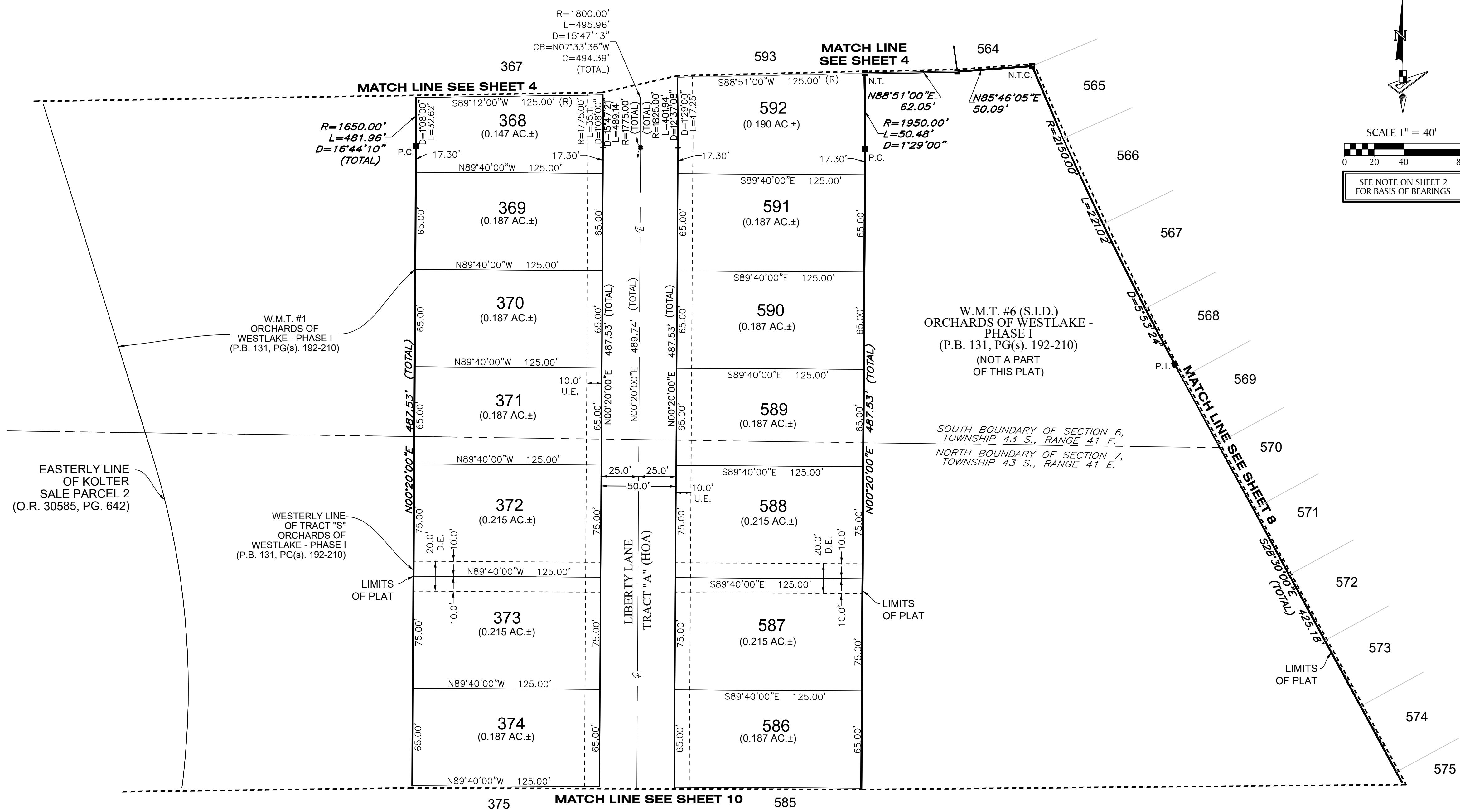
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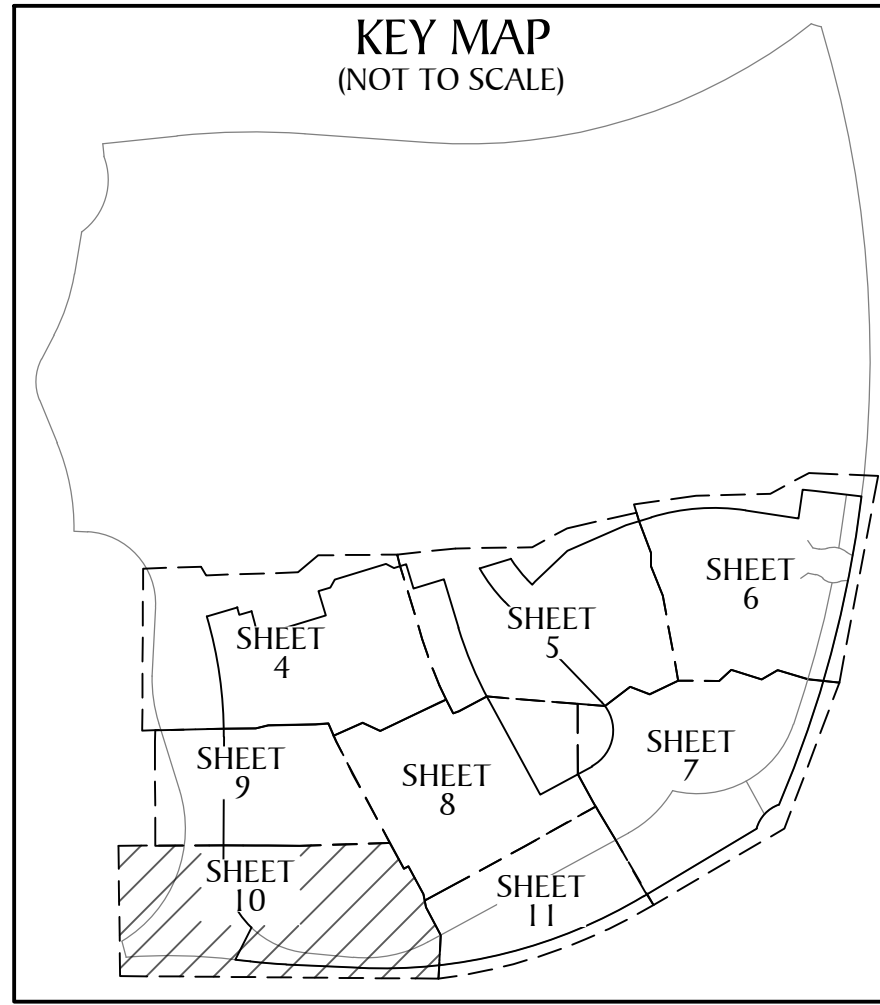


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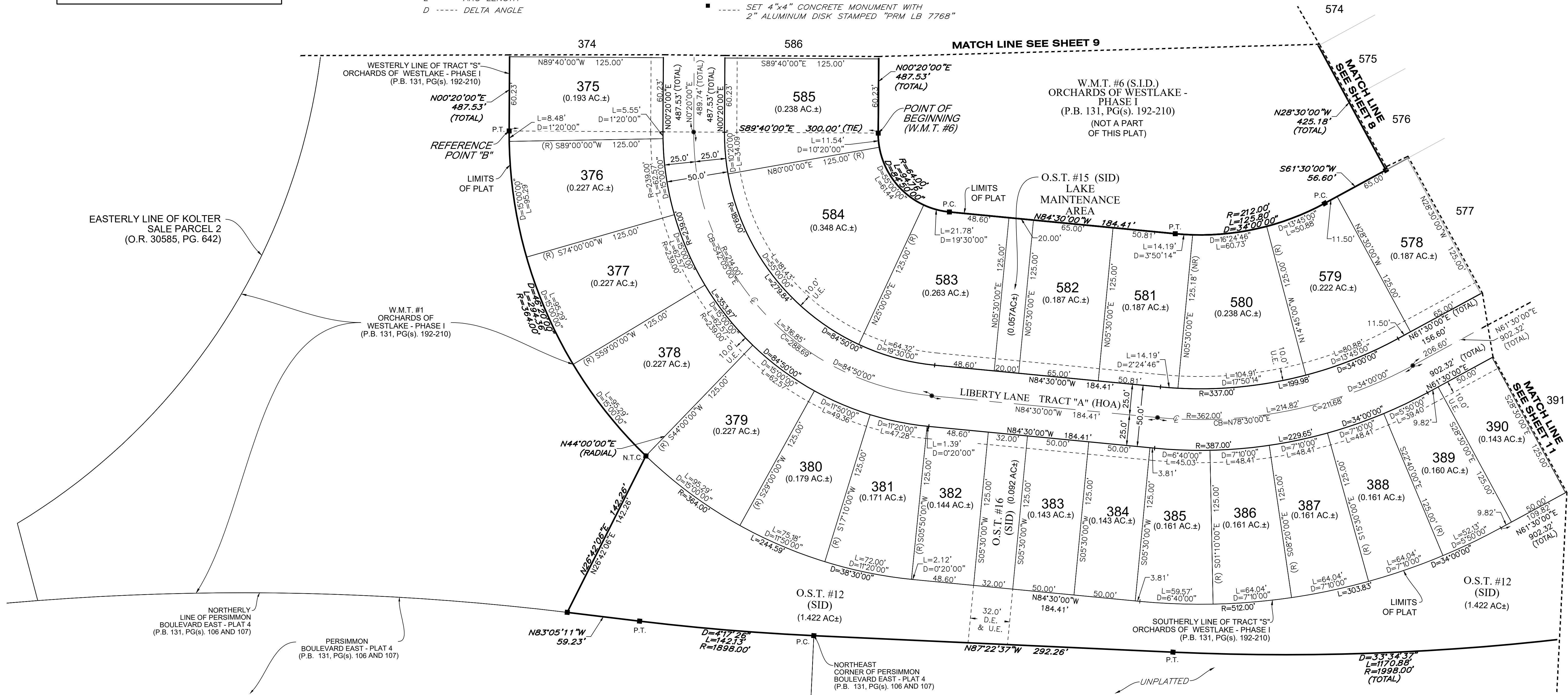
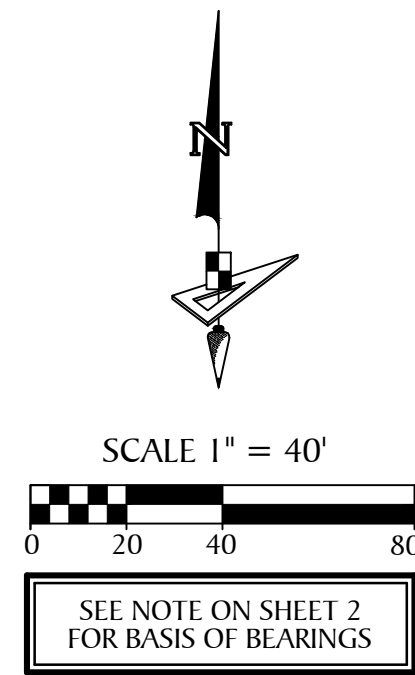
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LEGEND

- | | |
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| P.O.C. ----- POINT OF COMMENCEMENT | C ----- CHORD |
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| D ----- DELTA ANGLE | |

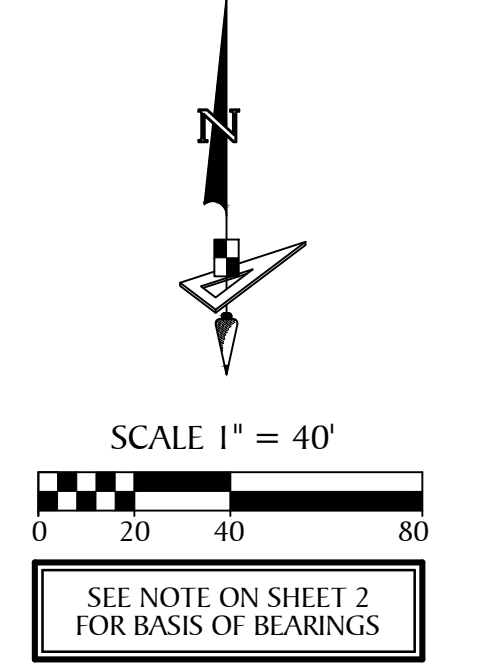
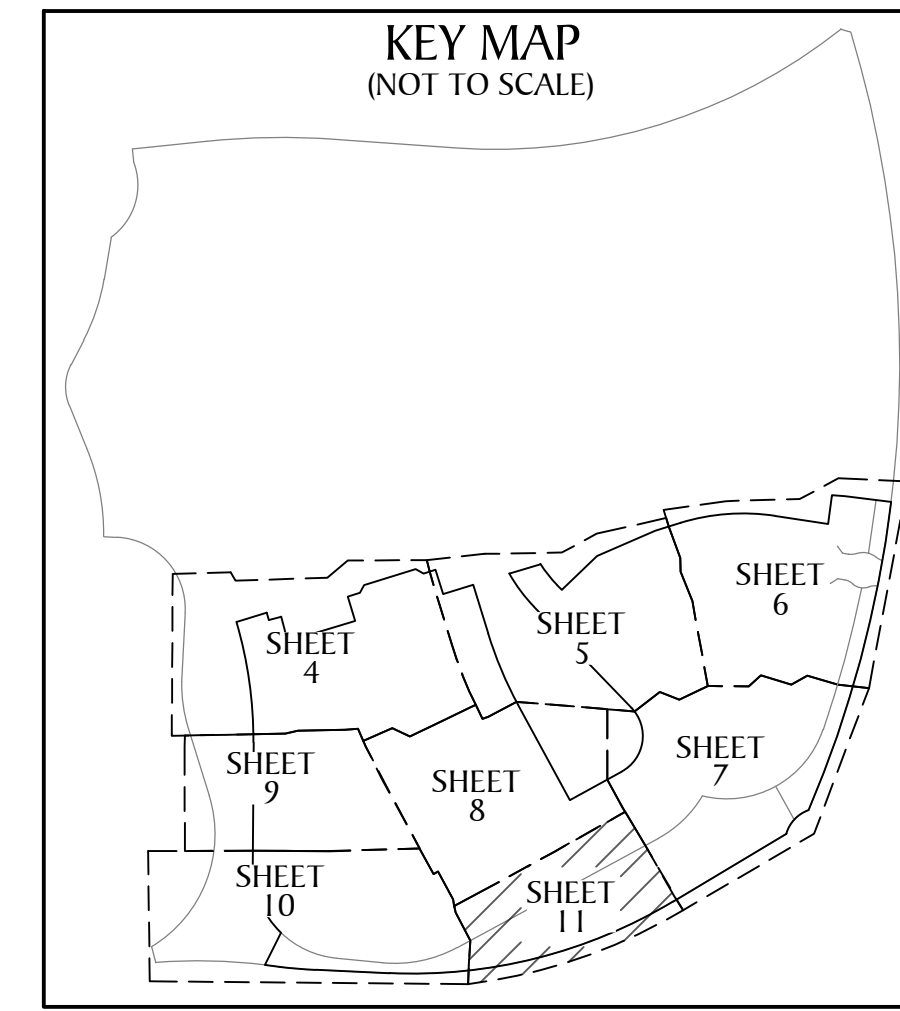


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- N.T.C. ----- NON-TANGENT CURVATURE
- P.C. ----- POINT OF CURVATURE
- P.T. ----- POINT OF TANGENCY
- R.I. ----- RADIAL INTERSECTION
- R/W ----- RIGHT-OF-WAY
- (R) ----- RADIAL
- (NR) ----- NON-RADIAL
- HOA ----- HOMEOWNERS ASSOCIATION
- S.I.D. ----- SEMINOLE IMPROVEMENT DISTRICT
- PRM ----- PERMANENT REFERENCE MONUMENT
- ----- PERMANENT CONTROL POINT
- ----- FOUND PERMANENT REFERENCE MONUMENT
- ----- SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"





CITY OF WESTLAKE
Engineering Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

DATE: 7/21/2021
PETITION NUMBER: ENG-2021-10
DESCRIPTION: Pod S Phase 2 – Plat Amendment
APPLICANT: Cotleur and Hearing
OWNER: Minto PBLH, LLC
REQUEST: Plat Amendment Review
LOCATION: Westlake, Florida
STAFF REVIEW: **RECOMMENDATION OF APPROVAL**

This is the second review of this amended Plat. This review is done for compliance with Chapters 177, 5J-17, Florida Statutes, and the City of Westlake’s codes and ordinances. All of our previous comments have been adequately addressed. We can therefore recommend that the plat be approved for recording.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com

File Attachments for Item:

A. Resolution 2021- 31 Residential Solid Waste Services Special Assessment

Submitted By: Legal

RESOLUTION 2021-31

A RESOLUTION OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES, IN THE CITY OF WESTLAKE, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE SERVICES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021; IMPOSING A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WESTLAKE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:	September 13, 2021	Submitted By: Legal
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>	Public Hearing on Resolution 2021- 31 Residential Solid Waste Services Special Assessment	
STAFF RECOMMENDATION: (MOTION READY)	Motion to Approve Resolution 2021- 31	
SUMMARY and/or JUSTIFICATION:	<p>The City Council adopted Ordinance 2017-7 on January 8, 2017. Ordinance 2017-7 authorizes the collection of solid waste and recyclable materials within the City, and provides for definitions relating to those services.</p> <p>On July 22, 2019, the City entered into an Agreement with Advanced Disposal Services Solid Waste Services, Inc., for the collection of solid waste and recyclable materials in the City.</p> <p>On December 14, 2020, the City Council adopted Resolution 2020-40, referred to as the Intent Resolution, in order to commence the process to levy and collect a special assessment for the collection and disposal costs of the mandatory solid waste services for residential properties in the City using the statutory Uniform Assessment Collection Act (“Uniform Method”) to collect the special assessment on the annual property tax bills commencing with the tax bills mailed in November, 2021.</p> <p>On July 12, 2021, the City Council adopted Ordinance 2021-02 (the “Ordinance”), which authorized a Residential Solid Waste Services Special Assessment to fund the costs of providing Residential Solid Waste Collection Services and Residential Recycling Collection Services.</p> <p>On July 12, 2021, the City Council adopted Resolution 2021-22, the Initial Assessment Resolution required by the Ordinance. Resolution 2021-22 set forth matters relating to the Residential Solid Waste Services Special Assessment, including definitions, legislative findings, and the apportionment methodology. Resolution 2021-22 set the amount of Assessed Costs at \$241,596.60, and the assessment rate at \$280.60 per residential unit.</p> <p>The Ordinance requires a public hearing to adopt the special assessment prior to September 15, and provides the notice requirements for such, consistent with the requirements for collecting the special assessment under the statutory Uniform Method. Resolution 2021-22 set the public hearing for Monday, September 13, 2021, at 6:30 p.m.</p> <p>First class mailed notice for the September 13, 2021, public hearing was timely sent by the City to all properties subject to the Residential Solid Waste Services Special Assessment. The City timely published notice for the September 13, 2021, public hearing in the Palm Beach Post.</p>	

	<p>The proposed resolution is the Final Assessment Resolution as provided in the Ordinance. It confirms and approves the Assessment Roll, confirms the Assessed Costs at \$241,596.60, and levies the special assessment at a rate of \$280.60.</p> <p>Upon adoption of the Final Assessment Resolution, the City will certify the Non-Ad Valorem Assessment Roll to the Palm Beach County Tax Collector by September 15, 2021. The special assessments will be collected on the annual property tax bills to be mailed in November, 2021.</p>		
SELECT, if applicable	AGREEMENT:		BUDGET:
	STAFF REPORT:		PROCLAMATION:
	EXHIBIT(S):		OTHER:
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	<p>Ordinance 2021-02 Resolution 2021-22</p>		
SELECT, if applicable	RESOLUTION:		ORDINANCE:
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is not a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i> <u>Please keep text indented.</u>	<p style="text-align: center;">RESOLUTION 2021-31</p> <p>A RESOLUTION OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES, IN THE CITY OF WESTLAKE, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE SERVICES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021; IMPOSING A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WESTLAKE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.</p>		
FISCAL IMPACT (if any):			\$

RESOLUTION NO. 2021-31

A RESOLUTION OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES, IN THE CITY OF WESTLAKE, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE SERVICES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021; IMPOSING A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WESTLAKE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Westlake, Florida, enacted Ordinance No. 2021-02, on July 12, 2021, which authorized the imposition of a Residential Solid Waste Services Special Assessment, pursuant to the procedures set forth therein (“the Ordinance”) for the provision of Residential Solid Waste Services for single-family residential properties and certain multi-family residential properties that receive residential Solid Waste Services within the City, and provided for findings of special benefit and the method of apportionment of the Residential Solid Waste Services Special Assessment; and,

WHEREAS, the imposition of a Residential Solid Waste Services Special Assessment for Residential Solid Waste Services for each Fiscal Year is an equitable and efficient method of allocating and apportioning Residential Solid Waste Services Assessed Costs among parcels of Assessed Property; and,

WHEREAS, the City Council desires to impose a Residential Solid Waste Services Special Assessment within the City for the Fiscal Year beginning on October 1, 2021 using the tax bill collection method; and,

WHEREAS, the City Council, on July 12, 2021, adopted Resolution No. 2021-22 (the "Initial Assessment Resolution"), referencing the Residential Solid Waste Services to be provided to Assessed Property, describing the method of apportioning the Residential Solid Waste Services Assessed Cost to compute the Residential Solid Waste Services Special Assessment for Residential Solid Waste Services against Assessed Property, estimating a rate of assessment, and directing the preparation of the Assessment Roll and provision of the notice to the affected landowners; and,

WHEREAS, in order to impose the Residential Solid Waste Services Special Assessment for the initial year of the special assessment, the Fiscal Year beginning October 1, 2021, the Ordinance requires the City Council to adopt a Final Assessment Resolution during its budget adoption process, which establishes the rate of assessment and approves the Assessment Roll for the upcoming Fiscal Year, with such amendments as the City Council deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance and the Initial Assessment Resolution; and

WHEREAS, notice of a public hearing has been published and mailed, which provided notice to all interested persons of an opportunity to be heard. An affidavit regarding the notice of mailing is attached hereto as Appendix "A" and the proof of publication is attached hereto as Appendix "B"; and,

WHEREAS, a public hearing was held on September 13, 2021, and comments and objections of all interested parties have been heard and considered;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA:

SECTION 1. The aforementioned "WHEREAS" clauses are hereby ratified as true and correct and incorporated herein.

SECTION 2. AUTHORITY. This Resolution is adopted pursuant to the provisions of the Ordinance, the Initial Assessment Resolution, sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 3. DEFINITIONS AND INTERPRETATION. This Resolution constitutes the Final Assessment Resolution as defined in the Ordinance. All capitalized terms in this Resolution shall have the meanings defined in the Ordinance and the Initial Assessment Resolution.

SECTION 4. IMPOSITION OF RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT.

(A) The parcels of Assessed Property described in the Assessment Roll, as updated and which is hereby approved, are hereby found to be specially benefitted by the provision of the Residential Solid Waste Services described in the Initial Assessment Resolution, in the amount of the Residential Solid Waste Services Special Assessment set forth in the Assessment Roll, a copy of which was present or available for inspection at the above-referenced public hearing and is incorporated herein by reference. It is hereby ascertained, determined, and declared that each parcel of Assessed Property within the City will be specifically benefitted by the City's provision of Residential Solid Waste Services, facilities and programs in an amount not less than the Residential Solid Waste Services Special Assessment of such parcel, computed in the manner set forth in the Initial Assessment Resolution. Adoption of this Final Assessment Resolution constitutes a legislative determination that all assessed parcels derive a special benefit, as set forth in the Ordinance and the Initial Assessment Resolution, from the Residential Solid Waste Services to be provided, and a legislative determination that the Residential Solid Waste Services Special Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Initial Assessment Resolution.

(B) The method of computing the Residential Solid Waste Services Special Assessment described in the Initial Assessment Resolution, as modified, amended, and supplemented herein, is hereby approved.

(C) For the Fiscal Year beginning October 1, 2021, the estimated Residential Solid Waste Services Assessed Cost to be assessed is \$241,596.60. The Residential Solid Waste Services Special Assessment to be assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Residential Solid Waste Services Assessed Costs for the Fiscal Year commencing October 1, 2021, is hereby established at \$280.60 annually, per residential unit. This assessment rate is hereby approved. Except as otherwise provided herein, the Residential Solid Waste Services Special Assessment for Residential Solid Waste Services in

the amounts set forth in the Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in the Assessment Roll. Interim special assessments as described in the Initial Assessment Resolution are approved.

(D) The Residential Solid Waste Services Special Assessment shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem Assessment. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims, until paid.

(E) The Assessment Roll as herein approved, together with the correction of any errors or omissions as provided for in the Ordinance, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance.

SECTION 5. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION. The Initial Assessment Resolution adopted July 12, 2021, except as may be amended herein, is hereby confirmed.

SECTION 6. METHOD OF COLLECTION. As provided in the Initial Assessment Resolution, the Residential Solid Waste Services Special Assessment shall be collected on the annual property tax bills pursuant to the Uniform Assessment Collection Act.

SECTION 7. EFFECT ON ADOPTION OF RESOLUTION. The adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the method of apportionment and assessment, the rate of assessment, the Assessment Roll and the levy and lien of the Residential Solid Waste Services Special Assessment), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within twenty (20) calendar days from the date of this Final Assessment Resolution.

SECTION 8. SEVERABILITY. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or

invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

SECTION 9. CONFLICTS. That all prior Resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE. This Final Assessment Resolution shall take effect immediately upon its passage and adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this 13th day of September, 2021.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency
Interim City Attorney

APPENDIX A
AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Zoie Burgess, who, after being duly sworn, deposes and says:

1. I, Zoie Burgess, as City Clerk of the City of Westlake, Florida ("City"), pursuant to the authority and direction received from the City Council, timely directed the preparation of the Assessment Roll and the preparation and mailing of notices in accordance with the Residential Solid Waste Services Special Assessment Ordinance in conformance with the Initial Assessment Resolution adopted by the City Council on July12, 2021 (the "Initial Assessment Resolution"). The Initial Assessment Resolution directed and authorized notice by First Class Mail to all affected owners pursuant to the Ordinance.

2. In accordance with the Ordinance, all necessary information for notification of the Residential Solid Waste Services Special Assessment was provided to the Property Appraiser of Palm Beach County to be included as part of the notice of proposed property taxes under section 200.069, Florida Statutes, the truth-in-millage notification. The information provided to the Property Appraiser to be included on the truth-in-millage notification included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

FURTHER AFFIANT SAYETH NOT.

Affiant

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit of Mailing was sworn to and subscribed before me this day of _____, 2021 by Zoie Burgess, City Clerk, City of Westlake, Florida. He is personally known to me or has produced _____ as identification and did take an oath.

Printed Name: _____
Notary Public, State of Florida
My Council Expires: _____
Council No.:

APPENDIX B
PROOF OF PUBLICATION

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the City Manager of the City of Westlake, or authorized agent of the City of Westlake, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for residential Solid Waste Services (the "Non-Ad Valorem Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Palm Beach County Tax Collector by September 15, 2021.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Palm Beach County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this day of _____, 2021.

CITY OF WESTLAKE, FLORIDA

By: _____
Title: _____

[to be delivered to Palm Beach County Tax Collector on or before September 15]

1st Reading June 14, 2021

2nd Reading July 12, 2021

ORDINANCE 2021-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, TO AMEND ORDINANCE 2017-7 "SOLID WASTE COLLECTION" TO AUTHORIZE AND PROVIDE FOR THE LEVY AND COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT RELATED TO THOSE SERVICES WITHIN CITY OF WESTLAKE; AMENDING DEFINITIONS IN ORDINANCE 2017-7 AND PROVIDING FOR ADDITIONAL DEFINITIONS AND FINDINGS RELATING TO THE SPECIAL ASSESSMENT; CREATING A NEW SECTION 10A TO ORDINANCE 2017-7, ENTITLED "RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT," AND SUBSECTIONS 10A-1 THROUGH 10A-19, AUTHORIZING THE IMPOSITION AND COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL AND FOR CORRECTING ERRORS AND OMISSIONS; PROVIDING THAT RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL; ESTABLISHING PROCEDURES AND METHODS FOR THE COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS; ESTABLISHING THE PRIORITY OF THE LIEN OVER PRIOR RECORDED LIENS OR MORTGAGES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 8, 2018, the City Council of the City of Westlake enacted Ordinance 2017-7 to provide for a mandatory solid waste collection program, and that the City would provide for the collection of solid waste, bulk waste, vegetative waste and recyclable materials from all residential dwelling units in the City; and,

WHEREAS, Ordinance 2017-7 included definitions and other matters that provide for the intent of the City to enter into a services contract for solid waste and recycling services, as well as the levy of a special assessment to collect the costs of providing such services; and,

WHEREAS, the City Westlake has an Agreement with Advanced Disposal Services/Solid Waste Southeast, Inc., dated July 22, 2019 (hereinafter the "Contract"), pursuant to which the City provides Residential Solid Waste and Residential Recycling Collection Services to, among others, all residential properties that receive Residential Solid Waste Services within the City; and,

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CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

WHEREAS, the City believes it is in the best interests of the residents and residential properties owners to collect funds for the costs of the City’s Residential Solid Waste Services, including the costs of collecting recyclable materials since that service is included in the charges for Residential Solid Waste Services, to all residential units that receive Residential Solid Waste Services from the City, through the Contract, with the levy and collection of a special assessment, as such will eliminate direct quarterly or monthly billing and charges to residents, permit the payment for the services on an annual basis along with properties taxes and other special assessments, reduce the administrative costs of the Residential Solid Waste Collection Program to the City, and ensure that all properties that receive Residential Solid Waste Services from the City through the Contract pay for such so that no property is over-charged by virtue of the failure of other properties to pay for such; and,

WHEREAS, Residential Solid Waste Services, as defined herein, by the City through the Contract provide the requisite special benefit to Assessed Property such that they may be funded through a special assessment; and,

WHEREAS, the City Council determines that it is fair and equitable to levy and collect a non-ad valorem special assessment to fund the Residential Solid Waste Services provided by the City through the Contract or residential units, consistent with the methodology and allocation as provided hereinafter.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA:

Section 1. Recitals. The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.

Section 2. Amendment to Ordinance 2017-7: Section 4, entitled “Definitions”:
The City Council hereby amends Ordinance 2017, Section 4 entitled “Definitions” as follows:

Definitions. When used in this Ordinance, the following terms shall have the following meanings, unless the context clearly requires otherwise:

- (1) *Assessed ~~Unit~~Property* means any Collection unit which is subject to the Solid Waste Collection Special Assessment.
- (2) *Authority* means the Solid Waste Authority of Palm Beach County.
- (3) *Biohazardous or biomedical waste* shall mean those wastes which may cause disease or reasonably be suspected of harboring pathogenic organisms; included, but not limited to waste resulting from the operation of medical clinics, hospitals, and other facilities producing wastes which may consist, but are not limited to, diseased human and animal;

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parts, contaminated bandages, pathological specimens, hypodermic needles, contaminated clothing and surgical gloves.

(4) *Bulk Trash* shall mean any non-vegetative item which cannot be containerized, bagged or bundled; including, but not limited to, inoperative and discarded refrigerators, ranges, toilets, pool heaters, water softeners, pianos, washers, dryers, bath tubs, water heaters, sinks, bicycles, and other similar domestic appliances, household goods and furniture and shall not be commingled with vegetative waste. There shall be no weight limit for any item of bulk trash.

(5) City means City of Westlake, Florida, a municipal corporation duly organized and validly existing under the laws of the State of Florida.

(6) City Manager means the City Manager of the City, or such person's designee.

(7) City Council means the City Council for the City.

(8) Clerk means the City Clerk, or such other person as may be duly authorized to act on such person's behalf.

~~(5)(9)~~ *Collection unit* means any parcel of improved real property located within the city that generates or is capable of generating solid waste and that contains buildings, structures or other improvements designed or constructed for and capable of use by or used for human habitation, human activity or commercial enterprises.

~~(6)(10)~~ *Collection* shall mean the process whereby solid waste, garbage, trash, bulk, trash vegetative waste, recyclable materials, construction and demolition debris is removed and transported to a designated facility.

~~(7)(11)~~ *Commercial Recycling Collection Service* shall mean the collection of recyclable materials by a contractor for entities within the service area that are not serviced by residential recycling collection service.

~~(8)(12)~~ *Commercial Solid Waste* shall include any garbage, bulk trash, trash or vegetative waste that is not residential solid waste. Substantial effort shall be make not to commingle garbage, trash or bulk trash with vegetative waste.

~~(9)(13)~~ *Commercial Solid Waste Collection Service* includes any garbage, bulk trash, trash or vegetative waste that is not residential solid waste. Substantial effort shall be made not to commingle garbage, trash or bulk trash with vegetative waste.

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~~(10)~~(14) *Commercial Solid Waste Collection Service* shall mean the collection of the commercial solid waste within the service area. Such service includes both containers and compactors, but does not include roll-off collection services.

~~(11)~~(15) *Compactor* shall mean a container which has compaction mechanisms(s) whether stationary or mobile, all inclusive.

~~(12)~~(16) *Construction and Demolition Debris (C&D)* shall mean materials generally considered to be not water soluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, roofing material, pipe, gypsum wallboard, and lumber from the construction or destruction of a structure as part of a construction or demolition project. Mixing of a de-Minimis amount of waste other than C&D from the construction site will not automatically cause it to be classified as other than C&D.

~~(13)~~(17) *Container* shall mean and include any container designed or intended to be mechanically dumped into a loader packer type truck or recycling vehicle. All containers must be of the specifications as designated by the City Manager, or designee, in writing.

~~(14)~~(18) *Containerized Residential Recycling Collection Services* shall mean the collection of recyclable materials by the contractor from dwelling units in the service area that requires the use of containers for the collection of recyclable materials and which also receive residential collection services for solid waste, and the delivery of those recyclable materials to a materials recycling facility.

~~(15)~~(19) *Containerized Residential Solid Waste Collection Service* shall mean solid waste collection service of all dwelling units whose garbage, trash bulk trash or vegetative waste is collected by means of a central or shared container and not by means of a garbage can. Vegetative waste shall not be commingled with garbage, trash, or bulk trash.

~~(16)~~(20) *Contract* shall mean an agreement, executed between the City and the contractor for the performance of the specified solid waste and recycling collection agreement, as amended from time to time.

~~(17)~~(21) *Contractor* means the person, firm, corporation or entity designated by the City to perform the specified services in accordance with the terms of the contract.

~~(18)~~(22) *Contract Administrator* shall mean the person(s) designated by the City Manager who shall act as the City's representative in the administration and supervision of the contract and any other contractual agreement(s) relating to solid waste management and solid waste collection program.

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~~(19)~~(23) *Curbside Residential Recycling Collection Service* shall mean the collection of recyclable materials by a contractor from all dwelling units in the service area that also receive curbside residential solid waste collection for solid waste and other dwelling units as are designated by the city, and the delivery of those recyclable materials to the solid waste authority's materials recycling facility or designated solid waste authority transfer station.

~~(20)~~(24) *Curbside Residential Solid Waste Collection Service* shall mean residential solid waste and vegetative waste collection service for all dwelling units whose garbage is collected by means of a garbage can at curbside or roadway.

~~(21)~~(25) *Department* shall mean the Florida Department of Environmental Protection.

~~(22)~~(26) *Disposal Costs* shall mean the "tipping fees" or landfill costs charged by others for disposal of the waste collected.

~~(23)~~(27) *Designated Facility* shall mean a Solid Waste Authority or Palm Beach County owned disposal, processing, recovery, recycling or transfer facility, or a processing facility permitted by the Solid Waste Authority of Palm Beach County.

~~(24)~~(28) *Dwelling Unit* shall mean type of structure or building unit intended for a capable of being utilized for residential living other than a licensed hotel or motel unit, **for which a certificate of occupancy has been issued by the City.**

~~(25)~~(29) *Fiscal Year* means the period between October 1 of a given year and September 30 of the following year.

(30) *Final Assessment Resolution* means the Resolution described in Section 10A-8 hereof, which shall confirm, modify, or repeal the Initial Assessment Resolution and which shall be the final proceeding for the imposition of the initial Residential Solid Waste Services Special Assessment.

(31) *Fiscal Year* means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the City.

~~(26)~~(32) *Garbage* shall mean all putrescible waste which generally includes, but is not limited to, kitchen and table food waste, animal, vegetative, food or any organic waste that is attendant with or results from the storage, preparation, cooking or handling of food materials whether attributed to residential or commercial activities. Vegetative waste shall to be commingled with garbage in the same collection. Garbage shall not include any material that falls within the definition of special waste.

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~~(27)~~(33) *Garbage Receptacle or Can* shall mean any commonly available rotationally molded, rubberized, plastic, or galvanized receptacle of a non-absorbent material, closed at one end and open at the other, furnished with a closely fitted top or lid and handle(s). A garbage can is also defined as a heavy duty, securely tied, plastic bag designated for use as a garbage receptacle. Such container, including materials, shall not exceed 50 gallons in capacity or 50 pounds in weight, unless a contractor implements an automated or semi-automated collection system requiring the use of some other standard receptacle compatible with the contractor's equipment supplied by the contractor and approved by the city.

~~(28)~~(34) *Governmental Agencies* means all state, federal, and local units of government, or any agency or department thereof, which is the owner of any collection unit within the city.

~~(29)~~(35) *Hazardous Waste* shall mean solid waste as defined by the State of Florida Department of Environmental Protection as a hazardous waste in the State of Florida Administrative Code, or by any future legislative action or by federal, state or local law.

~~(30)~~(36) *Hotel or Motel* shall mean a structure or building unit(s) capable of being utilized for residential living where such unit or a group of such units is regularly rented to transients or held out or advertised to the public as a place regularly rented to transients for periods of seven days or less. To meet this definition the hotel or motel must be licensed to operate as such. Transient has the meaning as defined in F.S. ch. 509, or its successor law.

~~(31)~~(37) *Illegal Dumping* shall mean the act of depositing solid waste, bulk trash, vegetative waste or C&D on property which has not been permitted as a designated facility by the solid waste authority.

(38) *Initial Assessment Resolution* means the Resolution described in Section 10A-4 hereof, which shall be the initial proceeding for the imposition of the Residential Solid Waste Services Special Assessment.

~~(32)~~(39) *Litter* shall mean solid waste or any other waste material which is thrown, cast, scattered, dropped, spilled or deposited on public or private property, including rights of way and parking lots, through intent or negligence which tends to create a danger to public, health, safety and welfare.

~~(33)~~(40) *Mixed Paper* shall be defined as a mixture of paper products including magazines, catalogues, phone books, cereal boxes, soda and beer can boxes, chipboard, file folders, envelopes, letter paper, junk mail, notebook paper and any other clean paper products.

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~~(34)~~(41) *Non-assessed Unit* means any collection unit or portion thereof that is not an assessed unit.

~~(42)~~ *Ordinance* means this Ordinance as amended from time to time.

~~(35)~~(43) *Owner* means the person or persons owning an interest in a collection unit, assessed unit or non-assessed unit.

~~(36)~~(44) *Person* means any natural person, or partnership, firm, corporation or other legal entity.

~~(45)~~ *Preliminary Assessment Resolution* means the Resolution described in Section 10A-9 hereof, which sets forth the preliminary assessment rates for the upcoming fiscal year, establishing the public hearing, and other related matters.

~~(37)~~(46) *Property Appraiser* means the Palm Beach County Property Appraiser.

~~(38)~~(47) *Public Awareness Program* shall mean that program developed by the City to inform and encourage residential and commercial solid waste collection customers to use all solid waste and recycling collection services offered by or through the City. It shall also mean information concerning level of service and changes in scope of service.

~~(39)~~ ~~Rate Resolution~~ means resolutions of the City described in this ordinance relating to rates and fees charged for the operation, maintenance and administration of the solid waste program and mandatory solid waste collection program.

~~(40)~~(48) *Recyclable Materials* shall mean newspapers (including inserts), aluminum, plastic containers, glass bottles and jars, milk and juice cartons, aseptic containers, corrugated cardboard, brown paper bags, mixed paper, tin and ferrous cans, household dry-cell batteries(no wet-cell batteries), and other solid waste materials added upon agreement between the city and its contractor, when such materials have been either diverted from the remaining solid waste stream or removed prior to their entry into the remaining solid waste stream.

~~(41)~~(49) *Recycling* means any process by which solid waste, or materials which would otherwise become solid waste, are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

~~(42)~~(50) *Recycling Container* shall mean a rigid container made of plastic or other suitable substance that is used for the storage of recyclable materials.

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~~(43)~~(51) *Residential Recycling Collection Service* shall mean curbside residential recycling collection services and containerized residential recycling collection service.

~~(44)~~(52) *Residential Solid Waste* shall mean garbage, trash and bulk trash resulting from the normal housekeeping activities of a dwelling unit, but shall not include vegetative waste. Residential solid waste shall also mean construction and demolition debris (C&D) resulting from minor home repair from the dwelling unit.

~~(45)~~(53) *Residential Solid Waste Collection ~~Services~~* shall mean curbside residential solid waste collection service and/or containerized residential solid waste collection service provided by the City for residential properties with dwelling units for which the City has issued certificates of occupancy.

(54) *Residential Solid Waste Services* shall mean, collectively, Residential Recycling Collection Services and Residential Solid Waste Collection Services.

(55) *Residential Solid Waste Services Special Assessment* means a special assessment imposed by the City upon residential properties within the City for which a certificate of occupancy has been issued by the City to fund, collectively, the City's provision of Residential Solid Waste Services to such properties, including Disposal Costs; provided that the Residential Solid Waste Collection Special Assessment may not include the Disposal Costs of such collected solid waste if the cost of disposal of such solid waste is separately imposed upon such assessed unit by the authority.

(56) *Residential Solid Waste Services Special Assessment Roll* means the roll created that includes all parcels within the City and their assigned Residential Solid Waste Services Special Assessment approved by a Final Assessment Resolution or an Annual Assessment Resolution pursuant to Sections 15-10 and 15-12 hereof.

(57) *Residential Solid Waste Services Cost* means the estimated amount for any Fiscal Year of all expenditures and reasonable reserves that are properly attributable to the Residential Solid Waste Services provided to Residential properties within the City under generally accepted accounting principles, including, without limiting the generality of the foregoing, contract costs and franchise fees charged by a service provider pursuant to an agreement with the City to provide the Residential Solid Waste Services, costs and charges for transporting residential solid waste for disposal, Disposal Costs, reimbursement to the City for any moneys advanced for the Residential Solid Waste Services, and costs associated with levying the special assessment, including, but not limited to, legal and administrative fees, and charges for services provided by the Palm Beach County Property Appraiser and Palm Beach County.

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~~(46)~~(58) *Roll-off Collection Service* shall mean the collection of C&D only roll-off containers, or the collection of C&D by other mechanical means, within temporary locations in the service area, limited to new construction sites and remodeling or refurbishment sites. Roll-off collection service shall also mean the collection of horticultural or agricultural waste at horticultural or agricultural nurseries, but only when the customer chooses to use roll-off containers for horticultural or agricultural waste and horticultural and agricultural waste shall not include any other type of waste including, but not limited to, special waste, garbage or recyclable material.

~~(47)~~(59) *Roll-off Collection Service Provider* shall mean the person(s), firm(s), corporation(s), or other legal entity(ies) permitted by the City to provide temporary roll off or similar C&D collection services within the service area in accordance with terms and conditions established by the city. The city may determine that the contractor may provide this service as an exclusive part of the contract to provide mandatory solid waste collection service within the service area.

~~(48)~~(60) *Service Area* shall mean the area within the incorporated boundaries of the City of Westlake, Florida, for which the solid waste management and mandatory solid waste collection program is administered as provided in the contract as it may be amended from time to time.

~~(49)~~(61) *Sludge* shall mean a solid or semi-solid or liquid generated from any waste water treatment plant, water supply treatment plant, air pollution control facility, septic tank, grease trap, portable toilets and related operations, or any other such waste having similar characteristics or effects.

~~(50)~~(62) *Solid Waste* shall mean garbage, bulk trash, C&D debris, litter, trash, vegetative waste or other discarded material resulting from domestic, industrial, commercial, agriculture or governmental operations excluding special waste as defined herein.

~~(51)~~(63) *Solid Waste Authority Disposal Facility* shall mean place or places specifically managed or operated by the solid waste authority of Palm Beach County.

~~(52)~~(64) *Solid Waste Collection Program* means the services and means of collecting solid waste from a collection unit through the use of equipment, trucks, containers, personnel, contracted or permitted services, and all real or personal property owned, leased, operated or used by the City of Westlake for the purpose of providing the solid waste collection services generally described in this ordinance.

~~(53)~~ ~~*Solid Waste Collection Special Assessment* means the special assessment imposed by the City of Westlake upon an assessed unit for the collection of solid waste for the applicable fiscal year based upon the classification of the use of such assessed unit~~

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as set forth in the rate resolution. The solid waste collection special assessment may not include the cost of disposal of such collected solid waste if the cost of disposal of such solid waste is separately imposed upon such assessed unit by the authority.

~~(54)~~ ~~——~~ ~~*Solid Waste Collection Special Assessment Roll*~~ means the list prepared by and adopted by the City of Westlake each fiscal year containing a summary description of each assessed unit, the name and address of the owner of each such assessed unit as indicated on the records maintained by the property appraiser and the amount of the solid waste collection special assessment applicable to each assessed unit.

~~(55)~~(65) *Solid Waste Management Program* means the program of managing the generation, storage, collection, transporting, processing and disposal of solid waste within the City of Westlake. The program provides for the regulation, permitting, contracting and enforcement of all aspects of this program.

~~(56)~~(66) *Special Services* shall mean any services requested or required by the customer which are in addition to, or a change in, residential solid waste collection service, residential recycling collection service, commercial recycling collection service and commercial solid waste collection service as set out or similar to those provided for in the contract.

~~(57)~~(67) *Special Waste* shall include automobiles, boats, internal combustion engines, non- automobile tires, sludge, dead animals, septic tank waste biohazardous or biomedical waste liquid waste and hazardous waste. Special waste may also include items determined by the contract administrator to be reasonably unmanageable.

~~(58)~~(68) *Tax Collector* means the Palm Beach County Tax Collector.

(69) *Tax Roll* means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

~~(59)~~(70) *Trash* shall mean all refuse accumulation of paper, rags, wooden or paper boxes and containers, sweepings, broken toys, tools, utensils, and all other accumulations of a similar nature other than garbage which are usual to housekeeping and to the operation of stores, offices and other business places, but shall not include vegetative waste.

~~(60)~~(71) *Uncontrollable Forces* shall mean any event which results in the prevention or delay of performance by a party of its obligations under the contract and which is beyond the reasonable control of the nonperforming party. It includes, but is not limited to fires, flood, hurricanes, earthquakes, storms, lightening, epidemic, war, riot, civil disturbances, sabotage, and governmental actions.

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(72) Uniform Assessment Collection Act means Sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

~~(61) Uniform Method~~ means the "Uniform Method for the Levy, Collection and Enforcement of Non-Ad-Valorem Assessments" prescribed by F.S. ch. 197, as amended and supplemented.

~~(62)~~(73) Vegetative Waste shall mean any vegetative matter resulting from yard and landscaping maintenance by any party and shall include materials such as tree and shrub materials, grass clippings, palm fronds, tree branches and similar other matter usually produced as refuse in the care of lawns, landscaping and yards. AH grass clippings, leaves, pine needles, and similar loose items must be bagged or containerized. Vegetative waste, except palm fronds, must be no more than six feet in length and no single item shall weigh more than 50 pounds, and shall be placed neatly at the curb. Natural Christmas trees will be collected as vegetative waste and any section must not be more than eight feet in length and must be under 50 pounds.

Section 3. Amendment to Ordinance 2017-7: Section 10A, entitled "Residential Solid Waste Services Special Assessment": The City Council hereby amends Ordinance 2017, to add a new Section 10A entitled Residential Solid Waste Services Special Assessment," and subsections 10A-1 through 10A-19, as follows:

SECTION 10A – RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT

SECTION 10A-1. GENERAL FINDINGS. It is hereby ascertained, determined, and declared that:

(A) Pursuant to Article VIII, Section 2(b), Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the City has all powers of local self-government to perform municipal functions and render municipal services except when prohibited by law, and such power may be exercised by the enactment of legislation in the form of City ordinances.

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(B) The City Council may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the City Council may legislate on any subject matter on which the Florida Legislature may act, except those subjects described in (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes. The subject matter of paragraphs (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes, are not relevant to the imposition of Residential Solid Waste Services Special Assessments by the City.

(C) The purpose of this Ordinance is to (1) provide procedures and standards for the imposition of Residential Solid Waste Services Special Assessments under the constitutional and statutory power of the City; (2) authorize a procedure for the funding of Residential Solid Waste Services provided to Residential properties within the City; and (3) legislatively determine the special benefit provided to Assessed Properties from the Residential Solid Waste Services.

SECTION 10A-2. LEGISLATIVE DECLARATIONS OF SPECIAL BENEFIT. It is hereby ascertained and declared that the Residential Solid Waste Services provide a special benefit to the Assessed Property based upon the following legislative determinations:

(A) The recipients of the City's Residential Solid Waste Services will enjoy protection and enhancement of public health and safety by the provision of reliable and effective service to persons who own or use such property, and enrichment of property

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value and minimization of potential liability attendant with the use of the assessed property.

(B) The special benefit received by Assessed Property is the collection and removal and disposal of solid waste, and removal and processing of recyclable materials from the Assessed Properties through a service provided by the City that ensures that real properties do not become polluted or overrun by solid waste generated by the residential use on the property, or if no Solid Waste Services were made available the potential overrun of solid waste and recyclable materials onto the property from adjacent properties.

SECTION 10A-3. RESIDENTIAL SOLID WASTE SERVICES ASSESSMENTS AUTHORIZED. The City Council is hereby authorized to impose Residential Solid Waste Services Special Assessments against Residential property located within the City for which certificates of occupancy have been issued by the City. The Residential Solid Waste Services Cost may be assessed against such Residential properties within the City at a rate of assessment based upon the special benefit accruing to such property from the Residential Solid Waste Services provided by the City.

SECTION 10A-4. INITIAL ASSESSMENT RESOLUTION. The initial proceeding for imposition of the Residential Solid Waste Services Special Assessments shall be the City Council's adoption of an Initial Assessment Resolution. The Initial Assessment Resolution shall (A) describe the Residential Solid Waste Services proposed for funding from the proceeds of the Residential Solid Waste Services Special Assessments; (B) estimate the

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Residential Solid Waste Services Cost; (C) describe the proposed method of apportioning the Residential Solid Waste Services Cost among the Assessed Properties, as applicable, such that the owner of any parcel of property can objectively determine the amount of the Residential Solid Waste Services Special Assessments upon the Assessed Property; and (D) include specific legislative findings that recognize the equity provided by the apportionment methodology and specific legislative findings that recognize the special benefit provided by the Residential Solid Waste Services.

SECTION 10A-5. RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT

ROLL.

(A) The City Manager shall prepare, or direct the preparation of, a preliminary Residential Solid Waste Services Special Assessment Roll that contains the following information:

(1) a summary description of each parcel of property (conforming to the description contained on the Tax Roll) subject to the Residential Solid Waste Services Special Assessment;

(2) the name of the owner of record of each parcel as shown on the Tax Roll, in compliance with applicable state statutes on exempt and confidential information; and

(3) the estimated Residential Solid Waste Services Special Assessment to become due in the Fiscal Year;

(B) Copies of the Initial Assessment Resolution and the preliminary Residential Solid Waste Services Special Assessment Roll shall be on file in the office of the City Clerk

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and open to public inspection. The foregoing shall not be construed to require that the Residential Solid Waste Services Special Assessment Roll be in printed form if the amount of the Residential Solid Waste Services Special Assessment for each parcel of property can be determined by use of a computer terminal available for use by the public.

SECTION 10A-6. NOTICE BY PUBLICATION. After filing the Residential Solid Waste Services Special Assessment Roll in the office of the City Clerk, as required by Section 10A-5 hereof, the City Manager shall cause to be published once in a newspaper of general circulation within the City a notice stating that a public hearing of the City Council will be held on a certain day and hour, not earlier than twenty (20) calendar days from such publication, at which hearing the City Council will receive written comments and hear testimony from all interested persons regarding adoption of the Final Assessment Resolution in the initial year and Annual Assessment Resolution in subsequent years, and approval of the Residential Solid Waste Services Special Assessment Roll. Notwithstanding that the City may use a different collection procedure in any fiscal year, the published notice shall conform to the requirements set forth in the Uniform Assessment Collection Act for purposes of the Residential Solid Waste Services Special Assessment.

SECTION 10A-7. NOTICE BY MAIL. In addition to the published notice required by Section 10A-6, the City Manager shall cause to be provided notice of the proposed Residential Solid Waste Services Special Assessments to the owner of each parcel of property subject to the Residential Solid Waste Services Special Assessments.

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The form of such notice shall conform to the requirements set forth in the Uniform Assessment Collection Act, notwithstanding that the City may use a different collection procedure in any fiscal year. The notice shall be mailed by either first class mail, or by use of the Annual Truth in Millage Notice should the City utilize the Uniform Assessment Collection Act, at least twenty (20) calendar days prior to the hearing to each property owner, at such address as is shown on the Tax Roll at the time the notices are prepared for mailing. Notice shall be deemed mailed upon delivery thereof to the possession of the U.S. Postal Service. Failure of the owner to receive such notice due to mistake or inadvertence shall not affect the validity of the Residential Solid Waste Services Special Assessment Roll nor release or discharge any obligation for the payment of a Residential Solid Waste Services Special Assessment imposed by the City Council pursuant to this Ordinance.

SECTION 10A-8. FINAL ASSESSMENT RESOLUTION. In the initial year of the Residential Solid Waste Services Special Assessment, at the time named in such notice, or such time to which an adjournment or continuance may be taken, the City Council shall receive written objections and hear testimony of interested persons and may then, or at any subsequent meeting of the City Council, adopt the Final Assessment Resolution which shall (A) confirm, modify, or repeal the Initial Assessment Resolution with such amendments, if any, as may be deemed appropriate by the City Council; (B) approve the Residential Solid Waste Services Special Assessment Roll, with such amendments as it deems just and right; and (C) determine the method of collection. All objections to

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adoption of the Final Assessment Resolution shall be made in writing, and filed with the Clerk at or before the time or adjourned time of such hearing.

SECTION 10A-9. PRELIMINARY RATE RESOLUTION. Prior to the adoption of the Annual Assessment Resolution pursuant to Section 10A-10 herein, the City Council shall adopt a Preliminary Assessment Resolution, which shall include without limitation:

(A) A brief description of the Residential Solid Waste Services to be provided by the City;

(B) The amount of the cost of providing Residential Solid Waste Services to be assessed upon specially benefited properties within the City;

(C) Setting forth the date, time and location for the City Council to consider public comments on the adoption of the Annual Assessment Rate Resolution;

(D) Directing the City Manager, or designee, to update the Assessment Roll; and,

(E) Directing the requisite notice be provided to affected property owners for a public hearing to adopt the Annual Assessment Resolution.

SECTION 10A-10. ANNUAL ASSESSMENT RESOLUTION. During its budget adoption process, the City Council shall adopt an Annual Assessment Resolution for each Fiscal Year following adoption of the Final Assessment Resolution. The Final Assessment Resolution shall constitute the Annual Assessment Resolution for the initial Fiscal Year. The Annual Assessment Resolution shall approve the Residential Solid Waste Services Special Assessment Roll for such Fiscal Year. The Residential Solid Waste Services Special

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Assessment Roll shall be prepared in accordance with the Preliminary Rate Resolution, as confirmed or amended by the Annual Assessment Resolution. The City shall provide notice to the owners of such property in accordance with Sections 15-6 and 15-7 hereof and conduct a public hearing prior to adoption of the Annual Assessment Resolution; provided that should the City use the Uniform Assessment Collection Act, a public hearing is necessary only when such is required under the Act. Failure to adopt an Annual Assessment Resolution during the budget adoption process for a Fiscal Year may be cured at any time.

SECTION 10A-11. EFFECT OF FINAL OR ANNUAL ASSESSMENT RESOLUTIONS.

The adoption of the Final Assessment Resolution or Annual Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the apportionment methodology, the rate of assessment, the adoption of the Residential Solid Waste Services Special Assessment Roll and the levy and lien of the Residential Solid Waste Services Special Assessments), unless proper steps are initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of City Council adoption of the Final Assessment Resolution or Annual Assessment Resolution. The Residential Solid Waste Services Special Assessments for each Fiscal Year shall be established upon adoption of the Final Assessment Resolution or Annual Assessment Resolution. The Residential Solid Waste Services Special Assessment Roll, as approved by the Final Assessment Resolution or Annual Assessment Resolution shall be delivered to

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the Tax Collector or such other official as the City Council, by Resolution, deems appropriate.

SECTION 10A-12. LIEN OF RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS.

(A) Upon adoption of the Final Assessment Resolution or Annual Assessment Resolution for each Fiscal Year, the Residential Solid Waste Services Special Assessment to be collected under the Uniform Assessment Collection Act shall constitute a lien against Assessed Property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other prior liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the City Council of the Final Assessment Resolution or Annual Assessment Resolution and shall attach to the property included on the Residential Solid Waste Services Special Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

(B) For Residential Solid Waste Services Special Assessments to be collected under the alternative method of collection provided in Section 10A-14, the adoption of the Final Assessment Resolution or Annual Assessment Resolution shall constitute a lien against Assessed Property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other prior liens, titles and

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claims, until paid. The lien shall be deemed perfected on the date notice thereof is recorded in the Official Records of Palm Beach County, Florida.

SECTION 10A-13. METHOD OF COLLECTION OF RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS. Unless directed otherwise by the City Council, the Residential Solid Waste Services Special Assessment shall be collected pursuant to the Uniform Assessment Collection Act, and the City shall comply with all applicable provisions thereof. Any hearing or notice required by this Ordinance may be combined with any other hearing or notice required by the Uniform Assessment Collection Act.

SECTION 10A-14. ALTERNATIVE METHOD OF COLLECTION OF THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT. In lieu of using the Uniform Assessment Collection Act, the City may elect to collect the Residential Solid Waste Services Special Assessment by any other method which is authorized by law or under an alternative collection method provided by this Section.

(A) The City shall have the right to record a lien for unpaid assessments in the public records of Palm Beach County, Florida.

(B) The City shall have the right to appoint or retain an agent to foreclose and collect all delinquent Residential Solid Waste Services Special Assessments in the manner provided by law. A Residential Solid Waste Services Special Assessment shall become delinquent if it is not paid within thirty (30) days from the date any payment is due. In the event the City exercises its rights to foreclose and collect a delinquent Residential Solid Waste Services Special Assessment, the City or its agent shall notify any property

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owner who is delinquent in payment of his or her Residential Solid Waste Services Special Assessment within sixty (60) days from the date the Residential Solid Waste Services Special Assessment was due. Such notice shall state in effect that the City or its agent will initiate a foreclosure action and cause the foreclosure of such property subject to a delinquent Residential Solid Waste Services Special Assessment in a method now or hereafter provided by law for foreclosure of mortgages on real estate, or otherwise as provided by law.

(C) All costs, fees and expenses, including reasonable attorney fees and title search expenses related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale pursuant to decree in any such action, the City may be the purchaser to the same extent as an individual person or corporation. All delinquent property owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City and its agents, including reasonable attorney fees, in collection of such delinquent Residential Solid Waste Services Special Assessments and any other costs incurred by the City as a result of such delinquent Residential Solid Waste Services Special Assessments including, but not limited to, costs paid for draws on a credit facility and the same shall be collectible as a part of or in addition to, the costs of the action.

(D) In lieu of foreclosure, any delinquent Residential Solid Waste Services Special Assessment and costs, fees, and expenses attributable thereto, may be rolled into the Special Assessment for such parcel in a subsequent fiscal year.

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(E) In lieu of foreclosure, any delinquent Residential Solid Waste Services Special Assessment and the costs, fees and expenses attributable thereto, may be collected pursuant to the Uniform Assessment Collection Act; provided however, that (1) notice is provided to the owner in the manner required by law and this Ordinance; and (2) any existing lien of record on the affected parcel for the delinquent Residential Solid Waste Services Special Assessment is supplanted by the lien resulting from certification of the Residential Solid Waste Services Special Assessment Roll to the Tax Collector.

SECTION 10A-15. REVISIONS TO RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS. If any Residential Solid Waste Services Special Assessment made under the provisions of this Ordinance is either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the City Council is satisfied that any such Residential Solid Waste Services Special Assessment is so irregular or defective that the same cannot be enforced or collected, or if the City Council has failed to include any property on the Residential Solid Waste Services Special Assessment Roll that should have been so included, the City Council may take all necessary steps to impose a new Residential Solid Waste Services Special Assessment against any such property, following as nearly as may be practicable the provisions of this Ordinance and in case such second Residential Solid Waste Services Special Assessment is annulled, the City Council may obtain and impose other Residential Solid Waste Services Special Assessments until a valid Residential Solid Waste Services Special Assessment is imposed.

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SECTION 10A-16. PROCEDURAL IRREGULARITIES. Any irregularity in the proceedings in connection with the levy of any Residential Solid Waste Services Special Assessment under the provisions of this Ordinance shall not affect the validity of the same after the approval thereof, and any Residential Solid Waste Services Special Assessment as finally approved shall be competent and sufficient evidence that such Residential Solid Waste Services Special Assessment was duly levied, that the Residential Solid Waste Services Special Assessment was duly made and adopted, and that all other proceedings adequate to such Residential Solid Waste Services Special Assessment were duly had, taken and performed as required by this Ordinance; and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby. Notwithstanding the provisions of this Section, any party objecting to a Residential Solid Waste Services Special Assessment imposed pursuant to this Ordinance must file an objection with a court of competent jurisdiction within the time periods prescribed in Section 10A-11 of this Ordinance.

SECTION 10A-17. CORRECTION OF ERRORS AND OMISSIONS.

(A) No act of error or omission on the part of the City Council, City Manager, Property Appraiser, Tax Collector, City Clerk, or their respective deputies, employees or designees, shall operate to release or discharge any obligation for payment of any Residential Solid Waste Services Special Assessment imposed by the City Council under the provisions of this Ordinance.

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(B) The assessment amount on any Assessed Property may be corrected at any time by the City Manager when an error is confirmed. Any such correction which reduces a Residential Solid Waste Services Special Assessment shall be considered valid from the date on which the Residential Solid Waste Services Special Assessment was imposed and shall in no way affect the enforcement of the Residential Solid Waste Services Special Assessment imposed under the provisions of this Ordinance. Any such correction which increases a Residential Solid Waste Services Special Assessment or imposes a Residential Solid Waste Services Special Assessment on omitted property shall first require notice to the affected owner in the manner described in Section 10A-7 hereof, providing the date, time and place that the City Council will consider confirming the correction and offering the owner an opportunity to be heard.

(C) After the Residential Solid Waste Services Special Assessment Roll has been delivered to the Tax Collector, any changes, modifications or corrections thereto shall be made in accordance with the procedures applicable to errors and insolvencies for ad valorem taxes.

SECTION 10A-18. APPLICABILITY. This Ordinance and the City's authority to impose the Residential Solid Waste Services Special Assessment pursuant hereto shall be applicable throughout the City.

SECTION 10A-19. ALTERNATIVE METHOD. This Ordinance shall be deemed to provide an additional and alternative method for the completing the tasks set forth herein, and shall be regarded as supplemental and additional to powers conferred by

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other laws, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence. This Ordinance, being necessary for the welfare of the inhabitants of the City, shall be liberally construed to effect the purposes hereof.

SECTION 4. Codification. It is the intention of the City Council of the City of Westlake that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Westlake, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

SECTION 5. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions which are in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 6. Severability. Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

Section 7. Effective Date. This ordinance shall be effective upon adoption on second reading.

PASSED this 14th day of June, 2021, on first reading.

PUBLISHED on this 2nd day of July, 2021 in the Palm Beach Post.

PASSED AND ADOPTED this 12th day of July, 2021, on second reading.

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City of Westlake
Roger Manning, Mayor

ATTEST:



Zoie Burgess, City Clerk

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:



OFFICE OF THE CITY ATTORNEY

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Words in underlined type are additions.

RESOLUTION 2021-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES IN THE CITY OF WESTLAKE, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; DIRECTING THE PREPARATION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City of Westlake Ordinance No. 2021-02 , as adopted, provides the authority for the City to impose Residential Solid Waste Services Special Assessments against Residential property located within the City, and provides findings of special benefit to Residential property as a result of such services; and,

WHEREAS, the City has in place an Agreement with Advanced Disposal Services/Solid Waste Southeast, Inc., dated July 22, 2019 (hereinafter the "Contract"), pursuant to which the City provides Residential Solid Waste Services to, among others, all residential properties that receive Residential Solid Waste Services within the City; and,

WHEREAS, the City believes it is in the best interests of the residents and residential properties owners to collect funds for the costs of the City's Residential Solid Waste Services to all residential units that receive Residential Solid Waste Services by the City, through its Contract, through the levy and collection of a special assessment, as such will eliminate direct quarterly or monthly billing and charges to residents, permit the payment for the services on an annual basis along with property taxes and other special assessments, reduce the administrative costs of the Residential Solid Waste Collection Program to the City, and ensure that all properties that receive Residential Solid Waste Services from the City through the Contract pay for such so that no property is over-charged by virtue of the failure of other properties to pay for such; and,

WHEREAS, Residential Solid Waste Services provided by the City through its Contract as defined hereinafter provide the requisite special benefit to Assessed Property such that they may be funded through a special assessment; and,

WHEREAS, City Administration has reviewed the budget for Residential Solid Waste Services, for residential units that receive Residential Solid Waste Services by the City through the Contract, to ensure that the Residential Solid Waste Services Special Assessment meets the legal requirements for special benefit and fair apportionment; and,

WHEREAS, the City Council determines that it is fair and equitable to levy and collect a non-ad valorem special assessment to fund the Residential Solid Waste Services provided by the City through its Contract, consistent with the methodology and allocation as provided hereinafter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA:

SECTION 1. RECITALS. The foregoing "WHEREAS" clauses are hereby ratified and confirmed by the City Council and incorporated herein by this reference.

SECTION 2. AUTHORITY. This Resolution is adopted pursuant to the provisions of Ordinance No. 2021-02 (the "Ordinance"), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 3. PURPOSE. This Resolution constitutes the Initial Assessment Resolution as defined in the Ordinance which initiates the process for developing the Residential Solid Waste Services Special Assessment Roll and directs the imposition of a Residential Solid Waste Services Special Assessment as described hereinafter, for the Fiscal Year beginning October 1, 2021. Its purpose is to provide procedures and standards for the levy and collection of a Residential Solid Waste Services Special Assessment for all Assessed Properties that receive Residential Solid Waste Services under the general home rule powers of a municipality to impose special assessments, and to authorize a procedure for the funding of Residential Solid Waste Services providing special benefits to Assessed Properties within the City.

SECTION 4. DEFINITIONS. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa. As used in this Resolution, the following terms shall have the following meanings unless the context hereof otherwise requires:

"Assessed Property" means Tax Parcels with an Improvement Code of Residential Property that contain Dwelling Units that have obtained Certificates of Occupancy from the City, and which receive Residential Solid Waste Services provided by the City

"Assessment Coordinator" means the person designated by the City to administer the City's Residential Solid Waste Services, or such person's designee.

"Contract" means that Agreement with Advanced Disposal Services/Solid Waste Southeast, Inc., dated July 22, 2019, as may be amended from time to time.

"Cost Apportionment" means the apportionment of the Residential Solid Waste Services Assessed Cost among all Assessed Properties that receive Residential Solid Waste Services pursuant to the apportionment methodology described in Section 8 of this Initial Assessment Resolution.

"Estimated Residential Solid Waste Services Special Assessment Rate Schedule" means that rate schedule attached hereto as Appendix "A" and hereby incorporated herein by reference, specifying the Residential Solid Waste Services Assessed Costs determined in Section 9 of this Initial Assessment Resolution and the estimated Residential Solid Waste Services Special Assessments established in Section 9 of this Initial Assessment Resolution.

"Improvement Codes" mean the building use codes (also known as DOR codes) assigned by the Property Appraiser to Tax Parcels within the City.

"Residential Property" means those Tax Parcels with a Code Description designated as Single-Family "Residential" within the Improvement Codes and those otherwise designated as "Residential" within the Improvement Codes that are Collection Units that receive curbside Residential Solid Waste Services by the City through the Contract.

"Tax Parcel" means a parcel of property located within the City to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

SECTION 5. PROVISION AND FUNDING OF RESIDENTIAL SOLID WASTE SERVICES.

(A) Upon the imposition of the Residential Solid Waste Services Special Assessment for Residential Solid Waste Services upon Assessed Property located within the City, the City shall provide Residential Solid Waste Services to such Assessed Property through the Contract. The cost to provide such Residential Solid Waste Services to Assessed Properties, as described herein, shall be funded from the proceeds of the Residential Solid Waste Services Special Assessment.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the City will be benefited by the City's provision of Residential Solid Waste Services in an amount not less than the Residential Solid Waste Services Special Assessment imposed against such parcel, computed in the manner set forth in this Initial Assessment Resolution.

SECTION 6. IMPOSITION AND COMPUTATION OF RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS. Residential Solid Waste Services Special Assessments shall be imposed against all Assessed Properties that receive Residential Solid Waste Services, as provided herein. The Cost Apportionment described herein is approved and adopted as the methodology to impose and compute the Residential Solid Waste Services Special Assessment.

SECTION 7. LEGISLATIVE DETERMINATIONS OF AUTHORITY, SPECIAL BENEFIT AND FAIR APPORTIONMENT. The City Council incorporates and adopts the legislative findings relating to the Residential Solid Waste Services within the Ordinance, and makes the following additional legislative findings.

7.1 Section 403.706(1), Florida Statutes, provides that the City is responsible to collect and transport solid waste from within its boundaries to a solid waste disposal facility.

7.2 To fulfill its obligations, the City entered into the Contract.

SPECIAL BENEFIT

7.3 The City provides Residential Solid Waste Services to the Assessed Properties through its Contract. All Assessed Properties receive Residential Solid Waste Services, and therefore are required to receive the City's Residential Solid Waste Services through the City's Contract.

7.4 The special benefit provided to the Assessed Properties as a result of the provision of Residential Solid Waste Services by the City through its Contract, and as a result of the Residential Solid Waste Services Special Assessment include by way of example and not limitation, the availability and use of Residential Solid Waste Services by the owners and occupants of the Assessed Properties, the

enhancement of environmentally responsible use and enjoyment of developed residential properties in the City, the protection of public health and safety, ensuring sanitary collection and disposal of solid waste from residential units in the City, a potential increase in value to property, and better service to landowners and tenants.

7.5 The City's provision of Residential Solid Waste Services through its Contract possesses a logical relationship to the use and enjoyment of the Assessed Properties by:

7.5.1 protecting and potentially increasing the value of the Assessed Properties by providing solid waste services;

7.5.2 enhancing the environmentally responsible use of residential land in the City;

7.5.3 protecting the health of intended occupants in the use and enjoyment of Assessed Properties by ensuring the proper collection and disposal of solid waste from the Assessed Properties;

7.6 Commercial properties, and multi-family residential properties in the City that do not receive curbside collection services, are not specially benefited by the City's Residential Solid Waste Services funded by the Residential Solid Waste Collection Special Assessment in that those properties receive volume-based Solid Waste Services. Given the fact that commercial properties, and residential properties with containerized collection services receive Solid Waste Services on a volume basis, it is not possible to determine the exact annual costs that can be apportioned to each property; therefore, it is not possible to ensure that an assessment levied upon these properties can be fairly apportioned. As a result, it is fair and reasonable not to levy a special assessment for the funding of residential Solid Waste Services upon those properties.

IMPOSITION AND COLLECTION

7.7 The Residential Solid Waste Services Special Assessments to be imposed pursuant to this

Resolution shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act.

7.8 The Residential Solid Waste Services Special Assessment imposed pursuant to this Resolution is imposed by the City Council of the City of Westlake, not the Palm Beach County Board of County Commissioners, Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Resolution, and pursuant to the City's agreements with such entities, shall be construed as ministerial.

7.9 So long as the Residential Solid Waste Services Special Assessment is levied, the Assessed Properties will no longer be billed directly by the City for the Residential Solid Waste Services they receive from the City through the Contract.

APPORTIONMENT

7.10 The size or the value of the Residential Property does not determine the scope of the required solid waste services. The potential demand for Residential Solid Waste Services is driven by the existence of a Residential unit.

7.11 Apportioning the Residential Solid Waste Assessed Costs for Residential Solid Waste Services attributable to Assessed Properties on a per Residential unit basis is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method.

7.12 Because commercial properties, and multi-family residential properties that are containerized collection do not benefit from the provision of Residential Solid Waste Services by the City through the Contract, the Residential Solid Waste Services Assessed Costs are not apportioned to those properties.

SECTION 8. COST APPORTIONMENT METHODOLOGY. The Contract provides for an annual charge to the Assessed Properties for the Residential Solid Waste Services provided by the City through its Contract. The Residential Solid Waste Services Assessed Costs include other costs associated with the

Residential Solid Waste Collection Special Assessment, including a factor for early payment of tax bills, which are then allocated to the Assessed Properties in addition to the annual charge in the Contract to determine the Assessment Amount. The Assessment Amount is then multiplied by the number of Residential units on such Tax Parcel. For the Fiscal Year commencing October 1, 2021, the annual charge for Assessed Properties shall be \$280.60 per Residential Unit, as reflected in Appendix "A."

Interim special assessments are authorized to be levied upon Assessed Properties at the time of issuance of certificates of occupancy by the City. The assessment amount due at the time of issuance of a certificate of occupancy shall be pro-rated on a monthly basis, and pursuant to a schedule created by the Assessment Coordinator and available in the building department. The interim assessment will also include the estimated assessment for the full following fiscal year in order to recover the costs of providing Residential Solid Waste Services to the Assessed Property until such time as the special assessment is placed on a future property tax bill. The Assessment Coordinator is authorized to address issues where an Interim Assessment is collected and an annual assessment is levied on a property tax bill for the same Dwelling Unit for the same period of time to ensure no overpayments for the Residential Solid Waste Services provided by the City.

SECTION 9. DETERMINATION OF RESIDENTIAL SOLID WASTE SERVICES ASSESSED COSTS; ESTABLISHMENT OF ANNUAL RESIDENTIAL SOLID WASTE SERVICES ASSESSMENT RATES.

(A) The Residential Solid Waste Collection Service Assessed Costs to be assessed and apportioned among Assessed Properties pursuant to the Cost Apportionment for the Fiscal Year commencing October 1, 2021, is the amount determined in the manner described in Section 8 above. The Estimated Residential Solid Waste Services Special Assessment Rate Schedule is attached hereto as Appendix A. The approval of the Estimated Residential Solid Waste Services Special Assessment Rate Schedule by the adoption of this Initial Assessment Resolution determines the amount of the Residential Solid Waste Services Assessed Costs.

(B) The estimated Residential Solid Waste Services Special Assessments specified in the Estimated Residential Solid Waste Services Special Assessment Rate Schedule are hereby established to fund the Residential Solid Waste Services Assessed Costs determined to be assessed in the Fiscal Year commencing October 1, 2021.

(C) The estimated Residential Solid Waste Services Special Assessments established in this Initial Assessment Resolution shall be the estimated assessment rates applied by the Assessment Coordinator in the preparation of the updated Residential Solid Waste Services Special Assessment Roll for the Fiscal Year commencing October 1, 2021, as provided in Section 10 of this Initial Assessment Resolution.

SECTION 10. ANNUAL RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL.

(A) The Assessment Coordinator is hereby directed to prepare, or cause to be prepared, a Residential Solid Waste Services Special Assessment Roll for the Fiscal Year commencing October 1, 2021, in the manner provided in this Initial Assessment Resolution. The Assessment Coordinator shall apportion the estimated Residential Solid Waste Collection Service Assessed Cost to be recovered through Residential Solid Waste Services Special Assessments in the manner set forth in this Initial Assessment Resolution. A copy of this Initial Assessment Resolution, the Ordinance, and the Residential Solid Waste Services Special Assessment Roll shall be maintained on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the Residential Solid Waste Services Special Assessment Roll proposed for the Fiscal Year commencing October 1, 2021 be in printed form if the amount of the Residential Solid Waste Services Special Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the Residential Solid Waste Services Special Assessments for the City's Residential Solid Waste Services as set forth in this Initial Assessment Resolution is a fair and reasonable method of apportioning the Residential Solid Waste Services Assessed Cost among parcels of Assessed Property located within the City, as the

methodology and apportionment assures that no property is assessed an amount greater than the benefit which it receives from the Residential Solid Waste Services provided by the City through its Contract.

SECTION 11. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 6:30 p.m., on September 13, 2021, in City of Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, Westlake, Florida, 33470, at which time the City Council will receive and consider any comments on the Residential Solid Waste Services Special Assessment from the public and affected property owners and consider imposing the Residential Solid Waste Services Special Assessment and collecting such assessments on the same bill as ad valorem taxes.

SECTION 12. NOTICE BY PUBLICATION. The Assessment Coordinator shall publish notice of the public hearing authorized by Section 11 hereof, in the manner and time provided within the Ordinance. The notice shall be published no later than August 24, 2021, in substantially the form attached hereto as Appendix B.

SECTION 13. NOTICE BY MAIL. The Assessment Coordinator shall also ensure timely notice by mail, in the manner and time provided within the Ordinance. The notice shall be mailed no later than August 24, 2021, in substantially the form attached hereto as Appendix C.

SECTION 14. PROOF OF NOTICE. The Assessment Coordinator may provide proof of such notice by affidavit, if any is required pursuant to the Ordinance or Resolution.

SECTION 15. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the City from the Residential Solid Waste Services Special Assessments will be utilized for the provision of Residential Solid Waste Services, facilities, and programs by the City, through its Contract, as described herein.

SECTION 16. CONFLICT. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

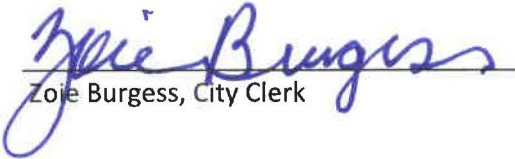
SECTION 17. SEVERABILITY. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 18. EFFECTIVE DATE. This Initial Assessment Resolution shall take effect immediately upon its passage and adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this 12th day of July, 2021.



City of Westlake
Roger Manning, Mayor



Zoie Burgess, City Clerk



Approved as to Form and Sufficiency
Interim City Attorney

APPENDIX A

**ESTIMATED RESIDENTIAL SOLID WASTE SERVICES
ASSESSMENT RATE SCHEDULE**

SECTION A-1 DETERMINATION OF RESIDENTIAL SOLID WASTE SERVICES ASSESSED COSTS. The estimated Residential Solid Waste Services Assessed Costs to be assessed for the Fiscal Year commencing October 1, 2021, is **\$241,596.60**

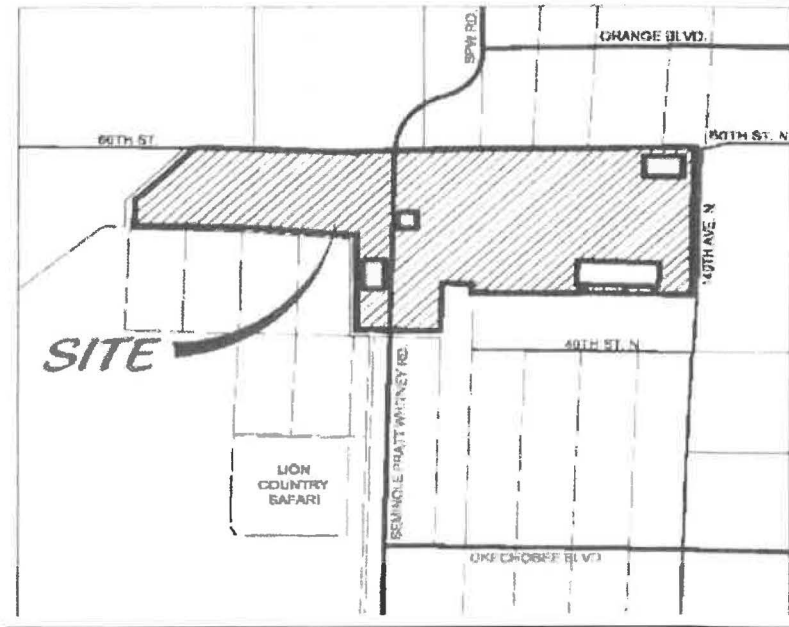
SECTION A-2 ESTIMATED RESIDENTIAL SOLID WASTE SERVICES ASSESSMENTS. The estimated Residential Solid Waste Services Special Assessments to be assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment Methodology to generate the estimated Residential Solid Waste Services Assessed Cost for the Fiscal Year commencing October 1, 2021, are hereby established as follows for the purpose of this Initial Assessment Resolution:

\$ 280.60 PER RESIDENTIAL UNIT

APPENDIX B

FORM OF NOTICE TO BE PUBLISHED

To be published no later than August 24, 2021



**NOTICE OF HEARING TO IMPOSE AND
PROVIDE FOR COLLECTION OF RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS**

Notice is hereby given that the City Council of the City of Westlake will conduct a public hearing to consider imposing Residential Solid Waste Services Special Assessments upon Residential Units that receive Residential Solid Waste Services, for the provision by the City of Residential Solid Waste Services to such properties within the City of Westlake.

The hearing will be held at 6:30 p.m., on September 13, 2021, in City of Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, City of Westlake, Florida, 33470 for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Council within 20 days of this notice. If a person decides to appeal any decision made by the City Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In

accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Clerk of the City at (561) 530-5880, at least seven days prior to the date of the hearing.

The assessment for each parcel of residential property that receives Residential Solid Waste Services from the City will be based upon the total number of Residential units attributed to that parcel. The annual assessment shall be \$280.60 per Residential Unit.

Copies of the Assessment Ordinance, the Initial Assessment Resolution and the Residential Solid Waste Services Special Assessment Roll are available for inspection at the City Clerk's Office, Westlake City Hall, 4001 Seminole Pratt Whitney Road, Westlake, Florida, 33470.

The assessments will be collected by the Tax Collector on the ad valorem tax bill to be mailed in November 2021, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property, which may result in a loss of title.

If you have any questions, please contact the City Clerk at (561) 530-5880, Monday through Friday between 9:00 a.m. and 4:00 p.m.

Zoie Burgess, CMC
City Clerk, City of Westlake
Publish: Friday, July 16, 2021

APPENDIX C
FORM OF MAILED NOTICE

August 1, 2021

[Name]
[Address]
Westlake, Florida 33470

RE: *Tax Parcel #*

<p>CITY OF WESTLAKE, FLORIDA NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR RESIDENTIAL SOLID WASTE SERVICES - NON-AD VALOREM ASSESSMENTS</p>

Dear Property Owner:

As required by Section 197.3632, Florida Statutes, and City of Westlake Ordinance No. 2021-02, notice is given by the City of Westlake that a special assessment for Residential Solid Waste Services using the tax bill collection method may be levied by the City of Westlake on your property for the fiscal year October 1, 2021 - September 30, 2022.

The purpose of this assessment is to collect the Residential Solid Waste Services Special Assessment benefiting property located within the City of Westlake. The total Residential Solid Waste Services Special Assessment revenue to be collected within the City of Westlake is \$241,596.60. The Residential Solid Waste Services Special Assessment is based on the number of Residential Units that receive curbside Residential Solid Waste Services, including curbside collection of solid waste and recyclable materials on your property. The special assessment is \$280.60 per Residential Unit. Your property has 1 Residential Unit. The total special assessment for your property is \$280.60.

A public hearing will be held at 6:30 p.m. on September 13, 2021, in City of Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, Westlake, Florida 33470, for the purpose of receiving public comment on the proposed assessment. You and all other affected property owners have a right to appear at the hearing and to file written objections with the City Council within 20 days of this notice. If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk's office at (561) 530-5880, at least three days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Council action at the above hearing (including the method of apportionment,

the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Residential Solid Waste Services Special Assessment Ordinance, the Initial Assessment Resolution, and the assessment roll are available for inspection at Westlake City Hall - City Clerk's Office, 4001 Seminole Pratt Whitney Road, Westlake, Florida 33470.

The Residential Solid Waste Services non-ad valorem assessment amount shown on this notice for the above parcel will be collected on the ad valorem tax bill mailed in November 2021. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions regarding your Residential Solid Waste Services Special Assessment, please contact the City Clerk at (561) 530-5880, Monday through Friday between 9:00 a.m. and 4:00 p.m.

******* THIS IS NOT A BILL *******

File Attachments for Item:

A. Election – County Canvassing Board

Submitted By: Administration

RESOLUTION 2021-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, DELEGATING ALL CANVASSING DUTIES, AS DEFINED IN THE FLORIDA ELECTION CODE AND THE FLORIDA ADMINISTRATIVE CODE, TO THE COUNTY CANVASSING BOARD ESTABLISHED IN ACCORDANCE WITH SECTION 102.141, F.S., AUTHORIZING AND DESIGNATING THE CITY CLERK TO SERVE AS THE CITY'S OFFICIAL REPRESENTATIVE IN ALL TRANSACTIONS WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS IN RELATION TO MATTERS PERTAINING TO THE USE OF THE REGISTRATION BOOKS AND RECORDS NECESSARY FOR HOLDING MUNICIPAL ELECTIONS WITHIN THE CITY; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		September 13, 2021	Submitted By: Administration	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		Election – County Canvassing Board		
STAFF RECOMMENDATION: (MOTION READY)		Motion to Approve Resolution 2021-26, Delegating All Canvassing Duties to the County Canvassing Board and Designating the City Clerk to serve as the City’s Official representative with the Palm Beach County Supervisor of Election		
SUMMARY and/or JUSTIFICATION:		<p>Section 102.141 F.S., provides for the establishment of a canvassing board for Palm Beach County. The Palm Beach County Supervisor of Election (PBCSOE) has outlined provisions to handle most of the responsibilities it would during a normal county-wide election should municipalities designate the County canvassing board for the City’s municipal elections.</p> <p>Staff is requesting that the Palm Beach County Canvassing Board serve as the City’s canvassing board for municipal elections to remove redundancy of officials attending the same election activities, such as pre-election testing of tabulation equipment, opening, tabulation, duplication, and the canvassing of ballots.</p> <p>The municipality will be responsible for all costs associated with their elections and the municipality will still be the qualifying officer, but the municipal clerk will not be responsible for administering or canvassing the election. The municipal clerk will still hold the responsibility of securing polling locations.</p>		
SELECT, if applicable		AGREEMENT:		BUDGET:
		STAFF REPORT:		PROCLAMATION:
		EXHIBIT(S):		OTHER:
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>				
SELECT, if applicable		RESOLUTION:	x	ORDINANCE:
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field’s textbox and leave blank) <u>Please keep text indented.</u></i>		RESOLUTION NO. 2021-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, DELEGATING ALL CANVASSING DUTIES, AS DEFINED IN THE FLORIDA ELECTION CODE AND THE FLORIDA ADMINISTRATIVE CODE, TO THE COUNTY CANVASSING BOARD ESTABLISHED IN ACCORDANCE WITH SECTION 102.141, F.S., AUTHORIZING AND DESIGNATING THE CITY CLERK TO SERVE AS THE CITY’S OFFICIAL REPRESENTATIVE IN ALL TRANSACTIONS WITH		

THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS IN
RELATION TO MATTERS PERTAINING TO THE USE OF THE
REGISTRATION BOOKS AND RECORDS NECESSARY FOR
HOLDING MUNICIPAL ELECTIONS WITHIN THE CITY;
PROVIDING FOR CONFLICTS, PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

FISCAL IMPACT *(if any):*

\$

CITY OF WESTLAKE

RESOLUTION NO. 2021-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, DELEGATING ALL CANVASSING DUTIES, AS DEFINED IN THE FLORIDA ELECTION CODE AND THE FLORIDA ADMINISTRATIVE CODE, TO THE COUNTY CANVASSING BOARD ESTABLISHED IN ACCORDANCE WITH SECTION 102.141, F.S., AUTHORIZING AND DESIGNATING THE CITY CLERK TO SERVE AS THE CITY'S OFFICIAL REPRESENTATIVE IN ALL TRANSACTIONS WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS IN RELATION TO MATTERS PERTAINING TO THE USE OF THE REGISTRATION BOOKS AND RECORDS NECESSARY FOR HOLDING MUNICIPAL ELECTIONS WITHIN THE CITY; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 102.141, F.S., provides for the establishment of a canvassing board for Palm Beach County; and

WHEREAS, the Palm Beach County Supervisor of Elections ("PBSOE") requires that the City Council designate, by resolution, a canvassing board for the City's municipal elections; and

WHEREAS, designating the Palm Beach County Canvassing Board as the City of Westlake's (the "City") canvassing board for municipal elections would remove redundancy of officials attending the same election activities, such as pre-election testing of tabulation equipment, opening, tabulation, duplication, and the canvassing of ballots; and

WHEREAS, the City Council has determined that the responsibility to canvass the returns is a ministerial and non-legislative function that can be delegated by the City Council and that the Palm Beach County Canvassing Board is designated as the City's canvassing board for municipal election purposes; and

WHEREAS, the City Council further seeks to designate and appoint the City Clerk as the City's official representative in all transactions with the PBSOE, in relation to matters pertaining to the use of the registration books and records herein mentioned for holding municipal elections within in the City; and

WHEREAS, the City Council finds that designating the Palm Beach County Canvassing Board as the City's canvassing board for municipal election purposes and that designating the City Clerk as the City's official representative in all transactions with the PBSOE, as set forth herein, is in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA:

SECTION 1. RECITALS. The foregoing "WHEREAS" clauses are hereby ratified and confirmed by the City Council and incorporated herein by this reference.

SECTION 2. The City Council hereby designates the Palm Beach County Canvassing Board as the City's canvassing board for municipal elections, in accordance with the Florida Election Code and the Florida Administrative Code. The Palm Beach County Canvassing Board will handle the canvassing of ballots for the City's general municipal election and for runoff elections, if necessary. The City Council hereby further authorizes and designates the City Clerk to serve as the City's official representative in all transactions with the PBSOE in relation to matters pertaining to the use of the registration books and records for holding municipal elections in the City.

SECTION 3. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this _____ day of _____, 2021.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency
Interim City Attorney



August 10, 2021

Dear Municipal Clerks,

I hope this letter finds you well!

Based on the various questions the Supervisor of Elections office (SOE) received before, during, and after the Clerk workshop, we thought it would be helpful to lay out each of the municipalities' duties, as well as what the Supervisor of Elections will be responsible for, if you choose to have the Supervisor of Elections oversee your elections. Many of you will already know most of this, but for some of our newer Clerks, or those who have not had an election in a while, we hope this will serve as a helpful overview of the process.

Step 1: Qualifying

The first stage of any election is Qualifying. At this stage, prospective candidates will work to qualify for placement on the ballot by either paying the required filing fee or submitting the number of petition signatures necessary to be eligible for whichever office for which they are running. The Qualifying officer is the person or office responsible for collecting those fees or signatures.

When the office or question is specific to a municipality, that municipal government (i.e. city commission, town council, etc.) is the qualifying officer, and therefore, usually the municipal clerk has the responsibility to collect filing fees and petitions. In other words, municipalities are responsible for facilitating their elections according to the municipality's rules (charters, ordinances, etc.); this includes stand-alone elections and municipal elections that piggy-back on county-wide elections.

Municipalities are and will always be responsible for:

- Collecting petitions;
- Collecting filing fees; and
- Posting notices or advertisements required by municipal charters/ordinances not already required by statute.

240 South Military Trail, West Palm Beach, FL 33415 | Post Office Box 22309, West Palm Beach, FL 33416

Telephone: 561.656.6200 | Fax Number: 561.656.6287

The Supervisor of Elections is responsible for:

- Verifying petition signatures (once municipalities have dropped them off to our main office), certifying the total number of valid signatures, and returning the petitions to the clerk, who will determine whether the total number of valid signatures is sufficient for the candidate to qualify; and
- Posting legal notices required by Florida Law (this is a responsibility we have agreed to in the contract).

If more than one candidate qualifies for the same race, and/or if your municipality has an issue that needs to be voted on, you must notify our office that you will have an election.

As we discussed on the call, qualifying must be complete and all ballot language must be sent to the SOE 95 days before the election. Under extenuating circumstances, we have extended a “grace period” of no later than 90 days before the election. The SOE reserves the right to not administer a municipal election if the municipality does not provide all ballot information by the 90-day deadline. For the March stand-alone Municipal Elections, the 95-day deadline is December 3, 2021.

Step 2: Polling Locations

Municipalities are ultimately responsible for securing their own polling location(s) for stand-alone municipal elections. If the municipality is having an election in conjunction with a county or state-wide election, the SOE will secure all polling locations. Under federal law, a polling location must comply with the Department of Justice (DOJ) standards (i.e., ADA accessibility, parking requirements, etc.). During a county or state-wide election, the SOE uses polling locations that meet DOJ standards. Upon request, our office will provide the municipality with the list of the polling locations that are currently assigned to your municipal precincts. Municipalities are encouraged to use the same polling locations for stand-alone municipal elections as the SOE does for county-wide elections, to avoid voter confusion and unnecessary expense. If a different location is used, a Department of Justice survey must be performed.

During a stand-alone municipal election the municipality is responsible for:

- Securing and contracting with polling location(s) and either confirming to the SOE that the same location(s) will be used or notifying the SOE of any change at least 60 days prior to the election;
- Coordinating with Voting Equipment Center manager (Hector Lugo) regarding delivery and security of voting equipment;

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- Coordinating Monday set-up and 5:30 am access on Election Day; and
- Paying for voter information cards which are **required by law** to be sent to each voter whose polling location is affected both before the election, and after the election.

The Supervisor of Elections will:

- Schedule a site visit to any previously unused polling location to ensure DOJ compliance. All costs associated with any necessary site visits will be charged to the municipality;
- Print and mail voter information cards; and
- Deliver equipment to the designated location and pick up the equipment after the election.

Step 3: Ballots

Municipal races, candidates, questions/issues must be provided to the SOE as soon as available but no later than 95 days before the election, or if arrangements have been made, no later than the 90-day grace period. Once the information is provided, the SOE will program the election. The SOE will lay out ballots, proof them, and send them to the municipalities for final approval, before sending them to the printers. In Palm Beach County, we are subject to a law that requires us to provide in Spanish everything we provide in English. That includes all legal ads and ballot language. We are also required to provide ADA accessible equipment (the ExpressVote), which also need to be programmed in English, Spanish, and Creole.

The Municipality is and will always be responsible for:

- Submitting language (names, races, question/issue wording) immediately after qualifying (but no later than the 95-day deadline);
- Proofing and approving final ballot layout and content prior to printing; and
- Paying for translations.

The Supervisor of Elections will:

- Program the Election;
- Lay out the ballot (in accordance with Florida law);
- Proofread the ballot (based on the language provided by the municipality);
- Arrange for certified translation of ballot;
- Coordinate with printer;
- Mail Vote-By-Mail ballots; and

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- Arrange for delivery of Election Day Ballots to polling locations.

Step 4: Canvassing

County Canvassing Boards, pursuant to Florida Statutes, Section 101.141(1), are “composed of the supervisor of elections; a county court judge, who shall act as chair; and the chair of the board of county commissioners.” When Municipalities hold stand-alone elections, they have the ability to determine who will act as their Canvassing Board. When they are part of a county-wide election, the Division of Elections has determined that only the County Canvassing Board can certify the election results.

Regardless of the kind of election, Florida law states that no member of the Canvassing Board may be “a candidate who has opposition in the election being canvassed, or an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed.” F.S. 101.141(1). In other words, all members of the canvassing board(s) must remain impartial at all times, whether canvassing or not. While serving on the Canvassing Board, the member must also behave in a nonpartisan manner. If a member of the canvassing board has endorsed a candidate in an election, that member may not canvass ballots for that election.

The Canvassing Board has several responsibilities, whether it is a county canvassing board or a municipal canvassing board.

- At least one member of the Canvassing Board must be present at the Logic and Accuracy Testing, though all three must certify the accuracy of the testing.
- A member of the Canvassing Board must be present at all times ballots are being processed; that is, when ballots are being opened, duplicated, and tabulated.
- A majority of the Canvassing Board must be present during Canvassing of the ballots (making determinations/voting about signature issues on vote-by-mail ballot envelopes, making determinations about voter intent, reviewing ballots which have been duplicated). If there is a tie vote, the third member of the Board must be present to break the tie.
- The Canvassing Board must be present at the Voting Equipment Center until all ballots have been collected and canvassed on Election Night.
- A majority of the Canvassing Board must certify the results of the election, though three signatures is preferable. The Supervisor and SOE staff will ascertain the results and provide them to the Canvassing Board for certification. During a stand-alone election, certification may occur after 5:00 pm on the second day after the election once all ballots have been canvassed. In conjunction with a

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county-wide election, certification may occur anywhere from the 3rd to the 12th day after the election.

- At least three members must be present for a recount, if necessary.
- A majority of the Canvassing Board must be present at all times during the post-election Audit. The SOE staff will complete the Audit process.

Should your municipality wish to take advantage of a county canvassing board in your future stand-alone elections, the SOE has drafted suggested language for an ordinance which would (1) confirm the Municipal Clerk's authority to delegate duties to the SOE as necessary (such as recruiting and assigning poll workers) without any additional authorization from the Municipal government, and (2) delegate all Canvassing responsibilities to a county canvassing board:

The [CITY/TOWN/MUNICIPAL] Clerk of [MUNICIPALITY] shall be the official representative of the municipality and the [CITY/TOWN/MUNICIPAL COMMISSION/COUNCIL] in all transactions with the Supervisor of Elections of Palm Beach County, Florida, in relation to matters pertaining to the use of the registration books and records herein mentioned for holding such municipal elections.

[MUNICIPALITY] delegates all canvassing duties as defined in applicable Florida Statute¹ and Florida Administrative Code² to the County Canvassing Board appointed by the Palm Beach County Commission and the Chief Judge of the Fifteenth Judicial Circuit and will be composed of the supervisor of elections; a county court judge, who shall act as chair; and the chair of the board of county commissioners, or their respective alternates or substitutes. See §102.141, Florida Statutes (2020).

Alternatively, if your municipality chooses not to designate the SOE as the official Supervisor of your Municipal Election, as suggested in the June 2021 Charter Recommendation letter, you may want to consider listing the Supervisor of Elections as a substitute, not an alternate, in the event there is an emergency, and no canvassing board members or alternates can be present for some reason.

¹ This includes, but is not limited to, the following Sections: F.S. 102.141, F.S. 101.5612, F.S. 101.68, F.S. 101.6925, F.S. 101.048, F.S. 101.049, F.S. 102.166, F.S. 102.151, and F.S. 101.591.

² This includes, but is not limited to, the following rules: Rule 1S-027, 1S-031, 1S-2.037, and 1S-5.026.

Step 5: Recruitment, Training, and Payment of Poll Workers

The Supervisor of Elections will recruit all election workers, primarily from our existing pool of successful poll workers. The SOE will also coordinate training classes and assignments. In the event the SOE is having trouble finding poll workers to staff a particular municipality, the SOE may reach out to that Municipal Clerk for assistance. There will be no additional cost for recruitment. However, processing payroll and issuing paychecks will be the responsibility of the municipality.

Step 6: Poll Watchers

The Municipal Clerk will be responsible for collecting the Designation of Poll Watchers form and submitting it to the SOE for processing. The SOE will then use that form to make the required identification badges and call the Municipal Clerk to pick them up when they are ready. The municipality will be responsible for all costs associated with the preparation of the badges. The Municipal Clerk will make a master poll watcher list to be supplied to their poll workers on Election Day.

Step 7: Election Day

Election Day is the day people are most familiar with. Polls open at 7:00 a.m. so it is very important that poll workers set up and test their connectivity the day before (Monday) and arrive at the polling location no later than 5:30 a.m. on Election Day. We have found that most poll workers appreciate the time to get organized and to troubleshoot if necessary.

Once polls close at the end of the day, some Municipal Clerks choose to bring ballots back the VEC warehouse themselves; however, if the Municipal Clerk prefers to be at the VEC on Election Day, they may designate the polling location clerk and another poll worker (of a different political party affiliation than the clerk) to transport ballots at the end of the night.

The Canvassing Board must stay at the warehouse **until all ballots are collected and canvassed** on Election Night. Typically, this is complete between midnight and 2:00 a.m. If the County Canvassing Board is canvassing the municipal election(s), Municipal Clerks are free to leave after all ballots have been delivered and all results have been modemed from the polling location tabulators to the SOE.

Step 8: Post-Election

Voters have until 5:00 p.m. two (2) days after Election Day to cure any signature deficiencies. At that time, the Canvassing Board will vote to certify the election.

In the event there is a recount, all members of the Canvassing Board must be present throughout. The Supervisor of Elections and SOE staff will facilitate a machine recount, and a manual recount, if necessary.³

If your municipality allows for runoffs (if there is a tie, or if you have a requirement that a candidate in a 3-person race must obtain 50% of the vote to win), that will essentially be a new election and we will start the entire process over, beginning with Logic and Accuracy Testing.

Finally, some of you have asked about the laws governing Municipal Elections. Anything that is not explicitly set forth in your charters and ordinances will default to Florida Law:

100.3605 Conduct of municipal elections.—

(1) The Florida Election Code, chapters 97-106, shall govern the conduct of a municipality's election in the absence of an applicable special act, charter, or ordinance provision. No charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.

(2) The governing body of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes.

As such, the Supervisor of Elections will always conduct elections in accordance with Florida Law, and if you are unsure about what your obligations are, you can always refer to the Florida Election Code (Florida Statutes, Chapters 97-107) and the Florida Administrative Code.

³ A machine recount must be ordered (by the Canvassing Board) if the 1st set of unofficial returns (the results after the signature cure deadline) indicates that a candidate or issue was defeated or eliminated by .5 of 1% or less of the total votes cast for the office/question. If, after a machine recount, the candidate or issue was defeated by .25 of 1% or less, the Canvassing Board must order a manual, or hand recount.

Conclusion

Should your municipality opt to have the Supervisor of Elections and a County Canvassing Board administer your elections, the SOE will handle most of the responsibilities it would during a normal county-wide election, as outlined in this letter.

The municipality will be responsible for all costs associated with their elections and the municipality will still be the qualifying officer, but the municipal clerk will not be responsible for administering or canvassing the election. The municipality will still be responsible for securing polling locations.

As we have discussed, we will continue to send Smartsheet forms to you to update. Completing and submitting those to us in a timely manner will help the Supervisor of Elections to efficiently coordinate your elections. You will receive updates and reminders to complete your duties at each step along the way, and if you have questions, we will always do our best to assist in any way we can.

We appreciate your partnership and look forward to many more successful elections!

Sincerely,



Wendy Sartory Link
Supervisor of Elections Palm Beach County

WSL/adh

Enclosures

cc: kpuhalainen@atantisfl.gov, dbuff@belleglade-fl.com, msiddons@myboca.us, gibsonc@bbfl.us, brinytownclerk@yahoo.com, townofcloudlake@msn.com, johnsonk@mydelraybeach.com, glenridgetownof@bellsouth.net, dlynn@villageofgolf.org, qmoorer@greenacresfl.gov, rtaylor@gulf-stream.org, jrutan@townofhaverhill-fl.gov, lgaskins@highlandbeach.us, dguaitieri@hypoluxo.org, ccopeland@juno-beach.fl.us, laurac@jupiter.fl.us, randazzo@jupiterinletcolony.org, mpinkerman@lakeclarke.org, vmendez@lakeparkflorida.gov, mcoyne@lakeworthbeachfl.gov, kdominguez@lantana.org, lburch@loxahatcheegrovesfl.gov, lpetersen@manalapan.org, salbury@tompfl.com, jgreen@village-npb.org, karmstrong@oceanridgeflorida.com, twarner@cityofpahokee.com, gnieves@townofpalmbeach.com, psnider@pbgfl.com, ebrowning@pbstownhall.org, kwynn@vpsfl.org, crobinson@rivierabeach.org, ddisanto@royalpalmbeach.com, sbcityclerk@southbaycity.com, yalvarez@southpalmbeach.com, lmcwilliams@tequesta.org, caddie@wellingtonfl.gov, zburgess@westlakegov.com, cityclerk@wpb.org

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Polling Place Accessibility

DE Reference Guide 0014 (eff. 3/2018)

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HISTORY

- **State law required a one-time polling place accessibility survey in 2003.**
 - Supervisors of Elections required to survey each polling place for accessibility by September 1, 2003 in accordance with standards under s. [101.715](#), Florida Statutes, that would take effect on July 1, 2004. See Section 17, [Ch 2002-281](#), Laws of Florida.
 - The Department of State adopted Rule 1S-2.035 which incorporated the survey instrument for use in 2003. The rule was repealed on 11/1/2015 and the 2003 survey instrument is available upon request for historical reference only. Refer to s. [101.715](#), Florida Statutes, and the U.S. Department of Justice, Civil Rights Division, Disability Rights Section's Polling Place Accessibility Checklist in Part 3 of the ADA Checklist for Polling Places through link below under Resources for ADA Accessibility Standards.

CURRENT STATUTORY REQUIREMENT

- **Section [101.715](#), Florida Statutes, provides:**
 - All polling places must be accessible and usable by people with disabilities, as provided in this section.
 - Each polling place used for federal, state, and local elections must comply with the Florida Americans with Disabilities Accessibility Implementation Act, ss. [553.501-553.513](#), Fla. Stat., for all portions of the polling place or the structure in which it is located that voters traverse going to and from the polling place and during the voting process, regardless of the age or function of the building.
 - The selection of a polling site must ensure accessibility with respect to the following accessible elements, spaces, scope, and technical requirements: accessible route, space allowance and reach ranges, protruding objects, ground and floor surfaces, parking and passenger loading zones, curb ramps, ramps, stairs, elevators, platform lifts, doors, entrances, path of egress, controls and operating mechanisms, signage, and all other minimum requirements.
 - Standards required at each polling place, no matter the building's age or function, include:
 - For polling places that provide parking spaces for voters, one or more signed accessible parking spaces for disabled persons.
 - Signage identifying an accessible path of travel to the polling place if it differs from the primary route or entrance.
 - An unobstructed path of travel to the polling place.
 - Level, firm, stable, and slip-resistant surfaces.
 - An unobstructed area for voting.
 - Sufficient lighting along the accessible path of travel and within the polling place.

RESOURCES FOR ADA ACCESSIBILITY STANDARDS

- The [2012 Florida Accessibility Code for Building Construction](#) (Feb 2012), adopted pursuant to s. 553.503, Fla. Stat.
- The [2010 ADA Standards for Accessible Design](#) (Sep. 2010), published by the U.S. Department of Justice.
 - This is the basis for [2012 Florida Accessibility Code for Building Construction](#), above.
- Publications by the U.S. Department of Justice, Civil Rights Division, Disability Rights Section:
 - [The ADA Checklist for Polling Places](#) (June 2016) includes Polling Place Accessibility Checklist under Part 3
 - [The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities Solutions for Five Common ADA Access Problems at Polling Places](#)



Canvassing Board Membership and Activities

DE Reference Guide 0020 (Updated 09-2019) (supersedes all prior versions)

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OVERVIEW

- Canvassing board.
 - The county canvassing board is composed of three members: the supervisor of elections; a county court judge who acts as the chair, and the chair of the board of county commissioners.
 - Aside from attendance at training workshops, a board member's duties will begin as early as the pre-election testing of voting equipment scheduled within the 10 days before early voting, intensify as canvassing of vote-by-mail ballots begin which may start as early as 15 days before an election and continue through election night reporting, post-election voting system audits, and certification of election results.
- Substitute.
 - The law requires substitutes to be appointed whenever a member is unable to serve or is disqualified from serving.
 - The substitute cannot be a candidate with opposition in the election being canvassed and cannot be an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. For what constitutes active participation in the campaign or candidacy of a candidate, see Division of Elections Advisory Opinion [DE 09-07](#).
 - The process for appointing a substitute is set out in section [102.141\(1\)](#), Fla. Stat.
- Alternate.
 - Each canvassing board must have two alternates designated. The long-term service on a canvassing board can place an undue burden on a volunteer member's other professional and personal obligations. Therefore, an alternate serves as a back-up in the event a member is unable to participate in a meeting of the board.
 - The alternates are to be appointed as close in time to when the canvassing board membership is designated.
 - If not otherwise serving as one of the three members of the canvassing board, the alternate can be present, observe and communicate with the other members of the board but cannot vote in the board's decisions or determinations. The process for appointing alternates to the canvassing board is set out in section [102.141\(1\)](#), Fla. Stat.
- Duties.
 - The canvassing board is charged by law with a number of activities in the conduct of elections and ascertainment of results.
 - This reference guide focuses specifically on the membership requirement for those activities.

REQUISITE MEMBERSHIP FOR CANVASSING BOARD ACTIVITIES

- Unless otherwise specified in statute or rule, the canvassing board may act when two members of the board are present, thereby constituting a majority, as long as the two members present are in agreement as to the action to be taken. If they are not in agreement, then a majority of the board has not approved the action. See also DE Advisory Opinion [05-08](#). The chart on the following page details requisite membership attendance based on category of activity.

Activity	Number of Canvassing Board Members Required to be Present	Underlying statute(s) and/or rule for activity
Public logic & accuracy testing	<ul style="list-style-type: none"> At least one member for test All members to certify the accuracy of test 	Section 101.5612 (2), Fla. Stat.
Canvassing of vote-by-mail ballots	<ul style="list-style-type: none"> Majority to approve and order the opening of the ballots At least one member to be present at all times during opening and running of the ballots through tabulation system 	Sections 101.68 , 101.6925 , and 102.141 (2) & (8), Fla. Stat.
Determination to count or reject vote-by-mail ballots (e.g., signature mismatch)	<ul style="list-style-type: none"> Majority to determine whether to count or reject a ballot 	Sections 101.68 , 101.6925 , and 102.141 (2), Fla. Stat.
Duplication of ballot	<ul style="list-style-type: none"> Majority to be present to approve ballots to be duplicated At least one member to be present during duplication of ballots 	Sections 101.5614 (5), 101.68 , and 102.141 (8), Fla. Stat.
Canvassing of provisional ballots	<ul style="list-style-type: none"> Majority to determine whether to count or reject (which latter must be by preponderance of the evidence) 	Sections 101.048 , 101.049 , 101.6925 , and 102.141 (2), Fla. Stat.; Rule 1S-2.037 , Fla. Admin. Code
Finding that a signature on provisional ballot or vote-by-mail ballot voter certificate or cure affidavit does not match signature on record	<ul style="list-style-type: none"> Majority and beyond reasonable doubt 	Sections 101.048 and 101.68 , Fla. Stat.
Recount	<ul style="list-style-type: none"> Majority at all times during recount process All members for determination or decision to resolve a discrepancy during a recount 	Sections 102.141 and 102.166 , Fla. Stat.; Rules 1S-2.027 , and 1S-2.031 , Fla. Admin. Code
Certification of election results	<ul style="list-style-type: none"> Majority to certify results 	Section 102.151 , Fla. Stat.
Post-election certification audit of voting system	<ul style="list-style-type: none"> Majority at all times during audit process 	Section 101.591 , Fla. Stat.; Rule 1S-5.026 (4)(e), Fla. Admin. Code

File Attachments for Item:

A. Palm Beach County Sheriff's Office - Monthly Report: July

Submitted By: Captain Craig Turner

For Informational Purposes Only

District 18 City of Westlake Monthly Report: July 2021



Calls for Service	Monthly
Business/Residence Checks	2,627
Traffic Stops	67
Calls for Service (Excluding 1061's)	174
All CAD Calls – Total*	2,801

Traffic Summary	Monthly
Warnings (Written and Verbal)	69
Citations	17
Total	86

Data Source: Motorola Premier 1
*Omit Miscellaneous Calls

Summary: During the month of July, there were 2,801 generated calls within the district. 96% of these calls were self-initiated.

Crimes	Monthly
Homicide	0
Robbery	0
Sexual Assault	0
Shooting	0
Stabbing	0
Burglary- Business	0
Burglary- Construction	0
Burglary- Residential	0
Burglary- Vehicle	0
Larceny	0
Motor Vehicle Theft	1
Motor Vehicle Recovery	0
Vandalism	0
Fire	0
Total	1

Motor Vehicle Theft:

REPORT #	DATE/TIME FROM	DATE/TIME TO	ADDRESS	NOTATION
21087251	07/16/21 18:00	07/18/21 14:30	15736 Longboat Key Dr	Trailer taken from Cresswind construction site. No CCTV or witnesses.

File Attachments for Item:

B. Palm Beach County Fire Rescue - Monthly Report: July

Submitted By: Anthony Tozzi, District Chief

For Informational Purposes Only



8/3/2021

Palm Beach County Fire Rescue

Westlake Response Time Report

20210701 to 20210731

Event #	Station	Sit Disp	Location of Event	Date	Received	Entered	Dispatch	Enroute	Oncene	Close	Disp Hand	Turnout	Travel	Resp Time*
Emergency Calls:														
F21116175	22	Medical	BUTTONBUSH DR WLK	07/02/2021	03:16:43	03:17:12	03:17:19	03:18:25	03:26:52	04:07:50	0:00:36	0:01:06	0:08:27	0:10:09
F21118692	22	Medical	RAIN LILLY WAY WLK	07/05/2021	22:04:21	22:05:07	22:05:13	22:06:10	22:13:50	22:46:43	0:00:52	0:00:57	0:07:40	0:09:29
F21119316	22	Medical	HUMMINGBIRD LN WLK	07/06/2021	23:49:32	23:50:04	23:50:09	23:51:26	23:55:31	00:38:44	0:00:37	0:01:17	0:04:05	0:05:59
F21121066	22	Medical	TOWN CENTER PKWY/TOWN CENTER PKWY	07/09/2021	17:48:42	17:49:19	17:49:27	17:50:01	17:52:37	18:05:45	0:00:45	0:00:34	0:02:36	0:03:55
F21124889	22	Medical	BUTTONBUSH DR WLK	07/15/2021	21:17:33	21:18:17	21:18:23	21:19:18	21:23:09	21:49:58	0:00:50	0:00:55	0:03:51	0:05:36
F21130783	22	Medical	SANDY SHORE DR WLK	07/24/2021	23:57:48	23:58:18	23:58:32	23:59:22	00:04:12	00:59:58	0:00:44	0:00:50	0:04:50	0:06:24
F21131584	26	Medical	140TH AVE N WLK	07/26/2021	08:33:46	08:34:16	08:34:25	08:35:33	08:45:37	08:59:58	0:00:39	0:01:08	0:10:04	0:11:51
F21132145	22	Medical	SEMINOLE PRATT WHITNEY RD WLK	07/27/2021		00:30:48	00:30:54	00:31:56	00:35:18	00:43:26	0:00:31	0:01:02	0:03:22	0:04:55
F21132723	22	Medical	STARFISH RD WLK	07/27/2021	22:15:44	22:16:07	22:16:13	22:17:10	22:22:30	22:46:37	0:00:29	0:00:57	0:05:20	0:06:46
F21133335	22	Medical	RAIN LILLY WAY WLK	07/28/2021	20:17:11	20:17:37	20:17:50	20:18:32	20:22:50	21:24:36	0:00:39	0:00:42	0:04:18	0:05:39
F21134307	22	Medical	WHIPPOORWILL CIR WLK	07/30/2021	09:21:35	09:22:05	09:22:15	09:23:06	09:27:24	10:27:49	0:00:40	0:00:51	0:04:18	0:05:49
Average Response Times:											0:00:40	0:00:56	0:05:21	0:06:57
Non Emergency Calls:														
F21117879	22	Fire Alarm	WHIPPOORWILL CIR WLK	07/04/2021		18:45:03	18:45:09	18:45:45	18:51:34	18:54:42	0:00:31	0:00:36	0:05:49	0:06:56
F21118118	22	Fire Alarm	WHIPPOORWILL CIR WLK	07/04/2021		23:49:58	23:50:05	23:50:56	23:57:11	00:10:12	0:00:32	0:00:51	0:06:15	0:07:38
F21119072	22	Assist	KEY BISCAVNE LN WLK	07/06/2021		15:25:03	15:25:10	15:25:38	15:28:55	15:40:33	0:00:32	0:00:28	0:03:17	0:04:17
F21121362	22	Fire Alarm	SEMINOLE PRATT WHITNEY RD WLK	07/10/2021		07:49:09	07:49:57	07:50:40	07:53:43	08:00:08	0:01:13	0:00:43	0:03:03	0:04:59
F21129591	22	Fire Alarm	WHIPPOORWILL CIR WLK	07/23/2021		05:28:56	05:29:02	05:30:05	05:37:09	05:41:37	0:00:31	0:01:03	0:07:04	0:08:38
F21135230	22	Assist	SAINT ARMANDS WAY WLK	07/31/2021		15:22:03	15:22:11	15:23:03	15:26:36	15:36:52	0:00:33	0:00:52	0:03:33	0:04:58
Corrupt Data:														
F21123162	22	Medical	RAIN LILLY WAY WLK	07/13/2021	06:34:46	06:35:15	06:35:23	06:36:22		06:36:49	Empty Time Fields			
F21127713	22	Medical	TOWN CENTER PKWY S WLK	07/20/2021		11:04:11	11:04:13		11:04:13	11:57:01	Empty Time Fields			



8/3/2021

Palm Beach County Fire Rescue

Westlake Response Time Report

20210701 to 20210731

Event #	Station	Sit	Disp	Location of Event	Date	Received	Entered	Dispatch	Enroute	Oncene	Close	Disp Hand	Turnout	Travel	Resp Time*
Total number of Events:				<u>19</u>											

*Represents call received to arrival. If there is no received time, the County annual average call received to call entered time is used.



8/3/2021

Palm Beach County Fire Rescue

Westlake - # of Calls by Type

20210701 to 20210731

<u>Type - Situation Dispatched</u>	<u># of Incidents</u>
Medical Calls:	12
Vehicle Accidents:	1
Assists\Investigations:	2
Alarms:	4
Total number of Events:	19

Calls by Situation Dispatched

