

# CITY OF WESTLAKE



## AGENDA

**City Council Regular Meeting**  
Monday, May 11, 2020 at 6:30 PM

Via Communications Media Technology  
WebEx  
(<https://cityofwestlake.my.webex.com/>)

### **CITY COUNCIL:**

Roger Manning, Mayor  
Katrina Long Robinson, Vice Mayor  
Patric Paul, Council Member – Seat 1  
Kara Crump, Council Member – Seat 2  
JohnPaul O'Connor, Council Member – Seat 3

### **CITY STAFF:**

Ken Cassel, City Manager  
Pam E. Booker, City Attorney  
Zoie P. Burgess, City Clerk

[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.*

- B. Approval Finance Statement
  - 1. Financial Report - February 2020
  - 2. Financial Report - March 2020

**PRESENTATIONS/PROCLAMATIONS**

- A. County facilities and services within the City of Westlake - Background and History  
**Presented By** - Bryan Davis, Principal Planner | Palm Beach County Planning Division
- B. County facilities and services within the City of Westlake - Planning Summary, Development Order, and Public Civic PODS/Facilities  
**Presented By** - Audrey Wolf, Director | Palm Beach County Facilities Development & Operations Department

**PUBLIC HEARING**

- A. Ordinance 2020-03 - Adoption Hearing - Second Reading Amending its Comprehensive Plan to Adopt by Reference an Updated 10-Year Water Supply Facilities Work Plan (Second Reading)  
**Submitted and Presented By:** Denise Malone, Planning Manager, NZ Consultants

**ORDINANCE 2020-03 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT BY REFERENCE AN UPDATED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN INFRASTRUCTURE ELEMENT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND**

**PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

- B.** Ordinance 2020-05 - Education and Youth Advisory Board (First Reading)

**Submitted By:** Legal

**ORDINANCE 2020-05 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, CREATING AN EDUCATION AND YOUTH ADVISORY BOARD; ESTABLISHING THE PURPOSE AND SETTING FORTH THE DUTIES OF BOARD MEMBERS; TO ESTABLISH CRITERIA FOR THE BOARD COMPOSITION AND APPOINTMENT; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

- C.** Ordinance 2020-06 - Westlake Civil Rights Ordinance Act (First Reading)

**Submitted By:** Legal

**ORDINANCE 2020-06 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, TO BE ENTITLED "WESTLAKE CIVIL RIGHTS ORDINANCE ACT"; PROVIDING FOR NON-DISCRIMINATION WITHIN THE CITY AND ALL OTHER ACTIVITIES PROMOTED OR SPONSORED BY THE CITY WESTLAKE; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

- D.** Resolution 2020-08 - Approving the Final Plat for Persimmon Boulevard East Plat 3

**Submitted By:** Legal

**RESOLUTION 2020-08 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST PLAT 3, BEING IN PART A REPLAT OF OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH, FLORIDA, AND BEING A PORTION OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RECORDATION.**

- E.** Resolution 2020-09 - Approving the Final Plat for Cresswind Palm Beach Phase 2 (Pod P)

**Submitted By:** Legal

**RESOLUTION 2020-09 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 2 (POD P), BEING DESCRIBED AS A PORTION OF LAND DESCRIBED BY METES AND BOUNDS, AS A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTIONS 1 and 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.**

## **REGULAR AGENDA**

- A.** Community Development Block Grant ("CDBG") programs, Emergency Solutions Grant ("ESG") program and Home Investment Partnerships ("HOME")

**Submitted By:** Legal

- B.** Resolution 2020-07 - Selecting a Member of the City Council to serve in the position of Vice-Mayor Until April 12, 2021.

**Submitted By:** Legal

**RESOLUTION 2020-07 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, SELECTING A MEMBER OF THE CITY COUNCIL TO SERVE IN THE POSITION OF VICE-MAYOR UNTIL APRIL 12, 2021, PURSUANT TO THE CITY'S CHARTER PROVISION AS SET FORTH IN SECTION 8D.**

**NEW BUSINESS**

**A.** Emergency Ordinance 2020-03

**Submitted By:** Legal

**AN EMERGENCY ORDINANCE OF THE CITY OF WESTLAKE, FLORIDA, AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR ELECTRONIC ATTENDANCE BY ELECTED AND APPOINTED OFFICIALS AT CITY MEETINGS DURING PERIODS OF A DECLARED PUBLIC HEALTH EMERGENCY; PROVIDING FOR PUBLIC PARTICIPATION BY TELEPHONIC OR ELECTRONIC MEANS; PROVIDING FOR AUTOMATIC DELAY OF FINALITY OF OFFICIAL ACTION PENDING PUBLIC COMMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**CITY COUNCIL COMMENTS**

- A. Councilman JohnPaul O'Connor
- B. Councilwoman Kara Crump
- C. Councilman Patric Paul
- D. Katrina Long Robinson – Vice Mayor
  - 1. Staff Overview
  - 2. Staff Evaluation Process
- E. Roger Manning - Mayor

**REPORT - STAFF**

**REPORT - CITY MANAGER**

- A. Coronavirus Disease 2019 – COVID 19 Budget Impact Update

**REPORT - CITY ATTORNEY**

**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.*

**ADJOURNMENT**



**File Attachments for Item:**

1. Financial Report - February 2020



## MEMORANDUM

**TO:** Members of the City Council, City of Westlake  
**FROM:** Steven Fowler, Accountant; Alan Baldwin, Accounting Manager  
**CC:** Ken Cassel, City Manager  
**DATE:** March 25, 2020  
**SUBJECT:** February Financial Report

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Please find attached the February 2020 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 is provided below. Should you have any questions or require additional information, please contact me at [Steven.Fowler@inframark.com](mailto:Steven.Fowler@inframark.com).

### **General Fund**

- Total Revenues through February were approximately 41% of the annual budget. During this time approximately 93% of the FY2020 Ad Valorem Tax had been collected. The annual budget includes revenue from a funding agreement with Minto Community, LLC, actual receipts under which were less than anticipated during this time. Receipts from Planning and Zoning Fees were also less than anticipated. This was partially offset by higher than anticipated receipts from Engineering Permits, Building Permits and Building Permits Admin Fee.
- Total Expenditures through February were approximately 38% of the annual budget. During this time actual expenditures for Engineering and Building were higher than anticipated.

### **Special Revenue Fund – Housing Assistance Program**

- Total Revenues through February were approximately 189% of the annual budget. \$1,500 per Single Family Residence building permit is paid into the Housing Assistance Program as a donation. The City received donations for the UHS ER, Christ Fellowship, 7-Eleven and P.B. County Tax Collector sites of \$61,448, \$19,470, \$14,500 and \$6,945, respectively.

# City of Westlake

## Financial Report

*February 29, 2020*



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**City of Westlake**

**Financial Statements**

**February 29, 2020**

**Balance Sheet**  
February 29, 2020

ACCOUNT DESCRIPTION	GENERAL FUND	SPECIAL REVENUE FUND - HOUSING ASSISTANCE PROGRAM	TOTAL
<b><u>ASSETS</u></b>			
Cash - Checking Account	\$ 671,168	\$ -	\$ 671,168
Assessments Receivable	16,602	-	16,602
Investments:			
Money Market Account	3,475	862,594	866,069
Deposits	641	-	641
Mortgages Receivable	-	107,020	107,020
<b>TOTAL ASSETS</b>	<b>\$ 691,886</b>	<b>\$ 969,614</b>	<b>\$ 1,661,500</b>
<b><u>LIABILITIES</u></b>			
Accounts Payable	\$ 259,460	\$ -	\$ 259,460
Accrued Expenses	34,700	-	34,700
DBPR surcharge	1,584	-	1,584
DCA surcharge	2,329	-	2,329
Due To Other Districts	183	-	183
Deferred Revenue-Developer Submittals (Minto)	74,262	-	74,262
<b>TOTAL LIABILITIES</b>	<b>372,518</b>	<b>-</b>	<b>372,518</b>
<b><u>FUND BALANCES</u></b>			
<b>Restricted for:</b>			
Special Revenue	-	969,614	969,614
<b>Unassigned:</b>	319,368	-	319,368
<b>TOTAL FUND BALANCES</b>	<b>\$ 319,368</b>	<b>\$ 969,614</b>	<b>\$ 1,288,982</b>
<b>TOTAL LIABILITIES &amp; FUND BALANCES</b>	<b>\$ 691,886</b>	<b>\$ 969,614</b>	<b>\$ 1,661,500</b>

**Statement of Revenues, Expenditures and Changes in Fund Balances**  
For the Period Ending February 29, 2020

ACCOUNT DESCRIPTION	AMENDED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<b><u>REVENUES</u></b>				
Interest - Investments	\$ -	\$ -	\$ 20	\$ 20
Ad Valorem Taxes	557,948	516,279	516,279	-
Ad Valorem Taxes - Discounts	(22,318)	(20,603)	(20,603)	-
Local Option Gas Tax	100	50	66	16
FPL Franchise	138,100	57,542	41,304	(16,238)
Electricity	50,000	20,833	36,046	15,213
Water	69,400	8,560	8,560	-
Gas	10,400	4,333	6,763	2,430
Communication Services Taxes	30,000	12,500	4,358	(8,142)
Occupational Licenses	5,300	2,208	1,180	(1,028)
Building Permits	725,400	302,250	464,078	161,828
Reinspection Fees	10,000	4,167	9,200	5,033
Building Permits - Surcharge	1,800	750	1,278	528
Other Building Permit Fees	15,000	6,250	16,800	10,550
Building Permits - Admin Fee	57,100	23,792	45,913	22,121
Engineering Permits	175,400	73,083	279,613	206,530
Planning & Zoning Permits	241,700	100,708	23,470	(77,238)
Other Licenses, Fees & Permits	4,100	1,708	300	(1,408)
Local Govt .05c Sales Tax	2,400	-	-	-
Other Governmental Chrgs/Fees	-	-	360	360
Other Public Safety Chrgs/Fees	-	-	975	975
Garbage/Solid Waste Revenue	3,800	1,587	1,587	-
Penalties	-	-	13	13
Other Operating Revenues	-	-	450	450
Judgements and Fines	-	-	235	235
Developer Contribution	1,958,270	979,135	200,000	(779,135)
Lien Search Fee	-	-	713	713
<b>TOTAL REVENUES</b>	<b>4,033,900</b>	<b>2,095,132</b>	<b>1,638,958</b>	<b>(456,174)</b>

**EXPENDITURES**

**Legislative**

Mayor/Council Stipend	204,000	85,000	85,000	-
FICA Taxes	15,600	6,503	6,503	-
ProfServ-Legislative Expense	24,000	-	-	-
Public Officials Insurance	3,900	3,500	3,500	-
Misc-Event Expense	75,000	-	-	-
Council Expenses	20,000	8,333	3,055	5,278
<b>Total Legislative</b>	<b>342,500</b>	<b>103,336</b>	<b>98,058</b>	<b>5,278</b>

**Statement of Revenues, Expenditures and Changes in Fund Balances**  
For the Period Ending February 29, 2020

<b>ACCOUNT DESCRIPTION</b>	<b>AMENDED BUDGET</b>	<b>YEAR TO DATE BUDGET</b>	<b>YEAR TO DATE ACTUAL</b>	<b>VARIANCE (\$) FAV(UNFAV)</b>
<b><u>City Manager</u></b>				
ProfServ-Info Technology	165,600	69,000	63,913	5,087
ProfServ-Compliance Service	50,000	-	-	-
ProfServ-Consultants	88,800	3,450	3,450	-
Contracts-Admin. Service	158,700	66,125	64,422	1,703
Contracts-City Manager	254,600	106,083	103,365	2,718
Telephone, Cable & Internet Service	23,100	9,625	9,498	127
Lease - Building	500	500	500	-
Insurance (Liab,Auto,Property)	4,000	3,620	3,620	-
Misc-Public Relations	50,000	1,244	1,244	-
General Government	47,900	269	269	-
Office Supplies	17,100	7,125	6,222	903
Cleaning Services	38,400	16,000	15,762	238
Dues, Licenses, Subscriptions	5,300	2,075	2,075	-
Cap Outlay - Office Computers	6,000	-	-	-
<b>Total City Manager</b>	<b>910,000</b>	<b>285,116</b>	<b>274,340</b>	<b>10,776</b>
<b><u>City Clerk</u></b>				
ProfServ-Web Site Maintenance	18,200	3,909	3,909	-
Contracts-City Clerk	125,100	52,125	50,789	1,336
Postage and Freight	1,400	583	378	205
Lease - Copier	36,800	15,333	39,350	(24,017)
Printing	14,300	5,958	3,462	2,496
Legal Advertising	24,100	10,042	17,276	(7,234)
Miscellaneous Services	-	-	705	(705)
<b>Total City Clerk</b>	<b>219,900</b>	<b>87,950</b>	<b>115,869</b>	<b>(27,919)</b>
<b><u>Finance</u></b>				
Auditing Services	3,400	-	-	-
Contracts-Finance	92,700	38,625	37,694	931
<b>Total Finance</b>	<b>96,100</b>	<b>38,625</b>	<b>37,694</b>	<b>931</b>
<b><u>Legal Counsel</u></b>				
ProfServ-Legal Services	380,600	158,583	177,708	(19,125)
<b>Total Legal Counsel</b>	<b>380,600</b>	<b>158,583</b>	<b>177,708</b>	<b>(19,125)</b>
<b><u>Comprehensive Planning</u></b>				
ProfServ-Engineering	175,400	73,083	107,521	(34,438)
ProfServ-Planning/Zoning Board	241,700	100,708	93,468	7,240
ProfServ-Building Permits	725,400	302,250	339,924	(37,674)
<b>Total Comprehensive Planning</b>	<b>1,142,500</b>	<b>476,041</b>	<b>540,913</b>	<b>(64,872)</b>



**Statement of Revenues, Expenditures and Changes in Fund Balances**  
For the Period Ending February 29, 2020

<u>ACCOUNT DESCRIPTION</u>	<u>AMENDED BUDGET</u>	<u>YEAR TO DATE BUDGET</u>	<u>YEAR TO DATE ACTUAL</u>	<u>VARIANCE (\$) FAV(UNFAV)</u>
<b><u>Community Services</u></b>				
Contracts-Sheriff	677,000	282,083	270,833	11,250
R&M-Parks	50,000	-	-	-
R&M-Community Maintenance	26,700	11,125	6,159	4,966
Operating Supplies	15,000	-	-	-
<b>Total Community Services</b>	<b>768,700</b>	<b>293,208</b>	<b>276,992</b>	<b>16,216</b>
<b><u>Road and Street Facilities</u></b>				
Electricity - General	45,000	1,754	1,754	-
<b>Total Road and Street Facilities</b>	<b>45,000</b>	<b>1,754</b>	<b>1,754</b>	<b>-</b>
<b><u>Other Fees and Charges</u></b>				
Misc-Contingency	28,600	977	977	-
<b>Total Other Fees and Charges</b>	<b>28,600</b>	<b>977</b>	<b>977</b>	<b>-</b>
<b><u>Reserves</u></b>				
Reserve - Buildings	100,000	-	-	-
<b>Total Reserves</b>	<b>100,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL EXPENDITURES &amp; RESERVES</b>	<b>4,033,900</b>	<b>1,445,590</b>	<b>1,524,305</b>	<b>(78,715)</b>
Excess (deficiency) of revenues Over (under) expenditures	-	649,542	114,653	(534,889)
Net change in fund balance	\$ -	\$ 649,542	\$ 114,653	\$ (534,889)
<b>FUND BALANCE, BEGINNING (OCT 1, 2019)</b>	<b>204,715</b>	<b>204,715</b>	<b>204,715</b>	
<b>FUND BALANCE, ENDING</b>	<b>\$ 204,715</b>	<b>\$ 854,257</b>	<b>\$ 319,368</b>	

**Statement of Revenues, Expenditures and Changes in Fund Balances**  
For the Period Ending February 29, 2020

ACCOUNT DESCRIPTION	AMENDED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<b><u>REVENUES</u></b>				
Interest - Investments	\$ -	\$ -	\$ 4,379	\$ 4,379
Donations	150,000	62,500	283,863	221,363
<b>TOTAL REVENUES</b>	<b>150,000</b>	<b>62,500</b>	<b>288,242</b>	<b>225,742</b>
<b><u>EXPENDITURES</u></b>				
<b><u>Public Assistance</u></b>				
Misc-Admin Fee (%)	11,300	-	-	-
Assistance Program	138,700	-	-	-
<b>Total Public Assistance</b>	<b>150,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL EXPENDITURES</b>	<b>150,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
Excess (deficiency) of revenues Over (under) expenditures	-	62,500	288,242	225,742
Net change in fund balance	\$ -	\$ 62,500	\$ 288,242	\$ 225,742
<b>FUND BALANCE, BEGINNING (OCT 1, 2019)</b>	<b>681,372</b>	<b>681,372</b>	<b>681,372</b>	
<b>FUND BALANCE, ENDING</b>	<b>\$ 681,372</b>	<b>\$ 743,872</b>	<b>\$ 969,614</b>	

# **City of Westlake**

## **Supporting Schedules**

**February 29, 2020**

Cash and Investment Report

February 29, 2020

**GENERAL FUND**

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Maturity</u>	<u>Yield</u>	<u>Balance</u>
Checking Account - Operating	BankUnited	Checking Account	n/a	n/a	\$671,168
Money Market	BankUnited	MMA	n/a	1.50%	\$3,475
				<b>Subtotal</b>	<b>\$674,643</b>

**SPECIAL REVENUE FUND**

Money Market	BankUnited	MMA	n/a	1.50%	\$862,594
				<b>Subtotal</b>	<b>\$862,594</b>
				<b>Total</b>	<b>\$1,537,237</b>

**City of Westlake**

Bank Reconciliation

Bank Account No. 0300 Bank United GF  
 Statement No. 0220  
 Statement Date 2/29/2020

<b>G/L Balance (LCY)</b>	671,168.12	<b>Statement Balance</b>	743,595.03
<b>G/L Balance</b>	671,168.12	<b>Outstanding Deposits</b>	0.00
<b>Positive Adjustments</b>	0.00		
	<hr/>		
<b>Subtotal</b>	671,168.12	<b>Subtotal</b>	743,595.03
<b>Negative Adjustments</b>	0.00	<b>Outstanding Checks</b>	72,426.91
	<hr/>	<b>Differences</b>	0.00
<b>Ending G/L Balance</b>	671,168.12	<b>Ending Balance</b>	671,168.12
<b>Difference</b>	0.00		

Posting Date	Document Type	Document No.	Description	Amount	Cleared Amount	Difference
<b>Outstanding Checks</b>						
2/20/2020	Payment	8158	CARD SERVICES CENTER	640.59	0.00	640.59
2/26/2020	Payment	8159	INFRAMARK, LLC	52,969.79	0.00	52,969.79
2/26/2020	Payment	8160	NZ CONSULTANTS, INC.	18,468.75	0.00	18,468.75
2/26/2020	Payment	8161	OFFICE DEPOT	214.78	0.00	214.78
2/26/2020	Payment	8162	PALM BEACH LATINO INC	133.00	0.00	133.00
<b>Total Outstanding Checks.....</b>				<b>72,426.91</b>		<b>72,426.91</b>

**City of Westlake**

**Check Register**

**February 1-29, 2020**

**Payment Register by Fund**  
**For the Period from 2/1/2020 to 2/29/2020**  
**(Sorted by Check / ACH No.)**

Fund No.	Check / ACH No.	Date	Payee	Invoice No.	Payment Description	Invoice / GL Description	G/L Account #	Amount Paid
<b>GENERAL FUND - 001</b>								
001	8129	02/03/20	LAW OFFICES OF PAM E. BOOKER, ESQ	2020-2	2/2020 LEGAL SERVICE	ProfServ-Legal Services	531023-51401	\$34,506.62
001	8130	02/03/20	OFFICE DEPOT	433662122001	MISC OFFICE SUPPLIES	Office Supplies	551002-51306	\$91.07
001	8131	02/03/20	PBC SHERIFF'S OFFICE	65196	2/2020 SECURITY	Contracts-Sheriff	534100-52902	\$54,166.67
001	8132	02/03/20	NETONE TECHNOLOGIES, INC	8161	2/19 PREPAID BLOCK OF TIME	ProServ-Info Technology	531020-51306	\$1,125.00
001	8133	02/03/20	MILNER INC LEASE	66690885	SOFTWARE LEASE 1/15-2/14/2020	Lease-Copier	544008-51307	\$851.20
001	8133	02/03/20	MILNER INC LEASE	66690885	SOFTWARE LEASE 1/15-2/14/2020	Due from Other Districts	133500	\$212.80
001	8137	02/05/20	MARK L. DUBOIS	18260	PROFESSIONAL SERVICE 1/2020	ProfServ-Consultants	531075-51306	\$350.00
001	8138	02/05/20	FED EX	6-910-49276	SERVICE FOR 1/23/2020	Postage and Freight	541006-51307	\$25.32
001	8139	02/05/20	FLORIDA VENDORS ASSOCIATION	1204	MAIN OFFICE CLEANING 1/3-1/31/2020	Cleaning Services	551008-51306	\$750.00
001	8139	02/05/20	FLORIDA VENDORS ASSOCIATION	1207	BACK OFFICE/CHAMBERS CLEANING 12/20-1/31/2020	Cleaning Services	551008-51306	\$2,730.00
001	8139	02/05/20	FLORIDA VENDORS ASSOCIATION	1206	BACK OFFICE/CHAMBERS CLEANING 12/6-12/27/19	Cleaning Services	551008-51306	\$2,145.00
001	8140	02/10/20	NOVA ENGINEERING AND	0213575	PROFESSIONAL SERVICE 12/29-1/25/2020	ProfServ-Building Permits	531091-51501	\$64,596.25
001	8141	02/10/20	OFFICE DEPOT	437136306001	OFFICE SUPPLIES	Office Supplies	551002-51306	\$93.05
001	8142	02/10/20	GATEHOUSE WEST PALM BCH	100549880-01292020	NOTICE OF PROPOSED ORDINANCE 1/29-2/10/2020	Legal Advertising	548002-51307	\$264.88
001	8142	02/10/20	GATEHOUSE WEST PALM BCH	100549878-0192020	NOTICE OF PUBLIC HEARING 1/29-2/10/2020	Legal Advertising	548002-51307	\$405.92
001	8142	02/10/20	GATEHOUSE WEST PALM BCH	100550756-01312020	NOTICE OF ELECTION 3/31/2020	Legal Advertising	548002-51307	\$116.96
001	8143	02/10/20	ADVANCED DISPOSAL	AD01312020	1/2020 ADVANCED DISPOSAL FEES	Garbage/Solid Waste Revenue	343400	\$7,973.04
001	8144	02/10/20	PBC FINANCE DEPARTMENT	01302020	1/2020 IMPACT FEES	Other Current Liabilities	229000	\$141,879.62
001	8145	02/10/20	PBC FINANCE DEPARTMENT	01302020	1/2020 IMPACT FEES	Other Current Liabilities	229000	\$141,879.62
001	8146	02/12/20	FLORIDA TECHNICAL CONSULTANTS	828	09-GIS WA09 12/30/19	ProfServ-Info Technology	531020-51301	\$161.00
001	8146	02/12/20	FLORIDA TECHNICAL CONSULTANTS	828	09-GIS WA09 12/30/19	Due From Other Districts	133500	\$69.00
001	8147	02/13/20	FED EX	6-917-34006	SERVICE FOR 1/30/2020	Postage and Freight	541006-51307	\$44.71
001	8148	02/13/20	FLORIDA TECHNICAL CONSULTANTS	840	10-WESTLAKE 10 PROJECT MANAGER	ProServ-Info Technology	531020-51306	\$8,500.00
001	8149	02/18/20	MARK L. DUBOIS	18263	CONSULTING 2/3-2/11/2020	ProfServ-Consultants	531075-51306	\$200.00
001	8150	02/18/20	GATEHOUSE WEST PALM BCH	100502112-08022019	NOTICE OF PUBLIC HEARING 8/2/19	Legal Advertising	548002-51307	\$700.00
001	8150	02/18/20	GATEHOUSE WEST PALM BCH	100516536-09272019	NOTICE OF LOCAL PLANNING AGENCY MEETING 9/27/19	Legal Advertising	548002-51307	\$700.00
001	8150	02/18/20	GATEHOUSE WEST PALM BCH	100508697-08292019	NOTICE OF ORDINANCE 2019-6 8/29-9/9/19	Legal Advertising	548002-51301	\$127.28
001	8150	02/18/20	GATEHOUSE WEST PALM BCH	100508702-08282019	NOTICE OF LOCAL PLANNING AGCY. MEETING 8/28/19	Legal Advertising	548002-51307	\$700.00
001	8150	02/18/20	GATEHOUSE WEST PALM BCH	100551493-02042020	NOTICE OF FUNDING AVAILABILITY 2/4/2020	Legal Advertising	548002-51307	\$350.00
001	8150	02/18/20	GATEHOUSE WEST PALM BCH	100508698-08292019	NOTICE OF ORDINANCE 2019-7 8/29-9/9/19	Legal Advertising	548002-51307	\$141.04
001	8151	02/18/20	GRAINGER	9434572930	BOOT BRUSH WITH SCRAPER/BUILDING DEPT.	Misc-Contingency	549900-58050	\$59.92
001	8154	02/19/20	MILNER INC LEASE	66931755	COPIER LEASE 2/1-2/29/2020	Lease-Copier	544008-51307	\$855.20
001	8154	02/19/20	MILNER INC LEASE	66931755	COPIER LEASE 2/1-2/29/2020	Due from Other Districts	133500	\$213.80
001	8155	02/19/20	OFFICE DEPOT	439645628001	MISC OFFICE SUPPLIES	Office Supplies	551002-51301	\$104.42
001	8155	02/19/20	OFFICE DEPOT	439654536001	8X11 PICTURE FRAME	Office Supplies	551002-51306	\$16.89
001	8155	02/19/20	OFFICE DEPOT	439654670001	PAPER/TAPE/PAPER TOWELS	Office Supplies	551002-51306	\$104.42
001	8155	02/19/20	OFFICE DEPOT	439654671001	BLACK DESK CHAIR/CITY CLERK	Office Supplies	551002-51306	\$199.99
001	8156	02/20/20	OFFICE DEPOT	439639137001	PAPER/TAPE/PAPER TOWELS	Office Supplies	551002-51306	\$104.42
001	8156	02/20/20	OFFICE DEPOT	439641181001	8 X 11 PICTURE FRAME	Office Supplies	551002-51306	\$16.89
001	8156	02/20/20	OFFICE DEPOT	439638673001	8X11 PICTURE FRAME	Office Supplies	551002-51306	\$16.89
001	8157	02/20/20	GREATAMERICA FINANCIAL SERVICES CORP	26475759	KONICA LEASE JAN-FEB W/PNLTY&PROP.TX.	2 Monthly Lease Payments	544008-51307	\$630.26
001	8157	02/20/20	GREATAMERICA FINANCIAL SERVICES CORP	26475759	KONICA LEASE JAN-FEB W/PNLTY&PROP.TX.	Konica Late Payment Penalty-Jan	549001-51307	\$34.94
001	8157	02/20/20	GREATAMERICA FINANCIAL SERVICES CORP	26475759	KONICA LEASE JAN-FEB W/PNLTY&PROP.TX.	Konica Property Tax	549001-51307	\$184.04

**Payment Register by Fund**  
**For the Period from 2/1/2020 to 2/29/2020**  
**(Sorted by Check / ACH No.)**

Fund No.	Check / ACH No.	Date	Payee	Invoice No.	Payment Description	Invoice / GL Description	G/L Account #	Amount Paid
001	8158	02/20/20	CARD SERVICES CENTER	0943-020720	PURCHASES FOR 1/15-2/5/2020	AMAZON RETURN	551002-51306	(\$27.90)
001	8158	02/20/20	CARD SERVICES CENTER	0943-020720	PURCHASES FOR 1/15-2/5/2020	FACC WEBINAR (City Clerk)	549109-51306	\$75.00
001	8158	02/20/20	CARD SERVICES CENTER	0943-020720	PURCHASES FOR 1/15-2/5/2020	MLK TABLE SPONSORSHIP	549170-51101	\$450.00
001	8158	02/20/20	CARD SERVICES CENTER	0943-020720	PURCHASES FOR 1/15-2/5/2020	AMAZON PRIME MEMBERSHIP	554020-51306	\$13.09
001	8158	02/20/20	CARD SERVICES CENTER	0943-020720	PURCHASES FOR 1/15-2/5/2020	MISC.OFFICE SUPPLIES	551002-51306	\$31.98
001	8158	02/20/20	CARD SERVICES CENTER	0943-020720	PURCHASES FOR 1/15-2/5/2020	MISC.OFFICE SUPPLIES	551002-51306	\$41.99
001	8158	02/20/20	CARD SERVICES CENTER	0943-020720	PURCHASES FOR 1/15-2/5/2020	PALM BEACH POST	554020-51306	\$56.43
001	8159	02/26/20	INFRAMARK, LLC	48963	2/2020 MANAGEMENT FEES	Contracts-Admin Service	534375-51306	\$13,225.00
001	8159	02/26/20	INFRAMARK, LLC	48963	2/2020 MANAGEMENT FEES	Printing	547006-51307	\$0.45
001	8159	02/26/20	INFRAMARK, LLC	48963	2/2020 MANAGEMENT FEES	ProfServ-Web Site Maintenance	531094-51307	\$377.67
001	8159	02/26/20	INFRAMARK, LLC	48963	2/2020 MANAGEMENT FEES	Contracts-City Manager	534381-51306	\$21,216.67
001	8159	02/26/20	INFRAMARK, LLC	48963	2/2020 MANAGEMENT FEES	Contracts-City Clerk	534379-51307	\$10,425.00
001	8159	02/26/20	INFRAMARK, LLC	48963	2/2020 MANAGEMENT FEES	Contracts-Finance	534376-51308	\$7,725.00
001	8160	02/26/20	NZ CONSULTANTS, INC.	WES-40	PROFESSIONAL PLANNING 1/1-1/31/2020	ProfServ-Planning/Zoning Board	531032-51501	\$18,468.75
001	8161	02/26/20	OFFICE DEPOT	439654673001	FOLDERS	Office Supplies	551002-51306	\$28.38
001	8161	02/26/20	OFFICE DEPOT	443593438001	PEN REFILLS	Office Supplies	551002-51306	\$14.18
001	8161	02/26/20	OFFICE DEPOT	439639139001	SMALL DESK(City Clerk)	Office Supplies	551002-51306	\$94.99
001	8161	02/26/20	OFFICE DEPOT	443593437001	MISC OFFICE SUPPLIES	Office Supplies	551002-51306	\$77.23
001	8162	02/26/20	PALM BEACH LATINO INC	16298	INSERTION ORDER # 1994 1/31/2020	Legal Advertising	548002-51307	\$133.00
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	SIGNAGE	551002-51306	\$27.90
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	PUBLIX	551002-51306	\$107.90
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	PUBLIX	551002-51306	\$2.19
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	AMAZON PRIME	554020-51306	\$13.14
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	DOOR HANGER BAGS	551002-51306	\$30.84
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	PLATES	551002-51306	\$21.29
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	PALM BEACH POST	554020-51306	\$56.43
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	EB PALM BEACH COUNTY	549170-51101	\$165.00
001	DD355	02/04/20	CARD SERVICES CENTER	0935-011020	PURCHASES FOR 12/10-1/7/2020	EB PALM BEACH COUNTY	554020-51306	\$49.19
001	DD356	02/01/20	COMCAST	73484-012220 ACH	ACCT# 8535 11 407 0673484 1/26-2/25/2020	Telephone, Cable and Internet Services	541016-51306	\$509.41
001	DD357	02/01/20	FPL	00227-012120 ACH	ACCT# 78436-00227 12/19-1/21/2020	Electricity-General	543006-54101	\$94.62
001	DD362	02/17/20	COMCAST	012620-4961 ACH	ACCT# 8535 11 407 0674961 1/30-2/29/20	Telephone, Cable and Internet Services	541016-51306	\$406.46
001	DD363	02/17/20	COMCAST	012620-4953 ACH	ACCT# 8535 11 407 0674953 1/30-2/29/2020	Telephone, Cable and Internet Services	541016-51306	\$250.05
001	DD366	02/17/20	FPL	99121-020620 ACH	ACCT# 09796-99121 1/8-2/6/2020	Electricity-General	543006-54101	\$85.23
001	DD367	02/17/20	FPL	89127-020620 ACH	ACCT# 61367-89127 1/8-2/6/2020	Electricity-General	543006-54101	\$70.37
001	8128	02/10/20	PHILLIP D EVERETT	PAYROLL	February 10, 2020 Payroll Posting			\$2,909.27
001	DD358	02/10/20	KARA S. CRUMP	PAYROLL	February 10, 2020 Payroll Posting			\$2,784.77
001	DD359	02/10/20	KATRINA L. LONG	PAYROLL	February 10, 2020 Payroll Posting			\$2,784.77
001	DD360	02/10/20	ROGER B MANNING	PAYROLL	February 10, 2020 Payroll Posting			\$2,826.27
001	DD361	02/10/20	JOHN A. STANAVITCH	PAYROLL	February 10, 2020 Payroll Posting			\$2,867.77
							<b>Fund Total</b>	<b>\$556,887.91</b>

<b>Total Checks Paid</b>	<b>\$556,887.91</b>
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**File Attachments for Item:**

2. Financial Report - March 2020



## MEMORANDUM

**TO: Members of the City Council, City of Westlake**  
**FROM: Steven Fowler, Accountant; Alan Baldwin, Accounting Manager**  
**CC: Ken Cassel, City Manager**  
**DATE: April 22, 2020**  
**SUBJECT: March Financial Report**

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Please find attached the March 2020 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 is provided below. Should you have any questions or require additional information, please contact me at [Steven.Fowler@inframark.com](mailto:Steven.Fowler@inframark.com).

### **General Fund**

- Total Revenues through March were approximately 47% of the annual budget. During this time approximately 93% of the FY2020 Ad Valorem Tax had been collected. The annual budget includes revenue from a funding agreement with Minto Community, LLC, actual receipts under which were less than anticipated during this time. Receipts from Planning and Zoning Fees were also less than anticipated. This was partially offset by higher than anticipated receipts from Engineering Permits, Building Permits and Building Permits Admin Fee.
- Total Expenditures through March were approximately 46% of the annual budget. During this time actual expenditures for Engineering and Building were higher than anticipated.

### **Special Revenue Fund – Housing Assistance Program**

- Total Revenues through March were approximately 231% of the annual budget. \$1,500 per Single Family Residence building permit is paid into the Housing Assistance Program as a donation. The City received donations for the UHS ER, Christ Fellowship, 7-Eleven and P.B. County Tax Collector sites of \$61,448, \$19,470, \$14,500 and \$6,945, respectively.

# City of Westlake

## Financial Report

*March 31, 2020*



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**City of Westlake**

**Financial Statements**

**March 31, 2020**

**Balance Sheet**  
 March 31, 2020

<u>ACCOUNT DESCRIPTION</u>	<u>GENERAL FUND</u>	<u>SPECIAL REVENUE FUND - HOUSING ASSISTANCE PROGRAM</u>	<u>TOTAL</u>
<b><u>ASSETS</u></b>			
Cash - Checking Account	\$ 643,737	\$ -	\$ 643,737
Assessments Receivable	3,301	-	3,301
Investments:			
Money Market Account	3,478	925,796	929,274
Deposits	641	-	641
Mortgages Receivable	-	107,696	107,696
<b>TOTAL ASSETS</b>	<b>\$ 651,157</b>	<b>\$ 1,033,492</b>	<b>\$ 1,684,649</b>
<b><u>LIABILITIES</u></b>			
Accounts Payable	\$ 272,574	\$ -	\$ 272,574
Accrued Expenses	58,150	-	58,150
DBPR surcharge	2,563	-	2,563
DCA surcharge	3,773	-	3,773
Due To Other Districts	1,403	-	1,403
Deferred Revenue-Developer Submittals (Minto)	62,302	-	62,302
<b>TOTAL LIABILITIES</b>	<b>400,765</b>	<b>-</b>	<b>400,765</b>
<b><u>FUND BALANCES</u></b>			
<b>Nonspendable:</b>			
Prepaid Items	641	-	641
<b>Restricted for:</b>			
Special Revenue	-	1,033,492	1,033,492
<b>Unassigned:</b>	<b>249,751</b>	<b>-</b>	<b>249,751</b>
<b>TOTAL FUND BALANCES</b>	<b>\$ 250,392</b>	<b>\$ 1,033,492</b>	<b>\$ 1,283,884</b>
<b>TOTAL LIABILITIES &amp; FUND BALANCES</b>	<b>\$ 651,157</b>	<b>\$ 1,033,492</b>	<b>\$ 1,684,649</b>

**Statement of Revenues, Expenditures and Changes in Fund Balances**  
For the Period Ending March 31, 2020

ACCOUNT DESCRIPTION	AMENDED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<b>REVENUES</b>				
Interest - Investments	\$ -	\$ -	\$ 24	\$ 24
Ad Valorem Taxes	557,948	518,981	518,981	-
Ad Valorem Taxes - Discounts	(22,318)	(20,656)	(20,656)	-
Local Option Gas Tax	100	50	81	31
FPL Franchise	138,100	69,050	48,482	(20,568)
Electricity	50,000	25,000	36,046	11,046
Water	69,400	10,361	10,361	-
Gas	10,400	5,200	8,263	3,063
Communication Services Taxes	30,000	15,000	5,809	(9,191)
Occupational Licenses	5,300	2,650	1,198	(1,452)
Building Permits	725,400	362,700	583,755	221,055
Reinspection Fees	10,000	5,000	11,000	6,000
Building Permits - Surcharge	1,800	900	1,160	260
Other Building Permit Fees	15,000	7,500	19,500	12,000
Building Permits - Admin Fee	57,100	28,550	55,982	27,432
Engineering Permits	175,400	87,700	391,418	303,718
Planning & Zoning Permits	241,700	120,850	27,448	(93,402)
Other Licenses, Fees & Permits	4,100	2,050	1,800	(250)
Local Govt .05c Sales Tax	2,400	-	-	-
Other Governmental Chrgs/Fees	-	-	360	360
Other Public Safety Chrgs/Fees	-	-	1,163	1,163
Garbage/Solid Waste Revenue	3,800	1,886	1,886	-
Penalties	-	-	13	13
Other Operating Revenues	-	-	700	700
Judgements and Fines	-	-	283	283
Developer Contribution	1,958,270	979,135	200,000	(779,135)
Lien Search Fee	-	-	903	903
<b>TOTAL REVENUES</b>	<b>4,033,900</b>	<b>2,221,907</b>	<b>1,905,960</b>	<b>(315,947)</b>
<b>EXPENDITURES</b>				
<b>Legislative</b>				
Mayor/Council Stipend	204,000	102,000	102,000	-
FICA Taxes	15,600	7,803	7,803	-
ProfServ-Legislative Expense	24,000	-	-	-
Public Officials Insurance	3,900	3,500	3,500	-
Misc-Election Fee	-	-	360	(360)
Misc-Event Expense	75,000	-	-	-
Council Expenses	20,000	10,000	4,968	5,032
<b>Total Legislative</b>	<b>342,500</b>	<b>123,303</b>	<b>118,631</b>	<b>4,672</b>

**Statement of Revenues, Expenditures and Changes in Fund Balances**  
For the Period Ending March 31, 2020

ACCOUNT DESCRIPTION	AMENDED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<b><u>City Manager</u></b>				
ProfServ-Info Technology	165,600	82,800	70,509	12,291
ProfServ-Compliance Service	50,000	-	-	-
ProfServ-Consultants	88,800	4,300	4,300	-
Contracts-Admin. Service	158,700	79,350	77,647	1,703
Contracts-City Manager	254,600	127,300	124,582	2,718
Telephone, Cable & Internet Service	23,100	11,550	10,790	760
Lease - Building	500	500	500	-
Insurance (Liab,Auto,Property)	4,000	3,620	3,620	-
Misc-Public Relations	50,000	1,244	1,244	-
General Government	47,900	274	274	-
Office Supplies	17,100	8,550	6,610	1,940
Cleaning Services	38,400	19,200	18,762	438
Dues, Licenses, Subscriptions	5,300	3,673	3,673	-
Cap Outlay - Office Computers	6,000	-	-	-
<b>Total City Manager</b>	<b>910,000</b>	<b>342,361</b>	<b>322,511</b>	<b>19,850</b>
<b><u>City Clerk</u></b>				
ProfServ-Web Site Maintenance	18,200	4,287	4,287	-
Contracts-City Clerk	125,100	62,550	61,214	1,336
Postage and Freight	1,400	700	448	252
Lease - Copier	36,800	18,400	41,372	(22,972)
Printing	14,300	7,150	3,465	3,685
Legal Advertising	24,100	12,050	17,438	(5,388)
Miscellaneous Services	-	-	727	(727)
<b>Total City Clerk</b>	<b>219,900</b>	<b>105,137</b>	<b>128,951</b>	<b>(23,814)</b>
<b><u>Finance</u></b>				
Auditing Services	3,400	-	-	-
Contracts-Finance	92,700	46,350	45,419	931
<b>Total Finance</b>	<b>96,100</b>	<b>46,350</b>	<b>45,419</b>	<b>931</b>
<b><u>Legal Counsel</u></b>				
ProfServ-Legal Services	380,600	190,300	212,215	(21,915)
<b>Total Legal Counsel</b>	<b>380,600</b>	<b>190,300</b>	<b>212,215</b>	<b>(21,915)</b>



**Statement of Revenues, Expenditures and Changes in Fund Balances**  
For the Period Ending March 31, 2020

ACCOUNT DESCRIPTION	AMENDED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<b><u>Comprehensive Planning</u></b>				
ProfServ-Engineering	175,400	87,700	118,823	(31,123)
ProfServ-Planning/Zoning Board	241,700	120,850	113,668	7,182
ProfServ-Building Permits	725,400	362,700	430,019	(67,319)
<b>Total Comprehensive Planning</b>	<b>1,142,500</b>	<b>571,250</b>	<b>662,510</b>	<b>(91,260)</b>
<b><u>Community Services</u></b>				
Contracts-Sheriff	677,000	338,500	325,000	13,500
R&M-Parks	50,000	-	-	-
R&M-Community Maintenance	26,700	13,350	13,350	-
Operating Supplies	15,000	7,500	6,121	1,379
<b>Total Community Services</b>	<b>768,700</b>	<b>359,350</b>	<b>344,471</b>	<b>14,879</b>
<b><u>Road and Street Facilities</u></b>				
Electricity - General	45,000	22,500	24,453	(1,953)
<b>Total Road and Street Facilities</b>	<b>45,000</b>	<b>22,500</b>	<b>24,453</b>	<b>(1,953)</b>
<b><u>Other Fees and Charges</u></b>				
Misc-Contingency	28,600	1,122	1,122	-
<b>Total Other Fees and Charges</b>	<b>28,600</b>	<b>1,122</b>	<b>1,122</b>	<b>-</b>
<b><u>Reserves</u></b>				
Reserve - Buildings	100,000	-	-	-
<b>Total Reserves</b>	<b>100,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL EXPENDITURES &amp; RESERVES</b>	<b>4,033,900</b>	<b>1,761,673</b>	<b>1,860,283</b>	<b>(98,610)</b>
Excess (deficiency) of revenues				
Over (under) expenditures	-	460,234	45,677	(414,557)
Net change in fund balance	\$ -	\$ 460,234	\$ 45,677	\$ (414,557)
<b>FUND BALANCE, BEGINNING (OCT 1, 2019)</b>	<b>204,715</b>	<b>204,715</b>	<b>204,715</b>	
<b>FUND BALANCE, ENDING</b>	<b>\$ 204,715</b>	<b>\$ 664,949</b>	<b>\$ 250,392</b>	

**Statement of Revenues, Expenditures and Changes in Fund Balances**  
For the Period Ending March 31, 2020

ACCOUNT DESCRIPTION	AMENDED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<b><u>REVENUES</u></b>				
Interest - Investments	\$ -	\$ -	\$ 5,257	\$ 5,257
Donations	150,000	75,000	346,863	271,863
<b>TOTAL REVENUES</b>	<b>150,000</b>	<b>75,000</b>	<b>352,120</b>	<b>277,120</b>
<b><u>EXPENDITURES</u></b>				
<b><u>Public Assistance</u></b>				
Misc-Admin Fee (%)	11,300	-	-	-
Assistance Program	138,700	-	-	-
<b>Total Public Assistance</b>	<b>150,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL EXPENDITURES</b>	<b>150,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
Excess (deficiency) of revenues Over (under) expenditures	-	75,000	352,120	277,120
Net change in fund balance	\$ -	\$ 75,000	\$ 352,120	\$ 277,120
<b>FUND BALANCE, BEGINNING (OCT 1, 2019)</b>	<b>681,372</b>	<b>681,372</b>	<b>681,372</b>	
<b>FUND BALANCE, ENDING</b>	<b>\$ 681,372</b>	<b>\$ 756,372</b>	<b>\$ 1,033,492</b>	

# **City of Westlake**

## **Supporting Schedules**

**March 31, 2020**

Cash and Investment Report

March 31, 2020

**GENERAL FUND**

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Maturity</u>	<u>Yield</u>	<u>Balance</u>
Checking Account - Operating	BankUnited	Checking Account	n/a	n/a	\$643,737
Money Market	BankUnited	MMA	n/a	0.02%	\$3,478
<b>Subtotal</b>					<b>\$647,215</b>

**SPECIAL REVENUE FUND**

Money Market	BankUnited	MMA	n/a	0.02%	\$925,796
<b>Subtotal</b>					<b>\$925,796</b>
<b>Total</b>					<b>\$1,573,011</b>

# City of Westlake

## Bank Reconciliation

Bank Account No. 0300 Bank United GF  
 Statement No. 0320  
 Statement Date 3/31/2020

<b>G/L Balance (LCY)</b>	643,736.88	<b>Statement Balance</b>	644,508.60
<b>G/L Balance</b>	643,736.88	<b>Outstanding Deposits</b>	49.12
<b>Positive Adjustments</b>	0.00		
	<hr/>		
<b>Subtotal</b>	643,736.88	<b>Subtotal</b>	644,557.72
<b>Negative Adjustments</b>	0.00	<b>Outstanding Checks</b>	820.84
	<hr/>	<b>Differences</b>	0.00
<b>Ending G/L Balance</b>	643,736.88	<b>Ending Balance</b>	643,736.88
<b>Difference</b>	0.00		

Posting Date	Document Type	Document No.	Description	Amount	Cleared Amount	Difference
<b>Outstanding Checks</b>						
3/26/2020	Payment	8196	OFFICE DEPOT	123.65	0.00	123.65
3/26/2020	Payment	8197	GREATAMERICA FINANCIAL SERVICES CO	337.19	0.00	337.19
3/26/2020	Payment	8199	FLORIDA ELECTIONS COMMISSION	360.00	0.00	360.00
<b>Total Outstanding Checks.....</b>				<b>820.84</b>		<b>820.84</b>
<b>Outstanding Deposits</b>						
3/30/2020		DEP01023	TRASH BIN PURCHASE	G/L Ac 49.12	0.00	49.12
<b>Total Outstanding Deposits.....</b>				<b>49.12</b>		<b>49.12</b>

# **City of Westlake**

**Check Register**

**March 1-31, 2020**

**Payment Register by Fund**  
**For the Period from 3/1/2020 to 3/31/2020**  
**(Sorted by Check / ACH No.)**

Fund No.	Check / ACH No.	Date	Payee	Invoice No.	Payment Description	Invoice / GL Description	G/L Account #	Amount Paid
<b>GENERAL FUND - 001</b>								
001	8163	03/02/20	LAW OFFICES OF PAM E. BOOKER, ESQ	2020-+3	3/20 LEGAL SVC.PLUS ELECTION SVC.INV.REIMB.	ProfServ-Legal Services	531023-51401	\$37,056.62
001	8164	03/02/20	T-MOBILE USA, INC.	02212020-3851	ACCT# 955763851 1/21-2/20/2020	Telephone, Cable and Internet Services	541016-51306	\$228.15
001	8165	03/02/20	CHEN MOORE & ASSOCIATES, INC.	0000137894	ENGINEERING SERVICE 1/1-1/31/2020	ProfServ-Engineering	531013-51501	\$15,859.11
001	8166	03/02/20	OFFICE DEPOT	46530405001	MISC OFFICE SUPPLIES	Office Supplies	551002-51306	\$112.50
001	8166	03/02/20	OFFICE DEPOT	443592532001	CUPS	Office Supplies	551002-51306	\$34.76
001	8167	03/02/20	PBC SHERIFF'S OFFICE	65197	3/2020 LAW ENFORCEMENT	Contracts-Sheriff	534100-52902	\$54,166.67
001	8168	03/02/20	MARK L. DUBOIS	18264	CONSULTING SERVICE 2/17-2/27/2020	ProfServ-Consultants	531075-51306	\$400.00
001	8169	03/02/20	DAVID DELGADO	2884	CAT5 INSTALL	ProServ-Info Technology	531020-51306	\$228.50
001	8170	03/02/20	FPL	02039-022020	ACCT# 51575-02039 1/22-2/20/2020	Electricity-General	543006-54101	\$141.14
001	8171	03/02/20	NETONE TECHNOLOGIES, INC	8207	3/2020 PPD.BLOCK OF TIME INCL. OVERAGE	ProServ-Info Technology	531020-51306	\$1,687.50
001	8172	03/02/20	MILNER INC LEASE	67065394	SOFTWARE LEASE 2/15-3/14/2020	Lease-Copier	544008-51307	\$851.20
001	8172	03/02/20	MILNER INC LEASE	67065394	SOFTWARE LEASE 2/15-3/14/2020	Due from Other Districts	133500	\$212.80
001	8174	03/02/20	A&J BUSINESS SOLUTIONS INC	02252020	SHOULD NOT HAVE PAID FOR LOT 72P	Garbage/Solid Waste Revenue	343400	\$242.94
001	8177	03/03/20	GATEHOUSE WEST PALM BCH	100552954-02102020	NOTICE OF ORDINANCE 2020-01 2/10/2020	Legal Advertising	548002-51307	\$330.24
001	8177	03/03/20	GATEHOUSE WEST PALM BCH	100552959-02102020	NOTICE OF ORDINANCE 2020-02 2/10-2/24/20	Legal Advertising	548002-51307	\$247.68
001	8178	03/03/20	ADVANCED DISPOSAL	AD02292020	ADVANCED DISPOSAL FEES FOR 2/2020	Garbage/Solid Waste Revenue	343400	\$5,876.42
001	8179	03/17/20	GATE HOUSE WEST PALM BCH-ADV	35857-022720	NOTICE OF PLAN AMENDMENTS 2/27/2020	Legal Advertising	548002-51307	\$330.24
001	8180	03/19/20	AVATARA PARTNERS LLC	8816	3/20 CLOUD SERVICE	Due from Other Districts	133500	\$1,563.50
001	8180	03/19/20	AVATARA PARTNERS LLC	8816	3/20 CLOUD SERVICE	ProServ-Info Technology	531020-51306	\$4,908.50
001	8180	03/19/20	AVATARA PARTNERS LLC	8736	2/2020 CLOUD SERVICE	ProServ-Info Technology	531020-51306	\$4,690.50
001	8180	03/19/20	AVATARA PARTNERS LLC	8736	2/2020 CLOUD SERVICE	Due from Other Districts	133500	\$1,616.50
001	8181	03/19/20	A&J BUSINESS SOLUTIONS INC	03052020	TUG FEE LOT 35R MEADOWS ALREADY PAID 2/19/2020	Other Building Permit Fees	322111	\$150.00
001	8182	03/19/20	DAKIM, INC	118316	STAMPS(2)-Building	Office Supplies	551002-51306	\$60.00
001	8183	03/19/20	INFRAMARK, LLC	49738	3/2020 MANAGEMENT FEES	Contracts-City Manager	534381-51306	\$21,216.67
001	8183	03/19/20	INFRAMARK, LLC	49738	3/2020 MANAGEMENT FEES	Postage and Freight	541006-51307	\$31.10
001	8183	03/19/20	INFRAMARK, LLC	49738	3/2020 MANAGEMENT FEES	Printing	547006-51307	\$3.15
001	8183	03/19/20	INFRAMARK, LLC	49738	3/2020 MANAGEMENT FEES	ProfServ-Web Site Maintenance	531094-51307	\$377.67
001	8183	03/19/20	INFRAMARK, LLC	49738	3/2020 MANAGEMENT FEES	Contracts-Admin Service	534375-51306	\$13,225.00
001	8183	03/19/20	INFRAMARK, LLC	49738	3/2020 MANAGEMENT FEES	Contracts-City Clerk	534379-51307	\$10,425.00
001	8183	03/19/20	INFRAMARK, LLC	49738	3/2020 MANAGEMENT FEES	Contracts-Finance	534376-51308	\$7,725.00
001	8184	03/19/20	SEMINOLE IMPROVEMENT DISTRICT	03162020	MAINT PERSONNEL & STREETLIGHT REIMB	Due to Other Districts	206500	\$21,512.21
001	8185	03/19/20	NOVA ENGINEERING AND	0216160	PROFESSIONAL SERVICE 1/26-2/22/2020	ProfServ-Building Permits	531091-51501	\$67,991.25
001	8186	03/19/20	ECKLER ENGINEERING, INC.	20029	STATION 22 PLAN REVIEW 1/26-2/25/2020	ProfServ-Engineering	531013-51501	\$975.00
001	8187	03/19/20	OFFICE DEPOT	44964850001	MISC OFFICE SUPPLIES	Office Supplies	551002-51306	\$137.16
001	8187	03/19/20	OFFICE DEPOT	446532183001	YELLOW PRESENTATION FOLDERS	Office Supplies	551002-51306	\$14.19
001	8187	03/19/20	OFFICE DEPOT	449650971001	CHAIR BACK CUSHION(City Clerk)	Office Supplies	551002-51301	\$29.99
001	8187	03/19/20	OFFICE DEPOT	453018419001	MISC SUPPLIES	Office Supplies	551002-51306	\$79.33
001	8188	03/19/20	PBC FINANCE DEPARTMENT	02292020	IMPACT FEES 2/2020	Other Current Liabilities	229000	\$148,592.07
001	8189	03/19/20	MARK L. DUBOIS	18266	PROFESSIONAL SERVICE 3/2020	ProfServ-Consultants	531075-51306	\$400.00
001	8191	03/19/20	FED EX	6-945-94275	SERVICE FOR 2/25/2020	Postage and Freight	541006-51307	\$24.44
001	8192	03/19/20	TOTER, LLC	65651691	96 GAL BINS (100)	Operating Supplies	552025-52902	\$6,173.19
001	8193	03/19/20	FLORIDA TECHNICAL CONSULTANTS	856	10-WESTLAKE 10 PROJECT MANAGER	ProServ-Info Technology	531020-51306	\$3,855.00
001	8194	03/19/20	FLORIDA VENDORS ASSOCIATION	1219	BACK OFFICE/CHAMBERS CLEANING 2/7-2/28/20	Cleaning Services	551008-51306	\$2,340.00
001	8194	03/19/20	FLORIDA VENDORS ASSOCIATION	1218	MAIN OFFICE CLEANING 2/7-2/28/2020	Cleaning Services	551008-51306	\$600.00
001	8195	03/19/20	MILNER INC LEASE	67195102	COPIER LEASE 3/1-3/31/2020	Lease-Copier	544008-51307	\$855.20
001	8195	03/19/20	MILNER INC LEASE	67195102	COPIER LEASE 3/1-3/31/2020	Due from Other Districts	133500	\$213.80

**Payment Register by Fund**  
**For the Period from 3/1/2020 to 3/31/2020**  
**(Sorted by Check / ACH No.)**

Fund No.	Check / ACH No.	Date	Payee	Invoice No.	Payment Description	Invoice / GL Description	G/L Account #	Amount Paid
001	8196	03/26/20	OFFICE DEPOT	453033997001	ALEVE	Office Supplies	551002-51306	\$34.99
001	8196	03/26/20	OFFICE DEPOT	456989313001	MISC SUPPLIES	Office Supplies	551002-51306	\$88.66
001	8197	03/26/20	GREATAMERICA FINANCIAL SERVICES CORP	26665745	KONICA LEASE MARCH W/PENALTY	Lease-Copier	544008-51307	\$315.13
001	8197	03/26/20	GREATAMERICA FINANCIAL SERVICES CORP	26665745	KONICA LEASE MARCH W/PENALTY	Miscellaneous Services	549001-51307	\$22.06
001	8198	03/26/20	A&J BUSINESS SOLUTIONS INC	032420	REFUND TUG FEE FOR 5322 QUIET LAKE PL	Other Building Permit Fees	322111	\$150.00
001	8199	03/26/20	FLORIDA ELECTIONS COMMISSION	03182020-APRIL	ELECTION ASSESSMENT FEE	Misc-Election Fee	549021-51101	\$360.00
001	DD369	03/01/20	FPL	00227-021920	ACCT# 78436-00227 1/21-2/19/2020	Electricity-General	543006-54101	\$83.26
001	DD370	03/13/20	COMCAST	02222020-3484 ACH	ACCT# 8535 11 407 0673484 2/26-3/25/2020	Telephone, Cable and Internet Services	541016-51306	\$509.41
001	DD371	03/02/20	COMCAST	76842-020620 ACH	ACCT# 8535 11 407 0676842 2/10-3/9/2020	Telephone, Cable and Internet Services	541016-51306	\$385.22
001	DD376	03/17/20	FPL	03062020-89127 ACH	ACCT# 61367-89127 2/6-3/6/2020	Electricity-General	543006-54101	\$78.33
001	DD377	03/17/20	FPL	99121-030620 ACH	ACCT# 09796-99121 2/6-3/6/2020	Electricity-General	543006-54101	\$82.76
001	DD378	03/27/20	COMCAST	76842-030620 ACH	ACCT# 8535 11 407 0676842 3/10-4/9/2020	Telephone, Cable and Internet Services	541016-51306	\$385.22
001	DD379	03/17/20	COMCAST	74961-022620 ACH	ACCT# 8535 11 407 0674961 3/1-3/29/2020	Telephone, Cable and Internet Services	541016-51306	\$406.46
001	DD380	03/17/20	COMCAST	74953-022620 ACH	ACCT# 8535 11 407 0674953 3/1-3/29/2020	Telephone, Cable and Internet Services	541016-51306	\$250.05
001	DD381	03/30/20	FPL	00227-031920	ACCT# 78436-00227 2/19-3/19/2020	Electricity-General	543006-54101	\$79.66
001	DD383	03/04/20	CARD SERVICES CENTER ACH	0943-020720 ACH	PURCHASES FOR 1/15 THRU 2/3/2020	PBC GVRNMNT CTR PARKING -1/30	549109-51306	\$4.00
001	DD383	03/04/20	CARD SERVICES CENTER ACH	0943-020720 ACH	PURCHASES FOR 1/15 THRU 2/3/2020	RFND ON DO NOT ENTER SIGN NOT RCVD.-1/10	551002-51306	(\$27.90)
001	DD383	03/04/20	CARD SERVICES CENTER ACH	0943-020720 ACH	PURCHASES FOR 1/15 THRU 2/3/2020	FACC SEMINAR-CLERK	549109-51306	\$75.00
001	DD383	03/04/20	CARD SERVICES CENTER ACH	0943-020720 ACH	PURCHASES FOR 1/15 THRU 2/3/2020	MLK COORD.COMMITTEE	549170-51101	\$450.00
001	DD383	03/04/20	CARD SERVICES CENTER ACH	0943-020720 ACH	PURCHASES FOR 1/15 THRU 2/3/2020	AMAZON PRIME	554020-51306	\$13.09
001	DD383	03/04/20	CARD SERVICES CENTER ACH	0943-020720 ACH	PURCHASES FOR 1/15 THRU 2/3/2020	OFFICE SUPPLIES	551002-51306	\$73.97
001	DD383	03/04/20	CARD SERVICES CENTER ACH	0943-020720 ACH	PURCHASES FOR 1/15 THRU 2/3/2020	PALM BEACH POST	554020-51306	\$56.43
001	8175	03/09/20	PHILLIP D EVERETT	PAYROLL	March 09, 2020 Payroll Posting			\$2,909.27
001	DD372	03/09/20	KARA S. CRUMP	PAYROLL	March 09, 2020 Payroll Posting			\$2,784.77
001	DD373	03/09/20	KATRINA L. LONG	PAYROLL	March 09, 2020 Payroll Posting			\$2,784.77
001	DD374	03/09/20	ROGER B MANNING	PAYROLL	March 09, 2020 Payroll Posting			\$2,826.27
001	DD375	03/09/20	JOHN A. STANAVITCH	PAYROLL	March 09, 2020 Payroll Posting			\$2,867.77
							<b>Fund Total</b>	<b>\$455,840.54</b>

<b>Total Checks Paid</b>	<b>\$455,840.54</b>
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**File Attachments for Item:**

A. County facilities and services within the City of Westlake - Background and History

**Presented By** - Bryan Davis, Principal Planner | Palm Beach County Planning Division

# Central Western Palm Beach County

## BRIEF BACKGROUND AND HISTORY

Bryan Davis  
Principal Planner  
PBC Planning Division



# Background and Themes

- County efforts focused on feasibility of development in rural areas (late 1980s)
- Area lacked infrastructure and services
- Vast agricultural land areas, with limited existing and planned development
- Early 1990s: “Acreage” development takes off
- Inherent conflict between smaller “exurban” lots and larger agricultural tracts of land



# Central Western Communities (CWC) Sector Plan (1999-2007)

- **Guiding Principles:**
  - Preserve Rural Character and Preserve Open Space
  - Promote Sustainable and Livable Communities
  - Promote Environmental Sustainability
  - Manage Water Resources
  - Provide Adequate Services and Facilities
  - Minimize Traffic Impacts
  - Promote Economic Sustainability
  - Promote Fiscal Sustainability
- **County explored concepts to employ when large agriculture tracts sought development approvals.**



# Sector Plan Conceptual Overlay



**MAP LU 9.1  
CWC SECTOR PLAN  
CONCEPTUAL OVERLAY**

- 900 Acre Minimum RR Cluster Development Eligible Area
- 300 Acre Minimum RR Cluster Development Area
- Southern Boulevard Corridor 90 Acre Minimum RR Cluster Development Eligible Area
- General Desired Cluster Open Space
- Rural Residential
- Conservation/Park
- School Owned Property
- Potential Medical-Related Uses
- Commercial Recreation (Lion Country Safari)
- Employment Center
- Sector Plan Boundary
- Thoroughfare Map Roads & Other Local Roads
- Desired Equestrian Center (Also encouraged in all other CWC areas)

**Market Places (Generalized Locations)**

- New Traditional Marketplace
- Expanded Traditional Marketplace
- New Village Center
- Expanded Village Center

**Disclaimer:**  
This map is conceptual. It is meant to guide future efforts, showing possible build-out and open space scenarios within the Central Western Communities Sector Plan. The locations of developed areas, open space areas, and boundaries between developed areas and open space are not intended to be hard and set. They may be configured differently as the plan is refined and when development actually occurs.  
Notes: Round 05-1, Ord. TBD  
SOURCES: PBC Planning Division

**PALM BEACH COUNTY  
COMPREHENSIVE PLAN  
MAP SERIES**

Effective Date: \_\_\_\_\_  
Filename: N:\Map Series\MD\Adopted  
Contact: PBC Planning Dept.

**41**

**4**



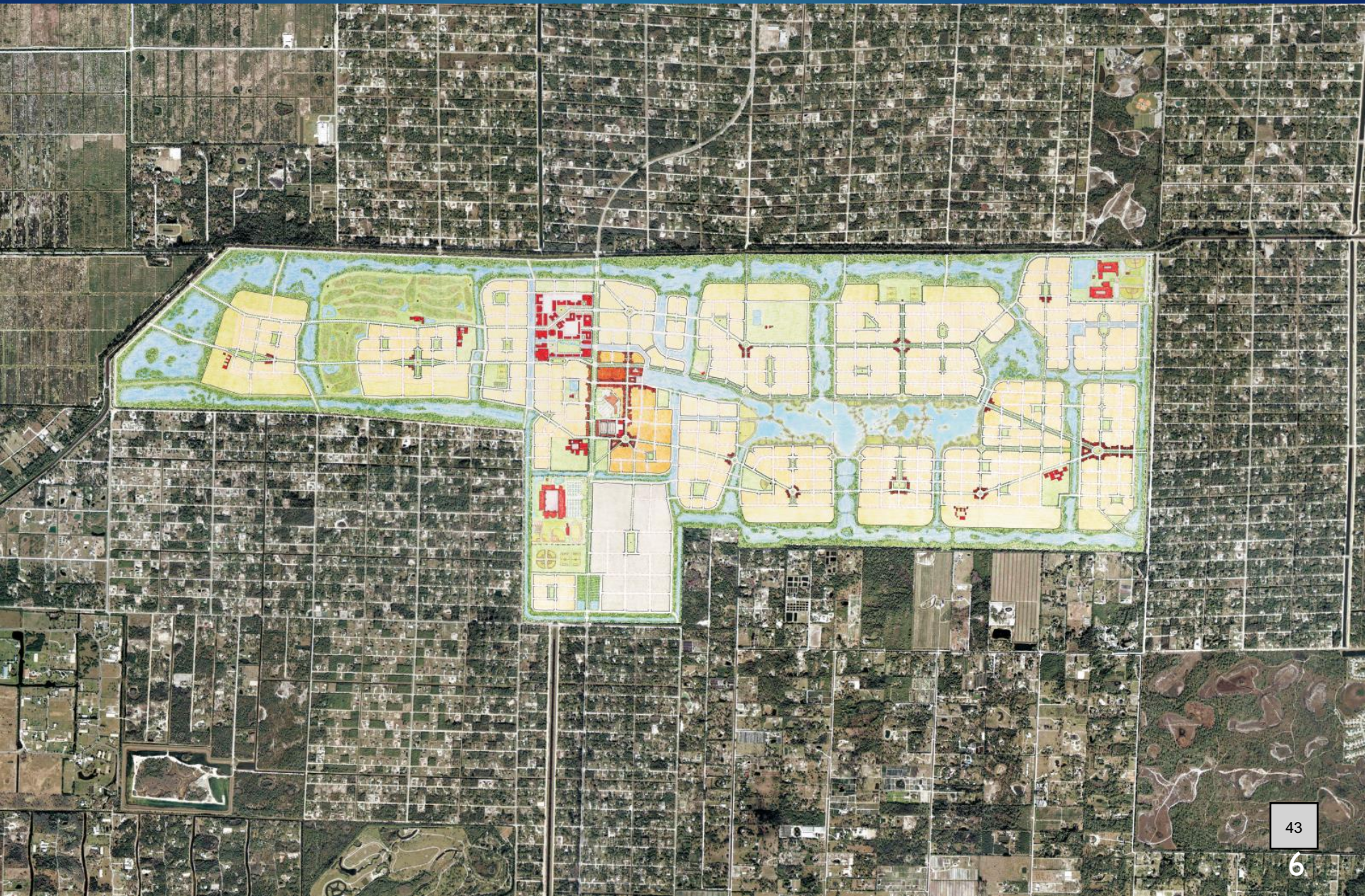
# Callery-Judge Groves DRI

- 2004-2007: Callery-Judge Groves Traditional Town Development (TTD) DRI
  - 10,000 dwelling units (2.55 units/acre)
  - 2.5 million square feet of non-residential uses
  - Proposed regional uses and large scale water use features
  - Extensive road network impacts
- *Staff alternative Recommendation:*
  - *4,708 dwelling units (1.2 units/acre max.)*
  - *Full non-residential use request*
  - *All other provisions of the Sector Plan Remedial Amendment performance standard concept at 1.2 units/acre*





# Callery-Judge Groves TTD DRI





# Callery Judge Groves Ag. Enclave – 2008

- Provision in statute to allow for “Agricultural Enclave”—unique process for existing agricultural sites meeting criteria could seek local development approval.
- Callery-Judge Groves Agricultural Enclave
  - County created a new Future Land Use designation (AGE) with specific policies and exemptions to address consistency with statute AND reflect that project’s proposal
  - Policy 3.5-d exemption (exemption from long range road network impacts)
  - Site Specific Amendment with Conditions
- Site Specific Amendment
  - 2,996 dwelling units (0.8 DU/acre)
  - 235,000 SF non-residential uses (215K SF Retail; 20K SF Office)
  - Note East connection to Persimmon ONLY

To date, only approved Ag. Enclave in Florida





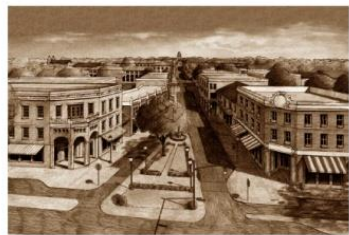
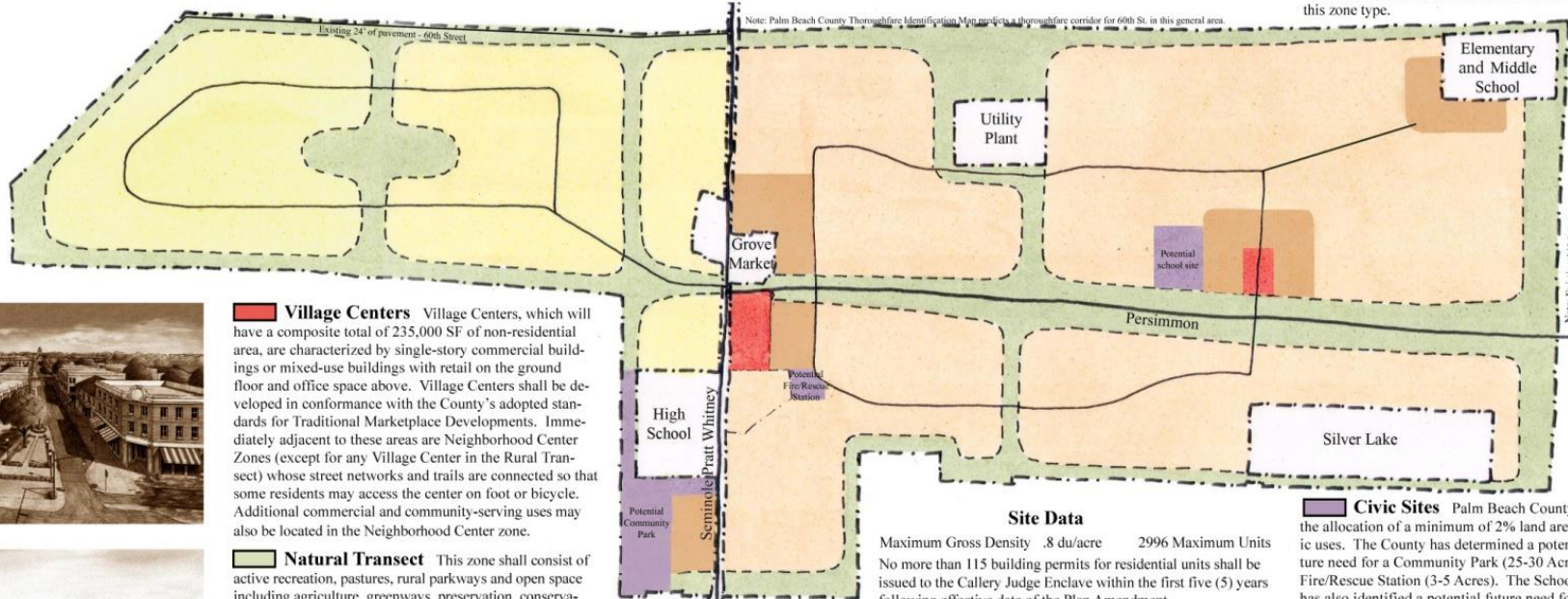
# The Varying Character and Intensity of Development for Callery-Judge Grove



**Rural Transect** The Rural Transect is intended to be an equestrian zone and is restricted to the area West of Seminole-Pratt Whitney Road. It is characterized by "horse hamlets" with predominately multi-acre lots which are large enough for equestrian activities and small-scale agriculture. Roads are detailed as country lanes and lots would be developed mostly as gracious estates with rustic outbuildings. Equestrian centers will make the horse lifestyle an option even for those who have one of the very few smaller lots at the center of the "horse hamlets". Commercial recreational facilities and a village center may also be located within this area.

**Sub-urban Transect, Neighborhood Edge Zone and Neighborhood General Zone** This zone to the east of Seminole-Pratt Whitney Road contains lower density residential areas, with the possibility of small-scale, neighborhood-serving retail. There are larger lots at the neighborhood edge zone, though generally not as large as those found in the equestrian zone. Each neighborhood will have a green or park, and a network of streets will allow most residents to live within a 5-10 minute walk of a green space.

**Sub-urban Transect, Neighborhood Center Zone** A sub area within the Sub-urban Transect is designated Neighborhood Center Zone. Areas designated Neighborhood Center Zone are located within appropriate walking distances of schools and markets. These areas shall contain a minimum gross density of 4 units/acre. A minimum of 20% of the Enclave's units will be clustered within this zone type.



**Village Centers** Village Centers, which will have a composite total of 235,000 SF of non-residential area, are characterized by single-story commercial buildings or mixed-use buildings with retail on the ground floor and office space above. Village Centers shall be developed in conformance with the County's adopted standards for Traditional Marketplace Developments. Immediately adjacent to these areas are Neighborhood Center Zones (except for any Village Center in the Rural Transect) whose street networks and trails are connected so that those residents may access the center on foot or bicycle. Additional commercial and community-serving uses may also be located in the Neighborhood Center zone.



**Natural Transect** This zone shall consist of active recreation, pastures, rural parkways and open space including agriculture, greenways, preservation, conservation, wetlands, passive recreation, landscaping, landscape buffers, water management tracts and wellfields. The Natural Transect shall provide separation as well as interconnectivity to Natural Transect areas within and between neighborhoods of the Rural and Suburban Transects. This portion of Natural Transect is not depicted on this conceptual plan. The Natural Transect shall cumulatively comprise a minimum of 40% of the overall land area. Ownership and management of these lands can be via property owner association(s), home owner association(s), non-profit organization(s), and/or special district or other government agency.

## Site Data

Maximum Gross Density .8 du/acre 2996 Maximum Units  
No more than 115 building permits for residential units shall be issued to the Callery Judge Enclave within the first five (5) years following effective date of the Plan Amendment.

Transect	Percent of Total Acreage		Units/Square Footage	
	Minimum	Maximum	Minimum	Maximum
Natural	40%	NA	0	0
Rural	20%	25%	150	300
Sub-Urban	0%	40%		
Edge and General Center	0%	35%	2096	2246
Civic Sites	0%	10%	600	NA
Village Centers	2%	NA	0	0
	NA	NA	235,000 SF	235,000 SF

**Civic Sites** Palm Beach County requires the allocation of a minimum of 2% land area for civic uses. The County has determined a potential future need for a Community Park (25-30 Acres) and a Fire/Rescue Station (3-5 Acres). The School District has also identified a potential future need for up to 30 acres for a potential School Site. The Conceptual Plan depicts the general locations of these uses. Palm Beach County and the Owner of the property shall enter into an Agreement which provides for determination of need, final configuration, and timing of dedication of these sites prior to the approval of the first development order. Any remaining Civic Dedications needed to meet the minimum 2% land area shall be located in the Suburban Transect and allocated to meet residential needs throughout the project determined at the time of individual development approvals.

## CALLERY-JUDGE GROVE CONCEPTUAL PLAN

Loxahatchee, Florida  
August 2008

Note: Locations and configurations of proposed land uses, roads, lakes, neighborhood greenways and buffers are illustrated for conceptual purposes and not to scale. It remains in the general locations shown on the Conceptual Plan. Final delineation during design and permitting. All site data and text contained on this Conceptual Plan is subject to change without amendment to the Future Land Use Atlas of the Comprehensive Plan.

# “Minto West” 2013-14

- July 2014 modified request:
  - Increase 1,550 units (0.4 DU/acre increase)
    - Bringing total to 4,546 units
  - Address Land Use Imbalances in Area
    - Add 285,000 SF of “Retail” uses (500,000 SF total)
    - Add 430,000 SF of “Office” uses (450,000 SF total)
    - Add 450,000 SF of “Light Industrial”
    - Add 600,000 SF of “Research & Development”
    - Add 200,000 SF of “Civic” uses
    - 3,000 student college
    - 150 room hotel
- Open Space: min. 55%, increased almost 600 acres





# Public Benefits—Basis for PBC Approval (2014)

- 10% of all units to be provided as Workforce Housing
  - 455 Workforce Housing Units (60% to 120% Average Median Income Ranges)
- Extensive Trail networks proposed for equestrian, bicycle and pedestrian use; including M-2 Canal trail to Southern Blvd.
- Address Regional Water issues
  - Regional Water Storage for up to 250 Acres of Lake Area
- Provided more than 2,000 acres as Open Space
- Civic/Government Use allocations:
  - Over 200 acres of public parks proposed (including County District Park)
  - 200,000 square feet of civic/institutional use
  - Provided land for multiple civic sites and functions
- Roadway Improvements proposed
  - Seminole Pratt-Whitney Road, 60<sup>th</sup> Street North, Persimmon Boulevard



# Prop Share Agreement

- Agreement between PBC & Developer guaranteeing road construction targets commensurate with specific development thresholds
- Resolution R-2014-1649 executed with Minto West approval on October 29, 2014
- Remains in effect
- Contributions mostly Road Impact Fee creditable
- Up to 11 contributions totaling approx. \$54M in 2014 dollars



# Prop Share Agreement, cont'd.

- Developer to widen Seminole Pratt Whitney Rd within development limits to 4-L section. 6-L, Persimmon Blvd - 60<sup>th</sup> St North
- Improvements to internal project roads and intersection/entrance not included, developer responsible
- Contributions made after October 2019 are subject to escalation calculation
- First contribution: \$7.98M due before 873 DU building permits issued



# Public Benefits—Basis for PBC Approval (2014)

## ■ Civic Site Land Dedications to Palm Beach County:

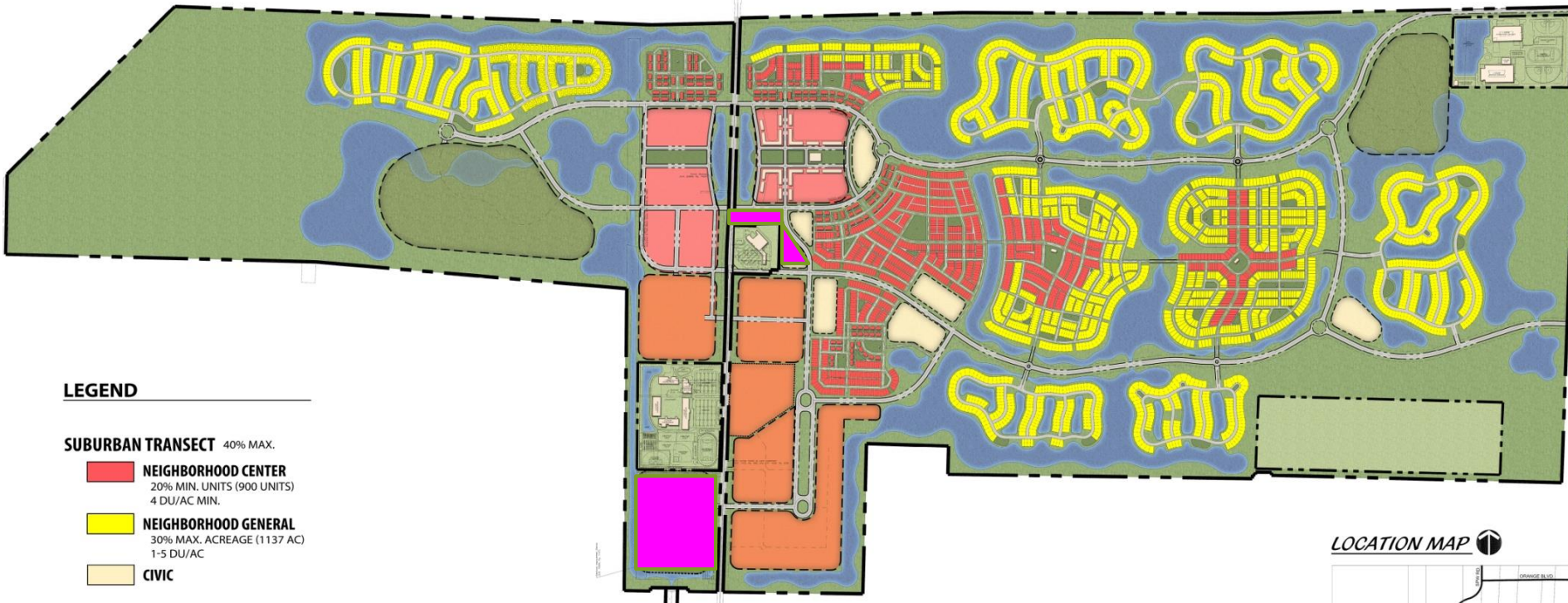
- POD C-1: Palm Beach County Fire Rescue Station (4.3 ac.)
- POD C-2: Government Use Site (6.3 ac.)
- POD C-4: County District Park (50 ac.)





# Civic Site Dedications

POD C-1: PBC Fire Rescue Station



POD C-4: PBC District Park

POD C-2: Government Services Use



**File Attachments for Item:**

B. County facilities and services within the City of Westlake - Planning Summary, Development Order, and Public Civic PODS/Facilities

**Presented By** - Audrey Wolf, Director | Palm Beach County Facilities Development & Operations Department



# CITY OF WESTLAKE

## PLANNING SUMMARY, DEVELOPMENT ORDER, AND PUBLIC CIVIC PODS/FACILITIES



**City Council Workshop**

**May 11, 2020**

# INTRODUCTIONS

AUDREY WOLF, DIRECTOR  
PALM BEACH COUNTY  
FACILITIES DEVELOPMENT & OPERATIONS DEPARTMENT (FD&O)

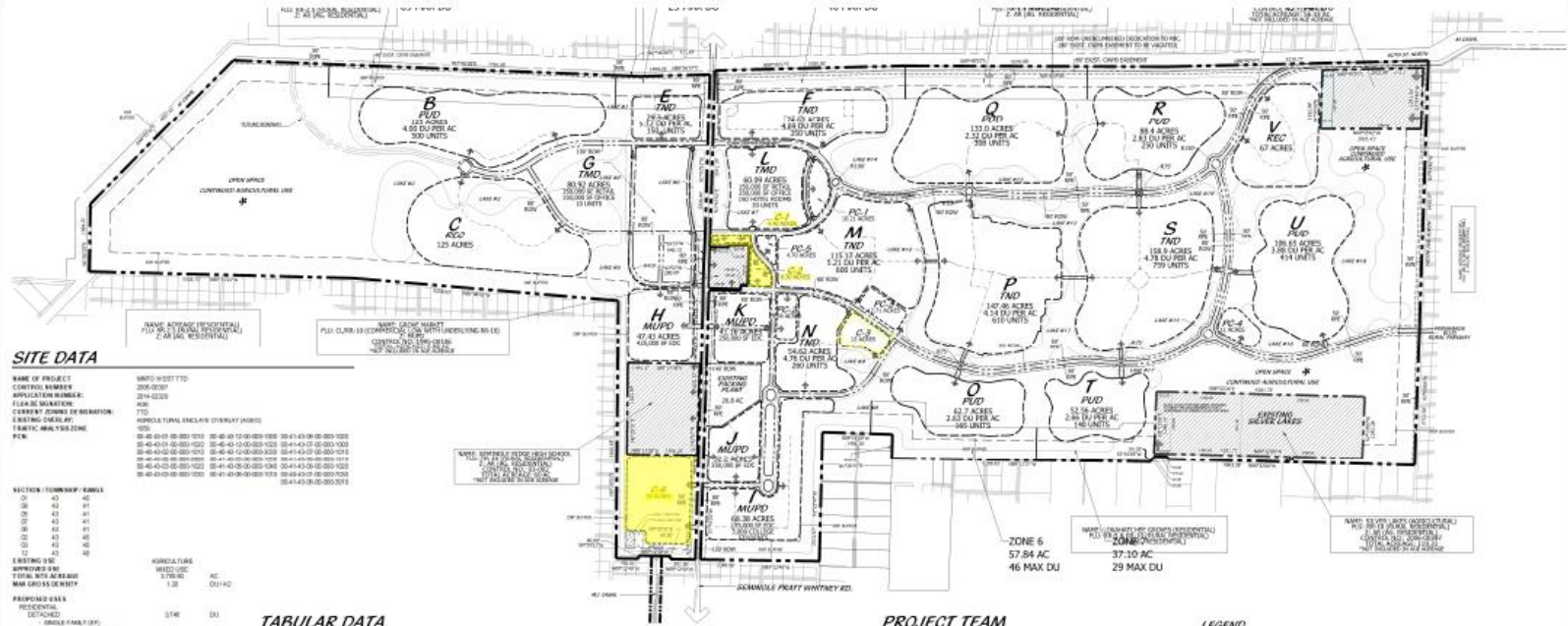
Isami Alaya-Collazo, Deputy Director, FD&O

Eric McClellan, Director FD&O Strategic Planning

# BACKGROUND

- Limited County real property holdings in the Central Western Communities
- Strategic real estate agreements with ITID
- Minto West application and Development Order (DO) presented the County an opportunity for local service delivery
- DO was highly negotiated with Minto toward a balance of land uses, services and infrastructure into the future

# MASTER PLAN



### SITE DATA

**NAME OF PROJECT:** MINTO WEST  
**CONTROL NUMBER:** 2014-0239  
**APPLICATION NUMBER:** 2014-0239  
**PLANNING BOARD:** 03-14-14  
**CURRENT ZONING DESIGNATION:** T10  
**EXISTING OWNER:** MINTO WEST  
**TRAFFIC ANALYSIS DATE:** PCL

**SECTION (TOWNSHIP - RANGE)**

08	42	41
08	42	41
08	42	41
08	42	40
08	42	40
08	42	40
08	42	40
08	42	40
08	42	40

**EXISTING USE:** AGRICULTURE  
**APPROVED USE:** RESIDENTIAL  
**FORMER ZONING:** R-10  
**MAN GRADE DEMYST:** 01/14/12

**PROPOSED USES:**

RESIDENTIAL	3746	DU
DETACHED		
SEMI-DETACHED		
2ND LOT LINE HOUSE (DL)		
ATTACHED		
TOWNSHIPS (TH)		
MULTI-FAMILY (MF)		
COMMERCIAL/INDUSTRIAL		
COMMERCIAL DEVELOPMENT CENTER		
PRIVATE CARE		
COLLEGE/UNIVERSITY		
HOTEL		

**LAND USES:**

REQUIRED CIVIL IMPROVEMENTS	40.00	0%
REPLANTING AND MAINTENANCE	10.00	0%
PUBLIC UTILITY IMPROVEMENTS	10.00	0%
PRIVATE CIVIL IMPROVEMENTS	10.00	0%
<b>NATURAL TRANSECT</b>	<b>98.8%</b>	<b>98.8%</b>
PROPOSED	98.8%	98.8%

**CONFORMANCE BASED ON THE CITY OF PALM BEACH APPROVED BY THE CONCEPTUAL PLAN:**

RESIDENTIAL	800.00	800.00
ATTACHED - TOWN SH-	200.00	200.00
DETACHED - SINGLE	400.00	400.00
DETACHED - DOUBLE	800.00	800.00
<b>TOTAL CAPACITY</b>	<b>1600.00</b>	<b>1600.00</b>

**CONFORMANCE BASED ON THE CITY OF PALM BEACH APPROVED BY THE CONCEPTUAL PLAN:**

RESIDENTIAL	800.00	800.00
ATTACHED - TOWN SH-	200.00	200.00
DETACHED - SINGLE	400.00	400.00
DETACHED - DOUBLE	800.00	800.00
<b>TOTAL CAPACITY</b>	<b>1600.00</b>	<b>1600.00</b>

### TABULAR DATA

PLOT	AG ENVELOPE				TOTAL SET				DENSITY			
	PERCENTAGE	IMPROVEMENT	% OF TOTAL	% OF TOTAL	PERCENTAGE	IMPROVEMENT	% OF TOTAL	% OF TOTAL	PERCENTAGE	IMPROVEMENT	% OF TOTAL	% OF TOTAL
A	100	100	100	100	100	100	100	100	100	100	100	100
B	100	100	100	100	100	100	100	100	100	100	100	100
C	100	100	100	100	100	100	100	100	100	100	100	100
D	100	100	100	100	100	100	100	100	100	100	100	100
E	100	100	100	100	100	100	100	100	100	100	100	100
F	100	100	100	100	100	100	100	100	100	100	100	100
G	100	100	100	100	100	100	100	100	100	100	100	100
H	100	100	100	100	100	100	100	100	100	100	100	100
I	100	100	100	100	100	100	100	100	100	100	100	100
J	100	100	100	100	100	100	100	100	100	100	100	100
K	100	100	100	100	100	100	100	100	100	100	100	100
L	100	100	100	100	100	100	100	100	100	100	100	100
M	100	100	100	100	100	100	100	100	100	100	100	100
N	100	100	100	100	100	100	100	100	100	100	100	100
O	100	100	100	100	100	100	100	100	100	100	100	100
P	100	100	100	100	100	100	100	100	100	100	100	100
Q	100	100	100	100	100	100	100	100	100	100	100	100
R	100	100	100	100	100	100	100	100	100	100	100	100
S	100	100	100	100	100	100	100	100	100	100	100	100
T	100	100	100	100	100	100	100	100	100	100	100	100
U	100	100	100	100	100	100	100	100	100	100	100	100
V	100	100	100	100	100	100	100	100	100	100	100	100

### PROJECT TEAM

**PROPERTY OWNER:** MINTO WEST  
**PROJECT MANAGER:** MINTO WEST  
**LOCAL OFFICE (PALM BEACH, FLORIDA):** MINTO WEST  
**PHONE:** 561-975-8000

**TRAFFIC ENGINEER:** TRAFFIC ENGINEERING  
**PHONE:** 561-975-8000

**CIVIL ENGINEER:** CIVIL ENGINEERING  
**PHONE:** 561-975-8000

### LEGEND

- T10: TOWNSHIP (10 UNITS PER LOT)
- T20: TOWNSHIP (20 UNITS PER LOT)
- T40: TOWNSHIP (40 UNITS PER LOT)
- AWAYD/REC: AWAYD/REC (RESIDENTIAL)
- REC: RESIDENTIAL
- CPWB: CIVIL PUBLIC WORKS
- UNAPPROVED: UNAPPROVED
- NOT INCLUDED: NOT INCLUDED
- RVE: RIVER VALLEY ESTATE
- RESERVED: RESERVED
- UNAPPROVED: UNAPPROVED
- UNAPPROVED: UNAPPROVED
- UNAPPROVED: UNAPPROVED
- UNAPPROVED: UNAPPROVED
- UNAPPROVED: UNAPPROVED
- UNAPPROVED: UNAPPROVED

### LOCATION MAP



### DRO AMENDMENTS

**ZONING STAMP**  
**PROJECT #:** 05865-000  
**CONTROL #:** 2006-00397  
**APPLICATION #:** 2014-02329  
**RESOLUTION #:** R-2014-15646;  
**R-2014-1892; 2014-1647;**  
**2014-1648**

**EXHIBIT #:** 1  
**SUPERCEDES EXH#:** N/A  
**DATE APPROVED:** July 8, 2015  
**PROJECT MANAGER:** Carrie Rechenmacher

**AG ENVELOPE T10 POD LIMITATIONS**

DEVELOPER/TYPE	COMPOUND	LAND AREA	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE
T10/1	1.00	1.00	100	100	100	100
T10/2	1.00	1.00	100	100	100	100
T10/3	1.00	1.00	100	100	100	100
T10/4	1.00	1.00	100	100	100	100
T10/5	1.00	1.00	100	100	100	100
T10/6	1.00	1.00	100	100	100	100
T10/7	1.00	1.00	100	100	100	100
T10/8	1.00	1.00	100	100	100	100
T10/9	1.00	1.00	100	100	100	100
T10/10	1.00	1.00	100	100	100	100
T10/11	1.00	1.00	100	100	100	100
T10/12	1.00	1.00	100	100	100	100
T10/13	1.00	1.00	100	100	100	100
T10/14	1.00	1.00	100	100	100	100
T10/15	1.00	1.00	100	100	100	100
T10/16	1.00	1.00	100	100	100	100
T10/17	1.00	1.00	100	100	100	100
T10/18	1.00	1.00	100	100	100	100
T10/19	1.00	1.00	100	100	100	100
T10/20	1.00	1.00	100	100	100	100

**Cotleur & Hearing**  
 Landscape Architects  
 Land Planners  
 Environmental Consultants  
 1004 Commerce Lane  
 Suite 1  
 Jupiter, Florida 33450  
 561-747-0285 Fax: 561-747-1377  
 www.cotleurandhearing.com  
 Lic# LC-006029

## MINTO WEST FINAL MASTER PLAN PALM BEACH COUNTY, FL

DESIGNED	ENR
OWNER	AW
APPROVED	ENR
DATE	01-15-14
REVISION	03-24-14
03-24-14	03-24-14
03-24-14	03-24-14
11-19-14	03-24-14
03-24-14	03-24-14
03-24-14	03-24-14
03-24-14	03-24-14

Scale: 1" = 1,000'

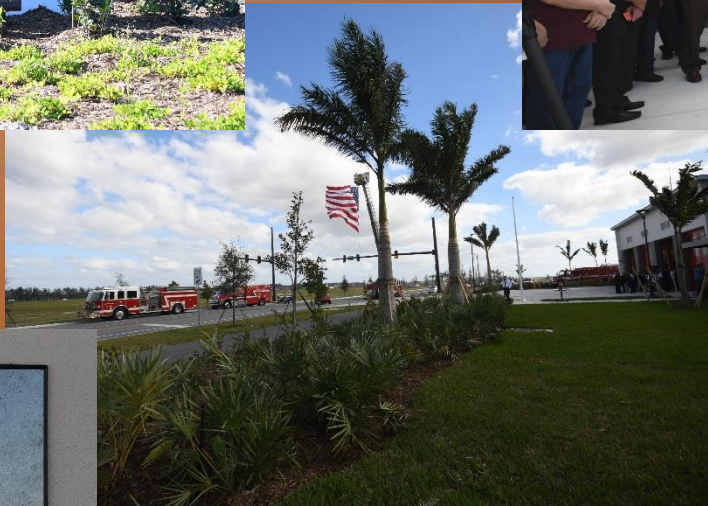
Sheet 15 of 15

56



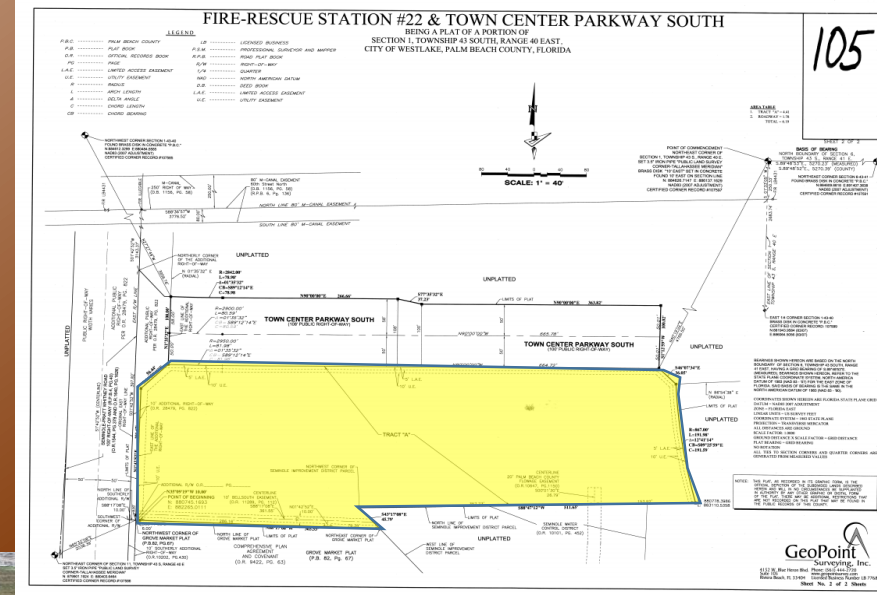
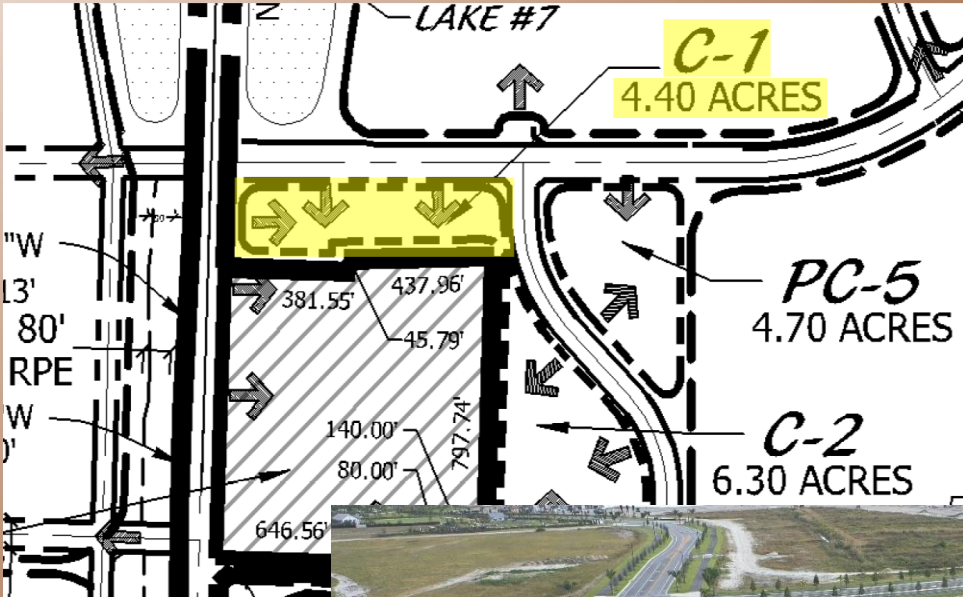
# POD C-1

## PBC Fire-Rescue Station No. 22

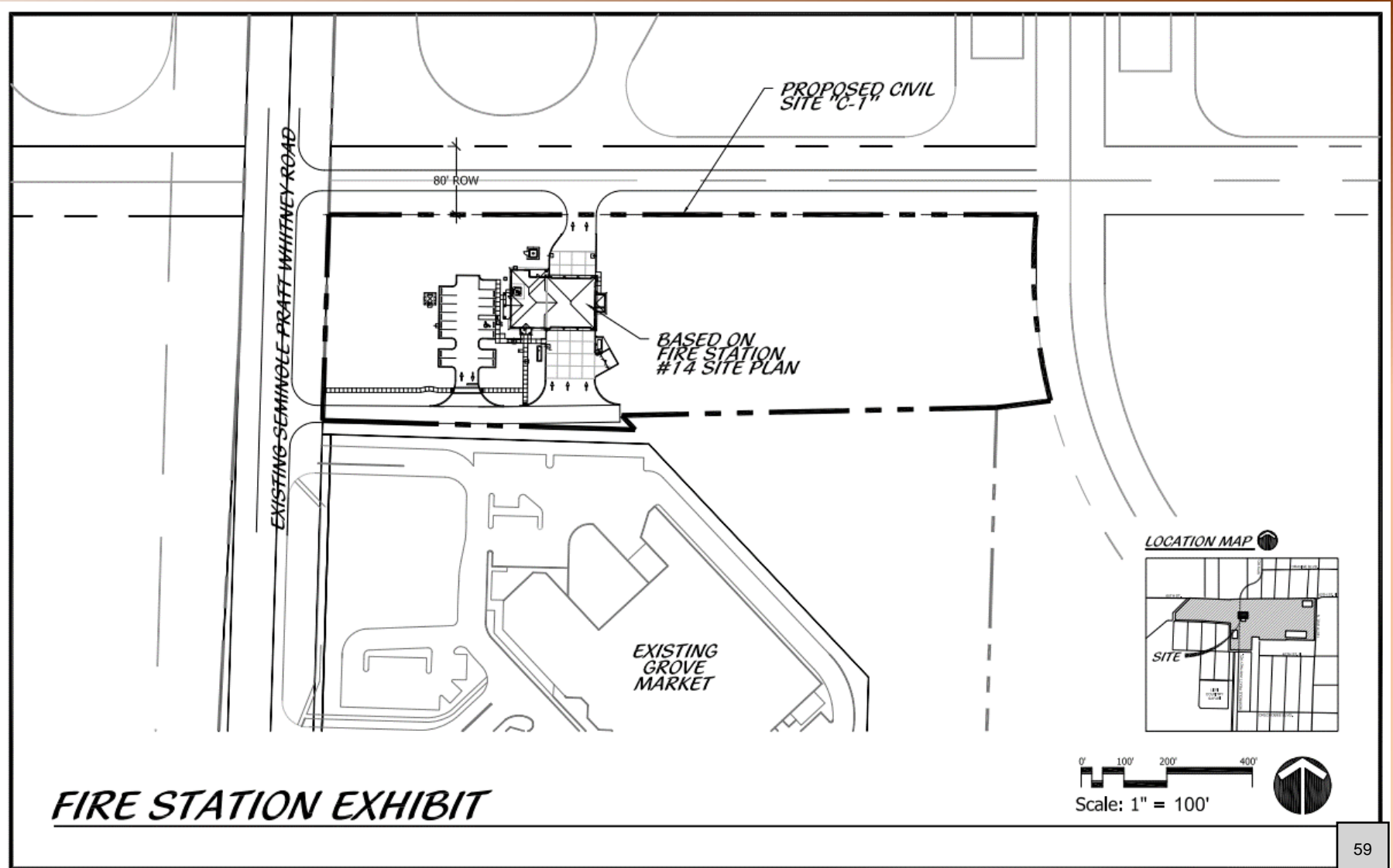




# POD C-1



# POD C-1 (Cont.)



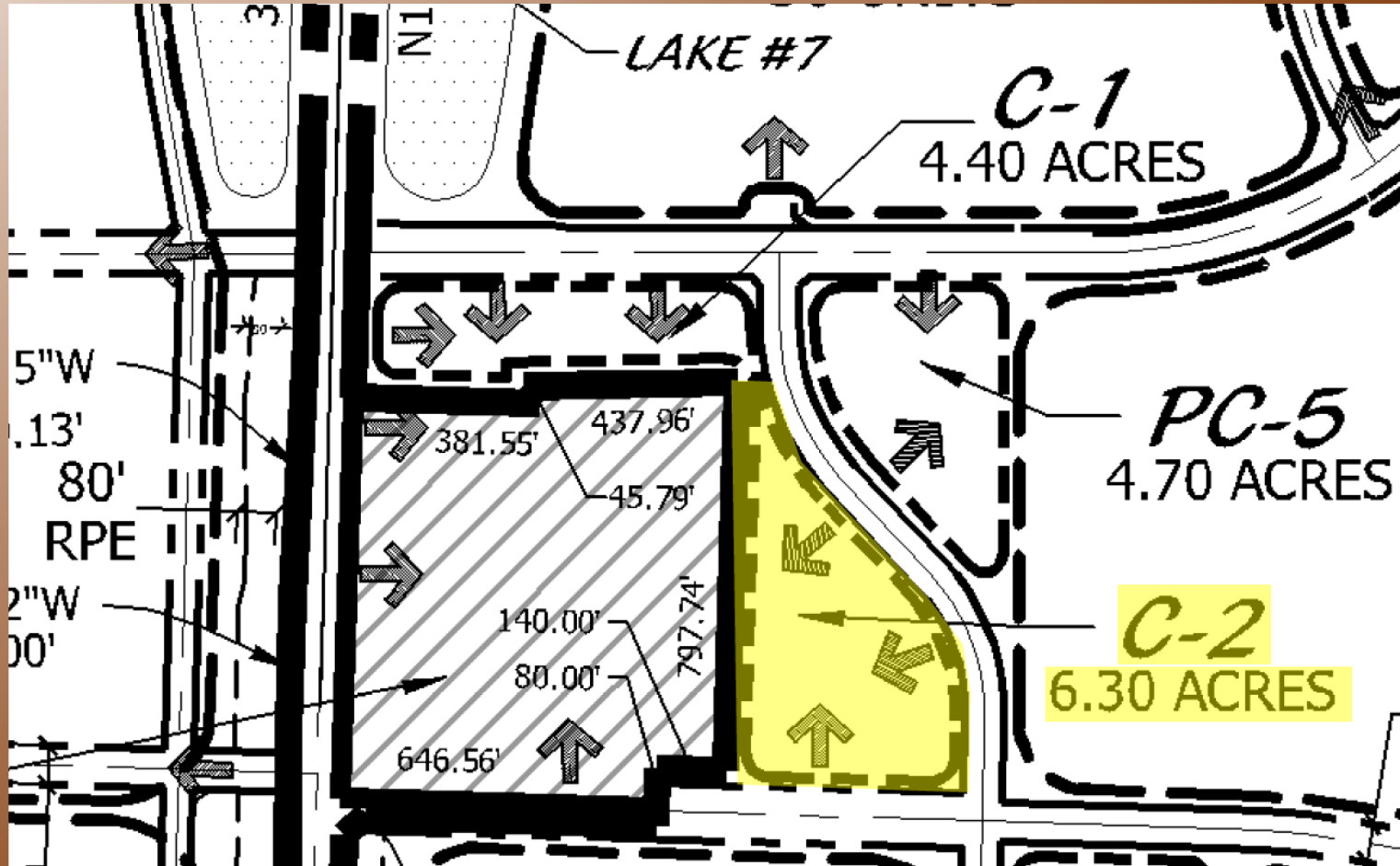


# POD C-1 Concept for Balance





# POD C-2



**CONVEYANCE NOW DUE 11/25/2020**

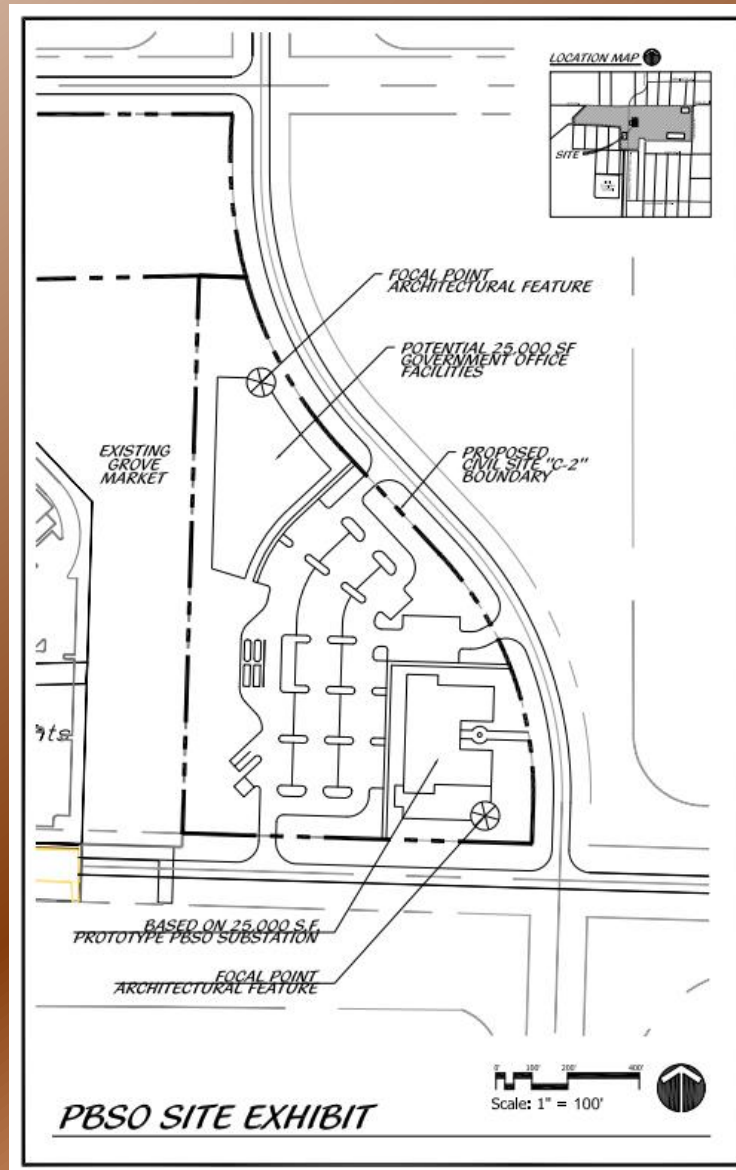
# POD C-2 (Cont.)

4. **RESOLVED.** Staff recommends that the proposed Pod C-2 be revised to achieve a square or rectangular configuration. The proposed triangular configuration presents limitations for any customary development program. Alternatively, this will be recommended as a condition of approval.

10. **COMMENT.** Staff recommends that sites C-1 and C-2 be combined into a larger and more cohesive public civic site, as opposed to two separate sites separated by a vacant/undesignated land area. Accordingly, an additional/second access point along the north property line of site C-1 and east property line of site C-2 is also recommended.

**Applicant Response:** Pods C-1 and C-2 have been revised on the PMP to eliminate separation between the pods. The applicant has also provided conceptual site plans demonstrating how the civic parcels may be developed for the intended purposes.

# POD C-2 (Cont.)





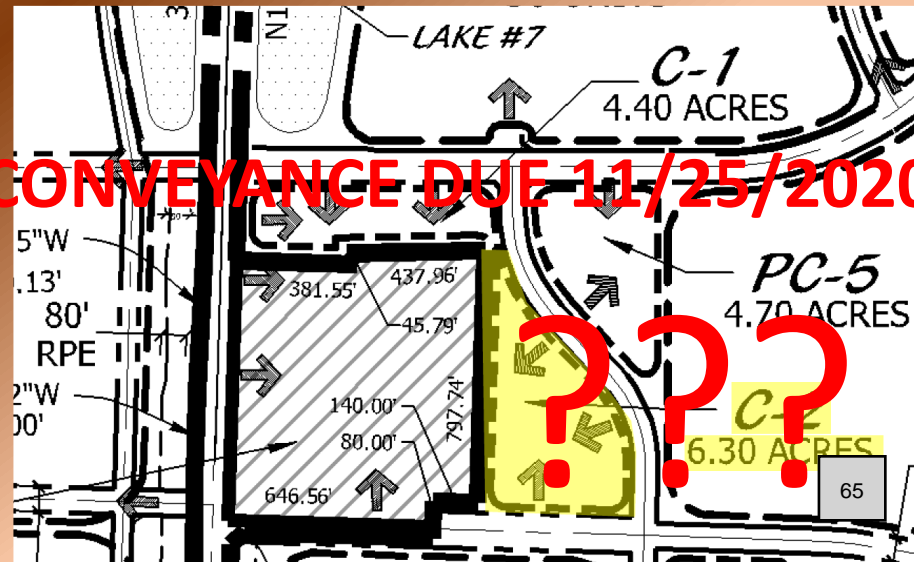
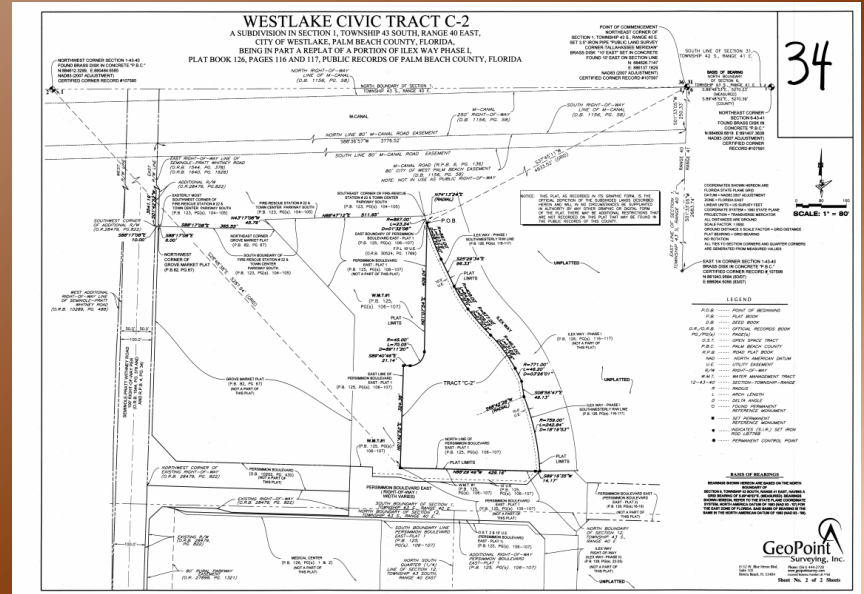
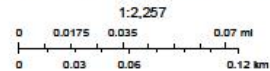


# POD C-2 (Cont.)

77-40-43-01-07-023-0012



March 27, 2020



**CONVEYANCE DUE 11/25/2020**

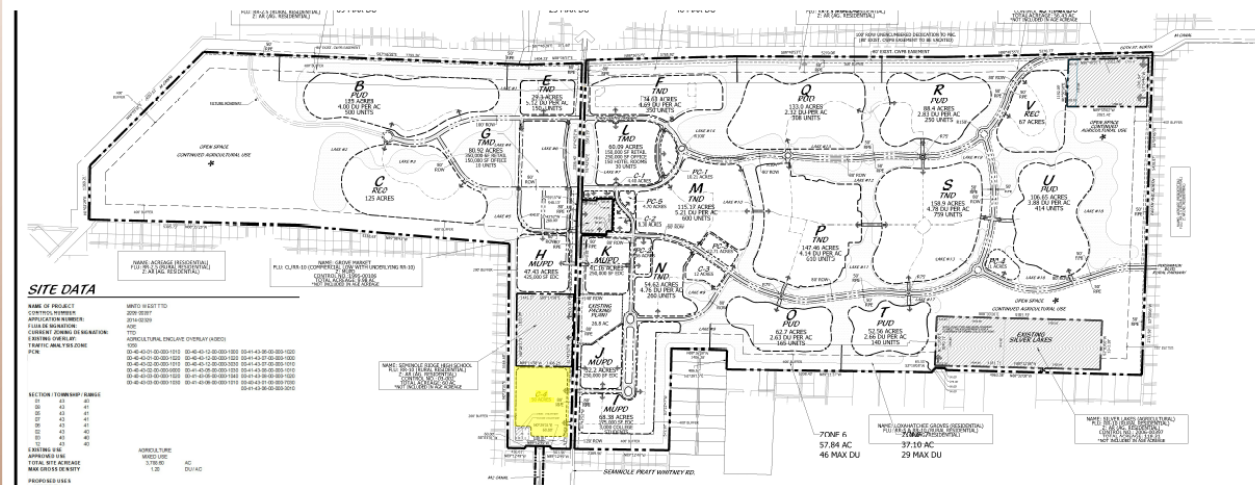
# POD C-4



**Cottleur & Hearing**

Landscape Architects  
Land Planners  
Landscape Consultants  
1934 Commerce Lane  
Suite 1000  
SFB 747-8336 Fax 747-1377  
www.cottleurhearing.com  
Lic# LC-039029

**MINTO WEST**  
FINAL MASTER PLAN  
PALM BEACH COUNTY, FL



### SITE DATA

NAME OF PROJECT	MINTO WEST T2
CONTROL NUMBER	2008-0038
APPLICANT NAME	AGS
AGS NUMBER	7712
PLANNING BOARD REFERENCE	
EXISTING DEVELOPER	AGS
PLANNING BOARD REVIEW DATE	

### TABULAR DATA

SECTION	AREAS		% OF TOTAL		TOTAL AC	TOTAL UNITS	DENSITY	MORSE DENSITY
	AGRICULTURAL	RESIDENTIAL	AGRICULTURAL	RESIDENTIAL				
1	0.00	0.00	0.00	0.00	0.00	0	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0	0.00	0.00

### PROJECT TEAM

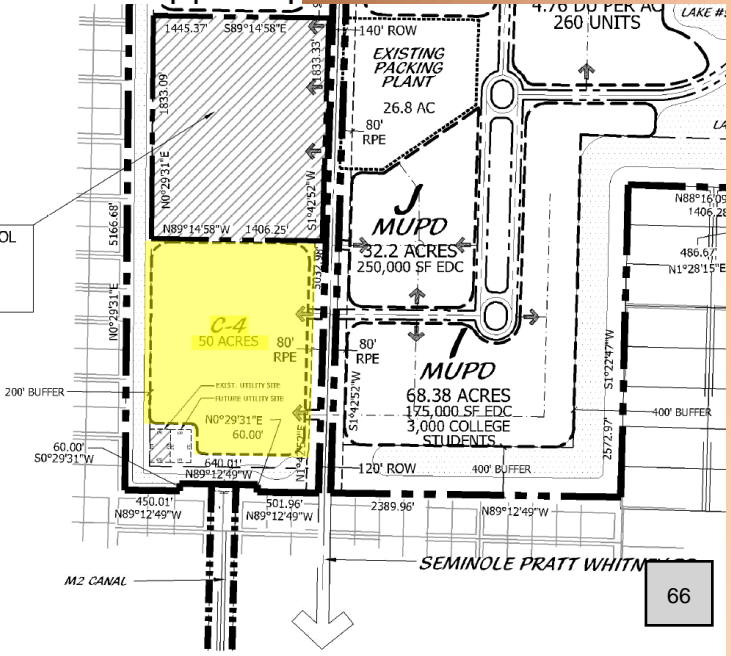
**PROPERTY OWNER:**  
MINTO DEVELOPMENT, L.P.  
SUNRISE, FLORIDA

**DESIGNER:**  
COTTLEUR & HEARING, L.L.C.  
PALM BEACH COUNTY, FLORIDA

**SITE PLANNER:**  
MICHAEL PAPER & ASSOCIATES  
220 S. OCEAN BLVD. SUITE 100  
WEST PALM BEACH, FLORIDA 33411  
TEL: 561-833-1100  
WWW.MPAPER.COM

**CIVIL ENGINEER:**  
MORSE ENGINEERING, L.L.C.  
1601 FOREST RD., SUITE 100  
WEST PALM BEACH, FLORIDA 33411  
TEL: 561-833-3300  
WWW.MORSE-ENR.COM

NAME: SEMINOLE RIDGE HIGH SCHOOL  
FLU: RR-10 (RURAL RESIDENTIAL)  
Z: AR (AG. RESIDENTIAL)  
CONTROL NO.: 03-002  
TOTAL ACREAGE: 60 AC  
\*NOT INCLUDED IN AGE ACREAGE



Conveyed to SID  
against County advice!

# PUBLIC FACILITIES REQUIRING FUTURE ACCOMMODATIONS

## High Probability

- ✓ PBSO District 15
- ✓ Fuel Island
- ✓ Youth Services

## Medium Probability

- Property Appraiser
- Supervisor of Elections
- BCC District 6
- Library System
- Building Division
- FL Health PBC
- PBC Fire-Rescue

## Low Probability

- Community Services
- Cooperative Extension
- Palm Tran
- PBC Fleet Management
- PBSO Fleet Management



# FUTURE OPTIONS



Conveyed to SID  
and  
Comp Plan Prohibits  
colocation with park!



# FUTURE OPTIONS (Cont.)



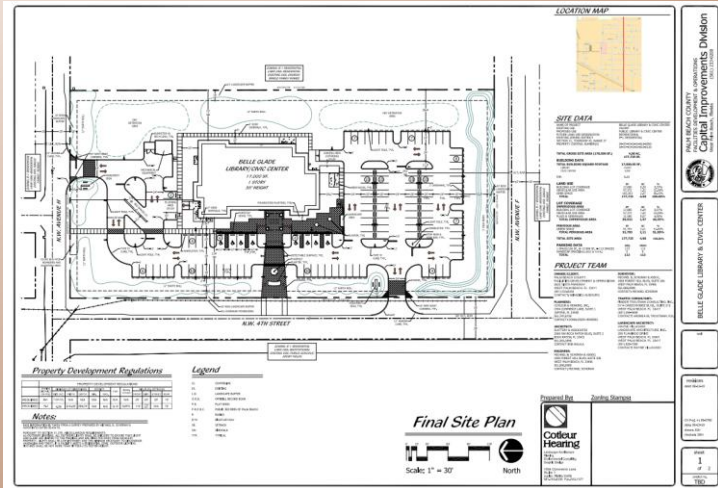


# FUTURE OPTIONS (Cont.)





# FUTURE OPTIONS (Cont.)



**PBC Belle Glade Library and Civic Center**



# PUBLIC CIVIC PODS/FACILITIES CONCLUSIONS

- Palm Beach County planned extensively with Minto on Civic Pods C-1, C-2 and C-4 in 2013-2014
- There are no changed conditions that justify a material change to the plans that the County and Minto mutually forged in 2014
- Palm Beach County remains the expressly identified recipient in all Development Order conditions for Pods C-1, C-2 and C-4
- The remaining +/-7.5 acres of land area (balance of Pod C-1 and Pod C-2) is all the County will have to deliver its future facilities for the City and region
- The remainder of Pod C-1 could be essential for a County fueling station
- Land conveyed (Pod C-1) and to be conveyed (Pod C-2) to the County is not adequate to fulfill County and City combined needs in a jointly planned arrangement of co-located public buildings

# CITY OF WESTLAKE

## PLANNING SUMMARY, DEVELOPMENT ORDER, AND PUBLIC CIVIC PODS/FACILITIES



**City Council Workshop**

**May 11, 2020**



**File Attachments for Item:**

A. Ordinance 2020-03 - Adoption Hearing - Second Reading Amending its Comprehensive Plan to Adopt by Reference an Updated 10-Year Water Supply Facilities Work Plan (Second Reading)

**Submitted and Presented By:** Denise Malone, Planning Manager, NZ Consultants

**ORDINANCE 2020-03 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT BY REFERENCE AN UPDATED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN INFRASTRUCTURE ELEMENT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>	May 11, 2020	<b>Submitted By:</b> Denise Malone	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>	City Council - Adoption Hearing - Second Reading to Adopt Ordinance 2020-03		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)	<b>Motion to approve Ordinance 2020-03 for the 2020 Water Supply Facilities Work Plan with associated Comprehensive Plan amendments, and to authorize the transmittal of adopted plan amendments to the State and Review Agencies as applicable.</b>		
<b>SUMMARY and/or JUSTIFICATION:</b>	<p>The Florida Legislature enacted bills in the 2002, 2004, 2005, 2011,2012, 2015, and 2016 sessions to address the state's water supply needs. These bills, in particular Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapters 163 and 373, F.S. by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between local land use planning and water supply planning.</p> <p>The purpose of the City of Westlake's 2020 Water Supply Facilities Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the City's jurisdiction over the next 10 years. Chapter 163, Part II, Florida Statutes (F.S.), requires local governments to prepare and adopt Work Plans into their comprehensive plans within 18 months after the South Florida Water Management District (District) approves a regional water supply plan or its update. The 2018 Lower East Coast Water Supply Plan Update was approved by the District's Governing Board November 8, 2018 and covers a planning horizon from 2016-2040.</p> <p>The State of Florida DEO and Review Agencies had no comment on the Transmitted documents as they identified no adverse impacts on State resources. Therefore, there were no changes made to the documents between the Transmittal Hearing and the Adoption Hearing other than to identify the adoption date.</p>		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>
	<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>
	<b>EXHIBIT(S): X</b>		<b>OTHER:</b>
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	<ol style="list-style-type: none"> <li>1. Ordinance 2020-03</li> <li>2. Exhibit 'A' 10 Year Water Supply Facilities Work Plan Document</li> <li>3. Exhibit 'B' Comprehensive Plan Amendments</li> </ol>		
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>		<b>ORDINANCE: X</b>

<p><b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b>  <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>	<p><b>AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT BY REFERENCE AN UPDATED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN INFRASTRUCTURE ELEMENT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.</b></p>	
<p><b>FISCAL IMPACT</b> <i>(if any):</i></p>	<p>There is No Fiscal Impact with this Item.</p>	<p>\$</p>

**ORDINANCE NO. 2020-03**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT BY REFERENCE AN UPDATED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN INFRASTRUCTURE ELEMENT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, the State Legislature of the State of Florida has mandated that all municipalities adopt comprehensive plans to regulate development and planning with regard to land within their corporate limits; and

**WHEREAS**, all amendments to the comprehensive development plan must be adopted in accordance with detailed procedures which must be strictly followed; and

**WHEREAS**, Subsection 163.3167(9), Florida Statutes, requires each local government to address in its Comprehensive Plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period; and

**WHEREAS**, Subsection 163.3177(4)(a), Florida Statutes, requires the City to coordinate its local Comprehensive Plan with the South Florida Water Management District's regional water supply plan; and

**WHEREAS**, Subsection 163.3177(6)(c), Florida Statutes, requires local governments to prepare and adopt a 10-Year Water Supply Work Plan and to amend their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update; and

**WHEREAS**, the South Florida Water Management District approved its Lower East Coast Water Supply Plan Update on November 8, 2018; and

**WHEREAS**, the City of Westlake has worked in conjunction with Palm Beach County who is the designated regional supplier of potable water for portions of Palm Beach County, including the City of Westlake and worked in conjunction with Palm Beach County so as to remain consistent with the Palm Beach County Plan; and

**WHEREAS**, the City of Westlake, Florida, has carefully prepared amendments to its comprehensive plan pursuant to sub-section 163.3177(6)(c), Florida Statutes, in order to adopt amendments or revisions in conformance with the adopted Work Plan; and

**WHEREAS**, the City of Westlake has held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the State Land Planning Agency, Department of Economic Opportunity and after the proposed amendment of the plan was returned to the City of Westlake, in accordance with Chapter 163.3184, Florida Statutes; and

**WHEREAS**, the City Council desires to adopt the updated Work Plan along with amendments to the current comprehensive plan to guide and control the future development of the City and to preserve, promote and protect the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WESTLAKE, FLORIDA, THAT:**

**Section 1:** The whereas clauses are hereby incorporated as true and correct findings of fact of the City Council.

**Section 2:** The City of Westlake hereby adopts by reference, the updated 10-Year Water Supply Work Plan which is attached hereto and incorporated herein as Exhibit "A". The City of Westlake's Comprehensive Plan is hereby amended by adopting water supply related amendments to its current Comprehensive Plan; which amendments are set forth in Exhibit "B" and made a part hereof. These amendments specifically amend by adding Objectives and Policies to its Infrastructure Element of the Comprehensive Plan.

**Section 3:** A copy of the Comprehensive Plan, as amended, shall be kept on file in the office of the City Clerk, City of Westlake, Florida.

**Section 4:** The Planning and Zoning Department is hereby directed to transmit three copies of the amendments hereby adopted to the State Land Planning Agency, Department of Economic Opportunity; the Treasure Coast Regional Planning Council, and to any other unit of local government who has filed a written request for a copy, within 10 working days after adoption, in accordance with Section 163.3184(3)(b), Florida Statutes.

**Section 5: Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 6: Severability.** Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 7: Effective Date.** The effective date of this ordinance amending the City's Comprehensive Plan shall be 31 days after the State Land Planning Agency notifies the City that the plan amendment package is complete. No development orders dependent on this



amendment may be issued or commence before the effective date of this ordinance. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless become effective by the City Council's adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency, Department of Economic Opportunity. If timely challenged, this amendment shall not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

**PASSED** this 9<sup>th</sup> day of March, 2020, on first reading.

**PUBLISHED** on this \_\_\_\_ day of February, 2020 in the Palm Beach Post.

**PASSED AND ADOPTED** this 11th day of May, 2020 on second reading.

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City of Westlake  
Roger Manning, Mayor

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Zoie Burgess, City Clerk

Approved as to form and Sufficiency

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Pam E. Booker, City Attorney

# EXHIBIT A



## 10-YEAR WATER SUPPLY FACILITIES WORK PLAN

Prepared by



and



Adopted May 11, 2020  
Ordinance 2020-03

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## 1.0 INTRODUCTION

The purpose of the City of Westlake’s Water Supply Facilities Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the City’s jurisdiction. Chapter 163, Part II, Florida Statutes (F.S.), requires local governments to prepare and adopt Work Plans into their comprehensive plans within 18 months after the South Florida Water Management District (District) approves a regional water supply plan or its update. *The 2018 Lower East Coast Water Supply Plan Update* was approved by the District’s Governing Board November 8, 2018 and covers a planning horizon from 2016-2040.

Residents of the City of Westlake obtain their water from the Seminole Improvement District (SID), which is responsible for ensuring enough capacity is available for existing and future customers. Water is supplied by Palm Beach County Water Utility Department (PBCWUD). The City has no areas of domestic self- supply.

The Work Plan references the initiatives already identified to ensure adequate water supply for the City of Westlake. According to state guidelines, the Work Plan and the City of Westlake’s Comprehensive Plan address the development of traditional and alternative water supplies, service delivery and conservation and reuse programs necessary to serve existing and new development for at least a 10-year planning period. The Work Plan covers a 10-year planning horizon to 2030 and is consistent with the City’s Comprehensive Plan (2023 and 2038) and the *2018 Lower East Coast Water Supply Plan Update (2040)* planning horizons.

The Work Plan is divided into six sections:

Section 1 – Introduction

Section 2 – Background Information

Section 3 – Data and Analysis

Section 4 – Work Plan Projects/Capital Improvement Element/Schedule

Section 5 – Goals, Objectives, and Policies

Section 6 – Maps

### 1.1 Statutory History

The Florida Legislature enacted bills in the 2002, 2004, 2005, 2011,2012, 2015, and 2016 sessions to address the state’s water supply needs. These bills, in particular Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapters 163 and 373, F.S. by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between local land use planning and water supply planning.

## 1.2 Statutory Requirements

The City of Westlake has considered the following statutory provisions when preparing this Water Supply Facilities Work Plan:

1. Coordinate appropriate aspects of the Comprehensive Plan with the applicable RWSP [Section 163.3177(4)(a), F.S.].
2. Ensure the Future Land Use Plan is based on availability of adequate water supplies and public facilities and services [Section 163.3177(6)(a), F.S.]. Data and analyses demonstrating that adequate water supplies and associated public facilities will be available to meet projected growth demands must accompany all proposed Future Land Use Plan and Plan amendments submitted for review.
3. In consultation with the water supplier, ensure adequate water supplies and potable water facilities are available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent [Section 163.3180(2), F.S.].
4. For local governments subject to an RWSP, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge element (the “Infrastructure element”) through a Comprehensive Plan amendment to:
  - a. Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the applicable RWSP, or alternative project(s) proposed by the local government under Section 373.709(8)(b), F.S. [Section 163.3177(6)(c), F.S.];
  - b. Identify the traditional and alternative water supply projects and the conservation and reuse programs necessary to meet water needs identified in the applicable RWSP [Section 163.3177(6)(c)3., F.S.]; and
  - c. Update the Work Plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities identified in the element as necessary to serve existing and new development [Sections 163.3177(6)(c)3. and (5), F.S.].
5. Revise the Five-Year Schedule of Capital Improvements to include water supply, reuse, and conservation projects and programs to be implemented during the 5-year period [Section 163.3177(3)(a)4., F.S.].
6. To the extent necessary to maintain internal consistency after making changes described in Paragraph 1 through 5 above, revise the Conservation element to assess projected water needs and sources for at least a 10-year planning period, considering the applicable RWSP and water use permit(s) [Section 163.3177(6)(d), F.S.]. The comprehensive plan must address the water supply sources necessary to meet the existing and projected water use demand for the

established planning period, considering the applicable RWSP [Section 163.3167(9), F.S.].

7. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination element to ensure consistency between the Comprehensive Plan and the applicable RWSP [Section 163.3177(6)(h)1., F.S.].
8. Local governments are required to comprehensively evaluate and update the Comprehensive Plan to reflect changes in local conditions every seven years. The evaluation could address the local government's need to update their Work Plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, and conservation and reuse programs are meeting local water use demands [Section 163.3191(3), F.S.].
9. Local governments may be exempt from updating their Work Plan if they meet certain criteria. A local government that does not own, operate, or maintain its own water supply facilities and is served by a public water supply entity with a permitted allocation of 300 million gallons per day or greater is not required to amend its Comprehensive Plan when an RWSP is updated if the local government uses less than 1 percent of the public water supply entity's total permitted allocation. However, the local government must cooperate with the public water supply entity that provides service within its jurisdiction and must keep the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge element up to date, pursuant to Section 163.3191, F.S. A local government should contact the Florida Department of Economic Opportunity (DEO) to verify its qualifications for the exemption [Section 163.3177(6)(c)4., F.S.].
10. Local governments with a Sector Plan adopted in accordance with Section 163.3245, F.S., should incorporate information from the adopted Sector Plan, Master Plan, and Detailed Specific Area Plan into the Work Plan. The focus should be on water needs, water supply and resource development, conservation measures, and intergovernmental coordination activities with the SFWMD and water supply development projects needed to address projected development in the Sector Plan area [Section 163.3245, F.S.].

### **1.3 Relevant Regional Issues**

As the State agency responsible for water supply in the Upper and Lower East Coast planning areas, the SFWMD plays a pivotal role in resource protection, through criteria used for Consumptive Use Permitting. As pressure increased on the Everglades ecosystem resource, the SFWMD Governing Board initiated rulemaking to limit increased allocations dependent on the Everglades system. As a result, the Regional Water Availability Rule was adopted by the Governing Board on February 15, 2007 as part of the SFWMD's water use permit program. This reduced reliance on the regional system for



future water supply needs, mandates the development of alternative water supplies, and increased water conservation and reuse.

The following are the regional issues identified for 2040 in the Lower East Coast Planning Region with potential impacts to water supply planning in Palm Beach County and includes Palm Beach County Water Utility Department responses:

1. Fresh surface water and groundwater are limited; further withdrawals could have impacts on the regional system, wetlands, existing legal uses, and saltwater intrusion. As a result, additional alternative water supplies need to be developed.
  - o Palm Beach County Water Utilities Department (PBCWUD) has a valid consumptive use permit (50-00135-W) through March 2023. The County has already embarked on a schedule to renew and modify this permit to meet future water supply demands over the planning period. Palm Beach County has an extensive reclaimed water system and will continue to aggressively expand its reclaimed water program. Reclaimed water may be used to replace existing consumptive use permits or act as an offset to increased consumptive use withdrawals. Additional identified sources include the Floridan aquifer system for either direct withdrawals, blending, or aquifer storage and recovery (ASR) and the C-51 Reservoir (Chapter 9).
2. Surface water allocations from Lake Okeechobee and the Water Conservation Areas are limited in accordance with the Lake Okeechobee Service Area RAA criteria.
  - o PBCWUD is not located within the Lake Okeechobee Service Area. It does not currently withdraw water from Lake Okeechobee or the Water Conservation Areas and is not planning on seeking an allocation from these sources in the future.
3. Construction of additional storage systems (e.g., reservoirs, aquifer storage and recovery systems) to capture wet season flow volumes will be necessary to increase water availability during dry conditions and attenuate damaging peak flow events from Lake Okeechobee.
  - o PBCWUD is not located within the Lake Okeechobee Service Area. The County is an active participant in Everglades restoration efforts as well the U.S. Army Corps of Engineers' Lake Okeechobee System Operating Manual (LOSOM) update. As discussed in Chapter 9, ASR is a potential option for future water supply.
4. Expanded use of reclaimed water is necessary to meet future water supply demands and the Ocean Outfall Law.
  - o As discussed in Chapter 8 of their Water Supply Plan, PBCWUD has an extensive reclaimed water program and has aggressively sought to expand it. A

planned Regional Reclaimed Water System Project with Broward County will help Broward eliminate ocean outfalls and provide reclaimed water to users in South Palm Beach County. PBCWUD has no ocean outfalls.

5. Expanded use of brackish groundwater from the Floridan aquifer system requires careful planning and wellfield management to prevent undesirable changes in water quality.
  - o PBCWUD has modified its current consumptive use permit to utilize the Floridan aquifer system for blending with its surficial withdrawals and supplement its allocation.

Additionally, the City, in coordination with the SID, will work to conserve water consumption by implementing Comprehensive Plan policies detailed later in this Plan, which support conservation of potable water and implementation of reuse water.

## 2.0 BACKGROUND INFORMATION

Included in this section is a brief overview of the City of Westlake, including information on land use and population.

### 2.1 Overview

The City of Westlake is located in Central Western Palm Beach County and was incorporated in 2016 pursuant to Section 165.0615, Florida Statutes.

Figure 2.1 City of Westlake Location Map



The City boundaries are coextensive with the jurisdiction of the Seminole Improvement District (SID), which was established in 1970 pursuant to Chapter 70-854, Laws of Florida, codified pursuant to Chapter 2000-431, Laws of Florida. SID is an independent special purpose government formerly known as the Seminole Water Control District, which consists of approximately 4,142 acres of land.

SID is empowered to construct and maintain a number of public works and utilities including water, sewer, drainage, irrigation, water management, parks, recreation facilities, roads and/or related activities. The majority of the property located within the SID boundary is comprised of the former Callery-Judge Groves property (CJG), which includes roughly 3,788 acres that was used for active agriculture for over 50 years. The SID service area also includes a utility site and a packing plant, and a separate agricultural area known as Silverlake. In addition, three school sites and a small shopping center site lie within the SID boundary.

## **2.2 Current and Future Service Area**

See attached Map 4.1, Utility Service Area Map, depicting current and future City boundaries served by SID.

Seminole Improvement District (City of Westlake): In June 2006 an Interlocal Agreement was executed between the County and SID (R2006-0732). The Agreement resolved the service area disputes by defining clear utility service area boundaries between SID and the County. Pursuant to Chapter 298, Laws of Florida, SID has the exclusive right to provide utility services within SID's legislative boundaries. Under the Agreement, SID will continue serving all of its existing customers but will be precluded from connecting any new customers outside of its legislative boundaries. Existing pipelines and customers located outside SID's boundaries will be transferred to the County over time. In addition to delineating service area territories, the Agreement named the County as SID's exclusive bulk utility service provider. The Agreement allows SID to reserve and purchase up to five (5) million gallons per day of bulk water and wastewater capacity over thirty (30) years. Other considerations afforded the County with this Agreement include: 1) the right of first refusal to acquire SID's retail Utility System, based upon a pre-determined valuation formula; and 2) the right to utilize existing road right-of-way along Seminole Pratt-Whitney Road for construction, operation, maintenance, and replacement of potable water, waste water, and reclaimed water pipelines. In May 2016, Seminole Improvement District abandoned their water treatment facilities and has continued to purchase bulk water from Palm Beach County Water Utilities Department.

## **3.0 DATA AND ANALYSIS**

The intent of the data and analysis section of the Work Plan is to describe information the City needs shall provide to state planning and regulatory agencies as part of future proposed comprehensive plan amendments, particularly those changing the Future Land Use Map (FLUM) to increase density and intensity.

### 3.1 Population Information

This section excerpts the population information population projections from the Future Land Use Element data and analysis supporting the City's comprehensive plan and the Seminole Improvement District. Additionally, updated population projections utilized by Palm Beach County in their Water Supply Facilities Plan update for the 10-year planning horizon are provided as well as population figures from the SFWMD 2018 LEC Water Supply Facilities Plan Update.

#### Population Projections Utilized for the City's Comprehensive Plan

Chapter 163.3177(1)(f)3, F.S., requires local government comprehensive plans to be based upon permanent and seasonal population estimates and projections, which shall either be those published by the Office of Economic and Demographic Research (OEDR) or generated by the local government based upon a professionally acceptable methodology. The OEDR issues the projections generated by the Bureau of Economic and Business Research (BEBR.) BEBR makes permanent population projections for counties, but not for municipalities or unincorporated areas. Neither OEDR nor BEBR make seasonal population projections.

Palm Beach County uses the BEBR medium permanent population projection to compute a projection for the unincorporated county. The total county BEBR projection is geographically divided and allocated to small geographic areas called Traffic Analysis Zones (TAZs). There are over 1,700 TAZs in Palm Beach County. The TAZs in each municipality and in the unincorporated area are then combined to make projections for each municipality and the unincorporated area. The allocation of population to each TAZ is based upon projections of dwelling units in each TAZ as well as other demographic factors such as vacancy and seasonal rates. The latest population projection and allocation for Palm Beach County was conducted in 2015 prior to the incorporation of the City (2015 Palm Beach County Population Allocation Model (2015-PBC-PAM).)

Palm Beach County's population grew from 1,131,184 in 2000 to 1,320,134 in 2010 (U.S. Census 2000 DP-1 and 2010 DP-1). The population change during this decade was very uneven, reflecting both population booms and busts due to both local and national economic conditions. BEBR's latest population estimate for 2017 is 1,414,246, representing an increase of 94,010 persons since 2010 which included an estimated increase of about 22,400 persons from 2016 to 2017. The county's population has grown each year since 2010. The County is projected to increase its population by 345,856 persons between 2017 and 2040, a 24.5% increase (BEBR FPS 180). Table 2.1 shows the latest BEBR projections through 2040 as well as the projections used in the 2015-PBC-PAM. The latest BEBR medium projections published in 2018 for the year 2035 is 25,000 persons higher than the previous BEBR medium projections relied upon by Palm Beach County in the 2015-PBC-PAM. The 2018 BEBR medium population projection is higher for every five-year increment from 2020 to 2045 than the previous year's BEBR projection. This substantially higher medium projection increases the projected demand for housing units in Palm Beach County over the course of the Westlake long term planning period.

**Table 3.1: Palm Beach County Population Projections**

	<b>2010 Census</b>	<b>2017</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>	<b>2040</b>
BEBR FPS-180	1,320,134	1,414,144	1,473,000	1,559,600	1,636,400	1,703,700	1,760,000
2015-PBC-PAM Projections			1,463,900	1,543,200	1,615,100	1,678,700	Not Available

*Source: University of Florida Bureau of Economic and Business Research, Population Projections (FPS 177), U.S. Census Bureau, 2010 Decennial Census, DP-1, 2015-PBC-PAM*

The TAZs associated with the City and the surrounding areas are shown in Figure 3.1. The 2015-PBC-PAM allocated 4,546 dwelling units associated with the Minto West plan amendment to four TAZs (#1593, #864, #1058, and #1079) for year 2030. As these dwelling units were associated with a specific development approval, no dwelling units were allocated to those portions of the City that are outside of the Minto West development area. The areas within the City that received no allocation of dwelling units include the 119-acre Silverlake property, the 10-acre Grove Marketplace, and the 27-acre packing plant parcel. The Plan allows residential development to occur in each of these areas. The larger geographic area where residential development may now occur, the longer extended planning timeframe to 2038 instead of 2030, and the increased 2018 BEBR medium county population projections, which shows 25,000 more persons than assumed in the 2015-PBC-PAM, supports additional development opportunities for dwelling units and associated population. Therefore, the City projects 6,500 units by the year 2038, which corresponds to the long-term planning period. This reflects a generally steady growth rate and considers growth trends in nearby cities. The densities established in the Future Land Use Element will accommodate the increase in dwelling units.

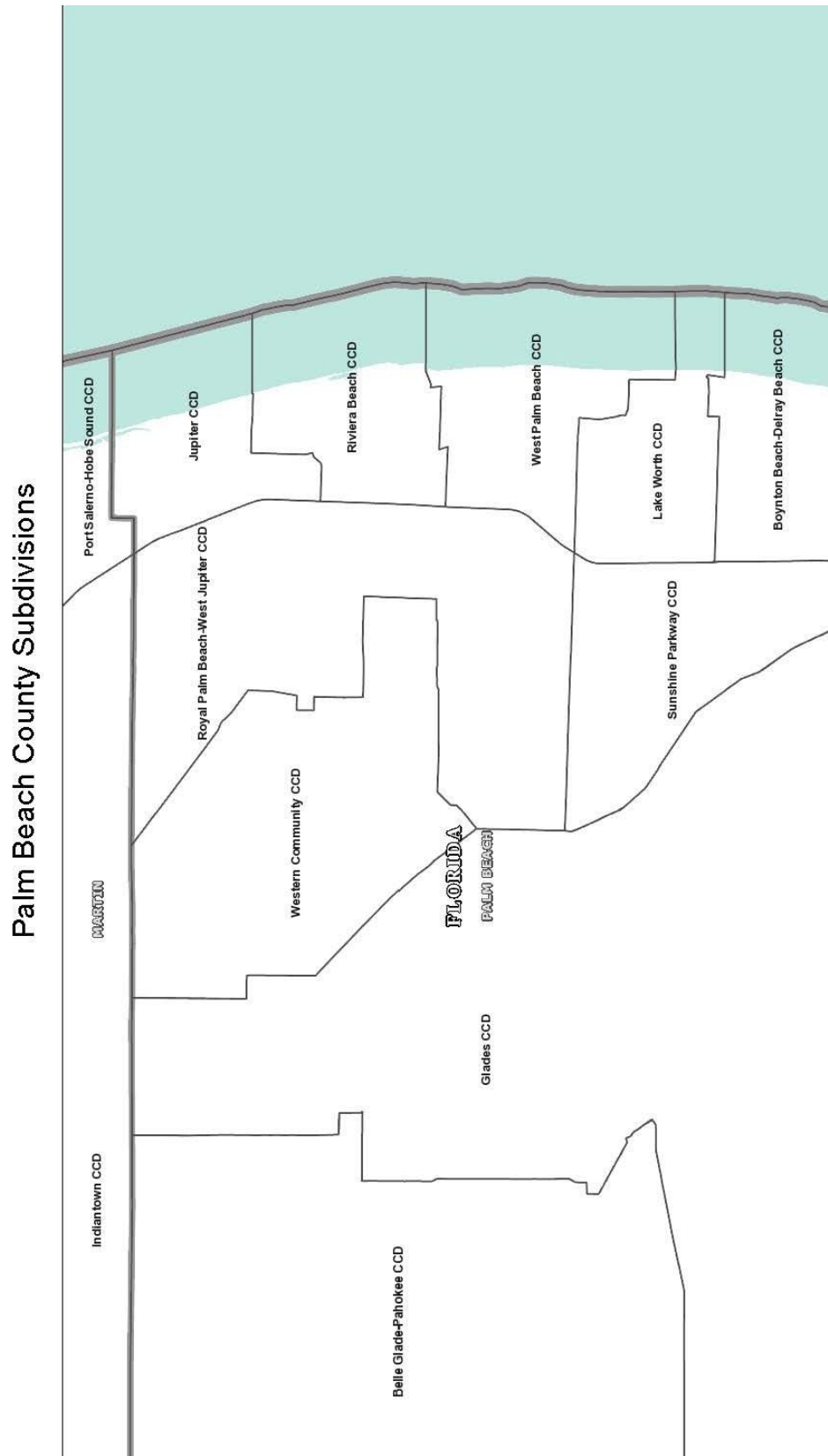
The 6,500 dwelling units are converted to permanent household population as follows. First, the total number of housing units is converted to an estimate of occupied housing units by subtracting units anticipated to be vacant or used for seasonal residents. Second, occupied housing units are converted to household population by applying an average population per household rate (PPH). PPH, vacancy rates, and seasonal housing rates are based upon the surrounding Census County Divisions (CCDs) which have population characteristics expected to be more comparable to the City than the county as a whole. Figure 3.2 shows the boundaries of the CCDs. These CCDs are located in the central portion of Palm Beach County between the eastern coastal communities and the western areas. Specifically, the City PPH, vacancy rate and seasonal rate are averages derived from the Royal Palm Beach-West Jupiter, Western Community, and Sunshine Parkway CCDs from the 2010 US Census. The vacancy rate used for the City is 7.45 percent. The seasonal rate is 5.85 percent. The PPH is 2.65. These rates are kept constant for the planning periods.

Figure 3.1: Traffic Analysis Zones Map





**Figure 3.2: 2010 Census County Divisions (CCDs)**



In addition to the permanent household population, some persons may live in group quarters (e.g. nursing homes.) The percent of permanent population expected to live in group quarters is zero in year 2023. However, a group quarters population is projected for 2038 by using the average group quarters rate from the same surrounding CCDs. The average group quarters rate is 0.642% which equates to 96 persons in 2038.

The permanent population estimate for 2018 and projections for years 2023 and 2038 are provided in Table 3.2A based on the anticipated development of housing units and assumptions for group quarters populations.

**Table 3.2A: City Permanent Population Projections**

Year	Total Housing Units	Permanent Population	Group Quarters Population	Population
2018	150	298	0	298
2023	1,575	3,619	0	3,619
2038	6,500	14,934	96	15,030

The seasonal population projection for 2023 and 2038 is based on the seasonal housing rate of 5.85% of projected housing units as well as the plan for a 150-room hotel. An estimate of 2 persons per seasonal house or hotel room is assumed. The seasonal projection is shown in Table 3.2B below.

**Table 3.2B: City Seasonal Population Projections**

Year	Housing Population	Hotel Population	Total Seasonal
2018	0	0	0
2023	184	300	484
2038	761	300	1,061

The total population projection for 2023 and 2038, consisting of both permanent and seasonal residents is shown in Table 3.2C.

**Table 3.2C: City Total Population Projection**

Year	Permanent Population	Seasonal Population	Total Population
2018	298	0	298
2023	3,619	484	4,103
2038	15,030	1061	16,091

Population Projections Utilized for the PBC 10-Year Water Supply Facilities Work Plan

The following provides the 10-year population forecast for the City of Westlake as outlined in yellow below per Table 5.2 – Population Forecast for PBCWUD prepared by Palm Beach County Water Utility Department (PBCWUD) and Planning Division of the Planning, Zoning and Building Department (PBCPZ&B).

**Table 3.3: PBC WUD Population Forecast**

<b>PBC WUD Served Population</b>	<b>2018</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>
Unincorporated County	433,391	441,961	464,807	487,675
Atlantis	2,055	2,104	2,138	2,168
Belle Glade	17,654	17,983	18,477	19,172
Boca Raton	170	226	372	530
Cloud Lake	128	133	139	152
Glen Ridge	213	217	228	239
Greenacres	39,550	40,148	41,116	42,306
Haverhill	2,116	2,232	2,394	2,530
Lake Clarke Shores	340	352	355	361
Loxahatchee Groves	91	235	774	1,333
Pahokee	5,805	5,927	6,218	6,433
Palm Beach Gardens	1,356	1,421	3,296	5,283
Palm Springs	1,309	1,364	1,772	2,939
Royal Palm Beach	33,897	34,372	34,784	36,390
South Bay	5,197	5,251	5,415	5,703
Wellington	9,362	9,461	9,575	9,698
<b>Westlake</b>	<b>372</b>	<b>1,906</b>	<b>5,476</b>	<b>9,678</b>
West Palm Beach	517	527	834	892
<b>Total Population Served by PBC WUD</b>	<b>553,523</b>	<b>565,820</b>	<b>598,170</b>	<b>633,482</b>
The following values represent the population throughout unincorporated Palm Beach County that is self-served via wells. All have the potential to request utility service from PBC WUD at any given time. For conservative facility planning purposes, plants are sized to be able to serve all the self-served population in addition to the population projected throughout the utility service area.				
<b>Self Served Population</b>	<b>2018</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>
Loxahatchee Groves	3,202	3,180	2,980	2,780
Unincorporated PBC/Glades	42,437	42,143	41,811	41,344
<b>Total Self-Served Population</b>	<b>45,639</b>	<b>45,323</b>	<b>44,791</b>	<b>44,124</b>

Source: PBC WUD'S Water Supply Facilities Plan Update Table 5.2

As indicated above in Table 3.3 and compared with the LEC figures in Table 3.4, the population projections utilized in the PBC Water Supply Facilities Work Plan are aligned with and acceptable as representative of Westlake's projected population.

Population Projections Utilized in the 2018 LEC Water Supply Plan Update

Population projections in Table 3.4 for Total Population Served by PBCWUD are slightly higher (632,482) than the Population projections utilized in the Lower East Coast Regional Water Supply Plan update (613,513) per the Palm Beach County Water Utilities Department Utility Summary Table (See below), Appendix E Public Water Supply Utilities Summaries, page E-18. Palm Beach County indicates there is adequate capacity to maintain the adopted level of service standard for potable water supply for these population projections.

**Table 3.4: 2018 LEC Plan Update  
Palm Beach County Water Utilities Department Utility Summary  
(Appendix E Public Water Supply Utilities Summaries, page E-18)**

Population and Finished Water Demand							
				Existing	Projected		
				2016	2020	2030	2040
Population				498,848	534,857	613,513	677,834
Average 2012-2016 Per Capita (gallons per day finished water)				111			
Potable Water Demands (daily average annual finished water in mgd)				55.37	59.37	68.10	75.24
SFWMD Water Use Permitted Allocation (mgd)							
Potable Water Source				Permit Number 50-00135-W (expires 2023)			
SAS				79.99			
FAS (ASR wells for blending with SAS)				7.00			
Bulk Raw Water (finished water sale to multiple municipalities in 2016)				(2.61) <sup>a</sup>			
Total Allocation				86.99			
FDEP Potable Water Treatment Capacity (PWS ID # 4504393)							
Permitted Capacity by Source				Cumulative Facility & Project Capacity (mgd)			
				Existing	Projected		
				2016	2020	2030	2040
SAS				103.28	103.28	103.28	103.28
FAS				0.00	0.00	0.00	0.00
Total Potable Capacity				103.28	103.28	103.28	103.28
Nonpotable Alternative Water Source Capacity (mgd)							
Reclaimed Water				25.00 <sup>b</sup>	25.00 <sup>b</sup>	35.50 <sup>b</sup>	35.50 <sup>b</sup>
Total Nonpotable Capacity				25.00	25.00	35.50	35.50
Project Summary							
Water Supply Projects	Source	Completion Date	Total Capital Cost (\$ million)	Projected Cumulative Design Capacity (mgd)			
				2020	2030	2040	
Potable Water							
No Projects							
Total Potable Water				\$0.00	0.00	0.00	0.00
Nonpotable Water							
South County Reclaimed Phase I <sup>c</sup>	Reclaimed Water	2021	\$22.00	0.00	10.50	10.50	
Total Nonpotable Water				\$22.00	0.00	10.50	10.50
Total New Water				\$22.00	0.00	10.50	10.50

<sup>a</sup> The amount of raw water needed to produce 2.36 mgd of finished water, which is the amount of bulk water the PBCWUD provided to municipalities in 2016.

<sup>b</sup> The PBCWUD is contracted to provide FPL with up to 22.00 mgd of reclaimed water for cooling purposes at the West County Energy Center. FPL currently uses approximately 14.00 mgd of that amount. This is in addition to the reclaimed capacity listed (25.00 mgd).

<sup>c</sup> The PBCWUD is contracted to receive up to 10.50 mgd of reclaimed water from BCWWS.

### 3.2 Potable Water Level of Service Standard Population and Potable Water Demand Projections

SID is the retail provider of potable water within the City. The relationship between the City and SID for provision of those services and facilities is detailed in the Interlocal Agreement between the City of Westlake and the Seminole Improvement District Regarding the Provision of Certain Services, Infrastructure, and Public Facilities in the City of Westlake and for Assurance of Non-Duplication of Services dated March 2018 (“SID-Westlake Interlocal”). There is an Interlocal Agreement between SID and Palm Beach County, dated April 18, 2006, which provides that SID can purchase bulk water

from the County at a rate of up to 5.0 MGD for the next thirty (30) years with provisions to extend the agreement for 50 or more years. SID and Palm Beach County have invested in significant infrastructure in the City's area to provide potable water service. The development of the City will not require additional capacity to provide potable water to the City; rather it utilizes existing excess capacity from existing infrastructure. SID maintains water distribution facilities for service within the City and will expand internal potable water distribution lines concurrent with development within the City.

The City's level of service standard for potable water is 110 gallons per capita per day (gpd) for residential uses and 150 gallons per 1,000 sq. ft. per day for non-residential uses with the following exceptions. Schools have a level of service standard of 18 gpd per student. Hotels have a level of service standard of 100 gpd per room. Parks have a level of service standard of 10 gpd per visitor. The per-capita level of service standard will be applied to dwelling units using a 2.65 average population per household (PPH) unless it can be demonstrated that a different PPH is applicable. The City will continue to coordinate with SID to monitor and evaluate future operating demands as the City increases utility users and to adjust the level of service standard if needed through the planning periods.

Table 3.5 below provides an analysis of potable water demand over the 2023 and 2038 planning periods. The first section identifies the level of service standards used for the planning analysis. The second section identifies existing and projected population and uses that require potable water. Existing non-residential square footages include the Grove Market commercial area and the packing house parcel which includes industrial and office uses. Square footage numbers are from the Palm Beach County property appraiser parcel database. Existing student numbers are based on school capacity numbers from the Palm Beach County School District 2016/17 Work Plan and anticipated students from a potential new school. New development square footage, hotel rooms, and college students are based on the existing development within the City. Projections of recreation and park day time visitors are based on averages derived from the National Recreation and Park Association 2016 study of park usage entitled "NRPA Americans' Engagement with Parks Survey." The third section computes the current and projected demand for the 2023 and 2038 planning periods.

The anticipated facilities needed for the 2023 and 2038 planning periods are identified in Table 4.2 and are also depicted on attached INF. Map 4.2 and INF. Map 4.3.

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**Table 3.5: Potable Water Analysis**

<b>Potable Water Level of Service</b>				
	Gallons Per Day			
Per Person	110			
Per square foot for Commercial, Civic, and Industrial	0.15			
Per Student	18			
Per Hotel Room	100			
Per visitor of park and recreation facilities	10			
<b>Demand Generators</b>				
	2018	2023	2038	
Population (excluding hotel population)	298	3,803	15,791	
Existing Commercial, Civic, and Industrial S.F.	180,581	180,581	180,581	
New Commercial, Civic, and Industrial S.F.	75,000	650,000	2,200,000	
Total Commercial, Civic, and Industrial S.F.	255,581	830,581	2,380,581	
K-12 Students	4,463	4,463	5,433	
College Students	0	0	3,000	
Total Students	4,463	4,463	8,433	
Hotel Rooms	0	150	150	
Recreation and Park Daytime Visitors	0	650	2,600	
<b>Demand Projections</b>				
	2018	2023	2038	
Population (excluding hotel population)	32,780	418,330	1,737,010	
Total Commercial, Civic, and Industrial	38,337	124,587	357,087	
Total Students	80,334	80,334	151,794	
Hotel Rooms	0	15,000	15,000	
Recreation and Park Day Time Visitors	0	6,500	26,000	
Total Demand (Gallons Per Day)	151,451	644,751	2,286,891	

In accordance with the 2006 Service Agreement between SID and County, the Agreement allows SID to reserve and purchase up to five (5) million gallons per day of bulk water and wastewater capacity over thirty (30) years. This amount is adequate to meet the projected demands over the 10-year Water Supply Plan planning horizon.

### 3.3 Water Supply Provided by Local Government

The City does not own or maintain any water supply facilities. SID purchases potable and reuse water from Palm Beach County, and will distribute that potable and reuse water as the exclusive retail provider of potable and reuse water within the City.

In accordance with the 2006 Service Agreement between SID and County, the Agreement allows SID to reserve and purchase up to five (5) million gallons per day of bulk water and wastewater capacity over thirty (30) years. This amount is adequate to meet the projected demands.

### 3.4 Conservation

Neither the County nor the *2018 Lower East Coast Water Supply Plan Update* identify specific programs within the City. However, as detailed below, the City includes conservation measures in its comprehensive plan and land development regulations to support the goals and address the issues identified in the LECWSP.

#### 3.4.1 Local Government Specific Actions, Programs, Regulations, or Opportunities

The City's Comprehensive Plan includes a number of policies, as detailed later in the Plan, that encourage conservation measures and the use of reuse water within the City. The City shall implement these policies through its Land Development Regulations and other programs in coordination with SID.

##### Restrictions in Permitted Water Use

- The City shall implement the Mandatory Year-Round Irrigation Conservation Measures as detailed in 40E-24 Florida Administrative Code.
- The City's Code of Ordinances shall include requirements for restrictions on water use during times an "emergency situation" is declared by SFWMD or when the City Commission determines a reduction in water consumption is necessary to alleviate a local water shortage within the City's water system. Water restrictions may include reduction of hours and days allowed for irrigation, washing of vehicles, washing of outdoor surfaces, operation of ornamental fountains, operation of air conditioning without a recirculation system, limitations on filling and use of swimming pools, limitations on escapement of water through defective plumbing, restrictions on hotels and restaurants as to the minimum amount of water necessary to conduct operations and other restrictions as necessary.

##### Use of Florida-Friendly Landscape Principles

- The City's Land Development Code provides for the use of Florida-friendly landscaping materials including the minimum percent of required pervious area that must follow the principles of Florida Friendly Landscape provisions as set forth in *the South Florida Water Management District's Xeriscape Plant Guide II*.

##### Requirement of Ultra-Low Volume Plumbing in New Construction

- The City has adopted the Florida Building Code (FBC) which contains plumbing flow restriction requirements. The County Code prohibits a City within its jurisdiction from enacting standards less stringent from the FBC. The City's Building and Inspection Services Division also includes in their procedures provisions for new construction to have water conservation control devices installed per the Florida Plumbing Code, as a condition for granting certificates of occupancy.

### Water Conservation Based Rate Structure

- SID has a conservation-based water rate structure, which includes an increasing rate with increasing use, as a means of reducing demand.

### Meter Replacement Program

- Unaccounted for water summaries shall be submitted to the District annually, within one year of adoption of this Work Plan.

### Rain Sensor Overrides for New Lawn Sprinkler System

- The City shall adopt the FBC, which requires the installation of rain sensors on new irrigation systems. Additionally, the City shall include provisions regarding rain sensors on automatic lawn sprinkler systems in its Land Development Code.

### Public Information Program

- The City shall coordinate with SID to develop a program to provide water conservation information and practices to the City's residents and SID customers through the City and SID webpages and an annual Water Quality Report.
- The City will coordinate future water conservation efforts with SID and the SFWMD. In addition, City will continue to support and expand existing goals, objectives and policies in the comprehensive plan promoting water conservation in a cost-effective and environmentally sensitive manner. City will continue to actively support the SFWMD and its water supplier(s) in the implementation of new regulations or programs designed to conserve water during the dry season.

## **3.5 Reuse**

State law supports reuse efforts. Florida's utilities, local governments, and water management districts have led the nation in the quantity of reclaimed water reused and public acceptance of reuse programs. Section 373.250(1) F.S. provides "the encouragement and promotion of water conservation and reuse of reclaimed water, as defined by the department, are state objectives and considered to be in the public interest." In addition, Section 403.064(1), F.S., states "reuse is a critical component of meeting the state's existing and future water supply needs while sustaining natural systems."

### **3.5.1 Local Government Specific Actions, Programs, Regulations, or Opportunities**

The City supports water reuse initiatives under consideration by both the SFWMD and Palm Beach County and the implementation of new regulations or programs designed to increase the volume of reclaimed water used and public acceptance of reclaimed water. The City's comprehensive plan encourages both conservation of water and use of alternative water supplies, such as reclaimed water for irrigation.

## **4.0 CAPITAL IMPROVEMENTS**

This section provides a brief description of the City's Capital Improvements Program and Policies for Water Supply.

### **4.1 Work Plan Projects**

Based on the population projections and a capacity analysis for the short-term planning period there is adequate facility capacity to maintain the adopted level of service standard for potable water supply as provided through interlocal agreements between SID and Palm Beach County. SID plans on expanding distribution lines for potable water and beginning the interconnection process of water with the County's lines within the 2023 planning period. SID's planned improvements for potable water are listed in the Capital Improvement Schedule and are shown on attached INF Maps 4.2 and 4.3. Pursuant to the Westlake/SID Interlocal, these improvements have and will continue to be provided in order to ensure the achievement and maintenance of the adopted level of service standards for potable water and wastewater. SID is constructing facilities and otherwise facilitating these improvements using non-ad valorem assessments, developer contributions, and other sources of revenue.

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4.2 Capital Improvements Element/Schedule regarding Potable Water

City of Westlake Capital Improvements Schedule, Fiscal Years 2017-18 - 2022-23

5-Year Capital Improvements Schedule:										
Potable Water Component										
Project Description	Priority	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	Total Funding Amount	Funding Source*	
Town Center Parkway Phase 1A (TCP-E2)	High	\$135,781.00						\$135,781.00	Developer / Bonds	
Town Center Parkway Phase 2 (TCP-E3)	High	\$130,149.26						\$130,149.26	Developer / Bonds	
Town Center Parkway South (TCP-E1)	High	\$233,477.33						\$233,477.33	Developer / Bonds	
Ilex Way Phase 1 (CS-E1)	High		\$108,160.11					\$108,160.11	Developer / Bonds	
Kingfisher (CS-E5)	High			\$92,404.19				\$92,404.19	Developer / Bonds	
Waters Edge (CS-E4)	High			\$91,127.20				\$91,127.20	Developer / Bonds	
Persimmon Phase 2a (PSM-E1a)	High			\$236,926.37				\$236,926.37	Developer / Bonds	
Ilex Way Phase 2 (CS-E2)	High				\$162,009.25			\$162,009.25	Developer / Bonds	
Ilex Way Phase 3 (CS-P)	High				\$524,899.15			\$524,899.15	Developer / Bonds	
Persimmon West Phase 1A (CS-W2)	High				\$131,785.50			\$191,214.00	Developer / Bonds	
Road KK (NE1)	High				\$231,770.00			\$231,770.00	Developer / Bonds	
Town Center Parkway (E-4)	High				\$238,758.84			\$238,758.84	Developer / Bonds	
Persimmon Phase 2b (PSM-E1b)	High				\$100,113.85			\$100,113.85	Developer / Bonds	
Saddle Bay Drive	High					\$91,000.00		\$91,000.00	Developer / Bonds	
Persimmon West Phase 1B (CS-W2)	High					\$59,428.50		\$59,428.50	Developer / Bonds	
Town Center Parkway (E-5)	High						\$120,257.63	\$120,257.62	Developer / Bonds	
Persimmon Phase 3a (PSM-E3a)	High						\$138,465.83	\$138,465.83	Developer / Bonds	



## 5.0 GOALS, OBJECTIVES AND POLICIES

Comprehensive Plan Goals, Objectives, and Policies (GOPs) are included in the Elements to ensure implementation and future updates of the 10 Year Water Supply Facilities Work Plan as required by Section 163.3177 (6) (c), F.S. As GOPs are often amended outside of the cycle for Water Supply Facilities Work Plan amendments (i.e. Evaluation and Appraisal Report amendments every seven (7) years), the GOPs are contained in the Comprehensive Plan and are not part of the officially adopted Water Supply Plan. Associated Comprehensive Plan amendments to relevant GOPs will be adopted concurrently with the Work Plan update.

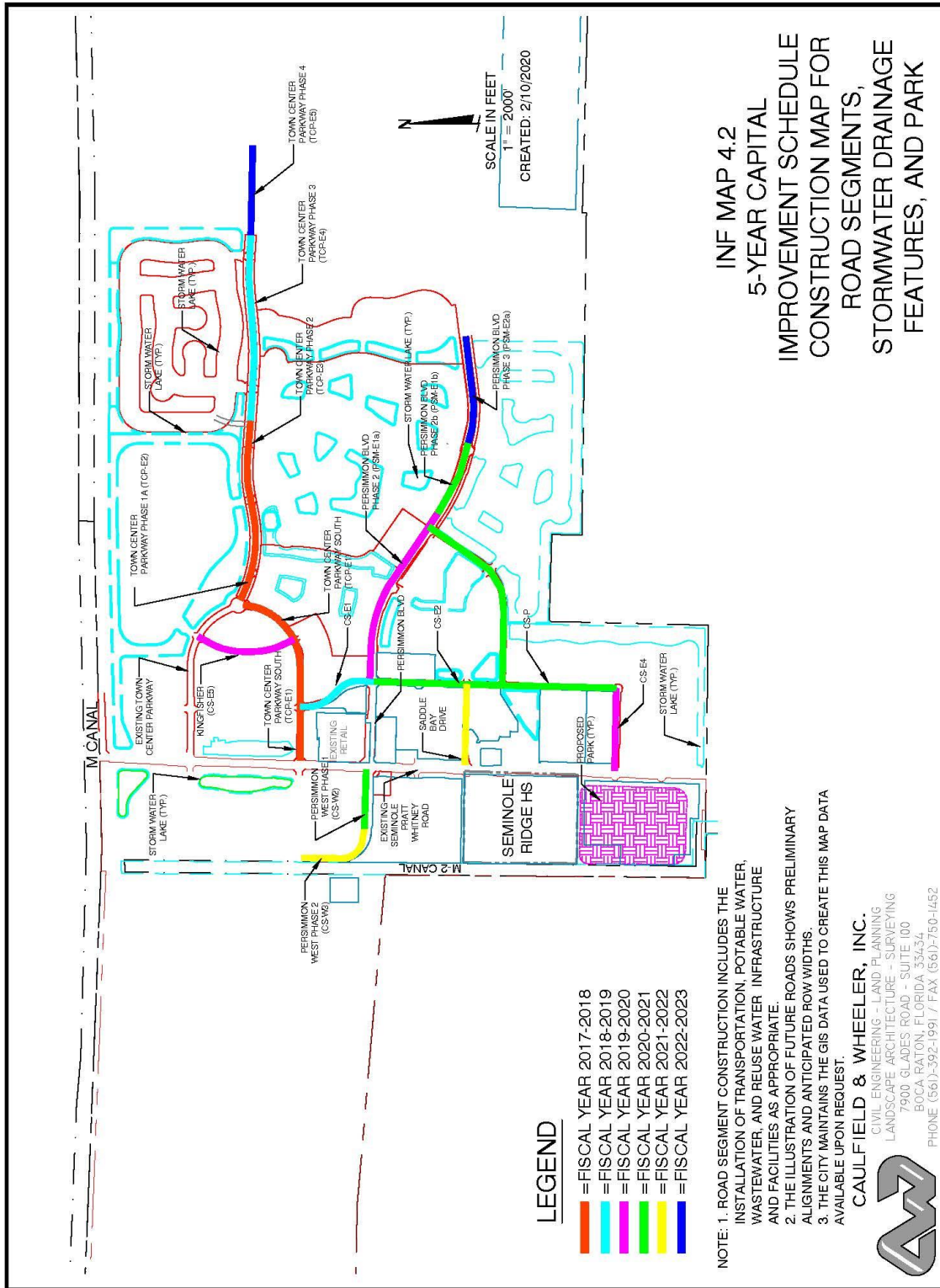
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# 6.0 MAPS

## Map 4.1, Utility Service Area Map

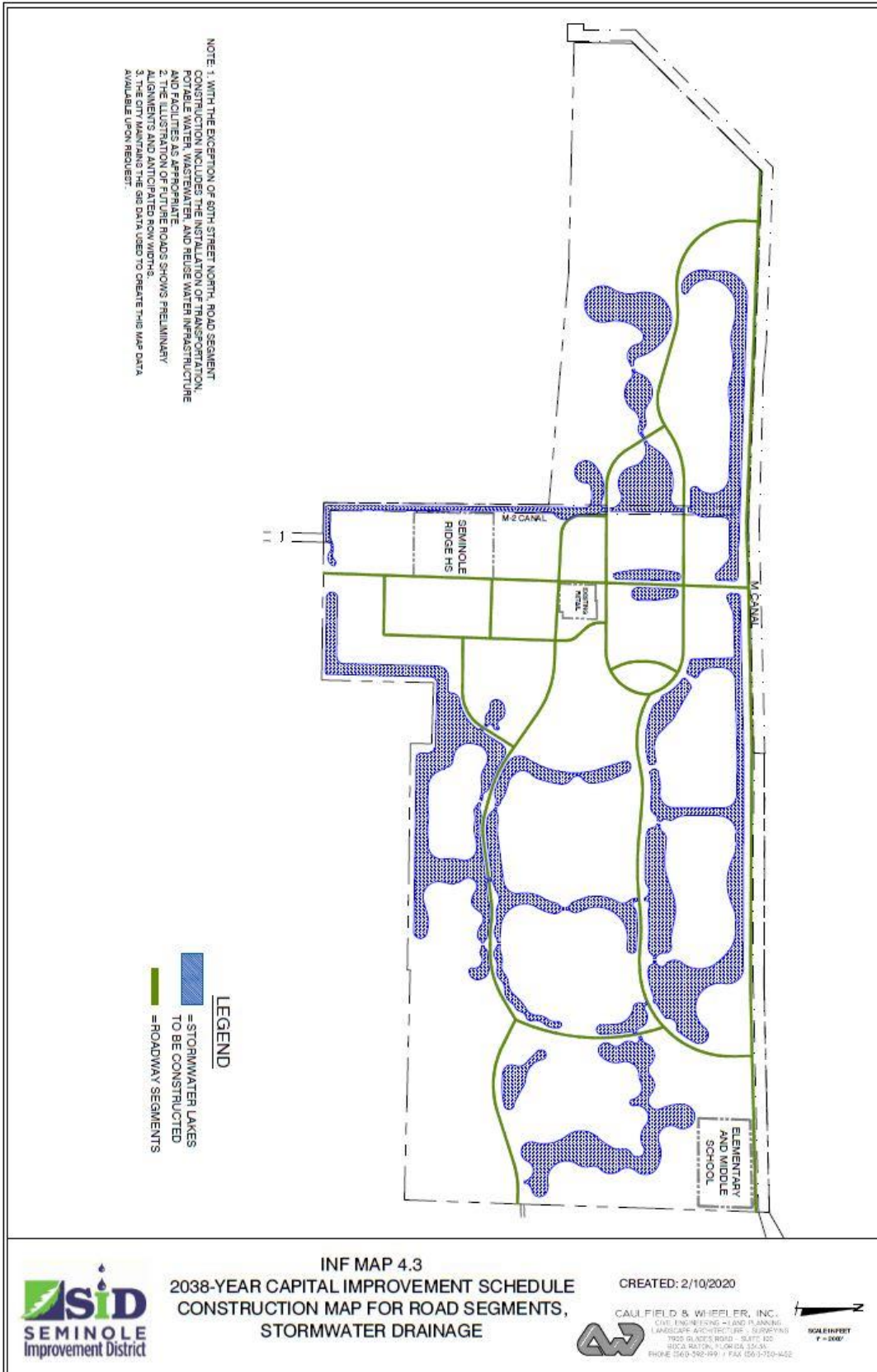


# INF Map 4.2 Capital Improvement Schedule





# INF Map 4.3 2038-Year Capital Improvement Schedule



## EXHIBIT B

### City of Westlake 10-Year Water Supply Facilities Work Plan Associated Comprehensive Plan Amendment - Goals, Objectives and Policies

The following City of Westlake Comprehensive Plan Goals, Objectives, and Policies (GOPs) of the Infrastructure Element are being revised for consistency with the 10 Year Water Supply Facilities Work Plan Update (WSP) and are in underline (proposed new provisions) and ~~strike through~~ (proposed deleted provisions) format.

As GOPs are often amended outside of the cycle for Water Supply Plan amendments (i.e. Evaluation and Appraisal Report amendments every seven (7) years), these GOPs are being provided as reference and not made part of the officially adopted WSP. These amendments will be processed concurrently with, but not made part of, the WSP update.

## Chapter 4 – Infrastructure Element

**Objective INF 1.2** Provide adequate, efficient and safe water distribution to accommodate existing and future demand.

**Policy INF 1.2.1** The City hereby adopts by reference the City of Westlake Water Supply Facilities Work Plan (Work Plan), dated ~~February 2018~~ May 11, 2020, for a planning period of not less than 10 years. The Work Plan addresses issues that pertain to water supply facilities and requirements needed to serve current and future development within the City's water service area. The City shall review and update the Work Plan at least every five (5) years within 18 months after the governing board of the South Florida Water Management District (SFWMD) approves an updated Lower East Coast Water Supply Plan. Any changes affecting the Work Plan shall be included in the annual Capital Improvements Plan update to ensure consistency between with Work Plan and the Capital Improvements Element.

**Objective INF 1.7** Provide adequate and effective protection of water resources, including the surficial aquifer, within the City.

**Policy INF 1.7.2** Support the SFWMD 20138 Lower East Coast Regional Water Supply Plan Update and coordinate with SFWMD on its implementation.



# CITY OF WESTLAKE

City Council - Adoption

## Water Supply Facilities Work Plan Update

5.11.2020



# Water Supply Facilities Work Plan Update

- ▶ **163.3167(9) F.S.** *Requires local governments to address in its Comprehensive Plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for at least a 10-year period.*
- ▶ City adopted its WSP and associated CP policies in 2018.
- ▶ **163.3177(4)(a) F.S.** *Requires local governments to coordinate its WSP with the SFWMD Lower East Coast Regional Water Supply Plan (updated every 5 years).*
- ▶ LECRWSP update was adopted on November 8, 2019.
- ▶ **163.3177(6)(c) F.S.** *Requires local governments to adopt a 10-Year Water Supply Facilities Work Plan update and to amend its Comprehensive Plan within 18 months of the updated LECRWSP.*
- ▶ City WSP update adoption in May 2020.

# Water Supply Facilities Work Plan Update

- ▶ The City obtains water from the Seminole Improvement District (SID).
- ▶ Water is supplied by Palm Beach County (PBC) to SID based on the 2006 interlocal agreement that allows up to 5 million gallons per day for 30 years.
- ▶ Population projections from PBC.

PBC WUD Served Population	2018	2020	2025	2030
Westlake	372	1,906	5,476	9,678

- ▶ *City WSP is consistent with the PBC WSP.*
- ▶ PBC service area population projections calculated by PBC are slightly higher (632,482) than the Population projections by SFWMD utilized in the LECRWSP update (613,513).
- ▶ *City WSP is consistent with the LECRWSP.*

# Water Supply Facilities Work Plan (WSP) Update

- ▶ LOS: City's level of service standard for potable water is 110 gallons per capita per day (gpd) for residential uses.
- ▶ 2030 Demand: 9678 persons x 110 gpd = 1.06 million gallons per day residential. Total 2030 demand is less than 2.2 million gallons per day. Agreement allows up to five (5) million gallons per day of bulk water.
- ▶ *City water supply is adequate to meet the projected demands over the 10-year WSP horizon (2030).*
- ▶ Water Conservation Strategies included.
- ▶ Capital Improvement Schedule and Maps included.
- ▶ Amendments to Comprehensive Plan policies in the Infrastructure Element to reflect WSP dates included.

# Water Supply Facilities Work Plan (WSP) Update

- ▶ Transmittal Public Hearing Held 3-9-2020
- ▶ Review by State DEO and Review Agencies
- ▶ No Comments Received
- ▶ No Changes Between Transmittal and Adoption
- ▶ **STAFF RECOMMENDATION:**

Approval of **Ordinance 2020-03** to adopt the  
10-Year Water Supply Facilities Work Plan Update  
and Associated Comprehensive Plan  
Policy Amendments

THANK YOU!



**File Attachments for Item:**

B. Ordinance 2020-05 - Education and Youth Advisory Board (First Reading)

**Submitted By:** Legal

**ORDINANCE 2020-05 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, CREATING AN EDUCATION AND YOUTH ADVISORY BOARD; ESTABLISHING THE PURPOSE AND SETTING FORTH THE DUTIES OF BOARD MEMBERS; TO ESTABLISH CRITERIA FOR THE BOARD COMPOSITION AND APPOINTMENT; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> Legal	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Ordinance 2020-04 Education and Youth Advisory Board		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Motion to Approve		
<b>SUMMARY and/or JUSTIFICATION:</b>		Vice-Mayor Long-Robinson believes educational excellence through cooperative partnerships with the local business community, professionals within the community and school board educator's will strongly benefit the residents and citizens of the City.		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>		<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>				
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	X
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <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 ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, CREATING AN EDUCATION AND YOUTH ADVISORY BOARD; ESTABLISHING THE PURPOSE AND SETTING FORTH THE DUTIES OF BOARD MEMBERS; TO ESTABLISH CRITERIA FOR THE BOARD COMPOSITION AND APPOINTMENT; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.		
<b>FISCAL IMPACT (if any):</b>				\$

**ORDINANCE 2020-04**

**A ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, CREATING AN EDUCATION AND YOUTH ADVISORY BOARD; ESTABLISHING THE PURPOSE AND SETTING FORTH THE DUTIES OF BOARD MEMBERS; TO ESTABLISH CRITERIA FOR THE BOARD COMPOSITION AND APPOINTMENT; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Westlake deems it in the best interest of the City to establish an Education and Youth Advisory Board; and

**WHEREAS**, the City of Westlake believes in educational excellence through cooperative partnerships with the local business community, professionals within the community and school board educator's; and

**WHEREAS**, the City of Westlake believes strong community partnership will enhance the educational opportunities for the students and residents in the schools located within the jurisdictional boundaries for the City; and

**WHEREAS**, the positive relationship building and creation of educational opportunities will promote and facility success among the students enrolled in schools within the City.

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

**Section 1: Purpose.** The City Council for the City of Westlake, hereby creates and establishes an Education and Youth Advisory Board whose mission and purpose is to:

- (a) Serve as a liaison group between the City of Westlake, the Palm Beach County School District (the "School District"), and all public and charter schools which are located within the City in order to improve and enhance communication between all parties.
- (b) To promote and provide public awareness for programs, opportunities, and initiatives of public and charter schools located within the City.
- (c) To recognize and promote accomplishments of students, administrators, public schools and charter schools located within the City.
- (d) Monitor School District activities and report on those impacting the City as needed. Schools located outside of the City of Westlake at which residents of Westlake are zoned shall be within the Education Advisory Board's scope or purview.

**Section 2. Composition, Terms Appointments; Liaison and Vacancy.**

- (1) **Compositions:** The Education and Youth Advisory Board shall consist of three (3) regular members, and one (1) alternate member. Initially, each member shall be appointed for a period of three (3) years, and one (1) alternate member shall be appointed for a period of two (2) years. Thereafter, all appointments shall be for a two (2) year period.
- (2) **Appointments:** The City Council shall make appointments at the first regular meeting in April each year after initial appointments are made. All members shall serve without

compensation, and at the pleasure of the City Council. The City Council retains the right to remove Board Members for any reason including, but not limited to, Board Members becoming ineligible to serve due to failure to maintain all necessary qualifications as set forth in Section 3 below.

(3) **Liaison:** One (1) Councilmember shall serve as liaison, but shall have no voting power. Additionally, a student from Seminole Ridge High School may serve as liaison, but shall have no voting power. The liaisons are not members of the Board and but the Councilmember liaison may be counted in determining if a quorum is present.

(4) **Vacancy:** Vacancies on the board shall be filled by the City Council in the same manner as original appointments. Vacancies shall occur on account of a Board Member's death, resignation, removal, disability, or failure to maintain qualifications as set forth in Section 4 below. Any member appointed to serve in lieu of any member on account of a vacancy shall serve only for the unexpired term of such member, but shall thereafter be eligible for reappointment.

### **Section 3. Duties.**

The Education Advisory Board shall act as a fact-finding and advisory board on the following issues and on such other issues as are, from time to time, designated by the City Council:

(1) **School Showcases:** Facilitate and oversee showcases and informational sessions for public and charter schools located within the City. Showcases and informational sessions are an opportunity for Board Members to interact with schools, their staff and their students. Showcases and informational sessions also provide public awareness for programs, opportunities, and initiatives occurring at public and charter schools located within the City. The Board shall have the opportunity to invite school officials and staff to attend such showcases and informational sessions.

(2) **Chair's Initiative:** At the organizational meeting in August each year, the Chair shall introduce a Chair's Initiative. The Chair's Initiative shall be developed by the Chair and shall be implemented during regular Board meetings over the course of the year. The Chair's Initiative shall be designed to provide the City Council and City residents with additional information about issues that impact public and charter schools within the City. Such additional information may be presented to the Board through presentations, guest speakers, or other communications. Such initiatives shall not require the use of City staff time or other City resources outside of the regularly scheduled Board meetings.

(3) **Program Development:** Development of programs that promote Development of child and youth advocacy programs to enhance relationships with caring adults. Programs may include recruiting volunteers to assist students before, during and after school. Programming to benefit the children and youth of the community by involving parents, the business community, civic and neighborhood organizations.

(4) **Incentives:** Development of incentives and enhancements which encourage the development of safe places, including improved playgrounds at or near local schools and structured activities during non-school hours.

- (5) **Communication Initiatives:** Developing strategies for communicating with the School Board of Palm Beach County and its staff, advising the City Council as to the activities of the Board, and other federal, state and local legislative bodies which affect the needs of students, within the City. Identification and dissemination of information on local, county, state and federal programs that provide beneficial services to children and their families.
- (6) **Program Implementation:** Contacting community groups and businesses within the geographical boundaries of the City of Westlake for professional skills, materials, financial or education support for the schools and with the purpose of implementing programs at local schools that benefit students from Pre- K through grades 12 and vocational schools.
- (7) **Legislative Action:** Developing recommendations to the City Council for forwarding to the School Board of Palm Beach County regarding actions which may be taken in support of schools with respect to proposed legislation at the state level.
- (8) **School Safety:** Coordinating with the local police department to improve safety for students before, during and after school and developing public relations that highlight successful programs.

**Section 4. Qualifications.** Board Members shall meet the following qualifications at the time of their appointment and throughout the course of their service in order to be eligible to serve:

- (1) Board Members shall be City residents.
- (2) Board Members shall have a background in education and experience in the field of education; be a member of a parent teacher organization, parent teacher association, school advisory council, or other similar organization associated with or sponsored by the School District, or a public or charter school located within the County; or be a parent/legal guardian of a child currently enrolled in a County public or charter school.
- (3) Any member of the board may be removed for cause in accordance with state law. The City Council shall promptly fill any vacancy.
- (4) At the organizational meeting of the board a chairperson and vice-chairperson shall be selected by majority vote of the board. The chairperson and vice-chairperson shall be selected annually at the May meeting of the board.
- (5) Should a Board Member fail to maintain these qualifications for service at any time, then that Board Member shall be disqualified from serving and shall either resign immediately or be subject to removal. Additionally, Board Members shall not use Board meetings or their titles as Board Members to promote, advocate for, or advertise their outside employer or business.

**Section 5. Meetings; Organization; and Procedures.**

- (1) **Meetings.** The Board shall meet regularly, on a quarterly basis, or more frequently if necessary for the transaction of business. All meetings of the Board shall be open to the public, and minutes of each meeting shall be recorded by the Board Secretary or an appointee of the Chair. Whenever possible, meetings of the Board shall be attended by the City Council member appointed as liaison to the Board.
- (2) **Officers.** At the organizational meeting each year, the Board shall elect a chair and vice chair from its regular members; a recording secretary shall either be provided by

the City or shall be elected by the Board. A chair shall not serve consecutive terms, but may serve more than one (1) non-consecutive term. The Board may prepare written reports to Council. The Council liaison shall present the Board's reports and informational updates to the City Council on an as-needed basis.

- (3) **Quorum and Voting.** A quorum shall consist of two (2) regular members present for the transaction of business. The Board may not conduct business other than to adjourn absent a quorum. Each voting member shall have one (1) vote on every issue submitted to a vote of the Board. The decision of a majority of the voting members present at a meeting at which a quorum is present shall constitute the official action of the Board.
- (4) **Rules of Procedure.** All meetings of the Board shall be conducted substantially in conformance with Robert's Rules of Order. The Board is further subject to such rules of procedure and public participation adopted by the City Council and made applicable to the Board. Board Members are subject to the Sunshine Law and the Public Records Law.

**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. Codification:** It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance entitled "**Education and Youth Advisory Board**" 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 8. Effective Date:** This ordinance shall become effective upon second reading.

**PASSED AND APPROVED** on First Reading on \_\_\_\_\_ of May, 2020.

**PASSED AND APPROVED** by City Council for the City of Westlake, on this 8th day of June, 2020.

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City of Westlake  
Roger Manning, Mayor

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Zoie Burges, City Clerk

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Approved as to Form and Sufficiency  
Pam E. Booker, City Attorney



**File Attachments for Item:**

C. Ordinance 2020-06 - Westlake Civil Rights Ordinance Act (First Reading)

**Submitted By:** Legal

**ORDINANCE 2020-06 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, TO BE ENTITLED "WESTLAKE CIVIL RIGHTS ORDINANCE ACT"; PROVIDING FOR NON-DISCRIMINATION WITHIN THE CITY AND ALL OTHER ACTIVITIES PROMOTED OR SPONSORED BY THE CITY WESTLAKE; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERALABILITY, AND PROVIDING AN EFFECTIVE DATE.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> LEGAL	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		ORDINANCE 2020-05 WESTLAKE CIVIL RIGHTS ORDINANCE ACT		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Motion to Approve Ordinance 2020-05 Westlake Civil Rights Ordinance Act		
<b>SUMMARY and/or JUSTIFICATION:</b>		<p>The proposed ordinance includes language for the protections of individuals for sexual orientation and gender identity, in addition to the protections provided in Florida Statutes chapter 760, entitled Florida Civil Rights Act of 1992, and Florida Statutes 509, which prevents discrimination in lodging and restaurants. The sexual orientation and gender identity are also in addition to the protections provided for in Title VII of the Civil Rights Act, and subsequent amendments thereto.</p> <p>This follows several requests from retired Judge Rand Hoch to the City Attorney Pam Booker and Vice-Mayor Katrina Long-Robinson to adopt the proposed civil rights ordinance. A representative will speak on the request for this item.</p>		
<b>SELECT, if applicable</b>		<b>AGREEMENT:</b>		<b>BUDGET:</b>
		<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>
		<b>EXHIBIT(S):</b>		<b>OTHER:</b>
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>				
<b>SELECT, if applicable</b>		<b>RESOLUTION:</b>		<b>ORDINANCE:</b> X

**IDENTIFY FULL  
RESOLUTION OR  
ORDINANCE TITLE**

*(if Item is not a  
Resolution or Ordinance,  
please erase all default  
text from this field's  
textbox and leave blank)*

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, TO BE ENTITLED "WESTLAKE CIVIL RIGHTS ORDINANCE ACT"; PROVIDING FOR NON-DISCRIMINATION WITHIN THE CITY AND ALL OTHER ACTIVITIES PROMOTED OR SPONSORED BY THE CITY WESTLAKE; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERALABILITY, AND PROVIDING AN EFFECTIVE DATE.

**FISCAL IMPACT** *(if any):*

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**ORDINANCE NO 2020-08**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, TO BE ENTITLED “WESTLAKE CIVIL RIGHTS ORDINANCE;” PROVIDING FOR NON-DISCRIMINATION WITHIN THE CITY AND ALL OTHER ACTIVITIES PROMOTED OR SPONSORED BY THE CITY WESTLAKE; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERALABILITY, AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, Section 125.01 Florida Statutes, as amended, provides that the City Council may adopt ordinances and resolutions as may be necessary to the exercise of their powers; and

**WHEREAS**, Section 125.01 Florida Statutes, as amended, authorizes the City Council to provide and maintain for the citizens of the City, standards which will ensure their health, wealth, and well-being; and

**WHEREAS**, explicit federal statutory protections currently address discrimination on the basis of race, color, national origin, sex, disability, but not sexual orientation or gender identity; and

**WHEREAS**, education regarding Lesbian, Gay, Bisexual and Transgender (“LGBTQ”) issues increases understanding and cultivates acceptance of and respect for the LGBTQ community; and

**WHEREAS**, the City Council seeks to create a policy of non-discrimination called “Westlake Civil Rights Ordinance; ” and

**WHEREAS**, the City Council finds that creating a non-discrimination policy is in the best interest of the citizens and residents of City of Westlake.

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

**Section 1: Purpose.**

The Westlake City Council desires to secure for its citizens freedom from discrimination because of race, color, religion, sex, national origin, age, disability, familial status, pregnancy, marital status, genetic information, sexual orientation or gender identity or expression, and thereby to protect their interest in personal dignity; to make available to the City their full productive capacities; to secure the City against domestic strife and unrest; to preserve the public safety, health and general welfare; and to promote the interests, rights and privileges of individuals within the City. The City Council also desires to adopt an ordinance which is consistent with federal, state and local laws and which affords its citizens a clear channel of access to remedies in the case of alleged discrimination, to wit, the Equal Employment Opportunity Commission, the Florida Commission on Human Relations and the Palm Beach County Office of Equal Opportunity.

**Section 2. Adoption of Westlake Civil Rights Act.**

The Florida Civil Rights Act of 1992, Chapter 760, Sections 760.01 through 760.11 and section 509.092; Florida’s Fair Housing Act, Chapter 760, Sections 760.20 through 760.37; the Palm Beach County Equal Employment Ordinance, Chapter 2, Article VI, Division 1, Sections 2-251 through 2-313 (as amended); and the Palm Beach County Ordinance for Equal Opportunity to Housing and Places of Public Accommodation, Chapter 15, Article III, Sections 15-36 through 15-67 (as amended) are collectively adopted by reference as the Westlake Civil Rights Ordinance, subject to and including by reference such amendments, corrections and additions as shall occur therein or as may appear in this Chapter.

**Section 3.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 4.** The City Council for the City of Westlake hereby approves the “Westlake Civil Rights Ordinance.”

**Section 5.** This Ordinance shall take effect upon its adoption on second reading.

**PASSED AND APPROVED** on first reading by City Council for the City of Westlake, on this 11th day of May 2020.

**PASSED AND APPROVED** on second reading by City Council for the City of Westlake, on this 8th day of June 2020.

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City of Westlake  
Roger Manning, Mayor

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Zoie Burgess, City Clerk

Approved as to form and Sufficiency

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Pam E. Booker, City Attorney

## ARTICLE VI. - EQUAL EMPLOYMENT<sup>[23]</sup>

Footnotes:

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**Editor's note**— Ord. No. 95-31, adopted August 15, 1995, did not specifically amend the Code; hence inclusion herein as Art. VI, §§ 2-261—2-263, 2-271—2-273, 2-281—2-288, and 2-301—2-313, was at the discretion of the editor.

### DIVISION 1. - GENERALLY

Sec. 2-261. - Short title.

This article shall be known and may be cited as the "Palm Beach County Equal Employment Ordinance."

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-262. - Purpose.

It shall be the policy of the Board of County Commissioners, in the exercise of its police power for the public safety, public health, and general welfare to assure, within constitutional limitations, that all persons regardless of race, color, sex, national origin, religion, age, disability, familial status, marital status, sexual orientation, gender identity or expression, or genetic information as defined by Title VII of the Civil Rights Act of 1991, as amended, the Equal Pay Act of 1963, as amended, the Age Discrimination in Employment Act of 1967, as amended, the Rehabilitation Act, as amended, the Americans with Disabilities Act Amendments Act of 2008, as amended, the Florida Civil Rights Act, as amended, the Genetic Information Nondiscrimination Act of 2008, as amended, or otherwise provided herein, be afforded equal opportunity to all terms and conditions of employment. The county shall take all necessary and reasonable action to prevent discrimination in employment.

(Ord. No. 95-31, 8-15-95; Ord. No. 02-066, § 1, 9-10-02; Ord. No. 05-046, § 1, 9-27-05; Ord. No. 07-041, § 1, 12-18-07; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-263. - Definitions.

In this article unless the context otherwise requires:

*Age provisions* contained herein apply to any person at least forty (40) years of age.

*Aggrieved person* includes any person that:

- (1) Claims to have been injured by a discriminatory practice; or
- (2) Believes that he or she will be injured by a discriminatory practice that is about to occur.

*Auxiliary aids and services* includes, but is not limited to:

- (1) Qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments;
- (2) Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- (3) Acquisition or modification of equipment or devices; and
- (4) Other similar services and actions.



*Because of sex or on the basis of sex* includes, but is not limited to, because of or on the basis of pregnancy, childbirth, gender stereotyping or related medical conditions; and women affected by pregnancy, childbirth, gender stereotyping or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work. "Because of sex" or "on the basis of sex" also includes, but is not limited to sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

*Board* unless a different meaning clearly appears from the context, means the Palm Beach County Equal Employment Board, created by this article.

*Bona fide occupational qualification* means a physical, educational, intellectual, economic or other standard, requirement or quality that:

- (1) Is required of persons who apply for or occupy the job position for which it is prescribed; and
- (2) Is related to and necessary for job performance; and
- (3) Cannot be possessed, performed or met by a person excluded from the job position by reason of the qualification.

*Bona fide seniority system* means an employment practice whereby employees are promoted, laid off, rehired, assigned, transferred, offered additional or improved employment opportunities, given increased compensation or other benefits or otherwise dealt with on the basis, wholly or partially, of length of service, which, on its face, does not discriminate and is not intended or designed to disguise discrimination.

*Chairperson or chair* means the chairperson of the Equal Employment Board.

*Complainant* shall mean the person filing a complaint pursuant to this article.

*Complaint* means a written statement which alleges the occurrence of a discriminatory practice.

*Conciliation* means the attempted resolution of issues raised by a complaint, or by the investigation of such complaint, through informal negotiations involving the complainant, the respondent and the Office of Equal Opportunity.

*Conciliation agreement* means an agreement entered into between the complainant and respondent resolving the alleged discriminatory practice and which may require respondent to refrain from committing a discriminatory practice or to take affirmative action. The agreement may include consent to the entry of a court decree embodying its terms and shall be subject to approval by the Director of the Palm Beach County Office of Equal Opportunity.

*Director* means the Director of the Palm Beach County Office of Equal Opportunity.

*Disability* means, with respect to an individual:

- (1) A physical or mental impairment that substantially limits one (1) or more major life activities of such individual;
- (2) A record of such impairment;
- (3) Being regarded as having such an impairment; or

- (4) Rules of construction regarding the definition of disability shall be construed in accordance with the ADA Amendments Act of 2008, as amended.

*Discrimination classification* means a classification on the basis of race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.

*Discrimination practice* means a practice designated as discriminatory under the terms of this article.

*Document* includes, but is not limited to, writings, drawings, graphs, charts, photographs, phonorecords and other data or compilations from which information can be obtained.

*Employee* means any individual employed by, or seeking employment from an employer.

*Employer* means a person engaged in an industry affecting commerce who has fifteen (15) or more employees for each working day in each of four (4) or more calendar weeks in the current or preceding calendar year, and any agent of such person; including, but not limited to, all state and local governments, governmental agencies, and political subdivisions unless opted out. The term does not include the United States, an Indian Tribe, a bona fide private membership club which is exempt from taxation under 501(c) of Title 26.

*Employment agency* means any person regularly undertaking, with or without compensation, to procure employees for an employer or to procure for employees opportunities to work for an employer, and includes an agent of such person.

*Familial status* means an individual who has legal custody of one (1) or more children who has not attained the age of eighteen (18). The protection afforded against discrimination on the basis of familial status shall apply to any individual who is expecting the birth of a child or is in the process of securing legal custody of a child under the age of eighteen (18).

*Gender identity or expression* means a gender-related identity, appearance, expression or behavior of an individual, regardless of the individual's assigned sex at birth.

*Genetic information* means, with respect to any individual, information about:

- (1) Such individual's genetic tests;
- (2) The genetic tests of family members of such individual;
- (3) The manifestation of a disease or disorder in family members of such individual; and
- (4) Rules of construction regarding the definition of genetic information shall be construed in accordance with the Genetic Information Nondiscrimination Act of 2008, as amended.

*Labor organization* means any organization engaged in an industry affecting commerce, and any agent of such an organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, whole or in part, of collective bargaining or of dealing with employers, or other mutual aid or protection in connection with employment. Labor organization includes:

- (1) An organization of any kind representing employees in dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms and conditions of employment;
- (2) A conference, general committee, system board, or council which is subordinate to a national or international labor organization.

A labor organization shall be deemed to be engaged in an industry affecting commerce if it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to work for an employer, or the number of its members is fifteen (15), and such labor organization is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended.

*Marital status* means the status of being married, single, divorced or widowed.

*National origin* includes the national origin of an ancestor.

*Office of Equal Opportunity* or the *OEO* means the Palm Beach County Office of Equal Opportunity.

*Person* includes one (1) or more individuals, associations, corporations, trustees, joint apprenticeship committees, joint stock companies, partnerships, labor unions, legal representatives, mutual companies, receivers, trusts, trustees in bankruptcy, unincorporated organizations, fiduciaries or any other legal or commercial entity, the state, or any governmental entity or agency in Palm Beach County.

*Qualified individual* means, an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires. For the purposes of this article, consideration shall be given to the employer's judgment as to what functions of a job are essential, and if an employer has prepared a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job.

*Reasonable accommodation for disability.* The term "reasonable accommodation" may include:

- (1) Making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and
- (2) Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

*Religion* means all aspects of religious observance, practice and beliefs.

*Religious accommodation* means an employer or other covered entity is required to reasonably accommodate an employee's religious beliefs or practices, unless doing so would cause more than a minimal burden on the operations of the employer's business. This means an employer may be required to make reasonable adjustments to the work environment that will allow an employee to practice his or her religion.

*Respondent* shall mean the person or other entity accused in a complaint of a discriminatory practice and any other person or entity identified in the course of the investigation not named as a respondent in the initial complaint who may be joined as an additional or substitute respondent upon written notice.

*Sexual orientation* means heterosexuality, homosexuality, bisexuality or asexuality, whether actual or perceived.

*Substantially limited* shall be interpreted consistently with the findings and purposes of the ADA Amendments Act of 2008, as amended.

*Training programs* mean any plan containing terms and conditions for qualification, recruitment, selection, employment, or training of employees to:

- (1) Enter a specific trade or occupation after completion of a specified training program; or
- (2) Offer a person already either partially or wholly trained in a specific trade or occupation an opportunity to advance after completion of a specified training program.

A training program may be "joint" i.e., managed and supervised by representatives of labor and management or unilateral.

*Undue hardship for disability* means an action requiring significant difficulty or expense, when considered in light of the following factors:

- (1) The nature and cost of the accommodation needed;
- (2) The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility;

- (3) The overall financial resources of the covered entity; the overall size of the business of a covered entity with respect to the number of its employees; the number, type, and location of its facilities; and
- (4) The type of operations of the covered entity, including the composition, structure, and functions of the workforce of such entity; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity.

*Undue hardship for religion* means an accommodation that requires an employer to bear more than a "de minimis" burden on operation of the business. Any proffered hardship, however, must be actual. An employer cannot rely merely on speculation.

*Unlawful employment practice* includes only those practices specified in Section 2-312.

(Ord. No. 95-31, 8-15-95; Ord. No. 02-066, §§ 1, 2, 9-10-02; Ord. No. 07-041, §§ 2, 7, 12-18-07; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-264—2-270. - Reserved.

## DIVISION 2. - OFFICE OF EQUAL OPPORTUNITY

Sec. 2-271. - In general.

The County Administrator exercising his/her power of appointment shall employ a Director and such other personnel in the OEO as may be provided for in the budget approved by the Board of County Commissioners and for which an appropriation has been made. The Director and staffing complement shall be referred to as the OEO. It shall be the responsibility of the Director and/or the Director's designee to investigate complaints of discrimination prohibited by this article, and the laws of the United States of America and the State of Florida, and attempt to conciliate and mediate complaints of discrimination, to perform such other duties which will promote and provide for equal opportunity and for enforcement of this article and the laws of the United States of America and the State of Florida; and to perform such other duties of an administrative nature as may be assigned by the County Administrator.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-272. - Duties and powers of the OEO.

The duties, functions, powers and responsibilities of the office shall include the following:

- (1) The enforcement of the provisions of this article and rules and regulations promulgated hereunder.
- (2) Publish and disseminate public information and materials relating to equal employment opportunities issues.
- (3) Perform such other administrative duties as may be assigned by the County Administrator.
- (4) To become a referral agency for the state and federal government and comply with the necessary state and federal regulations.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-273. - Duties and powers of the Director.

The powers and duties of the Director and/or the Director's designee shall be:

- (1) To investigate and make findings regarding:

- a. Tension or prejudice in relation to all equal employment involving race, sex, color, religion, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression, or genetic information.
  - b. Discrimination against any person by any person with regard to employment on the basis of race, sex, color, religion, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.
- (2) To attempt to conciliate and mediate complaints of discrimination brought pursuant to this article.
  - (3) To prepare conciliation agreements embodying any agreement reached by the parties relating to the complaint, and advise the Board of such agreement.
  - (4) To administer oaths, subpoena witnesses, and compel production of evidence pertaining to any investigation authorized by this article.
  - (5) To administratively dismiss complaints pursuant to the provisions of this article.
  - (6) To exercise all powers reasonable and necessary to fulfill the purpose of this article.
  - (7) To petition for enforcement of a subpoena in the appropriate court in the case of a refusal to obey a subpoena issued by the Director and/or the Director's designee.

(Ord. No. 95-31, 8-15-95; Ord. No. 02-066, § 1, 9-10-02; Ord. No. 07-041, § 3, 12-18-07; Ord. No. [2017-013](#), 4-4-17)

Secs. 2-274—2-280. - Reserved.

### DIVISION 3. - EQUAL EMPLOYMENT BOARD

Sec. 2-281. - Established; composition; qualification; terms of office; attendance.

- (a) *Created and Established.* The Board is hereby created and established. The Board is to be comprised of nine (9) citizens of the County appointed by the Board of County Commissioners to serve for terms of three (3) years. There shall be a limit of three (3) consecutive three-year terms. Terms shall begin on October 1 and end on September 30. All Board members must be residents of Palm Beach County at the time of appointment and while serving on the Board. Board appointments should reflect, to the greatest extent possible, the racial, gender and ethnic make-up of the community. Members of this Board shall be the same as members of the Fair Housing Board created by the Palm Beach County Housing Ordinance as codified in Article III, Chapter 15, sections 15-36 through 15-67 of the Palm Beach County Code. Seven (7) of the appointments shall be made as district appointments and two (2) of the appointments shall be made at large by the Board of County Commissioners on the basis of community representation, integrity, experience and interest in the area of equal opportunities. In order that the terms of office of all members shall not expire at the same time, all current members of the Board shall serve the remainder of their respective terms, if they so elect. Any member who elects not to serve the remainder of their term shall be replaced by appointments made by the Board of County Commissioners to serve the unexpired portion of the term. Vacancies shall be filled in the same manner as the original appointments for the remainder of the vacant term. Each member shall serve without compensation. Travel reimbursement is limited to expenses incurred only for travel outside Palm Beach County necessary to fulfill Board member responsibilities when sufficient funds have been budgeted and are available as set forth in PPM CW-O-038. No other expenses are reimbursable except documented long distance phone calls to the OEO. Approval authority for pre-authorized Board member travel is designated to the County Administrator and Deputy County Administrator and shall be in accordance with Countywide Policy and Procedures Memoranda (PPM) CW-F-009. Each district appointee serves at the pleasure of the appointing Commissioner and may be removed without cause by the appointing Commissioner at any time, and at large appointees may be removed without cause by a majority vote of the Board of

County Commissioners at any time. The maximum number of boards that an individual appointed by the Board of County Commissioners may serve on at one (1) time shall be three (3), however, membership on the Fair Housing Board and this Board shall only be considered membership on one (1) advisory board. Members shall comply with the applicable provisions of the Palm Beach County Code of Ethics, as codified in sections 2-441 through 2-448 of the Palm Beach County Code and the State Code of Ethics. Abstention from voting due to a conflict of interest on more than three (3) separate matters during a calendar year shall result in automatic removal. Members shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three (3) consecutive meetings or failure to attend more than one-half ( $\frac{1}{2}$ ) of the meetings scheduled during a calendar year. Participation for less than three-fourths ( $\frac{3}{4}$ ) of a meeting shall be the same as failure to attend a meeting. Members removed pursuant to this paragraph shall not continue to serve on the Board and such removal shall create a vacancy. Board members shall not be prohibited from qualifying as a candidate for elected office. County employees, other than Commissioners' Aides, may not be appointed to the Board. Former Board of County Commission members may not be appointed to the Board for at least two (2) years following their last day in office as a County Commissioner. Members of the Board shall appoint a chairperson and vice-chairperson, and the Board may promulgate rules and regulations for the conduct of its meetings and affairs.

- (b) *Board terms, rules and regulations and organization.* The following rules and regulations shall govern the operation of the Board:
- (1) The chairperson of the Board shall be elected by majority vote of the Board and shall serve for a term of one (1) year and have the following duties:
    - a. Call Board meetings and set the agenda for the same.
    - b. Preside at Board meetings.
    - c. Sign subpoenas.
    - d. Perform such other functions as the Board may assign by rule or order.
  - (2) The vice-chairperson shall be elected by majority vote of the Board and shall serve for a term of one (1) year. The vice-chairperson shall perform the duties of the chairperson in the chairperson's absence and such other duties as the chairperson may assign.
  - (3) If a vacancy occurs in the office of chairperson, the vice-chairperson shall become the chairperson for the unexpired term of the chairperson. If a vacancy occurs in the office of vice-chairperson, the Board will elect another member to fill the unexpired term of the vice-chairperson.
  - (4) At least three (3) members of the Board or any other odd number shall constitute a hearing panel for the purpose of hearing discrimination complaints. A majority of members appointed shall constitute a quorum to hold a meeting for any other purpose. Board business shall be taken by a majority vote.
  - (5) All meetings shall be governed by Robert's Rules of Order.
- (c) *Board Meetings.* The Board shall comply with the Sunshine Law. The Board shall meet on a regular basis and as necessary to conduct administrative hearings. Reasonable notice of the time and place of the meeting shall be given to all Board members and all parties scheduled to be heard, and shall be made public. All meetings of the Board shall be open to the public. The chairperson may call an unscheduled meeting upon not less than twenty-four (24) hours notice, and preferably at least seventy-two (72) hours reasonable notice to the public, and meetings may also be called by the Director upon the request of three (3) members of the Board. The County Administrator shall provide such staff as may reasonably be required in his/her discretion to assist the Board in the performance of its duties. The County Administrator shall provide a regular meeting place for the Board.
- (d) *Objectives of the Board.* The objectives of the Board shall be:
- (1) To promote and encourage fair treatment and equal opportunity in employment for all persons regardless of race, sex, color, religion, national origin, disability, familial status, sexual



orientation, age, marital status, gender identity or expression, or genetic information; to promote and encourage mutual understanding and respect among such persons and to endeavor to eliminate employment discrimination against and antagonism between such persons;

- (2) To cooperate with governmental and non-governmental agencies and organizations having like or kindred functions;
- (3) To make such investigations and studies in the field of employment as in its judgment will aid in effectuating its general purposes;
- (4) To assist various groups and agencies of the community to cooperate in educational programs and campaigns devoted to the elimination of discrimination in employment;
- (5) To aid in permitting the County to benefit from the fullest realization of its equal employment resources;
- (6) To recommend to the Board of County Commissioners the acceptance of certain grants and contracts from foundations and other sources for the purposes of carrying out the purposes of this article; and
- (7) To recommend to the Board of County Commissioners methods for elimination of discrimination and intergroup tensions. The objectives set forth above are not to be construed as duties, and the Board of County Commissioners shall have the discretion to determine when each objective is implemented.

(e) *The powers and duties of the Board shall be:*

- (1) To refer or accept referral of complaints when appropriate and to cause, through the OEO, investigations of:
  - a. Tension or prejudice in relation to all employment matters involving race, sex, color, religion, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression, or genetic information.
  - b. Discrimination against any person by any person with regard to employment matters on the basis of race, sex, color, religion, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression, or genetic information.
- (2) To propose reasonable rules and regulations as are necessary to effectuate the policies of this article and govern the proceedings of the Board. Such rules and regulations shall become effective upon approval by the Board of County Commissioners.
- (3) To receive, initiate, seek to conciliate, hold hearings upon and adjudicate complaints alleging violation of this article; to recommend methods and alternatives for eliminating injustices occasioned thereby; to carry out and enforce the purpose of this article.
- (4) To administer oaths, subpoena witnesses, and compel production of evidence pertaining to any hearing convened pursuant to the powers and duties authorized by this article.
- (5) To subpoena witnesses and compel production of evidence requested by the OEO relating to an investigation being conducted pursuant to this article.
- (6) To issue remedial orders prohibiting violations of this article and providing affirmative relief from the effects of the violations as specified in section 2-312.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Secs. 2-282—2-288. - Reserved.

**Editor's note**— Ord. No. [2017-013](#), adopted April 4, 2017, repealed §§ 2-282—2-288, which pertained to the equal employment board and derived from Ord. No. 95-31, adopted Aug. 15,

1995; Ord. No. 02-066, § 1, adopted Sep. 10, 2002; and Ord. No. 07-041, §§ 4, 5, adopted Dec. 18, 2007. Similar provisions can now be found in section 2-281.

Secs. 2-289—2-300. - Reserved.

#### DIVISION 4. - COMPLAINTS

Sec. 2-301. - Filing of complaints alleging discrimination in employment.

- (a) A complaint that any person has engaged in or is engaging in an unlawful employment practice within the meaning of this article may be made by or on behalf of any person claiming to be aggrieved within one hundred eighty (180) days of the alleged discriminatory act.
  - (1) Any person who claims to have been injured by an unlawful discriminatory practice must file a sworn written complaint with the OEO, which shall state the name and address of the complainant and the person or persons against whom the complaint is made.
  - (2) A complaint on behalf of a person claiming to be aggrieved may be made by any person, agency or organization.
  - (3) A complaint shall be in writing and signed by the complainant. Each complaint should contain the following information:
    - a. The full name and address and telephone number of the person making the complaint except in cases where the complaint is being made on behalf of another person;
    - b. The full name and address of the person against whom the complaint is made; and
    - c. A general description of the action or practices complained of.
- (b) A complaint may be filed by the Director of the OEO, with the approval of the Board.
- (c) Intake of complaints may be done in person, by telephone, facsimile, or by U.S. Mail, or electronic mail at the OEO.
- (d) Complaints may be amended to cure technical defects, omissions, or to clarify and amplify allegations. Amendments alleging additional acts which constitute unlawful practices related to or growing out of the subject matter of the original complaint will relate back to the date the complaint was first received.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-302. - Notice of complaints.

Upon the filing of a complaint, the Director shall serve notice upon the complainant acknowledging such filing and advising the aggrieved person of the time limits and choice of forums provided under this article. The Director or the Director's designee shall, not later than ten (10) days after such filing or the identification of an additional respondent, serve on the respondent a notice identifying the alleged discriminatory employment practice and advising such respondent of the procedural rights and obligations of respondents under this article, together with a copy of the original complaint. The respondent may file a sworn written answer to the complaint within thirty (30) days of the receipt of the complaint. Any subsequent amendment to the complaint or answer thereto shall be served on the respondent or the complainant.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-303. - Processing complaints.

Within one hundred eighty (180) days of the filing of a complaint, the staff of the OEO shall make such investigation as the Director or the Board deems appropriate to ascertain facts and issues. In conducting an investigation to ascertain whether or not there has been a violation of this article, the Director and/or the Director's designee shall have access at all reasonable times to premises, record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation providing that the OEO complies with the provisions of the federal and state constitutions relating to unreasonable searches and seizures. The Director, chairperson, vice-chairperson or any other member of the Board may issue subpoenas to compel access to, or the production of, such materials, or the appearance of such persons, and may issue interrogatories to a respondent to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in court. In the case of a refusal to obey a subpoena issued to any person, or refusal to comply with any method of discovery authorized in the Florida Rules of Civil Procedure the Board and/or the Director shall request the County Attorney to make application to the appropriate court to order the witness to comply with the request for discovery, or to appear before the Board and to produce evidence, if so requested, or to give testimony concerning the matter in question. The Director and/or the Board may administer oaths. If the complaint is not settled within one hundred eighty (180) days of the filing of the complaint, and if the Director determines that there is reasonable cause to believe an unlawful employment practice has occurred and is appropriate for conciliation, then the Director and/or the Director's designee shall attempt to conciliate the matter.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-304. - Withdrawal of complaint.

A complaint filed pursuant to this article may be withdrawn at any time by the complaining party upon notifying the OEO; however, the Director may continue an action against the respondent if the facts establish reasonable cause to support a finding of discrimination and the Board approves such further action.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-305. - Preservation of records.

Following service of the complaint in the manner provided herein, the respondent shall preserve all personnel records, payroll records or any other written or documentary material relating to the complaint until the complaint has been resolved.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-306. - Dismissal of complaint.

- (a) Any complaint filed pursuant to this article shall be dismissed by the Director upon the following cause:
- (1) The complainant has failed or refused to cooperate or the complainant cannot be located after reasonable efforts to do so have been made and after twenty (20) days notice to the complainant by mail to the complainant's last known address the complainant has failed to duly respond.
  - (2) The complaint has not been timely filed with the OEO.
  - (3) The complainant refuses to accept full remedy when there is a settlement negotiation prior to a finding being issued.

- (4) The complainant and respondent have entered into a separate independent settlement agreement regarding the subject matter of the complaint.
  - (5) The complainant withdraws the complaint.
  - (6) The complainant files a complaint in state or federal court which divests the OEO of jurisdiction.
- (b) In the event that any other agency of the state or of any other unit of state or federal government has jurisdiction of the subject matter of any complaint filed with the OEO and has legal authority to investigate or act upon the complaint, the OEO may refer such complaint to such agency. Referral of such a complaint by the OEO shall not constitute agency action within the meaning of F.S. § 120.52(2). In the event of any referral under this subsection, the OEO shall accord substantial weight to final findings and orders of any such agency.

(Ord. No. 95-31, 8-15-95; Ord. No. 05-046, § 2, 9-27-05; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-307. - Investigation procedures.

After a complaint has been filed, the OEO shall conduct an investigation. The OEO may utilize the services and information gathered from other public agencies charged with the administration of equal opportunity laws. The following procedures shall be followed:

- (1) *Requests for information.* In conducting an investigation the Director and/or the Director's designee shall have access at all reasonable times to premises, and may examine records, documents, and other evidence or possible sources of evidence, and may record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation providing that the Director and/or the Director's designee complies with the provisions of the federal and state constitutions relating to unreasonable searches and seizures. The Director and/or the Director's designee may obtain information by:
  - a. Oral interview; and/or
  - b. Requests for written statement or affidavit; or
  - c. Any discovery methods set forth in the Florida Rules of Civil Procedure.
- (2) *Access to files during investigation.* Information obtained during the investigation of a complaint shall be disclosed only to the complainant, the respondent, or their authorized representative, or to witnesses, only when disclosure is deemed necessary by the Director for the investigation or for securing appropriate disposition of the complaint. The Director may direct that a particular record, document or portion thereof be withheld from inspection by a party only when necessary for the protection of a witness or third party, or for the preservation of a trade secret and only in accordance with the provisions of the Florida Public Records Law and/or the Federal Privacy Act.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-308. - Determination of reasonable cause—Notice.

- (a) Upon completion of an investigation, the Director and/or the Director's designee shall make a determination as to whether there is reasonable cause believe that an unlawful employment practice has occurred. The Director and/or the Director's designee shall provide a copy of the determination to the Board.
- (b) A determination of reasonable cause shall include an invitation to participate in conciliation.
- (c) After service of a determination, records and documents in the custody of the OEO that pertain to the determination shall be open for public inspection in accordance with the provisions of the Florida Public Records Law (F.S. § 119.01 et seq.).

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-309. - Same—Conciliation procedure.

- (a) After service of a determination of reasonable cause the OEO shall endeavor to eliminate any unlawful employment practice through mediation or conciliation. Where such conciliation attempts are successful, the terms of the agreement shall be reduced to writing and signed by the complainant, the respondent and the Director. The original of the signed agreement shall be filed with the Director and copies shall be served upon the respondent and complainant.
- (b) If after thirty (30) days from issuing the determination, an agreement has not been signed, the Director shall serve a failure of conciliation upon the complainant and respondent.
- (c) Nothing said or done in the course of the conciliation process may be made public or used as evidence in subsequent proceedings without the written consent of the parties. Any employee of the OEO who violates this section shall be prosecuted in the same manner as a misdemeanor of the second degree, punishable as provided in F.S. Ch. 775. The final executed and approved conciliation agreement will be made public.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-310. - Administrative remedies.

- (a) If the Director is unable to obtain voluntary compliance with this article and has reasonable cause to believe that an unlawful employment practice has occurred, the Director may institute an administrative proceeding before the Board on any Director initiated complaint.
- (b) The complainant may request an administrative proceeding before the Board within thirty (30) days after receiving notice of failure of conciliation.
- (c) In conducting an administrative hearing to ascertain whether or not there has been a violation of this article, the Board shall have the power to administer oaths, issue subpoenas, compel the production of books, papers and other documents and receive evidence. The Board shall conduct the administrative hearing in accordance with F.S. § 120.57, as amended.
- (d) All recommended orders issued by the Board as a result of such hearing or hearings shall conform with the requirements in F.S. § 120.57, as amended.
- (e) The Board shall issue a copy of the order to each party to the administrative proceedings. The recommended order shall be considered as the final order of the Board as provided by F.S. § 120.57, as amended.
- (f) Any party to such administrative proceedings shall have the right to appeal the administrative order described herein by filing notice of appeal pursuant to Florida Appellate Rule 9.110(a)(2) within thirty (30) days of the issuance of such order by the Board. Any party shall have the right to bring an action in the appropriate court to ensure compliance with this order.
- (g) In the case of a refusal to obey a subpoena issued by the Board, the County or the person at whose request it was issued may, in addition to any other remedies made available, petition for its enforcement in the appropriate court.
- (h) Should any party fail or refuse to comply with the final order issued or breach a conciliation agreement as provided herein, then following the expiration of the appeal time provided herein, the Board may forward such order or conciliation agreement to the Board of County Commissioners with a request to authorize the County Attorney to bring such action or actions as necessary to obtain compliance with this article.

- (i) When an act is required or allowed to be done at or within a specified time by this section, for cause shown, the Board, in its discretion, and upon the written request of a party, may order the period enlarged unless otherwise prohibited by law.
- (j) All written motions upon which a ruling is requested shall be filed with the OEO at least ten (10) days prior to the hearing date established by the Board. Such motions shall be considered and ruled upon by the Board prior to the start of the final hearing.
- (k) All motions and orders thereon shall be made a part of the record of such administrative proceedings.
- (l) No appeal may be made from rulings on such motions until a final order has been issued.
- (m) If there are separately filed cases before the Board which involve similar issues of law and fact and identity of parties, then such cases may be consolidated by the Director for hearing before the Board.
- (n) Discovery shall be permitted and shall proceed in the manner provided by the Florida Rules of Civil Procedure.
- (o) The Board may order a pre-hearing conference prior to any administrative hearing. Prior to such conference the Board may direct that the parties submit a pre-conference statement addressing the issues of law and fact that will be involved in such hearing, identifying the witnesses that will testify, providing a list of all documents or other exhibits that will be submitted and providing such other information as requested by the Board.
- (p) The Director shall set the time and place of any administrative hearing. The Director shall serve notice by certified mail of such hearing on the parties no later than fourteen (14) calendar days prior to the final hearing. Such notice requirement may be waived with the written consent of all parties. The notice shall also contain:
  - (1) A statement of the nature of the hearing.
  - (2) A statement of the legal authority and jurisdiction under which the hearing is to be held.
  - (3) A reference to the statutes, ordinance and rules involved.
- (q) Requests for subpoenas in any administrative proceeding shall be filed with the OEO and forwarded to the Board. Such requests shall set forth the name and address of the person whose attendance is requested and shall describe with particularity any material to be produced. Such subpoenas shall be issued by the Board or the Director. The requesting party shall be responsible for service of any subpoena.
- (r) A subpoena shall be subject to a motion to quash or a motion for protective order before the appropriate court.
- (s) The official transcript of a hearing shall be preserved by electronic recording or by a court reporter.
- (t) Should a party elect to provide a court reporter for a hearing, that party shall be responsible for entire payment of the reporter's fee.
- (u) If the Board finds that an unlawful practice has occurred, it shall issue an order prohibiting the practice and awarding affirmative relief from the effects of the practice, including actual damages and reasonable attorney's fees and costs. Actual damages may include back pay, except liability for back pay shall not accrue from a date more than two (2) years prior to the filing of a complaint under this article.
- (v) To vindicate the public interest, the Board, may assess a civil penalty against the respondent in an amount not to exceed ten thousand dollars (\$10,000.00). Funds recovered under this section shall be paid to the Board of County Commissioner's general fund.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-311. - Enforcement by private persons.



- (a) A person may commence a civil action in any court of competent jurisdiction against the named employer, employment agency, labor organization, joint labor-management committee or person no later than one (1) year after the date of determination of reasonable cause by the OEO. The commencement of such action shall divest the OEO of jurisdiction of such complaint, except that the OEO may intervene as a matter of right.
- (b) Nothing in this article shall be construed to waive the right of any person to file a charge with any other agency with the legal authority to investigate or act upon the complaint. The commencement of such action shall not divest the OEO and the Board of jurisdiction of such complaint.
- (c) If the court finds that an unlawful practice has occurred, it may issue an order prohibiting the practice and providing affirmative relief from the effects of the practice, actual and punitive damage, and reasonable attorney's fees and costs. Actual damages may include back pay, except liability for back pay shall not accrue from a date more than two (2) years prior to the filing of a complaint under this article. It is intended that any award of attorneys fees be interpreted in a manner consistent with federal case law, involving a Title VII action. The right to trial by jury is preserved in any such private right of action in which the aggrieved person is seeking compensatory or punitive damages, and any party may demand a trial by jury.

(Ord. No. 95-31, 8-15-95; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-312. - Unlawful employment practices.

- (a) It is an unlawful employment practice for an employer:
  - (1) To discharge or to fail or refuse to hire any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.
  - (2) To limit, segregate, or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities, or adversely affect any individual's status as an employee, because of such individual's race, color, religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.
  - (3) To refuse to make reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee unless such covered entity can demonstrate that the accommodation would impose an undue hardship as defined in this article.
- (b) It is an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of race, color, religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, or gender identity or expression, or to classify or refer for employment any individual on the basis of race, color, religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.
- (c) It is an unlawful employment practice for a labor organization:
  - (1) To exclude or to expel from its membership, or otherwise to discriminate against, any individual because of race, color, religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.
  - (2) To limit, segregate, or classify its membership or applicants for membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or adversely affect any individual's status as an employee or as an applicant for employment, because of such individual's race, color,

religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.

- (3) To cause or attempt to cause an employer to discriminate against an individual in violation of this article.
- (d) It is an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of race, color, religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information, or in admission to, or employment in, any program established to provide apprenticeship or other training.
- (e) Whenever, a profession, occupation, or trade, requires that a person receive a license, certification, or other credential to become a member of an association of any club, association, or other organization, or pass any examination, it is an unlawful employment practice for any person to discriminate against any other person seeking such license, certification, or other credential, seeking to become a member or associate of such club, association or other organization, or seeking to take or pass such examination, because of such other person's race, color, religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.
- (f) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to print or cause to be printed or published, any notice or advertisement relating to employment, membership, certification, referral for employment, or apprenticeship or other training, indicating any preference, limitation, specification, or discrimination based on race, color, religion, sex, national origin, age, disability, familial status, marital status, sexual orientation, gender identity or expression or genetic information.
- (g) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to intimidate, coerce, threaten or interfere with any person in the exercise or enjoyment of, or on account of their having exercised or enjoyed, or on account of their having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this article.
- (h) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to retaliate or discriminate in any manner against a person who has opposed a practice declared discriminatory by this article, or who has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding, hearing or conference under this article.
- (i) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to aid, abet, incite, compel or coerce any person to engage in any of the practices prohibited by this article; or to obstruct or prevent any person from complying with the provision of this article or any order issued thereunder.
- (j) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to resist, prevent, impede or interfere with the Board or any of its members or representatives in the lawful performance of its or their duty under this article.
- (k) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to initiate maliciously, frivolously or in bad faith any charge under the provisions of this article for the purpose of harassment.

(Ord. No. 95-31, 8-15-95; Ord. No. 02-066, § 1, 9-10-02; Ord. No. 07-041, § 6, 12-18-07; Ord. No. [2017-013](#), 4-4-17)

Sec. 2-313. - Limitations and exceptions—Employment.

Notwithstanding any other provision of this article, it is not an unlawful employment practice for an employer, employment agency, labor organization, or joint labor-management committee to:

- (1) Take or fail to take any action on the basis of religion, sex or national origin in those certain instances in which religion, sex or national origin is a bona fide occupational qualification reasonably necessary for the performance of the particular employment to which such action or inaction is related.
- (2) Observe the terms of a bona fide seniority system, a bona fide employee benefit plan such as a retirement, pension, or insurance plan, or a system which measures earnings by quantity or quality of production, which is not designed, intended, or used to evade the purposes of Title VII of the Civil Rights Act of 1964, as amended, the Civil Rights Act of 1991, as amended, the Equal Pay Act of 1963, as amended, the Rehabilitation Act, as amended, the Americans with Disabilities Act Amendments Act of 2008, as amended, or the Florida Civil Rights Act, as amended. However, no such employee benefit plan or system which measures earnings shall excuse the involuntary retirement of any individual on the basis of any factor not related to the ability of such individual to perform the particular employment for which such individual is engaged. This subsection shall not be construed to make unlawful the rejection or termination of employment when the individual applicant or employee has failed to meet bona fide requirements for the job or position sought or held or to require any changes in bona fide retirement or pension programs or existing collective bargaining agreements during the life of the contract, nor shall this article preclude such physical and medical examinations of all employees or persons offered employment to determine fitness for the job or position held or offered.

Section 2-312 shall not apply to any religious corporation, association, educational institution, or society which conditions opportunities in the area of employment to members of that religious corporation, association, educational institution, or society or to persons who subscribe to its tenets or beliefs. Section 2-312 shall not prohibit a religious corporation, association, educational institution, or society from giving preference in employment to individuals of a particular religion to perform work connected with the carrying on by such corporations, associations, educational institutions, or societies of its various activities.

(Ord. No. 95-31, 8-15-95; Ord. No. 05-046, § 3, 9-27-05; Ord. No. [2017-013](#), 4-4-17)

Secs. 2-314—2-330. - Reserved.

**File Attachments for Item:**

D. Resolution 2020-08 - Approving the Final Plat for Persimmon Boulevard East Plat 3

**Submitted By:** Legal

**RESOLUTION 2020-08 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST PLAT 3, BEING IN PART A REPLAT OF OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH, FLORIDA, AND BEING A PORTION OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RECORDATION.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> Legal	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		<b>RESOLUTION 2020-08 APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST PLAT 3</b>		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Motion To Approve		
<b>SUMMARY and/or JUSTIFICATION:</b>		<p>City of Westlake has the exclusive jurisdiction to approve the 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 requirements under Florida Statutes, Chapter 177. The Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat and the boundary survey, and the collective staff has recommended approval.</p>		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>	X	<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	<ol style="list-style-type: none"> <li>1. <u>Resolution 2020-08</u></li> <li>2. <u>Plat</u></li> <li>3. <u>Legal Description</u></li> <li>4. <u>Boundary Survey</u></li> <li>5. <u>Approval Letter</u></li> </ol>			
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>	X	<b>ORDINANCE:</b>	
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <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><b>RESOLUTION 2020-08 - APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST PLAT 3</b></p> <p><b>A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST PLAT 3, BEING IN PART A REPLAT OF OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH, FLORIDA, AND BEING A PORTION OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RECORDATION.</b></p>			
<b>FISCAL IMPACT (if any):</b>				\$

**RESOLUTION 2020-08**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST PLAT 3, BEING IN PART A REPLAT OF OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH, FLORIDA, AND BEING A PORTION OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RECORDATION.**

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**WHEREAS**, Minto PBLH, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for the Persimmon Boulevard East Plat 3, being in part a Replat of Open Space Tract #3, Persimmon Boulevard East-Plat 2, Plat Book 128, Pages 16 Through 19, Inclusive, Public Records Of Palm Beach, Florida, and being a portion of Section 7, Township 43 South, Range 41 East, containing approximately 7.723 acres, in the City of Westlake, Palm Beach County, as described in Exhibit "A", attached hereto; and

**WHEREAS**, the City of Westlake has the exclusive jurisdiction to approve the plat 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 and the boundary survey, 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 Palm Beach County Unified Land Development Codes and Florida law.

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

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

**Section 2:** The City Council for the City of Westlake hereby approves the final plat and boundary survey for the Persimmon Boulevard East Plat 3, as described in the attached Exhibit "A", containing approximately 7.723 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.



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

**Section 4:** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by City Council for the City of Westlake, on this 11th day of May 2020.

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City of Westlake  
Roger Manning, Mayor

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Zoie Burgess, City Clerk

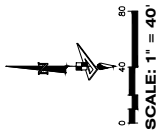
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Approved as to Form and Sufficiency  
Pam E. Booker, City Attorney

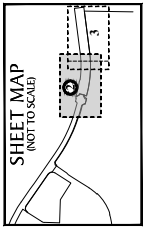


# PERSIMMON BOULEVARD EAST - PLAT 3

BEING IN PART A REPLAT OF OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH, FLORIDA, AND BEING A PORTION OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

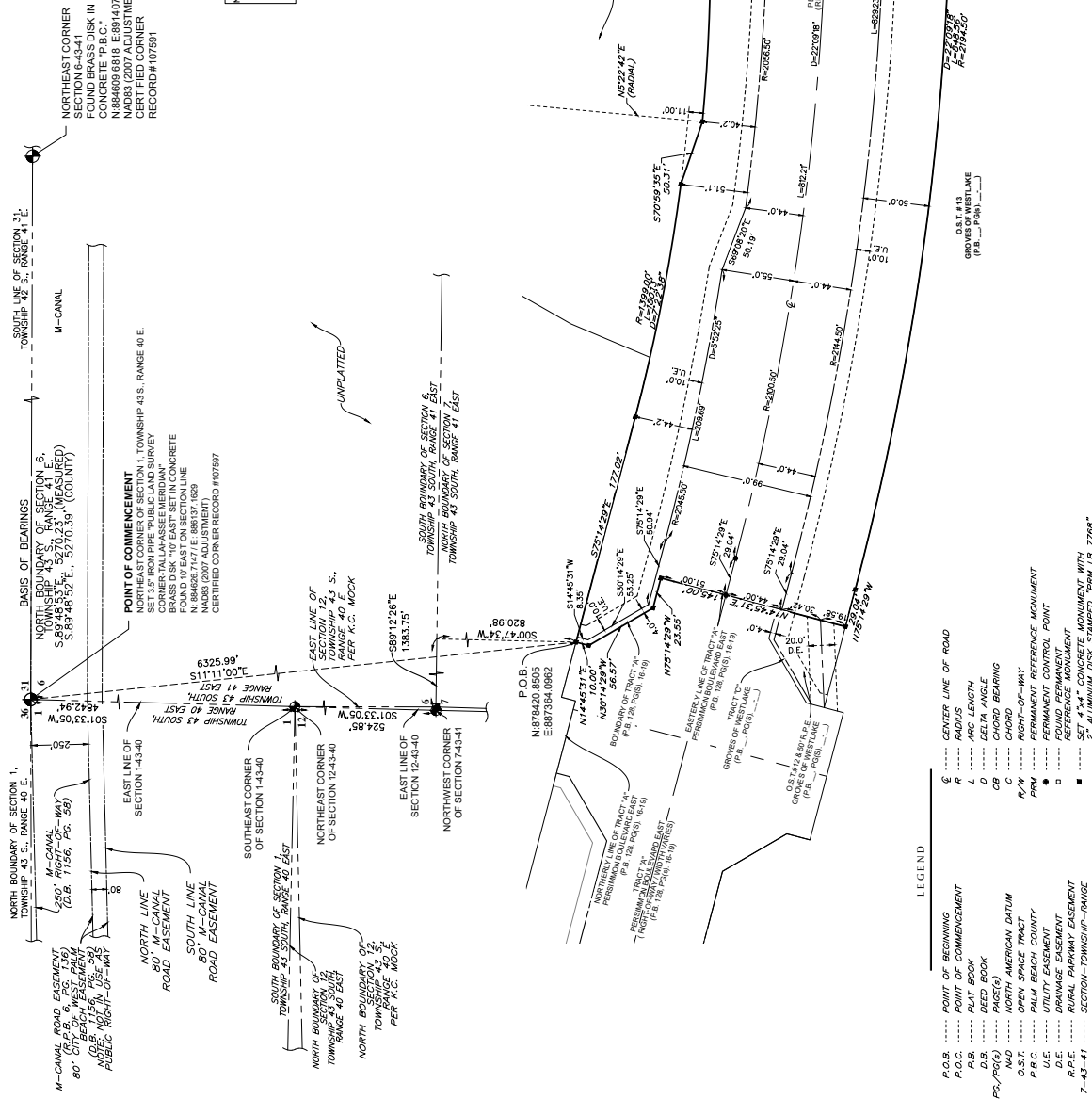


COORDINATES SHOWN HEREON ARE  
 DATUM = NAD83 2007 ADJUSTMENT  
 ZONE = FLORIDA EAST  
 PROJECTION = UTM  
 UNIT = METERS  
 ELLIPSOID = TRANSVERSE MERCATOR  
 SCALE FACTOR = 0.9999990000  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
 ALL TEST TO SECTION CORNERS AND QUARTER CORNERS  
 ARE GENERATED FROM MEASURED VALUES



NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE BEST COPY AVAILABLE. THE GRAPHIC FORM IS THE ORIGINAL HEREON AND WILL, IN NO CIRCUMSTANCES, BE SUPERSEDED BY ANY OTHER GRAPHIC OR DIGITAL FORM THAT IS NOT IDENTICAL TO THE GRAPHIC OR DIGITAL FORM THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

**BASIS OF BEARINGS**  
 BEARINGS SHOWN HEREON ARE BASED ON THE NORTH  
 SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST HAVING A  
 GRID BEARING OF S89°40'51"E (MEASURED). BEARINGS  
 SHOWN HEREON ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD 83) FOR  
 THE NORTH AMERICAN DATUM OF 1983 (NAD 83) FOR  
 SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83) FOR

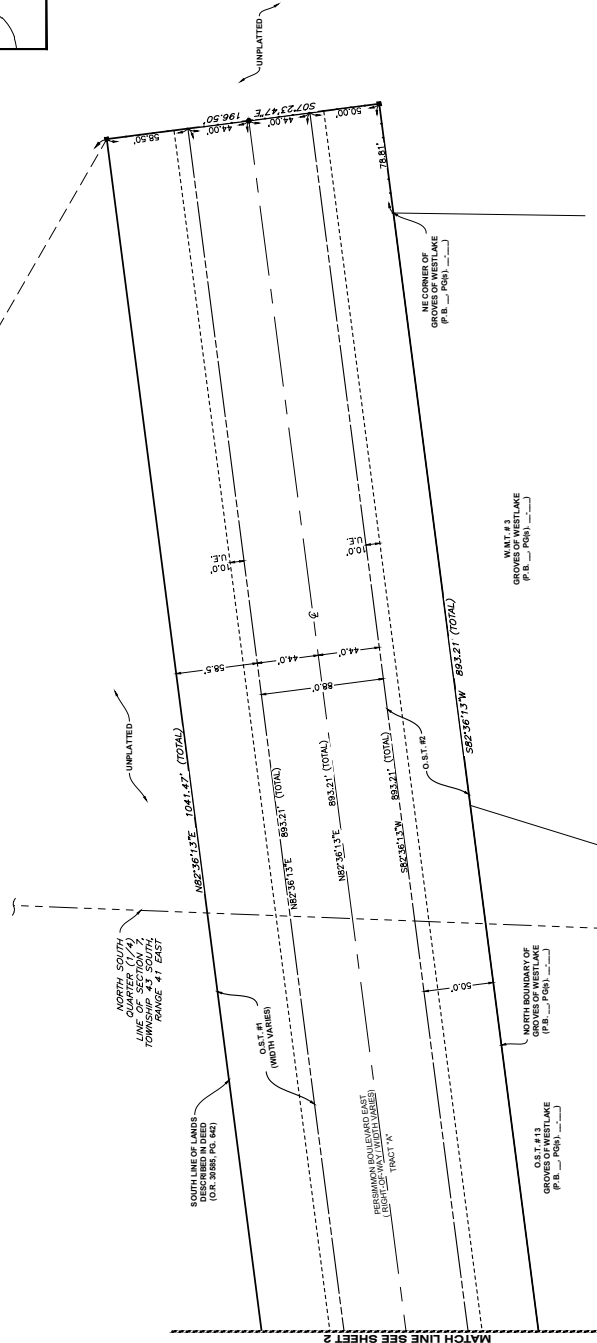
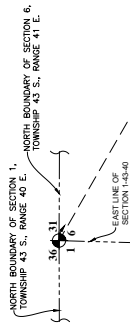
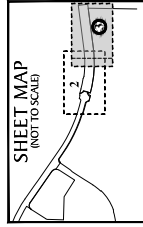
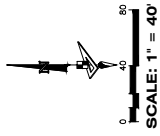


- LEGEND**
- P.O.B. .... POINT OF BEGINNING
  - P.O.C. .... POINT OF COMMENCEMENT
  - P.B. .... PLAT BOOK
  - D.B. .... DEED BOOK
  - PG./PL. .... PLAT/PLAT BOOK
  - NAD .... NORTH AMERICAN DATUM
  - R/W .... RIGHT-OF-WAY
  - P.B.C. .... PALM BEACH COUNTY
  - U.L.E. .... UTILITY EASEMENT
  - R.P.E. .... ROAD PUBLIC EASEMENT
  - R.P.L. .... ROAD PUBLIC LIMIT
  - 7-43-41 .... SECTION-TOWNSHIP-RANGE

**GeoPoint**  
 Surveying, Inc.  
 4152 W. Blue Heron Blvd.  
 Suite 100, Palm Beach, FL 33404  
 Phone: (561) 644-2730  
 Fax: (561) 644-2730  
 www.geopointsurveying.com

Sheet No. 2 of 3 Sheets

**PERSIMMON BOULEVARD EAST - PLAT 3**  
 BEING IN PART A REPLAT OF OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST-PLAT 2,  
 PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH, FLORIDA,  
 AND BEING A PORTION OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE,  
 PALM BEACH COUNTY, FLORIDA,



**LEGEND**

- P.C.B. .... POINT OF BEGINNING
- P.O.C. .... POINT OF COMMENCEMENT
- R ..... RADIUS
- PL ..... PLAT LENGTH
- D ..... DELTA ANGLE
- CB ..... CHORD BEARING
- C ..... CHORD
- R/W ..... RIGHT-OF-WAY
- PERM ..... PERMANENT REFERENCE MONUMENT
- TEMP ..... TEMPORARY REFERENCE MONUMENT
- FOUND ..... FOUND PERMANENT REFERENCE MONUMENT
- CONC ..... CONCRETE MONUMENT WITH 4"x4" SQUARE BARS STRAPPED FROM LB 7768\*
- AC ..... ALUMINUM DISK STRAPPED FROM LB 7768\*
- C.E.A. .... CENTER LINE OF ROAD
- DEED BOOK
- PAGE(S)
- NAD ..... NORTH AMERICAN DATUM
- O.S.T. .... OPEN SPACE TRACT
- P.B.C. .... PALM BEACH COUNTY
- D.E. .... DRAINAGE EASEMENT
- R.P.E. .... RURAL PARKWAY EASEMENT
- 7-43-41 ..... SECTION-TOWNSHIP-RANGE

**Exhibit 'A'**  
**Legal Description**  
**Persimmon Blvd East Plat 3**

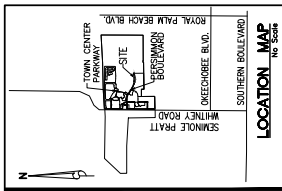
KNOW ALL MEN BY THESE PRESENTS THAT MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN AND DESCRIBED HEREON AS PERSIMMON BOULEVARD EAST PLAT 3, BEING IN PART A REPLAT OF OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH, FLORIDA, AND BEING A PORTION OF SECTION 7, 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 ALONG THE EAST BOUNDARY LINE OF SAID SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, A DISTANCE OF 4842.94 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 1, ALSO BEING THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE ALONG THE EAST BOUNDARY LINE OF SAID SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, A DISTANCE OF 524.85 FEET TO THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, A DISTANCE OF 1383.75 FEET; THENCE DEPARTING SAID NORTH BOUNDARY LINE OF SECTION 7, A DISTANCE OF 820.98 FEET TO THE POINT OF BEGINNING; SAID POINT BEING ON THE NORTHERLY LINE OF PERSIMMON BOULEVARD EAST, AS SHOWN ON PERSIMMON BOULEVARD EAST - PLAT 2, AS RECORDED IN PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, AND ON THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN DEED, AS RECORDED IN OFFICIAL RECORDS BOOK 30585, PAGE 642, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN SAID DEED, A DISTANCE OF 177.02 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 1399.00 FEET; THENCE EASTERLY ALONG SAID SOUTHERLY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF , A DISTANCE OF 180.13 FEET; THENCE ALONG SAID SOUTHERLY LINE, A DISTANCE OF 50.31 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 1410.00 FEET, AND A RADIAL BEARING OF AT SAID INTERSECTION; THENCE EASTERLY, ALONG SAID SOUTHERLY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE A DISTANCE OF 314.38 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID SOUTHERLY LINE, A DISTANCE OF 1041.47 FEET; THENCE A DISTANCE OF 196.50 FEET; THENCE ALONG THE NORTHERLY BOUNDARY OF GROVES OF WESTLAKE, AS RECORDED IN PLAT BOOK \_\_, PAGES \_\_ THROUGH \_\_, OF SAID PUBLIC RECORDS, A DISTANCE OF 893.21 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 2194.50; THENCE WESTERLY ALONG SAID NORTHERLY BOUNDARY AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF A DISTANCE OF 848.56 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID NORTHERLY BOUNDARY, A DISTANCE OF 29.04 FEET; THENCE ALONG SAID BOUNDARY AND THE EASTERLY LINE OF PERSIMMON BOULEVARD EAST, AS SHOWN ON PERSIMMON BOULEVARD EAST - PLAT 2, AS RECORDED IN PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, OF SAID PUBLIC RECORDS, A DISTANCE OF 145.00 FEET; THENCE ALONG THE EASTERLY BOUNDARY OF TRACT "A" AS SHOWN ON SAID PLAT OF PERSIMMON BOULEVARD EAST - PLAT 2, A DISTANCE OF 23.55 FEET; THENCE ALONG SAID EASTERLY BOUNDARY OF TRACT "A", A DISTANCE OF 56.57 FEET; THENCE ALONG SAID EASTERLY BOUNDARY OF TRACT "A", A DISTANCE OF 10.00 FEET TO A POINT ON THE NORTHERLY LINE OF PERSIMMON BOULEVARD EAST, AS SHOWN ON PERSIMMON BOULEVARD EAST - PLAT 2, AS RECORDED IN PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, AND ON THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN DEED, AS RECORDED IN OFFICIAL RECORDS BOOK 30585, PAGE 642, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING: 336,431 SQUARE FEET OR 7.723 ACRES, MORE OR LESS

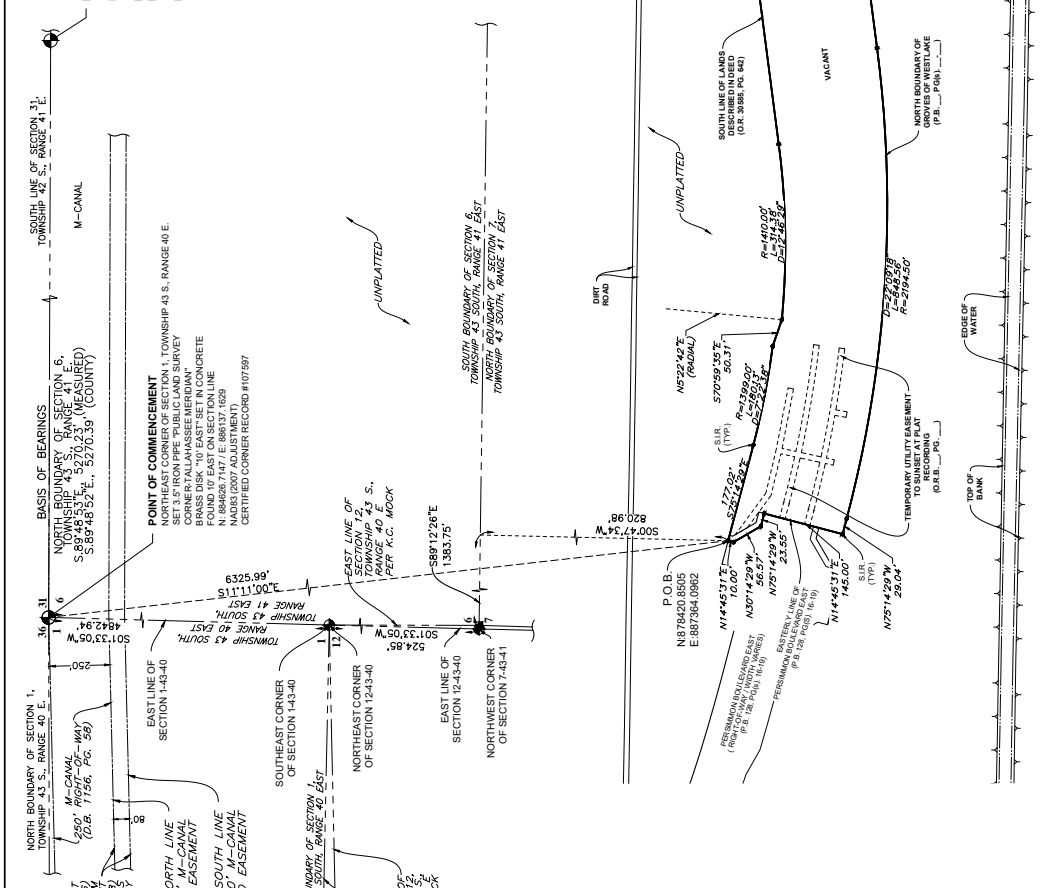






**NORTH EAST CORNER SECTION 6-43-41**  
**FOUND BRASS DISK IN CONCRETE "P.B.C."**  
 N: 884609.8918 E: 891407.3638  
 FOUND BY: JAMES W. WATSON  
 CERTIFIED COPIER  
 RECORD # 1075891

**POINT OF COMMENCEMENT**  
 SET 3.5" IRON PIPE "PUBLIC LAND SURVEY CORNER TALLAHASSEE MERIDIAN" FOUND 10' EAST ON SECTION LINE  
 N: 884626.7147 E: 888137.1629  
 MADE 12/20/07 ADJUSTMENT  
 CERTIFIED CORNER RECORD # 107597



**LEGEND**

- P.O.B. --- POINT OF BEGINNING
- O.R./O.R.E --- OPTICAL RECORD BOOK
- PG(9) --- PAGES
- D.B. --- DEED BOOK
- W.M.T. --- WATER MANAGEMENT TRACT
- PLG --- PALM BEACH COUNTY PLANNING AND ZONING REFERENCE
- 6-43 --- SECTION
- R --- RADIUS
- L --- ARCH LENGTH
- Δ --- DELTA ANGLE
- P.C. --- POINT OF CURVATURE
- M&S --- MONITORING WELL
- W.G.V. --- WATER GATE VALVE
- W.P.V. --- WATER GATE VALVE
- TOP OF BANK --- TOP OF BANK
- EDGE OF WATER --- EDGE OF WATER

**WESTLAKE**  
**BOUNDARY PERSIMMON BLVD EAST-PLAT 3**

FOR THE CITY OF PALM BEACH COUNTY

DATE: 08/20/09  
 DRAWN BY: JAMES WATSON  
 CHECKED BY: JAMES WATSON  
 SCALE: AS SHOWN

Sheet No. 2 of 2 Sheets

**GeoPoint**  
 Surveying, Inc.

4112 W. Blue Haven Blvd.  
 Palm Beach, FL 33404  
 Phone: (561) 444-2720  
 Fax: (561) 444-2720  
 License Number: 13384  
 License Number: 13384



## CITY OF WESTLAKE

### Engineering Department

4001 Seminole Pratt Whitney Road

Westlake, Florida 33470

Phone: (561) 530-5880

[www.westlakegov.com](http://www.westlakegov.com)

- 
- |                            |                                 |
|----------------------------|---------------------------------|
| 1. <b>DATE:</b>            | 4/13/2020                       |
| 2. <b>PETITION NUMBER:</b> | ENG-2020-08                     |
| 3. <b>DESCRIPTION:</b>     | Persimmon Blvd E Phase 3 – Plat |
| <b>APPLICANT:</b>          | Cotleur-Hearing                 |
| <b>OWNER:</b>              | Minto PBLH, LLC                 |
| <b>REQUEST:</b>            | Plat Review                     |
| <b>LOCATION:</b>           | Westlake, Florida               |
| 4. <b>STAFF REVIEW:</b>    | <b>APPROVAL</b>                 |

The Engineering Department has approved the resubmittal received on 4/1/2020. 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 previous comments have been adequately addressed. The Plat is now in compliance with Chapters 177, Florida Statutes, and the City of Westlake's codes and ordinances.

---

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](mailto:sdombrowski@chenmoore.com)

**File Attachments for Item:**

E. Resolution 2020-09 - Approving the Final Plat for Cresswind Palm Beach Phase 2 (Pod P)

**Submitted By:** Legal

**RESOLUTION 2020-09 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 2 (POD P), BEING DESCRIBED AS A PORTION OF LAND DESCRIBED BY METES AND BOUNDS, AS A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTIONS 1 and 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> Legal	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Resolution 2020-09 <b>APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 2 (POD P)</b>		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Motion To Approve		
<b>SUMMARY and/or JUSTIFICATION:</b>		City of Westlake has the exclusive jurisdiction to approve the 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 requirements under Florida Statutes, Chapter 177. The Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat and the boundary survey, and the collective staff has recommended approval.		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>	X	<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	<ol style="list-style-type: none"> <li>1. <u>Resolution 2020-09</u></li> <li>2. <u>Plat</u></li> <li>3. <u>Approval Letter</u></li> <li>4. <u>Boundary Survey</u></li> <li>5. <u>Legal Description</u></li> </ol>			
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>	X	<b>ORDINANCE:</b>	
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <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>	Resolution 2020-09 - APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 2 (POD P)  <b>A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 2 (POD P), BEING DESCRIBED AS A PORTION OF LAND DESCRIBED BY METES AND BOUNDS, AS A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTIONS 1 and 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.</b>			
<b>FISCAL IMPACT (if any):</b>				\$

**RESOLUTION 2020-09**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 2 (POD P), BEING DESCRIBED AS A PORTION OF LAND DESCRIBED BY METES AND BOUNDS, AS A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTIONS 1 and 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, KH Westlake, LLC, a Delaware Limited Liability Company, as the Applicant has requested approval for the Cresswind Palm Beach Phase 2, (POD P), described by metes and bounds, as a portion of Section 6, Township 43 South, Range 41 East, and Sections 1 and 12, Township 43 South, Range 40 East, City of Westlake, Palm Beach County, containing approximately 42.3649 acres as described in Exhibit "A", attached hereto; and

**WHEREAS**, the City of Westlake has the exclusive jurisdiction to approve the plat 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 and the boundary survey, 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 Palm Beach County Unified Land Development Codes, 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:** The above recitals are true and correct and are incorporated herein by this reference.
- Section 2:** The City Council for the City of Westlake hereby approves the final plat and boundary survey for the Cresswind Palm Beach Phase 2 (POD P), as described in the attached Exhibit "A", containing approximately 42.3649 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.
- Section 3.** The applicant shall provide a certified copy of the recorded plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.
- Section 4:** This resolution shall take effect immediately upon its adoption.



**PASSED AND APPROVED** by City Council for the City of Westlake, on this day of May 11, 2020.

**PUBLISHED** on this \_\_\_\_ day of April, 2020 in the Palm Beach Post.

---

City of Westlake  
Roger Manning, Mayor

---

Zoie Burgess, City Clerk

---

Approved as to Form and Sufficiency  
Pam E. Booker, City Attorney



# CRESSWIND PALM BEACH PHASE 2

BEING A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST,  
AND SECTIONS 1 AND 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST,  
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY  
DAVID P. LINDLEY

**CAULFIELD and WHEELER, INC.**  
SURVEYORS, ENGINEERS and PLANNERS  
11000 W. PALM BLVD., SUITE 200  
BOCA RATON, FLORIDA 33434 - (561)392-1991  
CERTIFICATE OF AUTHORIZATION NO. LB3591

### MORTGAGEE'S JOINDER AND CONSENT:

CITY OF DALLAS  
STATE OF TEXAS

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, UPON THE PROPERTY DESCRIBED HEREIN AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE PROPERTY DESCRIBED HEREIN TO THE PUBLIC HOUSING PROGRAM AND THE PUBLIC HOUSING MORTGAGE WHICH IS RECORDED IN OFFICIAL RECORDS BOOK 3126, AT PAGE 486 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREIN.

IN WITNESS WHEREOF THE SAID COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

U.S. BANK NATIONAL ASSOCIATION  
D/B/A HOUSING CAPITAL COMPANY

BY: JAMIE MILLER  
SENIOR VICE PRESIDENT

WITNESS: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_  
WITNESS: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_

### ACKNOWLEDGEMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

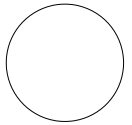
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF [ ] PHYSICAL PRESENCE OR [ ] ONLINE NOTARIZATION, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, BY JAMIE MILLER, SENIOR VICE PRESIDENT OF U.S. BANK NATIONAL ASSOCIATION, D/B/A HOUSING CAPITAL COMPANY, ON BEHALF OF THE COMPANY, WHO IS [ ] PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

(SEAL)

NOTARY PUBLIC  
PRINT NAME  
MY COMMISSION EXPIRES:  
COMMISSION NUMBER:

U.S. BANK NATIONAL ASSOCIATION



### ACCEPTANCE OF DEDICATION:

CITY OF PALM BEACH  
COUNTY OF PALM BEACH  
STATE OF FLORIDA

CRESSWIND PALM BEACH HOMEOWNERS ASSOCIATION, INC. A FLORIDA CORPORATION NOT FOR PROFIT, HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREIN, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FROM \_\_\_\_\_ AS STATED HEREON, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CRESSWIND PALM BEACH HOMEOWNERS ASSOCIATION, INC.  
A FLORIDA CORPORATION NOT FOR PROFIT

BY: WAYNE SOLOJAN  
PRESIDENT

WITNESS: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_  
WITNESS: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_

### ACKNOWLEDGEMENT:

CITY OF PALM BEACH  
COUNTY OF PALM BEACH

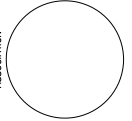
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF [ ] PHYSICAL PRESENCE OR [ ] ONLINE NOTARIZATION, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, BY WAYNE SOLOJAN AS PRESIDENT OF CRESSWIND PALM BEACH HOMEOWNERS ASSOCIATION, INC. A FLORIDA CORPORATION NOT FOR PROFIT, WHO IS [ ] PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

(SEAL)

NOTARY PUBLIC  
PRINT NAME  
MY COMMISSION EXPIRES:  
COMMISSION NUMBER:

HOMEOWNERS ASSOCIATION



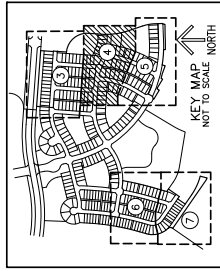


# CRESSWIND PALM BEACH PHASE 2

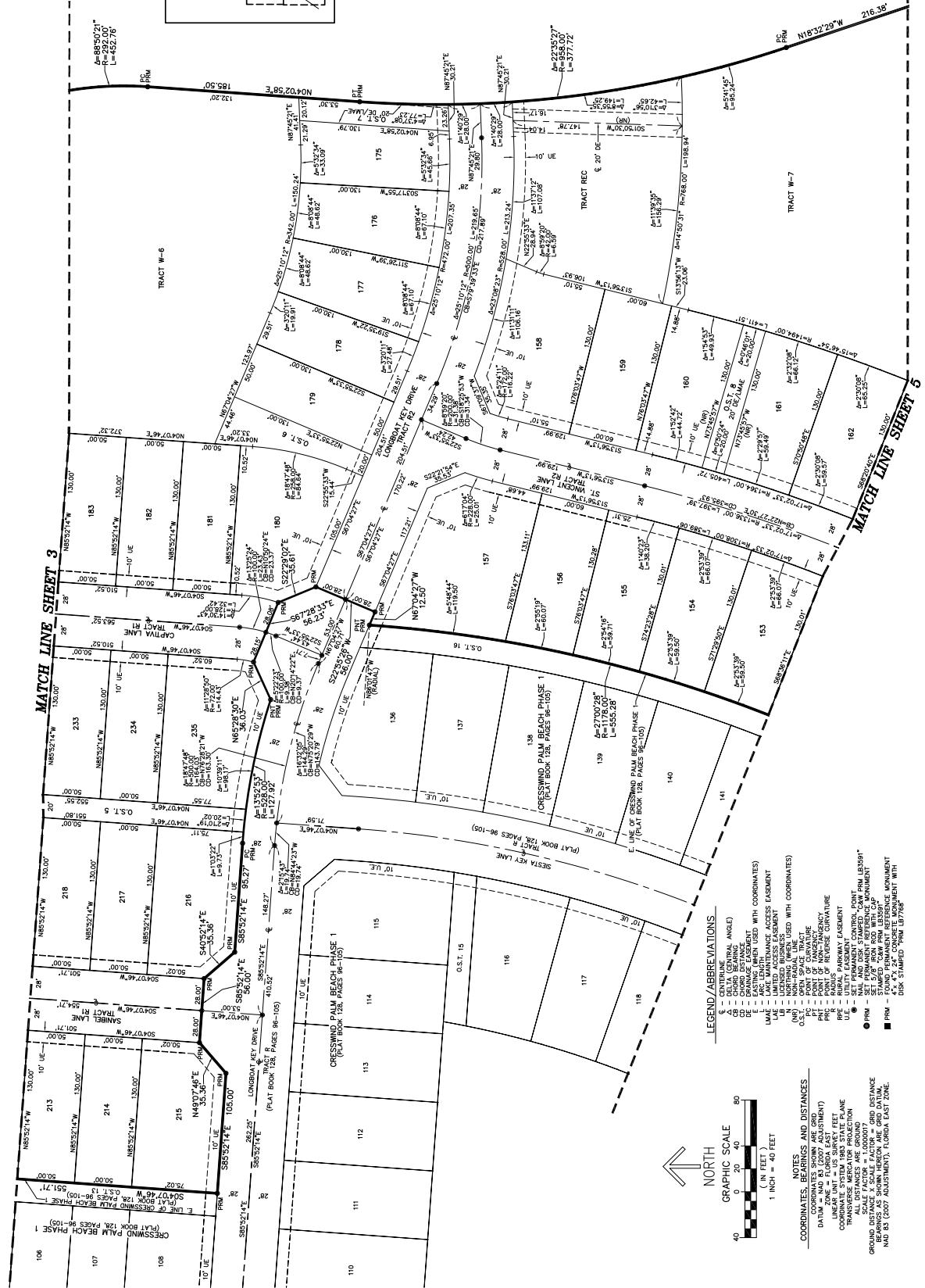
BEING A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST,  
AND SECTIONS 1 AND 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST,  
CITY OF WESTLAKE, PALM BEACH COUNTY FLORIDA

THIS INSTRUMENT PREPARED BY  
DAVID P. LINDLEY  
OF  
**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7500 GLADES ROAD, SUITE 100  
WESTLAKE, FLORIDA 33411  
CERTIFICATE OF AUTHORIZATION NO. LB5591

SHEET 4 OF 7



UNPLANNED  
A PORTION OF SECTION 6  
TOWNSHIP 43 SOUTH, RANGE 41 EAST



**LEGEND/ABBREVIATIONS**

- Δ - DELTA (GENERAL ANGLE)
- CD - CHORD DISTANCE
- DE - DEGREE
- DE - DISTANCES WHEN USED WITH COORDINATES
- LMAE - LAKE MAINTENANCE ACCESS EASEMENT
- LAE - LIMITED ACCESS EASEMENT
- UAE - UNLIMITED ACCESS EASEMENT
- (N) - NORTHING (WHEN USED WITH COORDINATES)
- O.S.T. - OPEN SPACE TRACT
- PL - POINT
- PL - POINT OF IRREGULARITY
- PL - POINT OF VARIATION
- PRC - POINT OF REVERSE CURVATURE
- RPE - RURAL PAVEMENT EASEMENT
- UL - UNLIMITED
- SET PERMANENT CONTROL POINT LB5591\*
- SET PERMANENT REFERENCE MONUMENT
- STAMPED CROWN FROM LB5591\*
- FOUND PERMANENT REFERENCE MONUMENT
- DISK STAMPED FROM LB5591\*



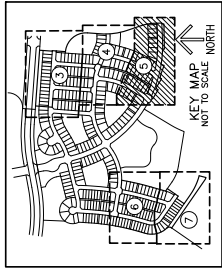
**NOTES**

- COORDINATES SHOWN ARE GRID
- DATA SOURCE (FOR BOUNDARY)
- ZONE = FLORIDA EAST
- COORDINATE SYSTEM 1983 STATE PLANE
- TRANSVERSE MERCATOR PROJECTION
- SCALE FACTOR = 1.000007
- BEARINGS AS SHOWN HEREIN ARE GRID DATA
- AND BE (2007 ADJUSTMENT), FLORIDA EAST ZONE.

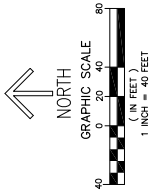
# CRESSWIND PALM BEACH PHASE 2

BEING A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST,  
AND SECTIONS 1 AND 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST,  
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA

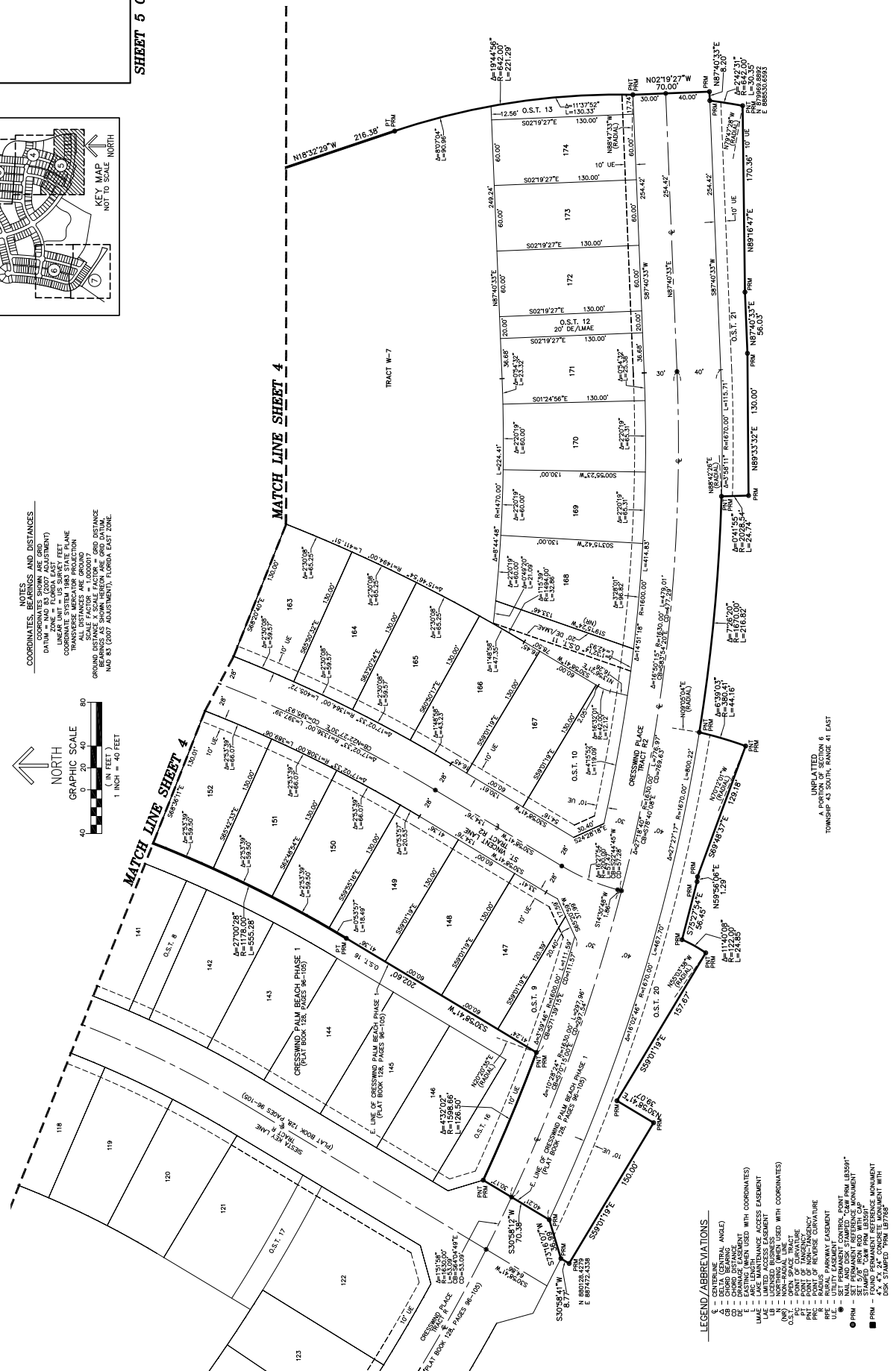
THIS INSTRUMENT PREPARED BY  
DAVID P. LINDLEY  
OF  
**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7500 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33433  
CERTIFICATE OF AUTHORIZATION NO. LB5591



**NOTES**  
COORDINATES, BEARINGS AND DISTANCES  
COORDINATES SHOWN ARE GRID  
DATUM: NAD 83 (2011 ADJUSTMENT)  
ZONE: NAD 83 FLORIDA EAST  
COORDINATE SYSTEM: NAD 83 STATE PLANE  
TRANSVERSE MERCATOR PROJECTION  
SCALE FACTOR: 1.000007  
GRAND BOUNDARY: AS SHOWN HEREON ARE GRID DATUM,  
BEARINGS AS SHOWN HEREON ARE GRID BEARINGS  
NAD 83 (2011 ADJUSTMENT), FLORIDA EAST ZONE.



SHEET 5 OF 7



- LEGEND/ABBREVIATIONS**
- A - ANGLE (CENTRAL ANGLE)
  - B - BEARING
  - CD - CURVED DRIVE
  - DE - DISTANCE WHEN USED WITH COORDINATES
  - LAE - LINE AND DISTANCE ACCESS EASEMENT
  - LAE - LIMITED ACCESS EASEMENT
  - MA - METERS
  - MB - METERS BOUNDARY
  - NS - NORTHING WHEN USED WITH COORDINATES
  - O.S.T. - OPEN SPACE TRACT
  - PT - POINT OF TANGENCY
  - PRM - POINT OF REVERSE CURVATURE
  - RPE - RURAL PARKWAY EASEMENT
  - SET - SET PERMANENT CONTROL POINT
  - SET - SET PERMANENT REFERENCE MARKMENT
  - STAMPED - STAMP FROM AGENCY
  - PRM - FOUND PERMANENT REFERENCE MONUMENT
  - STAMPED - STAMP FROM AGENCY

UNPLATTED SECTION 6  
TOWNSHIP 43 SOUTH, RANGE 41 EAST









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

- 
1. **DATE:** 3/11/2020
  2. **PETITION NUMBER:** ENG-2020-03
  3. **DESCRIPTION:** Pod M/Sky Cove Phase 1B -Replat  
**APPLICANT:** Cotleur-Hearing  
**OWNER:** Minto PBLH, LLC  
**REQUEST:** Plat & Boundary Survey Review  
**LOCATION:** Westlake, Florida
  4. **STAFF REVIEW:** **APPROVAL**

This is the third review of this Plat. This review is done for compliance with Chapters 177, 5J-17, Florida Statutes, the City of Westlake's codes and ordinances, and changes made subsequent last sign off letter. Changes have been reviewed. The Plat remains in compliance with Chapters 177, Florida Statutes, and the City of Westlake's codes and ordinances. We therefore recommend that the plat be approved for recording.

Please note, the acknowledgements must be updated to the new form as required by Florida Statute effective January 1, 2020 (see the Palm Beach County Forms Manual).

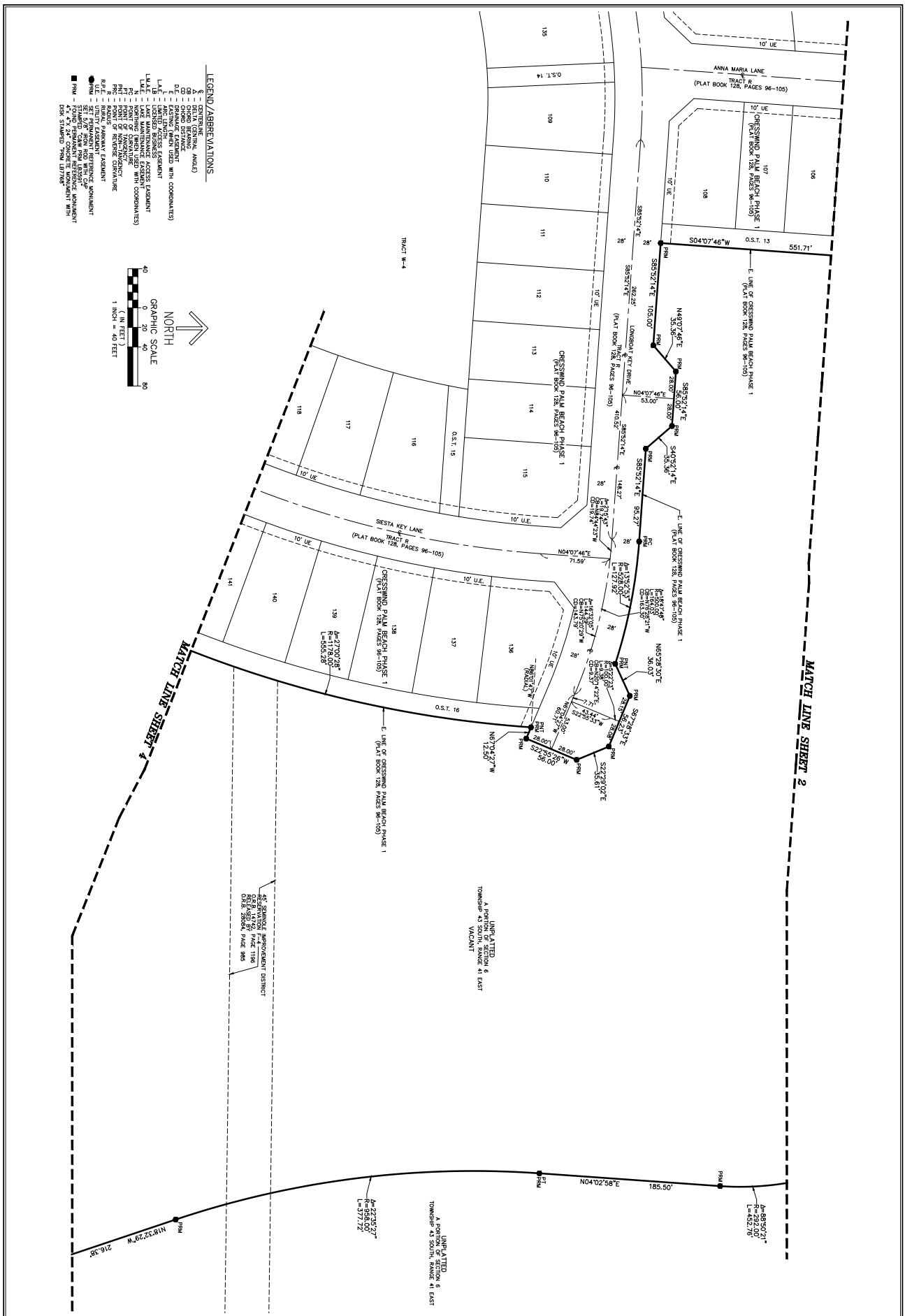
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This letter has been prepared by the following individual, in association with their consultants and subconsultants:

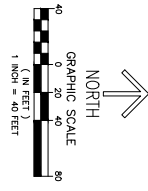
Suzanne Dombrowski, P.E.  
Chen Moore and Associates  
Tel: 561.746.6900 x 1035  
Email: [sdombrowski@chenmoore.com](mailto:sdombrowski@chenmoore.com)







- LEGEND/ABBREVIATIONS**
- ☒ CENTERLINE (NON-ASPH)
  - ☒ DRIVE BEARING
  - ☒ DRIVE WIDTH
  - ☒ DRIVE EASEMENT
  - ☒ DRIVE (WITH USED WITH COMPONENTS)
  - ☒ EASEMENT (NON USED WITH COMPONENTS)
  - ☒ L-15 15' DRIVE EASEMENT
  - ☒ L-16 16' DRIVE EASEMENT
  - ☒ L-17 17' DRIVE EASEMENT
  - ☒ L-18 18' DRIVE EASEMENT
  - ☒ L-19 19' DRIVE EASEMENT
  - ☒ L-20 20' DRIVE EASEMENT
  - ☒ L-25 25' DRIVE EASEMENT
  - ☒ L-30 30' DRIVE EASEMENT
  - ☒ L-35 35' DRIVE EASEMENT
  - ☒ L-40 40' DRIVE EASEMENT
  - ☒ L-45 45' DRIVE EASEMENT
  - ☒ L-50 50' DRIVE EASEMENT
  - ☒ L-55 55' DRIVE EASEMENT
  - ☒ L-60 60' DRIVE EASEMENT
  - ☒ L-65 65' DRIVE EASEMENT
  - ☒ L-70 70' DRIVE EASEMENT
  - ☒ L-75 75' DRIVE EASEMENT
  - ☒ L-80 80' DRIVE EASEMENT
  - ☒ L-85 85' DRIVE EASEMENT
  - ☒ L-90 90' DRIVE EASEMENT
  - ☒ L-95 95' DRIVE EASEMENT
  - ☒ L-100 100' DRIVE EASEMENT
  - ☒ L-105 105' DRIVE EASEMENT
  - ☒ L-110 110' DRIVE EASEMENT
  - ☒ L-115 115' DRIVE EASEMENT
  - ☒ L-120 120' DRIVE EASEMENT
  - ☒ L-125 125' DRIVE EASEMENT
  - ☒ L-130 130' DRIVE EASEMENT
  - ☒ L-135 135' DRIVE EASEMENT
  - ☒ L-140 140' DRIVE EASEMENT
  - ☒ L-145 145' DRIVE EASEMENT
  - ☒ L-150 150' DRIVE EASEMENT
  - ☒ L-155 155' DRIVE EASEMENT
  - ☒ L-160 160' DRIVE EASEMENT
  - ☒ L-165 165' DRIVE EASEMENT
  - ☒ L-170 170' DRIVE EASEMENT
  - ☒ L-175 175' DRIVE EASEMENT
  - ☒ L-180 180' DRIVE EASEMENT
  - ☒ L-185 185' DRIVE EASEMENT
  - ☒ L-190 190' DRIVE EASEMENT
  - ☒ L-195 195' DRIVE EASEMENT
  - ☒ L-200 200' DRIVE EASEMENT
  - ☒ L-205 205' DRIVE EASEMENT
  - ☒ L-210 210' DRIVE EASEMENT
  - ☒ L-215 215' DRIVE EASEMENT
  - ☒ L-220 220' DRIVE EASEMENT
  - ☒ L-225 225' DRIVE EASEMENT
  - ☒ L-230 230' DRIVE EASEMENT
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  - ☒ L-255 255' DRIVE EASEMENT
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  - ☒ L-315 315' DRIVE EASEMENT
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  - ☒ L-365 365' DRIVE EASEMENT
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  - ☒ L-380 380' DRIVE EASEMENT
  - ☒ L-385 385' DRIVE EASEMENT
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  - ☒ L-395 395' DRIVE EASEMENT
  - ☒ L-400 400' DRIVE EASEMENT
  - ☒ L-405 405' DRIVE EASEMENT
  - ☒ L-410 410' DRIVE EASEMENT
  - ☒ L-415 415' DRIVE EASEMENT
  - ☒ L-420 420' DRIVE EASEMENT
  - ☒ L-425 425' DRIVE EASEMENT
  - ☒ L-430 430' DRIVE EASEMENT
  - ☒ L-435 435' DRIVE EASEMENT
  - ☒ L-440 440' DRIVE EASEMENT
  - ☒ L-445 445' DRIVE EASEMENT
  - ☒ L-450 450' DRIVE EASEMENT
  - ☒ L-455 455' DRIVE EASEMENT
  - ☒ L-460 460' DRIVE EASEMENT
  - ☒ L-465 465' DRIVE EASEMENT
  - ☒ L-470 470' DRIVE EASEMENT
  - ☒ L-475 475' DRIVE EASEMENT
  - ☒ L-480 480' DRIVE EASEMENT
  - ☒ L-485 485' DRIVE EASEMENT
  - ☒ L-490 490' DRIVE EASEMENT
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  - ☒ L-515 515' DRIVE EASEMENT
  - ☒ L-520 520' DRIVE EASEMENT
  - ☒ L-525 525' DRIVE EASEMENT
  - ☒ L-530 530' DRIVE EASEMENT
  - ☒ L-535 535' DRIVE EASEMENT
  - ☒ L-540 540' DRIVE EASEMENT
  - ☒ L-545 545' DRIVE EASEMENT
  - ☒ L-550 550' DRIVE EASEMENT
  - ☒ L-555 555' DRIVE EASEMENT
  - ☒ L-560 560' DRIVE EASEMENT
  - ☒ L-565 565' DRIVE EASEMENT
  - ☒ L-570 570' DRIVE EASEMENT
  - ☒ L-575 575' DRIVE EASEMENT
  - ☒ L-580 580' DRIVE EASEMENT
  - ☒ L-585 585' DRIVE EASEMENT
  - ☒ L-590 590' DRIVE EASEMENT
  - ☒ L-595 595' DRIVE EASEMENT
  - ☒ L-600 600' DRIVE EASEMENT
  - ☒ L-605 605' DRIVE EASEMENT
  - ☒ L-610 610' DRIVE EASEMENT
  - ☒ L-615 615' DRIVE EASEMENT
  - ☒ L-620 620' DRIVE EASEMENT
  - ☒ L-625 625' DRIVE EASEMENT
  - ☒ L-630 630' DRIVE EASEMENT
  - ☒ L-635 635' DRIVE EASEMENT
  - ☒ L-640 640' DRIVE EASEMENT
  - ☒ L-645 645' DRIVE EASEMENT
  - ☒ L-650 650' DRIVE EASEMENT
  - ☒ L-655 655' DRIVE EASEMENT
  - ☒ L-660 660' DRIVE EASEMENT
  - ☒ L-665 665' DRIVE EASEMENT
  - ☒ L-670 670' DRIVE EASEMENT
  - ☒ L-675 675' DRIVE EASEMENT
  - ☒ L-680 680' DRIVE EASEMENT
  - ☒ L-685 685' DRIVE EASEMENT
  - ☒ L-690 690' DRIVE EASEMENT
  - ☒ L-695 695' DRIVE EASEMENT
  - ☒ L-700 700' DRIVE EASEMENT
  - ☒ L-705 705' DRIVE EASEMENT
  - ☒ L-710 710' DRIVE EASEMENT
  - ☒ L-715 715' DRIVE EASEMENT
  - ☒ L-720 720' DRIVE EASEMENT
  - ☒ L-725 725' DRIVE EASEMENT
  - ☒ L-730 730' DRIVE EASEMENT
  - ☒ L-735 735' DRIVE EASEMENT
  - ☒ L-740 740' DRIVE EASEMENT
  - ☒ L-745 745' DRIVE EASEMENT
  - ☒ L-750 750' DRIVE EASEMENT
  - ☒ L-755 755' DRIVE EASEMENT
  - ☒ L-760 760' DRIVE EASEMENT
  - ☒ L-765 765' DRIVE EASEMENT
  - ☒ L-770 770' DRIVE EASEMENT
  - ☒ L-775 775' DRIVE EASEMENT
  - ☒ L-780 780' DRIVE EASEMENT
  - ☒ L-785 785' DRIVE EASEMENT
  - ☒ L-790 790' DRIVE EASEMENT
  - ☒ L-795 795' DRIVE EASEMENT
  - ☒ L-800 800' DRIVE EASEMENT
  - ☒ L-805 805' DRIVE EASEMENT
  - ☒ L-810 810' DRIVE EASEMENT
  - ☒ L-815 815' DRIVE EASEMENT
  - ☒ L-820 820' DRIVE EASEMENT
  - ☒ L-825 825' DRIVE EASEMENT
  - ☒ L-830 830' DRIVE EASEMENT
  - ☒ L-835 835' DRIVE EASEMENT
  - ☒ L-840 840' DRIVE EASEMENT
  - ☒ L-845 845' DRIVE EASEMENT
  - ☒ L-850 850' DRIVE EASEMENT
  - ☒ L-855 855' DRIVE EASEMENT
  - ☒ L-860 860' DRIVE EASEMENT
  - ☒ L-865 865' DRIVE EASEMENT
  - ☒ L-870 870' DRIVE EASEMENT
  - ☒ L-875 875' DRIVE EASEMENT
  - ☒ L-880 880' DRIVE EASEMENT
  - ☒ L-885 885' DRIVE EASEMENT
  - ☒ L-890 890' DRIVE EASEMENT
  - ☒ L-895 895' DRIVE EASEMENT
  - ☒ L-900 900' DRIVE EASEMENT
  - ☒ L-905 905' DRIVE EASEMENT
  - ☒ L-910 910' DRIVE EASEMENT
  - ☒ L-915 915' DRIVE EASEMENT
  - ☒ L-920 920' DRIVE EASEMENT
  - ☒ L-925 925' DRIVE EASEMENT
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  - ☒ L-935 935' DRIVE EASEMENT
  - ☒ L-940 940' DRIVE EASEMENT
  - ☒ L-945 945' DRIVE EASEMENT
  - ☒ L-950 950' DRIVE EASEMENT
  - ☒ L-955 955' DRIVE EASEMENT
  - ☒ L-960 960' DRIVE EASEMENT
  - ☒ L-965 965' DRIVE EASEMENT
  - ☒ L-970 970' DRIVE EASEMENT
  - ☒ L-975 975' DRIVE EASEMENT
  - ☒ L-980 980' DRIVE EASEMENT
  - ☒ L-985 985' DRIVE EASEMENT
  - ☒ L-990 990' DRIVE EASEMENT
  - ☒ L-995 995' DRIVE EASEMENT
  - ☒ 1000 1000' DRIVE EASEMENT











**Exhibit 'A'**  
**Legal Description**  
**Cresswind Palm Beach Phase 2 (Pod P)**

A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTIONS 1 AND 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT O.S.T. 3, CRESSWIND PALM BEACH PHASE 1, AS RECORDED IN PLAT BOOK 128, PAGES 96 THROUGH 105 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE EASTERLY LINE OF SAID CRESSWIND PALM BEACH PHASE 1, THE FOLLOWING NINETEEN (19) COURSES AND DISTANCES; S.04°07'45"W., A DISTANCE OF 180.00 FEET; THENCE S.04°38'29"W., A DISTANCE OF 56.00 FEET; THENCE S.85°52'14"E., A DISTANCE OF 125.00 FEET; THENCE S.04°07'46"W., A DISTANCE OF 551.71 FEET; THENCE S.85°52'14"E., A DISTANCE OF 105.00 FEET; THENCE N.49°07'46"E., A DISTANCE OF 35.36 FEET; THENCE S.85°52'14"E., A DISTANCE OF 56.00 FEET; THENCE S.40°52'14"E., A DISTANCE OF 35.36 FEET; THENCE S.85°52'14"E., A DISTANCE OF 95.27 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 528.00 FEET AND A CENTRAL ANGLE OF 13°52'53"; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 127.92 FEET; THENCE N.65°28'30"E., A DISTANCE OF 36.03 FEET; THENCE S.67°28'33"E., A DISTANCE OF 56.23 FEET; THENCE S.22°29'02"E., A DISTANCE OF 35.61 FEET; THENCE S.22°55'26"W., A DISTANCE OF 56.00 FEET; THENCE N.67°04'27"W., A DISTANCE OF 12.50 FEET TO THE POINT OF A NON TANGENCY WITH A CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N.86°01'47"W., A RADIAL DISTANCE OF 1,178.00 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 27°00'28", A DISTANCE OF 555.28 FEET TO A POINT OF TANGENCY; THENCE S.30°58'41"W., A DISTANCE OF 202.60 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N.20°20'35"E., A RADIAL DISTANCE OF 1,598.66 FEET; THENCE NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 04°32'02", A DISTANCE OF 126.50 FEET; THENCE S.30°58'12"W., A DISTANCE OF 70.38 FEET; THENCE S.73°16'07"W., A DISTANCE OF 36.99 FEET; THENCE DEPARTING SAID EASTERLY LINE, S.30°58'41"W., A DISTANCE OF 8.77 FEET; THENCE S.59°01'19"E., A DISTANCE OF 150.00 FEET; THENCE N.30°58'41"E., A DISTANCE OF 39.07 FEET; THENCE S.59°01'19"E., A DISTANCE OF 157.67 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.55°03'38"W., A RADIAL DISTANCE OF 122.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 11°40'08", A DISTANCE OF 24.85 FEET; THENCE S.75°27'54"E., A DISTANCE OF 56.45 FEET; THENCE N.59°56'06"E., A DISTANCE OF 1.29 FEET; THENCE S.69°48'37"E., A DISTANCE OF 129.18 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.70°12'01"W., A RADIAL DISTANCE OF 380.41 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 06°39'03", A DISTANCE OF 44.16 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.09°05'04"E., A RADIAL DISTANCE OF 1,670.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 07°26'20", A DISTANCE OF 216.82 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.88°42'26"E., A RADIAL DISTANCE OF 2,028.54 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°41'55", A DISTANCE OF 24.74 FEET; THENCE N.89°33'32"E., A DISTANCE OF 130.00 FEET; THENCE N.87°40'33"E., A DISTANCE OF 56.03 FEET; THENCE N.89°16'47"E., A DISTANCE OF 170.36 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.79°47'28"W., A RADIAL DISTANCE OF 642.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 02°42'31", A DISTANCE OF 30.35 FEET; THENCE N.87°40'33"E., A DISTANCE OF 8.20 FEET; THENCE N.02°19'27"W., A DISTANCE OF 70.00 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.88°47'33"W., A RADIAL DISTANCE OF 642.00 FEET; THENCE NORTHERLY ALONG THE ARC,

THROUGH A CENTRAL ANGLE OF 19°44'56", A DISTANCE OF 221.29 FEET TO A POINT OF TANGENCY; THENCE N.18°32'29"W., A DISTANCE OF 216.38 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 958.00 FEET AND A CENTRAL ANGLE OF 22°35'27"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 377.72 FEET TO A POINT OF TANGENCY; THENCE N.04°02'58"E., A DISTANCE OF 185.50 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 292.00 FEET AND A CENTRAL ANGLE OF 88°50'21"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 452.76 FEET; THENCE N.04°07'46"E., A DISTANCE OF 186.02 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S.04°47'23"W., A RADIAL DISTANCE OF 478.00 FEET; THENCE WESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°39'37", A DISTANCE OF 5.51 FEET; THENCE N.85°52'14"W., A DISTANCE OF 0.99 FEET; THENCE N.04°07'46"E., A DISTANCE OF 180.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF TRACT O.S.T. 2, TOWN CENTER PARKWAY - PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 34 THROUGH 38 OF SAID PUBLIC RECORDS; THENCE N.85°52'14"W. ALONG SAID SOUTH LINE, A DISTANCE OF 790.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 25, CRESSWIND PALM BEACH PHASE 1, AS RECORDED IN PLAT BOOK 128, PAGES 96 THROUGH 105 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY LINE OF SAID CRESSWIND PALM BEACH PHASE 1, THE FOLLOWING TWELVE (12) COURSES AND DISTANCES; S.79°53'54"E., A DISTANCE OF 130.00 FEET; THENCE S.10°12'43"W., A DISTANCE OF 13.01 FEET; THENCE S.79°40'40"E., A DISTANCE OF 56.00 FEET; THENCE N.54°49'50"E., A DISTANCE OF 35.53 FEET; THENCE S.80°27'10"E., A DISTANCE OF 230.01 FEET; THENCE S.35°11'27"E., A DISTANCE OF 35.19 FEET; THENCE S.80°27'10"E., A DISTANCE OF 56.00 FEET; THENCE N.54°47'49"E., A DISTANCE OF 35.52 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.09°17'29"E., A RADIAL DISTANCE OF 728.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 08°17'54", A DISTANCE OF 105.44 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N.80°15'23"W., A RADIAL DISTANCE OF 3,902.00 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 06°15'20", A DISTANCE OF 426.02 FEET TO A POINT OF TANGENCY; THENCE S.15°59'57"W., A DISTANCE OF 214.29 FEET; THENCE S.55°21'30"E., A DISTANCE OF 42.64 FEET; THENCE DEPARTING SAID SOUTHERLY LINE, S.34°38'22"W., A DISTANCE OF 186.00 FEET; THENCE N.55°21'38"W., A DISTANCE OF 40.06 FEET; THENCE S.34°38'22"W., A DISTANCE OF 130.00 FEET; THENCE S.55°21'38"E., A DISTANCE OF 158.27 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 858.00 FEET AND A CENTRAL ANGLE OF 19°33'05"; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 292.78 FEET; THENCE S.14°36'19"W., A DISTANCE OF 100.00 FEET; THENCE N.67°44'31"W., A DISTANCE OF 25.73 FEET; THENCE N.55°21'38"W., A DISTANCE OF 837.17 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF SKY COVE - PHASE 1A, AS RECORDED IN PLAT BOOK 128, PAGES 129 THROUGH 137 OF SAID PUBLIC RECORDS; THENCE ALONG SAID EASTERLY LINE, THE FOLLOWING FIVE (5) COURSES AND DISTANCES; N.34°38'22"E., A DISTANCE OF 6.86 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 78°46'08"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 68.74 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 308.00 FEET AND A CENTRAL ANGLE OF 60°07'46"; THENCE NORTHERLY ALONG THE ARC, A DISTANCE OF 323.23 FEET TO A POINT OF TANGENCY; THENCE N.16°00'00"E., A DISTANCE OF 106.64 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 3,250.00 FEET AND A CENTRAL ANGLE OF 05°53'54"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 334.57 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 1,845,415 SQUARE FEET/42.3649 ACRES MORE OR LESS.

# Cresswind Palm Beach

## Pod P-1 Phase II Plat

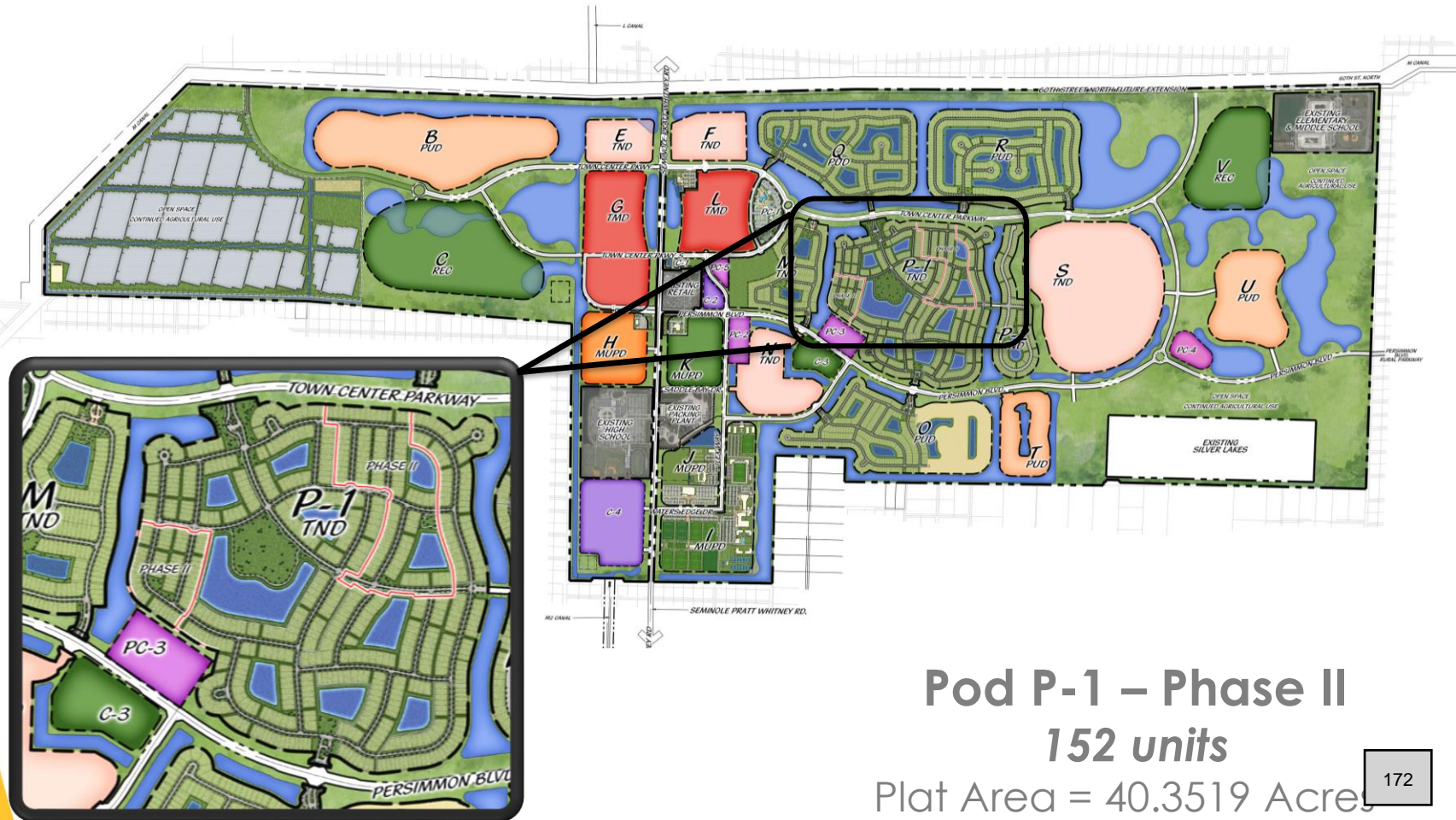


May 11, 2020



# Cresswind Palm Beach

## Pod P-1 Phase II Plat



**Pod P-1 – Phase II**  
**152 units**  
Plat Area = 40.3519 Acres



# Pod P-1 Cresswind Palm Beach

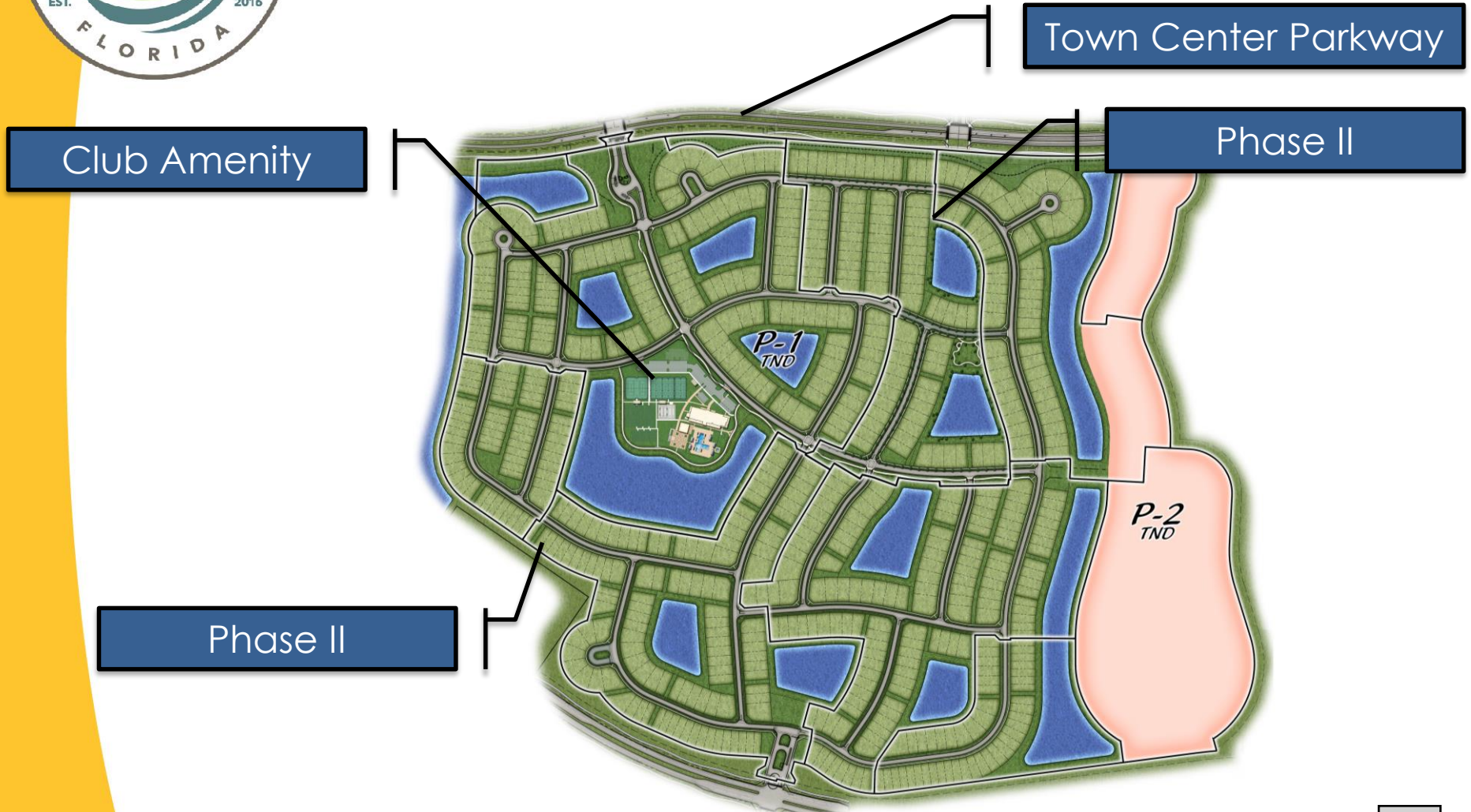
## Phase II Plat-Tabular Data

Plat Boundary Area:	40.3519 Acres
Pod O Boundary Area:	42.3649 Acres
Land Use:	Residential R- 2
Zoning:	R-2
Dwelling Units	152 (Future total 800)
Density (Net)	3.77 DU/Ac.
Total Units Phase I & II	298





# Cresswind Palm Beach Site Plan



Club Amenity

Town Center Parkway

Phase II

Phase II

Phase I :277 Homes





# Lot Distribution



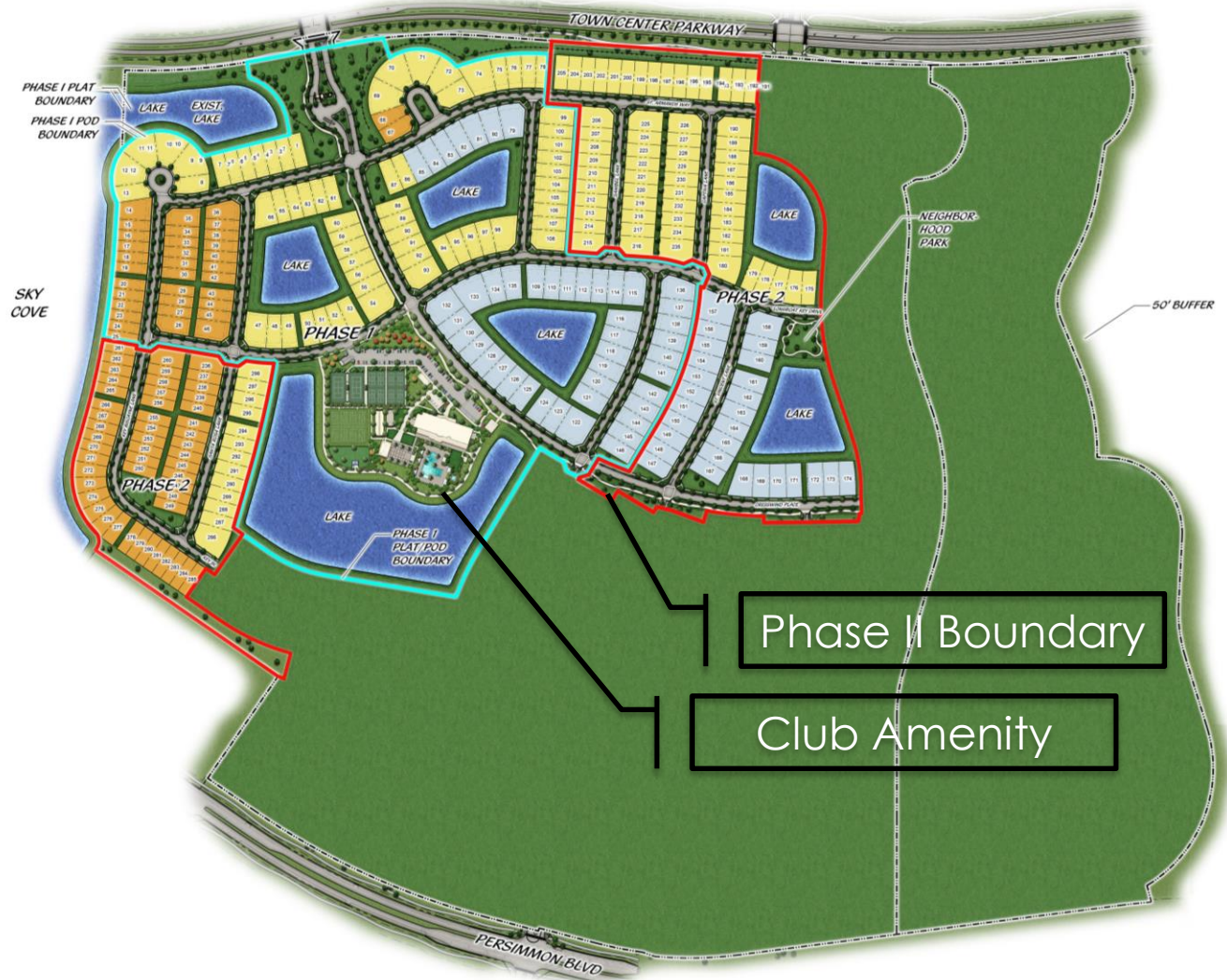
LOT SIZE	PHASE 1	PHASE 2	FUTURE PHASES
40' WIDE	35	50	TBD
50' WIDE	66	74	TBD
60' WIDE	45	28	TBD
<b>TOTAL</b>	<b>146</b>	<b>152</b>	<b>804</b>

POD P



# Club Amenity

For Information Only







# Club Amenity

*For Information Only*





# Club Amenity

*For Information Only*

**WESTLAKE - POD P CLUBHOUSE**  
*Westlake, Florida*







# Cover Sheet

**DEDICATION AND RESERVATIONS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TOGETHER WITH

BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**ROADS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**OPEN SPACE TRACTS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**RECREATION TRACT:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**UTILITY EASEMENTS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**WATER MANAGEMENT TRACTS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**LAKE MAINTENANCE ACCESS EASEMENTS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**DRAINAGE EASEMENTS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

## CRESSWIND PALM BEACH PHASE 2

BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTIONS 1 AND 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY  
 DAVID P. LINLEY  
 OF  
**CAULFIELD and WHEELER, INC.**  
 SURVEYORS - ENGINEERS - PLANNERS  
 7900 GLADES ROAD, SUITE 100  
 BOCA RATON, FLORIDA, 33434 (407) 992-1991  
 CERTIFICATE OF AUTHORIZATION NO. 183591

IN WITNESS WHEREOF, THE ABOVE NAMED KH WESTLAKE, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY, AUTHORIZED TO DO BUSINESS IN FLORIDA, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER, THE HOLLER GROUP, L.L.C. A FLORIDA LIMITED LIABILITY COMPANY, MANAGER OF KH WESTLAKE, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY, AUTHORIZED TO DO BUSINESS IN FLORIDA, AND ITS COMPANY SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS MEMBERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

BY: \_\_\_\_\_  
 KH WESTLAKE, L.L.C.  
 A DELAWARE LIMITED LIABILITY COMPANY  
 AUTHORIZED TO DO BUSINESS IN FLORIDA

BY: \_\_\_\_\_  
 THE HOLLER GROUP, L.L.C.  
 A FLORIDA LIMITED LIABILITY COMPANY  
 AUTHORIZED TO DO BUSINESS IN FLORIDA  
 ITS MANAGER

**AREA TABULATION**

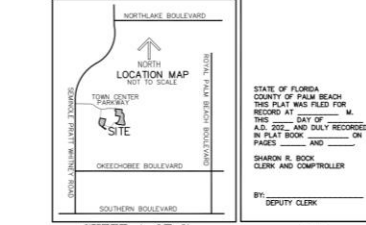
SUBJECT PARCELS	23,750 SQUARE FEET
OPEN SPACE TRACTS	1,740 SQUARE FEET
RECREATION TRACT	1,000 SQUARE FEET
TOTAL THIS PLAT	26,490 SQUARE FEET

**ACCEPTANCE OF DEDICATIONS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**TITLE CERTIFICATION:**  
 I, THOMAS T. BONGARD, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREIN DESCRIBED PROPERTY THAT I FIND THE TITLE TO THE HEREIN DESCRIBED PROPERTY TO BE CLEAR OF ALL ENCUMBRANCES EXCEPT AS SHOWN HEREON, AND THAT THE CURRENT TAXES HAVE BEEN PAID, AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT FEES AND ALL OTHER FEES DUE AGAINST SAID LANDS HAVE BEEN SATISFIED, THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OR RECORDING ENTRIES REMAINDER BY LAW ARE SHOWN HEREON, AND THAT THERE ARE NO ENCUMBRANCES OF RECORD BUT THAT ENCUMBRANCES DO NOT PREVENT THE CREATION OF THE SUBDIVISION OFFERED BY THIS PLAT.

**ACCEPTANCE OF DEDICATIONS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**ACCEPTANCE OF DEDICATIONS:**  
 BEING A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:



**SHEET 1 OF 7**

STATE OF FLORIDA  
 COUNTY OF PALM BEACH  
 THIS PLAT WAS FILED FOR  
 RECORD AT \_\_\_\_\_  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
 A.D. 2020, AND DAILY RECORD  
 IN PLAT BOOK NO. \_\_\_\_\_  
 AND \_\_\_\_\_  
 SHARON K. BOCK  
 CLERK AND CONTROLLER



**SURVEYOR & MAPPER'S NOTES:**

- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE CROSS DRAINAGE EASEMENTS SHALL HAVE PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITY BEING DETERMINED BY DATE RIGHTS GRANTED.
- BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT CITY OF WESTLAKE ZONING REGULATIONS.
- NO RECORDING OF ANY KIND OF CONSTRUCTION OR TREES OF SHRUBS SHALL BE PLACED ON ANY EASEMENT UNLESS FROM WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE CITY OF WESTLAKE AND SEMINOLE IMPROVEMENT DISTRICT APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCUMBRANCES. THERE WILL BE NO MOVING GRASS OR ENCUMBRANCES INTO OR OUT OF THE EASEMENT AREAS UNLESS OTHERWISE CONSENTED.
- BEARING SHOWN HEREON ARE BASED ON A SECOND PLAT BEARING OF N85°27'47"W ALONG THE SOUTH LINE OF TRACT 0.12, 1.00, TOWN CENTER PARKWAY - PHASE II, AS RECORDED IN PLAT BOOK 128, PAGES 34 THROUGH 38 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT).
- BEARING SHOWN HEREON ARE BASED ON A SECOND PLAT BEARING OF N85°27'47"W ALONG THE SOUTH LINE OF TRACT 0.12, 1.00, TOWN CENTER PARKWAY - PHASE II, AS RECORDED IN PLAT BOOK 128, PAGES 34 THROUGH 38 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT).
- UTILITY LINE BEARING SHOWN HEREON IS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT).
- "NOTICE" THIS PLAT, AS RECORDED IN THE OFFICIAL PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HEREBY ACCEPTS THE DESIGNATION TO LAND DISTRICT AS DEAR AND SHOWS HEREON, AND ITS MAINTENANCE OBLIGATIONS FOR SAME, AND HEREBY JOINS IN AND CONSENTS TO THE UTILITY EASEMENTS OFFERED BY THIS PLAT.

**SURVEYOR & MAPPER'S CERTIFICATE:**

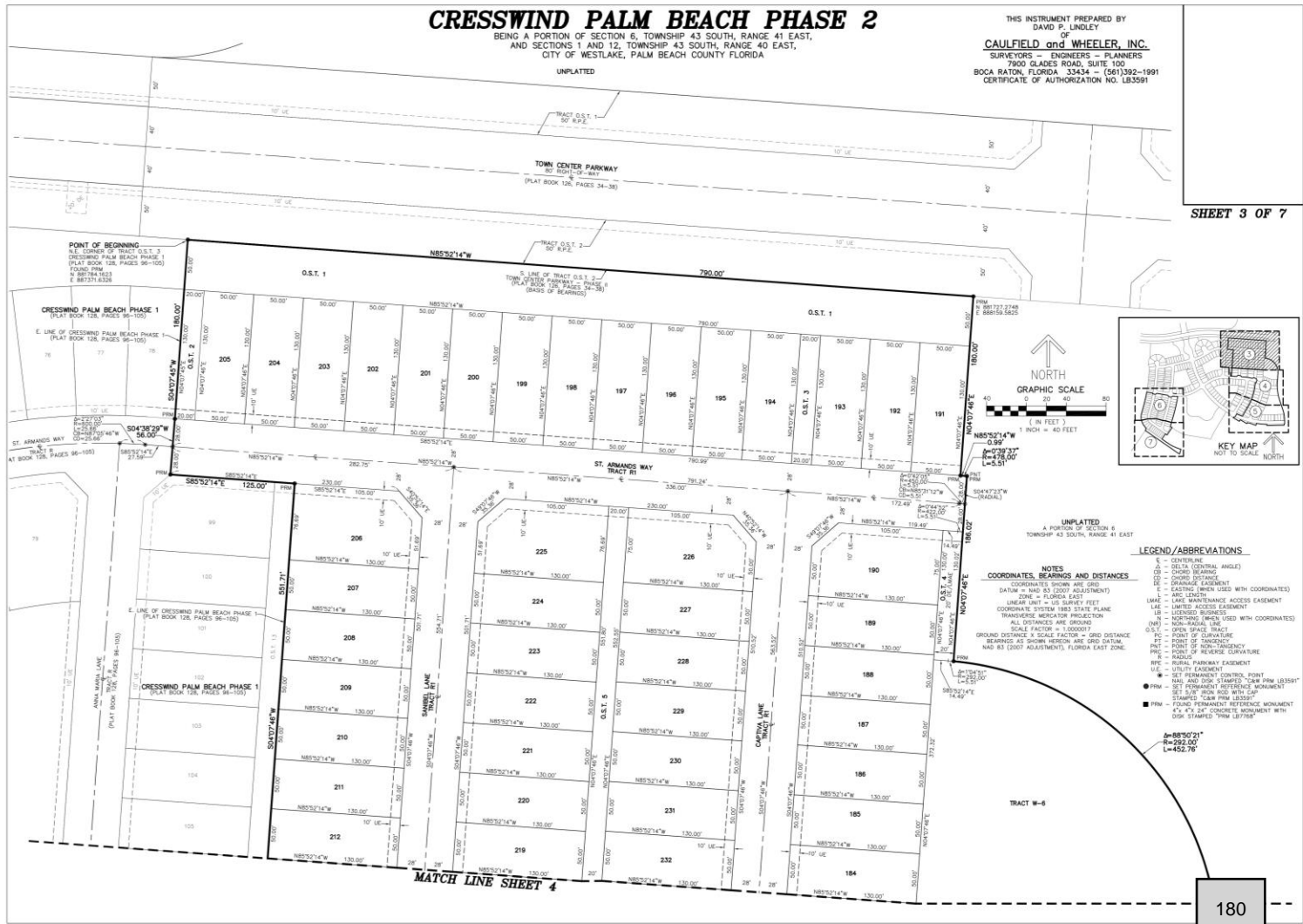
THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY PERSONAL DIRECTION AND SUPERVISION THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS (P.R.M.'S) ACCORDING TO SEC. 177.08(3), F.S., HAVE BEEN PLACED AS REQUIRED BY LAW AND THAT PERMANENT CONTROL POINTS (P.C.P.'S) AND MONUMENTS ACCORDING TO SEC. 177.08(3), F.S., WILL BE SET, AND FURTHER, THAT THE SURVEY DATA COMPLIED WITH ALL THE REQUIREMENTS OF CHAPTER 117, PART 1, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF WESTLAKE, FLORIDA.

DAVID P. LINLEY  
 PROFESSIONAL LAND SURVEYOR #5005  
 STATE OF FLORIDA  
 LB 49391

THE HOLLER GROUP, L.L.C.  
 SEMINOLE IMPROVEMENT DISTRICT  
 CITY OF WESTLAKE  
 SURVEYOR



# Plat - Detail Sheets





THANK YOU



**File Attachments for Item:**

A. Community Development Block Grant (“CDBG”) programs, Emergency Solutions Grant (“ESG”) program and Home Investment Partnerships (“HOME”)

**Submitted By:** Legal



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> Legal	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Community Development Block Grant (“CDBG”) programs, Emergency Solutions Grant (“ESG”) program and Home Investment Partnerships (“HOME”)		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Motion To Review and Approve		
<b>SUMMARY and/or JUSTIFICATION:</b>		The proposed Interlocal Agreement with Palm Beach County and the City of Westlake would allow the county to receive funding from the state and federal level for Community Block Grant (“CDBG”) programs, Emergency Solutions Grant (“ESG”) program and Home Investment Partnerships (“HOME”). Florida Statutes Section 163.01, allows governmental agencies to make the most efficient use of their powers by allowing cooperation with certain services. The County has several established housing programs to assist residents through-out Palm Beach County.		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>	X	<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Legal Memorandum from City Attorney Pam Booker Interlocal Agreement			
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <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>				
<b>FISCAL IMPACT (if any):</b>				\$

**INTERLOCAL COOPERATION AGREEMENT  
BETWEEN PALM BEACH COUNTY  
AND  
CITY OF WESTLAKE**

**THIS AGREEMENT** made and entered into on \_\_\_\_\_, by and between **Palm Beach County**, a political subdivision of the State of Florida, hereinafter referred to as the "County", and **City of Westlake**, a municipality duly organized and existing by virtue of the laws of the State of Florida, hereinafter referred to as the "Municipality".

**WHEREAS**, the parties hereto have the common power to perform Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program and Home Investment Partnerships (HOME) Program activities within their jurisdictions, said common powers being pursuant to Section 125.01, Florida Statutes, and Chapter 163, Part III, Florida Statutes; and

**WHEREAS**, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, Title I of the Housing and Community Development Act of 1974, as amended, mandates that a county must enter into interlocal cooperation agreements with municipalities in its jurisdiction for the purposes of implementing CDBG activities within said municipalities; and

**WHEREAS**, such interlocal cooperation agreements are also required to implement the HOME Program under Title II of the National Affordable Housing Act of 1990, as amended, and the ESG Program under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act); and

**WHEREAS**, the County desires to join with the Municipality in order to carry out the planning and professional services necessary to implement the CDBG, ESG and HOME Programs during Federal Fiscal Years 2015, 2016 and 2017, and during subsequent Federal Fiscal Years; and

**WHEREAS**, the County and the Municipality agree to cooperate to undertake or assist in undertaking community renewal and lower income housing assistance activities; and

**WHEREAS**, the County and Municipality wish to cooperate in the implementation of the goals and objectives of the County's Consolidated Plan, as approved by the U.S. Department of Housing and Urban Development (HUD); and

**WHEREAS**, the Municipality desires to cooperate with the County for the purpose of implementing the CDBG, ESG and HOME Programs; and

**WHEREAS**, the governing bodies of the County and the Municipality have each authorized this Agreement.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants herein contained, it is agreed as follows:

1. This Agreement covers the CDBG, ESG and HOME Programs and pertains to funds that the County is qualified to receive from HUD under said Programs for Federal Fiscal Years 2021, 2022 and 2023 which cover the three-year urban county qualification period beginning on October 1, 2021, and ending on September 30, 2024 (hereinafter the "Qualification Period"). This Agreement shall remain in effect until the CDBG, ESG and HOME funds and program income

received (with respect to activities carried out during the Qualification Period and during any subsequent three-year qualification periods covered by any renewal of this Agreement) are expended and the funded activities are completed. Neither the Municipality nor the County may terminate, or withdraw from, this Agreement while it remains in effect.

2. This Agreement shall be automatically renewed for a three-year qualification period at the end of the Qualification Period and at the end of each subsequent qualification period unless either party provides the other party a written notice in which it elects not to participate in a new qualification period. If such notice be given, the party electing not to participate shall also send a copy of the written notice to the HUD field office with jurisdiction over the County.

The County shall, by the date specified in HUD's Urban County Qualification Notice for the next qualification period, notify the Municipality in writing of its right not to participate, and the County shall provide a copy of such written notice to the HUD field office with jurisdiction over the County by the date specified in the Urban County Qualification Notice.

3. While this Agreement is in full force and effect, during the Qualification Period and during any subsequent three-year qualification periods covered by any renewal of this Agreement, the County and the Municipality agree to amend this Agreement to incorporate any changes necessary to meet the requirements for cooperation agreements as set forth by HUD in its Urban County Qualification Notices applicable to all subsequent three-year qualification periods, and to provide HUD such amendments as provided in the Urban County Qualification Notices. Failure to comply with the aforesaid shall void the automatic renewal of this Agreement.
4. The Municipality, by executing this Agreement, understands that:
  - (a) It may not apply for any grants from appropriations under the State of Florida CDBG Program for fiscal years during the period in which it participates in the County's CDBG Program.
  - (b) It may receive a formula allocation under the HOME Program only through the County. Even if the County does not receive a HOME formula allocation, the Municipality understands that it may not receive HOME Program funds from a HOME consortium with other local governments. This, however, does not preclude the County or the Municipality from applying to the State of Florida for HOME Program funds if the State of Florida so allows.
  - (c) It may receive a formula allocation under the ESG Program only through the County. This, however, does not preclude the County or the Municipality from applying to the State of Florida for ESG Program funds if the State of Florida so allows.
5. This Agreement is contingent upon the County's qualification as an "urban county" under the CDBG Program as determined by HUD, as well as HUD's award of funds under the CDBG, ESG and HOME Programs.
6. The County and the Municipality agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities. The County and the Municipality also agree to cooperate to enable the County to expend CDBG, ESG and HOME Program funds on eligible activities within the Municipality's jurisdiction during the Qualification Period and during any subsequent qualification periods covered by the renewal of this Agreement.
7. The Municipality shall assist and cooperate with the County in the preparation of the HUD required Consolidated Plan for the use of CDBG, ESG, and HOME Program funds. The County shall prepare the Consolidated Plan application and other necessary documents, and shall take full responsibility and assume all obligations as the applicant. The County and the Municipality agree to comply with said Consolidated Plan and implement activities as outlined in the Action Plan approved by HUD for the use of CDBG, ESG, and HOME Program funds. The

County and the Municipality agree that the County is hereby permitted to undertake or assist in undertaking essential community development and housing assistance activities within the Municipality's jurisdiction.

8. The County, through its Department of Housing and Economic Sustainability, shall assist the Municipality in undertaking all professional and administrative services necessary for the purposes of implementing activities of the CDBG, ESG and HOME Programs, including preparation of all applications and other necessary documents, planning and other administrative activities, as required.
9. Pursuant to 24 CFR 570.501(b), the Municipality is subject to the same requirements applicable to subrecipients, including the requirements of a written agreement as described in 24 CFR 570.503.
10. The Municipality may not sell, trade, or otherwise transfer all or any portion of CDBG Program funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG Program funds in exchange for any other funds, credits or non-Federal considerations, but must use such CDBG Program funds for activities under Title I of the Housing and Community Development Act of 1974, as amended.
11. The Municipality and the County shall take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The Municipality and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws. The County shall not fund any activities in, or in support of, the Municipality should the Municipality not affirmatively further fair housing within its jurisdiction or should the Municipality impede the County's actions to comply with the County's fair housing certification.
12. The County is committed to assuring equal opportunity in the award of contracts and complies with all laws prohibiting discrimination. Pursuant to Palm Beach County Resolution R2017-1770, as may be amended, the Municipality warrants and represents that throughout the term of the Agreement, including any renewals thereof, if applicable, all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity or expression, or genetic information. Failure to meet this requirement shall be considered default of the Agreement.

As a condition of entering into this Agreement, the Municipality represents and warrants that it will comply with the County's Commercial Nondiscrimination Policy as described in Resolution 2017-1770, as amended. As part of such compliance, the Municipality shall not discriminate on the basis of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity or expression, disability, or genetic information in the solicitation, selection, hiring or commercial treatment of subcontractors, vendors, suppliers, or commercial customers, nor shall the Municipality retaliate against any person for reporting instances of such discrimination. The Municipality shall provide equal opportunity for subcontractors, vendors and suppliers to participate in all of its public sector and private sector subcontracting and supply opportunities, provided that nothing contained in this clause shall prohibit or limit otherwise lawful efforts to remedy the effects of marketplace discrimination that have occurred or are occurring in the County's relevant marketplace in Palm Beach County. The Municipality understands and agrees that a material violation of this clause shall be considered a material breach of this Agreement and may result in termination of this Agreement, disqualification or debarment of the company from participating in County contracts, or other sanctions. This clause is not enforceable by or for the

benefit of, and creates no obligation to, any third party. Municipality shall include this language in its subcontracts.

13. The Municipality has adopted, and is enforcing, a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and the Municipality has adopted, and is enforcing, a policy of enforcing applicable State and local laws against physically barring entrance to, or exit from, a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.
13. Palm Beach County has established the Office of Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes, but is not limited to, the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of the Agency, its officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud. Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 to 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.
14. No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of the County and/or the Municipality.
15. Nothing contained herein shall be deemed to authorize the delegation of the constitutional or statutory duties of the state, county or municipal officers.
16. A copy of this Agreement shall be filed with the Clerk and Comptroller in and for Palm Beach County.
17. Any prior agreements or contracts regarding the duties and obligations of the parties enumerated herein are hereby declared to be null and void.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officials.

(MUNICIPAL SEAL BELOW)

**CITY OF WESTLAKE, a  
municipality duly organized and existing by  
virtue of the laws of the State of Florida**

ATTEST:

By: \_\_\_\_\_  
Roger Manning, Mayor

By: \_\_\_\_\_  
Zoie Burgess, City Clerk

By: \_\_\_\_\_  
Kenneth Cassell, City Manager

(COUNTY SEAL BELOW)

**PALM BEACH COUNTY, FLORIDA, a  
Political Subdivision of the State of Florida**  
  
**BOARD OF COUNTY COMMISSIONERS**

ATTEST: SHARON R. BOCK,  
Clerk & Comptroller

By: \_\_\_\_\_  
Dave Kerner, Mayor

By: \_\_\_\_\_  
Deputy Clerk

Document No.: \_\_\_\_\_

Approved as to Form and  
Legal Sufficiency

Approved as to Terms and Conditions  
Dept. of Housing and Economic Sustainability

By: \_\_\_\_\_  
Howard J. Falcon, III,  
Chief Assistant County Attorney

By: \_\_\_\_\_  
Sherry Howard  
Deputy Director

**LEGAL CERTIFICATION BY PALM BEACH COUNTY**

As Legal Counsel for Palm Beach County, Florida, I hereby state that the terms and provisions of this Agreement entered into on \_\_\_\_\_ by and between Palm Beach County and **City of Westlake** are fully authorized under State and local law, and that the Agreement provides full legal authority for Palm Beach County to undertake, or assist in undertaking, community renewal and lower income housing assistance activities.

\_\_\_\_\_  
Howard J. Falcon, III, Chief Assistant County Attorney  
Palm Beach County, Florida

**File Attachments for Item:**

B. Resolution 2020-07 - Selecting a Member of the City Council to serve in the position of Vice-Mayor Until April 12, 2021.

**Submitted By:** Legal

**RESOLUTION 2020-07 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, SELECTING A MEMBER OF THE CITY COUNCIL TO SERVE IN THE POSITION OF VICE-MAYOR UNTIL APRIL 12, 2021, PURSUANT TO THE CITY'S CHARTER PROVISION AS SET FORTH IN SECTION 8D.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> Legal		
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Resolution 2020-07 Selecting a Member of the City Council to serve in the position of Vice-Mayor Until April 12, 2021.			
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Motion To Select and Approve			
<b>SUMMARY and/or JUSTIFICATION:</b>		<p>Pursuant to Section 8D of the City Charter, the members of the City Council shall elect from its membership a Vice-Mayor who shall serve at the pleasure of the City Council. The specific language in the charter is as follows:</p> <p>“The City Council, at its first meeting after the fourth Tuesday of each March, shall elect from its membership a Vice-Mayor who shall serve at the pleasure of the City Council and who shall have the same legislative powers and duties as the Mayor or any other Councilmember. The Vice-Mayor shall serve as acting Mayor during the absence or disability of the Mayor. In the absence of the Mayor and the Vice-Mayor, the remaining councilmembers shall select a councilmember to serve as acting mayor.”</p> <p>This item will require a motion by the council and acceptance by the recommended member to serve as the Vice-Mayor. The member will serve until the meeting after the fourth Tuesday in March of 2021. At the meeting of April 12, 2021, the City Council shall select for the position of Vice-Mayor again.</p>			
<b>SELECT, if applicable</b>		<b>AGREEMENT:</b>		<b>BUDGET:</b>	
		<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
		<b>EXHIBIT(S):</b>	X	<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>		<p>Legal Memorandum from City Attorney Pam Booker</p> <p>City of Westlake City Charter</p>			
<b>SELECT, if applicable</b>		<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	X

**IDENTIFY FULL  
RESOLUTION OR  
ORDINANCE TITLE**

*(if Item is not a  
Resolution or Ordinance,  
please erase all default  
text from this field's  
textbox and leave blank)*

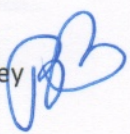
A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, SELECTING A MEMBER OF THE CITY COUNCIL TO SERVE IN THE POSITION OF VICE-MAYOR UNTIL APRIL 12, 2021, PURSUANT TO THE CITY'S CHARTER PROVISION AS SET FORTH IN SECTION 8D.

**FISCAL IMPACT** *(if any):*

\$

MEMORANDUM

To: Mayor Roger Manning  
City Council Members  
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: April 27, 2020

Subject: Selection of a Vice-Mayor

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Pursuant to Section 8D of the City Charter, the members of the City Council shall elect from its membership a Vice-Mayor who shall serve at the pleasure of the City Council. The specific language in the charter is as follows:

“The City Council, at its first meeting after the fourth Tuesday of each March, shall elect from its membership a Vice-Mayor who shall serve at the pleasure of the City Council and who shall have the same legislative powers and duties as the Mayor or any other Councilmember. The Vice-Mayor shall serve as acting Mayor during the absence or disability of the Mayor. In the absence of the Mayor and the Vice-Mayor, the remaining councilmembers shall select a councilmember to serve as acting mayor.”

This item will require a motion by the council and acceptance by the recommended member to serve as the Vice-Mayor. The member will serve until the meeting after the fourth Tuesday in March of 2021. At the meeting of April 12, 2021, the City Council shall select for the position of Vice-Mayor again.

Should you have questions, or need any additional information, please do not hesitate to call.





**RESOLUTION 2020-07**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, SELECTING A MEMBER OF THE CITY COUNCIL TO SERVE IN THE POSITION OF VICE-MAYOR UNTIL APRIL 12, 2021, PURSUANT TO THE CITY'S CHARTER PROVISION AS SET FORTH IN SECTION 8D.**

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**WHEREAS**, pursuant to section 8D of the City's charter, the City of Westlake hereby selects a member of the sitting City Council to serve as the Vice-Mayor; and

**WHEREAS**, the Vice-Mayor shall serve until April 12, 2021, in the position of vice-mayor in the absence of the Mayor; and

**WHEREAS**, on April 12, 2021, the City Council shall again select a member of the sitting city council to serve in the position of vice-mayor; and

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

**Section 1:** The City Council for the City of Westlake, selects \_\_\_\_\_, of Seat \_\_\_\_\_ to serve as the Vice-Mayor for the City of Westlake.

**Section 2:** Councilmember \_\_\_\_\_, of Seat \_\_\_\_\_, shall serve as Vice-Mayor until April 12, 2021.

**Section 3:** That this resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by City Council for the City of Westlake, on this \_\_\_\_\_ day of Monday, May 11, 2020.

\_\_\_\_\_  
Roger Manning, Mayor  
City of Westlake

\_\_\_\_\_  
Zoie Burgess, City Clerk

\_\_\_\_\_  
Approved as to Form and Sufficiency  
Pam E. Booker, City Attorney

**File Attachments for Item:**

**A. Emergency Ordinance 2020-03**

**Submitted By:** Legal

**AN EMERGENCY ORDINANCE OF THE CITY OF WESTLAKE, FLORIDA, AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR ELECTRONIC ATTENDANCE BY ELECTED AND APPOINTED OFFICIALS AT CITY MEETINGS DURING PERIODS OF A DECLARED PUBLIC HEALTH EMERGENBY; PROVIDING FOR PUBLIC PARTICIPATION BY TELEPHONIC OR ELECTRONIC MEANS; PROVIDING FOR AUTOMATIC DELAY OF FINALITY OF OFFICIAL ACTION PENDING PUBLIC COMMENTS; AND PROVIDING AN EFFECTIVE DATE.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> Legal		
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Emergency Ordinance 2020-03			
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Motion To Approve			
<b>SUMMARY and/or JUSTIFICATION:</b>		<p>On or about April 29, 2020, the Governor of the State of Florida has issued Executive Order Number 20-112, which applies to restaurants and food service establishments being permitted to reopen with on premises consumption of food and beverage by limiting indoor occupancy to no more than twenty-five (25%) of their building capacity and allows for outdoor seating with appropriate social distancing maintaining a minimum of six (6) feet between parties, and seating parties of ten (10) or fewer people.</p>			
<b>SELECT, if applicable</b>		<b>AGREEMENT:</b>		<b>BUDGET:</b>	
		<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
		<b>EXHIBIT(S):</b>	X	<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>		<p>Agenda Item Coversheet            Emergency Ordinance 2020-03            Emergency Order 2020-112 (E.O. 20-112)            Grove Market Plaza Restaurants and Outdoor Dining</p>			
<b>SELECT, if applicable</b>		<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	X
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <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><b>AN EMERGENCY ORDINANCE OF THE CITY OF WESTLAKE, FLORIDA, AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR ELECTRONIC ATTENDANCE BY ELECTED AND APPOINTED OFFICIALS AT CITY MEETINGS DURING PERIODS OF A DECLARED PUBLIC HEALTH EMERGENCY; PROVIDING FOR PUBLIC PARTICIPATION BY TELEPHONIC OR ELECTRONIC MEANS; PROVIDING FOR AUTOMATIC DELAY OF FINALITY OF OFFICIAL ACTION PENDING PUBLIC COMMENTS; AND PROVIDING AN EFFECTIVE DATE.</b></p>			

<b>FISCAL IMPACT</b> <i>(if any):</i>		\$
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**EMERGENCY ORDINANCE 2020-03**

**AN EMERGENCY ORDINANCE OF THE CITY OF WESTLAKE, FLORIDA, AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR ELECTRONIC ATTENDANCE BY ELECTED AND APPOINTED OFFICIALS AT CITY MEETINGS DURING PERIODS OF A DECLARED PUBLIC HEALTH EMERGENCY; PROVIDING FOR PUBLIC PARTICIPATION BY TELEPHONIC OR ELECTRONIC MEANS; PROVIDING FOR AUTOMATIC DELAY OF FINALITY OF OFFICIAL ACTION PENDING PUBLIC COMMENTS; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, Florida law, including Florida statutes concerning public meetings and the rights of the public to participate in public meetings, including but not limited to Section 286.011, 286.0114, and 166.041, requires that meetings of elected and appointed officials follow procedures that ensure that the public is able to participate in and be aware of the decision-making process (the “Sunshine law”); and

**WHEREAS**, on or about March 9, 2020, the Governor of the State of Florida has issued Executive Order number 20-52 declaring a state of emergency exist in Florida and granting broad powers to local governments to suspend the application of statutes, rules, ordinances, and orders they administer and to waive the procedures and formalities otherwise required by law to ensure the health, safety, and welfare of the community; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the covid-19 outbreak a global pandemic; and

**WHEREAS**, the United States Centers for Disease Control and Prevention (CDC) has deemed it necessary to prohibit or restrict non-essential travel to or from certain countries of concern; and

**WHEREAS**, on or about March 20, 2020, the Governor of the State of Florida has issued Executive Order number 20-69, addressing Local Government Public Meetings, wherein said order suspended the requirements of a quorum be present in person, allows local governments to utilize communications media technology to conduct business, while maintaining the safeguards of Chapter 286, Florida Statutes; and

**WHEREAS**, on or about March 24, 2020, the Governor of the State of Florida has issued Executive Order number 20-83, implementing protective measures for vulnerable populations, gatherings of private citizens and density of the workforce where the Surgeon General and the State Health Officer are encouraging measures to protect the vulnerable populations; and

**WHEREAS**, on or about April 29, 2020, the Governor of the State of Florida has issued Executive Order Number 20-112, which applies to restaurants and food service establishments being permitted to reopen with on premises consumption of food and beverage by limiting indoor occupancy to no more than twenty-five (25%) of their building capacity and allows for outdoor seating with appropriate social distancing maintaining a minimum of six (6) feet between parties, and seating parties of ten (10) or fewer people; and



**WHEREAS**, the Governor of the State of Florida has issued Executive Order Number 20-112, and the new order extends the time frame for Executive Order 20-69 for Local Government Public meetings for the duration of Executive Order 20-112; and

**WHEREAS**, it is the innate responsibility of the governing body of each political subdivision of the state of Florida to safeguard the life and property of its residents, employees, and invitees; and

**WHEREAS**, it is the best interest of the citizens and resident of the City to immediately implement, on a temporary basis, emergency rules concerning attendance at and participation in public meetings due to the public health threat resulting from the spread of COVID-19; and

**WHEREAS**, the City Council finds that it is in the best interest of the personnel and citizens to the City to authorize the City Manager to provide, when the City Manager determines appropriate, for the City Council and members of the various Boards to be able to attend meetings electronically during a declared public health emergency; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA THAT:**

**Section 1.** The above referenced whereas clauses are incorporated herein by reference.

**Section 2.** The City Manager is hereby authorized to:

- a) Coordinate the ability of the City Council and the various Boards to meet electronically without the physical presence of a quorum of the City Council or the various Boards; and
- b) Prohibit or limit the physical attendance of the public at a City Council or Board meeting, provided that no action of the City Council or Board taken at such meeting shall be deemed final until:
  1. The complete video of the City Council meeting or Board meeting is posted on the City's website for no less than thirty-six (36) hours; and
  2. Members of the public are given forty-eight (48) hours from the first posting of the video of the meeting to post or communicate by telephonic, electronic or other written comments on any agenda item, including the right to make public comments.
- c) No action taken by the City Council or any Board during the temporary time frame where the public's physical participation is prohibited or limited will be deemed final unless:
  1. Forty-eight (48) hours after the item has been opened for public comment and there have been no public comments submitted; or
  2. Forty-eight (48) hours after the item has been opened for public comment and there have been public comments submitted, the item shall be ratified at the next agenda meeting.
- d) The City Manager shall implement the technology and administrative support as necessary to fulfill these objectives and to maintain a record of all public comments submitted to the City as provided herein.
- e) The posting of the video of the public meetings referenced herein shall contain a banner notifying the public of the time and date the video is first posted and the deadline for submission of public comments. A dedicated phone number and dedicated email address shall be included in the banner to notify the public where

to call to leave a telephonic public comment or where to email public comment. All telephonic comments shall be noted and provided by the City Clerk. The public comments shall be included in the official minutes of the meeting.

- f) The City Manager is granted the authority to prohibit or limit attendance at future meetings based upon evolving State and Federal guidelines for the safety of the public. The City Manager shall provide a report to the City Council regarding all limitation on physical public participation and attendance at meetings.

**Section 3.** The City Manager and the Planning Director are authorized to approve temporary outdoor seating plans for restaurants within the City during the 60-day extension of the Emergency Order 20-112, allowing food services to reopen with on premises consumption of food and beverage by limiting indoor occupancy to no more than twenty-five (25%) of their building capacity and allows for outdoor seating with appropriate social distancing maintaining a minimum of six (6) feet between parties, and seating parties of ten (10) or fewer people.

**Section 4.** This ordinance is not intended to limit any additional ordinances or resolutions adopted by the City Council to address the COVID-19 public health pandemic. This emergency ordinance shall become effective immediately upon its passage but shall sunset on Monday, June 29, 2020, unless further extended by the City Council.

**Section 5.** This Emergency Ordinance shall not be codified.

**PASSED AND ADOPTED THIS 11TH DAY OF MAY 2020.**

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City of Westlake  
Roger Manning, Mayor

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Zoie Burges, City Clerk

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Approved as to Form and Sufficiency  
Pam E. Booker, City Attorney

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 20-112

(Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery)

**WHEREAS**, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

**WHEREAS**, on April 3, 2020, I issued Executive Order 20-91 and Executive Order 20-92 directing all persons in Florida to limit their movements and personal interactions outside of their home only to those necessary to obtain or provide essential services or conduct essential activities; and

**WHEREAS**, my administration has implemented a data-driven strategy devoted to high-volume testing and aggressive contact tracing, as well as strict screening protocols in long-term care facilities to protect vulnerable residents; and

**WHEREAS**, data collected by the Florida Department of Health indicates the State has achieved several critical benchmarks in flattening the curve, including a downward trajectory of hospital visits for influenza-like illness and COVID-19-like syndromic cases, a decrease in percent positive test results, and a significant increase in hospital capacity since March 1, 2020; and

**WHEREAS**, during the week of April 20, 2020, I convened the Task Force to Re-Open Florida to evaluate how to safely and strategically re-open the State; and

**WHEREAS**, the path to re-opening Florida must promote business operation and economic recovery while maintaining focus on core safety principles.

**NOW, THEREFORE, I, RON DESANTIS**, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution and Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order:

Section 1. Phase 1 Recovery

In concert with the efforts of President Donald J. Trump and the White House Coronavirus Task Force, and based on guidance provided by the White House and the Centers for Disease Control and Prevention (CDC), the Occupational Safety and Health Administration (OSHA), and the Florida Surgeon General and State Health Officer, Dr. Scott Rivkees, I hereby adopt the following in response to the recommendations in Phase 1 of the plan published by the Task Force to Re-Open Florida.

Section 2. Responsible Individual Activity

A. All persons in Florida shall continue to limit their personal interactions outside the home; however, as of the effective date of this order, persons in Florida may provide or obtain:

1. All services and activities currently allowed, *i.e.*, those described in Executive Order 20-91 and its attachments, which include activities detailed in Section 3 of Executive Order 20-91, the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce and a list propounded by Miami-Dade County in multiple orders (as of April 1, 2020), as well as other services and activities approved by the State Coordinating Officer. Such services should continue to follow safety

guidelines issued by the CDC and OSHA. If necessary, employee screening or use of personal protective equipment should continue.

2. Additional services responsibly provided in accordance with Sections 3 and 4 of this order in counties other than Miami-Dade, Broward and Palm Beach. In Miami-Dade, Broward and Palm Beach counties, allowances for services and activities from Sections 3 and 4 of this order will be considered in consultation with local leadership.

B. Except as provided in Section 2(A)(1) of this order, senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) are strongly encouraged to stay at home and take all measures to limit the risk of exposure to COVID-19.

C. For the duration of this order, all persons in Florida should:

1. Avoid congregating in large groups. Local jurisdictions shall ensure that groups of people greater than ten are not permitted to congregate in any public space that does not readily allow for appropriate physical distancing.
2. Avoid nonessential travel, including to U.S. states and cities outside of Florida with a significant presence of COVID-19.
3. Adhere to guidelines from the CDC regarding isolation for 14 days following travel on a cruise or from any international destination and any area with a significant presence of COVID-19.

D. This order extends Executive Order 20-80 (Airport Screening and Isolation) and Executive Order 20-82 (Isolation of Individuals Traveling to Florida), with exceptions for persons involved in military, emergency, health or infrastructure response or involved in commercial activity. This order extends Sections 1(C) and 1(D) of Executive Order 20-86 (Additional Requirements of Certain Individuals Traveling to Florida), which authorize the Department of Transportation, with assistance from the Florida Highway Patrol and county sheriffs, to continue to implement checkpoints on roadways as necessary.

Section 3. Businesses Restricted by Previous Executive Orders

Unless I direct otherwise, for the duration of this order, the following applies to businesses directly addressed by my previous Executive Orders:

- A. Bars, pubs and nightclubs that derive more than 50 percent of gross revenue from the sale of alcoholic beverages shall continue to suspend the sale of alcoholic beverages for on-premises consumption. This provision extends Executive Order 20-68, Section 1 as modified by Executive Order 20-71, Sections 1 and 2.
- B. Restaurants and food establishments licensed under Chapters 500 or 509, Florida Statutes, may allow on-premises consumption of food and beverage, so long as they adopt appropriate social distancing measures and limit their indoor occupancy to no more than 25 percent of their building occupancy. In addition, outdoor seating is permissible with appropriate social distancing. Appropriate social distancing requires maintaining a minimum of 6 feet between parties, only seating parties of 10 or fewer people and keeping bar counters closed to seating. This provision

extends Executive Order 20-68, Section 3 and supersedes the conflicting provisions of Executive Order 20-71, Section 2 regarding on-premises food consumption.

- C. Gyms and fitness centers closed by Executive Order 20-71 shall remain closed.
- D. The prohibition on vacation rentals in Executive Order 20-87 remains in effect for the duration of this order.
- E. The Department of Business and Professional Regulation shall utilize its authorities under Florida law to implement and enforce the provisions of this order as appropriate.

Section 4. Other Affected Business Services

Unless I direct otherwise, for the duration of this order, the following applies to other business services affected by my previous Executive Orders:

- A. In-store retail sales establishments may open storefronts if they operate at no more than 25 percent of their building occupancy and abide by the safety guidelines issued by the CDC and OSHA.
- B. Museums and libraries may open at no more than 25 percent of their building occupancy, provided, however, that (a) local public museums and local public libraries may operate only if permitted by local government, and (b) any components of museums or libraries that have interactive functions or exhibits, including child play areas, remain closed.

Section 5. Medical Procedures

Subject to the conditions outlined below, elective procedures prohibited by Executive Order 20-72 may resume when this order goes into effect. A hospital ambulatory surgical center, office surgery center, dental office, orthodontic office, endodontic office or other health care



practitioners' office in the State of Florida may perform procedures prohibited by Executive Order 20-72 only if:

- A. The facility has the capacity to immediately convert additional facility-identified surgical and intensive care beds for treatment of COVID-19 patients in a surge capacity situation;
- B. The facility has adequate personal protective equipment (PPE) to complete all medical procedures and respond to COVID-19 treatment needs, without the facility seeking any additional federal or state assistance regarding PPE supplies;
- C. The facility has not sought any additional federal, state, or local government assistance regarding PPE supplies since resuming elective procedures; and
- D. The facility has not refused to provide support to and proactively engage with skilled nursing facilities, assisted living facilities and other long-term care residential providers.

The Agency for Health Care Administration and the Department of Health shall utilize their authority under Florida law to further implement and enforce these requirements. This order supersedes the conflicting provisions of Executive Order 20-72.

Section 6. Previous Executive Orders Extended

The Executive Order 20-69 (Local Government Public Meetings) is extended for the duration of this order.

Section 7. Enforcement

This order shall be enforced under section 252.47, Florida Statutes. Violation of this order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.

Section 8. Effective Date

This order is effective at 12:01 a.m. on May 4, 2020.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 29th day of April, 2020.

  
RON DESANTIS, GOVERNOR

ATTEST:

  
SECRETARY OF STATE

FILED  
2020 APR 29 PM 4:52  
TALLAHASSEE, FLORIDA

GROVE MARKET PLAZA

RESTAURANTS AND OUTDOOR DINING

The Gove Market Plaza includes three (3) restaurants:

- 1. Gator's Shack. Bar and Grill
- 2. Il Pomodoro. Pizzeria & Restaurant
- 3. Great Wall. NY Style Chinese Restaurant



Gator's Shack



Il Pomodoro  
Min. space for tables



Great Wall  
NY Style Chinese Restaurant  
Min. space for tables



Plaza rear area provides space for tents and tables without conflicting with Fire Lne





Min. space for tables 6 ft. apart



View from sidewalk to parking lot



Existing Fire



Plaza Parking Lot

**File Attachments for Item:**

1. Staff Overview



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> City Clerk on behalf of Vice Mayor	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Staff Overview		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)				
<b>SUMMARY and/or JUSTIFICATION:</b>		At the request of Vice Mayor Long-Robinson, the resumes of the City Manager, City Attorney and the City Clerk are to be included on the May 11, 2020 agenda for a discussion under Council reports.		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>		<b>OTHER:</b>	X
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	<ol style="list-style-type: none"> <li>1. Resume – Kenneth Cassel, City Manager</li> <li>2. Resume – Pam Booker, City Attorney</li> <li>3. Resume – Zoie Burgess, City Clerk</li> </ol>			
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <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>				
<b>FISCAL IMPACT (if any):</b>				\$

**File Attachments for Item:**

2. Staff Evaluation Process





# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		May 11, 2020	<b>Submitted By:</b> City Clerk on behalf of Vice Mayor	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Staff Evaluation Process		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)				
<b>SUMMARY and/or JUSTIFICATION:</b>		<p>At the request of Vice Mayor Long-Robinson, she has requested detail and further discussion to conduct staff evaluations.</p> <p>The City attorney has provided the Vice Mayor the attached Memorandum outlining the potential process in efforts to receive council input. Further, the City Manager has provided formats currently being utilized by other municipalities.</p>		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>		<b>OTHER:</b>	X
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	<ol style="list-style-type: none"> <li>1. Evaluation Memorandum re: Evaluation Process (City Manager)</li> <li>2. <u>Wellington City Manager Evaluation Tool</u></li> <li>3. <u>Wellington City Attorney Evaluation Tool</u></li> <li>4. <u>Boynton Beach Evaluation Tool</u></li> <li>5. <u>Greenacres Evaluation Tool</u></li> <li>6. <u>Lake Park Evaluation Tool</u></li> <li>7. <u>Lantana Evaluation Tool</u></li> </ol>			
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <i>(if Item is <b>not</b> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>				
<b>FISCAL IMPACT (if any):</b>				\$



**Date:** April 10, 2020  
**To:** Vice Mayor  
**Copy:**  
**From:** Ken Cassel, City Manager *KAC*  
**Subject:** Evaluation Process

## Memorandum

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Vice-Mayor, in response to your request I reached out to the city managers within the county regarding their evaluation processes for their position as well as their city attorney. The following provides information regarding evaluations of key personnel for municipalities. To ensure evaluations are fair and equitable, to both the organization and the individual, it is critical to establish quantifiable parameters. We know evaluations are at best a difficult process and should be carefully crafted and administered.

As we all know, the City of Westlake is not your typical City since all positions are contracted. None of the entities providing services are considered employees of the City. In accordance with the City Charter, the two positions that report to the Council are the Charter Officers. The Charter Officers (City Manager and City Attorney) are contract-based services.

In order to establish a proper performance review, it is necessary to set quantifiable standards by which the individuals are being evaluated. To that end, it is recommended the evaluation process be established during this year's budget process and contain the goals and the vision of the council for the next year. The evaluation process should occur annually during the budget process as the goals and objectives for the City are established. The evaluation process will measure how the individual is meeting the goals and objectives defined by the Council during the previous year's budgeting process. As we establish the first round of evaluations and the parameters of the evaluation, it is recommended that each Council Member meet individually with each Charter Officer to discuss the Council Member's current concerns and vision for the City.

Except for Wellington, all the other municipalities that responded to my request regarding evaluations of the city attorney stated they do not as the individual attorney is part of a firm that has been contracted with for legal services. It is my understanding the municipalities evaluate the performance of the legal firms based on the contract parameters and responsiveness to the council. The same responding municipalities, responding to my request, do have evaluations and contracts with individuals as their city manager with benefits to that individual as a direct employee. Our Charter provides

for a contract with an individual or firm for the positions of City Manager and City Attorney and neither is considered an employee of the City.

The recommended process for establishing an effective and fair evaluation system is as follows:

1. Review the City Charter regarding the duties of the two positions.
2. Determine how to quantifiably measure the performance of those duties.
3. Review the contracts for the two positions to determine the scope of services contracted for and how they align with the duties listed in the charter.
4. Craft directions for the City Council and provide evaluation questions that accurately collect the appropriate quantifiable measures so that each council member could individually evaluate each position based upon the questions contained in the evaluation form.

Other recommended performance evaluation steps are as follows:

1. Each Council Member will meet with each Charter Officer one on one during their evaluation of the individual.
2. Upon completion the results of the evaluation will be placed on the next Official Agenda of the City Council.
3. Each Charter Officer will receive a copy of all the individual evaluations of the City Council for their records.

The performance evaluation process shall not be construed as, or is intended to be, a re-opening or modification to the contracts of either Charter Officer.

Based on the uniqueness of our Charter and contract relationships between the City and both Charter Officers, as well as review of the evaluations sent from the municipalities, it is recommended we utilize the Wellington evaluation templates for both positions as a basis to establish appropriate parameters by which to discuss annual performance.

I have attached a copy of the Charter, contracts for the City Manager and City Attorney, as well as Wellington's and the other respondent's performance reviews. I trust this information and the outlined process is sufficient to begin the discussion and establishment of appropriate evaluation parameters.



## VILLAGE MANAGER PERFORMANCE EVALUATION

### **Purpose of Evaluation**

The purpose of the performance evaluation process conducted by and between the Village of Wellington Council and the Village Manager is:

1. To strengthen the relationship between the Council and the Village Manager
2. To provide a mechanism for regular evaluation
3. To identify performance objectives for the Village Manager
4. To provide feedback to the Village Manager and identify areas where improvements may be needed

### **Frequency**

The Council will evaluate the Village Manager annually. The schedule for the evaluation will be during the budget process and will be completed before the adoption of the annual budget.

### **Evaluation Procedure**

The evaluation procedure remains at the will and the direction of the Village Council and may be modified at any time. In general, the evaluation process will include the following steps:

1. The Village Council will inform the Village Manager when the time for an annual evaluation is due, in accordance with the Village Manager's contract.
2. The Mayor will ask Council Members to complete the evaluation form prior to an evaluation session.
3. Each Council member may meet face to face with the Village Manager prior to the evaluation session.
4. The results of the evaluation will be placed on the Official Village agenda as soon as possible.
5. If warranted, the Village Council will authorize the implementation of a salary increase in accordance with the Village's Personnel Policies and Regulations and the Employment Agreement with the Village Manager.
6. The performance evaluation, and any subsequent actions, will be placed in the Village Manager's employee personnel file.
7. This performance evaluation process is not intended to and shall not be constructed as a re-opening or modification of the Village Manager's existing contract.



## VILLAGE MANAGER PERFORMANCE EVALUATION

**Village Manager:** Franklin P. Schofield      **Date:** \_\_\_\_\_

**Evaluation Period from:** \_\_\_\_\_ **To:** \_\_\_\_\_

**Submitted by:** \_\_\_\_\_

The following pages define significant areas of responsibility for the Village Manager position. In each section, examples of performance and responsibilities are articulated to better explain each subject heading. Please rate the Manager's performance based on the following categories:

### Rating Performance

### Definition

<b>6</b>	<b>Outstanding</b> Far Exceeds all expectations	Generally applies to the top 1% of all employees in the workplace. This person's overall skills and abilities far exceed all expectations of the position. Demonstrated strong expertise within key areas of responsibilities. Consistently outstanding results beyond scope of the performance plan over entire period. Anticipates managements' needs and executes plans flawlessly.
<b>5</b>	<b>Excellent</b> Exceeds all expectations	Generally applies to the top 5-10% of all employees in the workplace. This person's overall skills and abilities greatly exceed the expectations of the position. Demonstrated strong expertise within key areas of responsibilities. Occasionally receives outstanding results beyond scope of the performance plan in some key areas of responsibility over entire performance period.
<b>4</b>	<b>Very Good</b> Meets all expectations	Generally applies to the next 20-25% of employees. Occasionally exceeds performance expectations of the position. Performed the most difficult parts of the job competently and thoroughly. Contributed significant results on their own initiative. Worked with a high level of independence, initiative and concern for the quality of the service produced by the organization.
<b>3</b>	<b>Good</b> Meets expectations	Generally applies to 40-50% of employees. Meets all expectations of the position and is competent in the performance of responsibilities.
<b>2</b>	<b>Fair</b> Meets most expectations	Generally applies to 20% of employees. Often failed to meet performance expectations of the position. Performance was generally adequate, but is deficient in one or more key areas and will require additional training or assistance to fully achieve expectations
<b>1</b>	<b>Poor</b> Fails to meet most expectations	Generally applies to bottom 4% of employees. Performance was well below expectations in most areas of responsibility. Serious performance deficiencies that inhibit adequate performance in the position. Employee should be evaluated for continuation of current position, demotion or termination of employment.
<b>0</b>	<b>Unsatisfactory</b> Fails to meet all expectations	Generally applies to bottom 1% of employees. Performance is well below expectations in most all areas of responsibility. Serious performance deficiencies that prohibit adequate performance in the position. Employee should be evaluated for continuation of current position, demotion, or termination of employment.



## VILLAGE MANAGER PERFORMANCE EVALUATION

- I. **MANAGEMENT OF THE ORGANIZATION:** Effectively runs the operations of the organization. Creates a collaborative, team building, environment for staff. Recognizes the accomplishments of Staff and other agencies working on behalf of the Village. Supports professional growth and opportunity within the organization. Accepts full accountability for staff and the outcome of Village projects or decisions. Identifies organizational problems and takes remedial action.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**

- II. **EXECUTION OF POLICY:** Understands and complies with policies and procedures governing the Village. Implements Village policy fairly and consistently based upon Council decisions, goals, and applicable laws and regulations. Works toward accomplishing identified Council goals. Presents matters in a factual, analytical way. Coordinates Council policy decisions to staff, departments, other organizations, and the community.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**

- III. **FINANCIAL MANAGEMENT:** Properly prepares and manages the budget. Demonstrates ingenuity in approaching budgetary matters including long range revenues and expenditures for the organization.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**





## VILLAGE MANAGER PERFORMANCE EVALUATION

- IV. RELATIONSHIP WITH THE COUNCIL:** Provides regular updates to the Council keeping them informed about current and critical issues. Makes effort to be accessible to Council Members. Handles issues brought by the Council in a consistent and timely manner. Maintains an honest approach to new ideas, issues, and complaints raised by Council Members.

\_\_\_ 6-Outstanding    \_\_\_ 5-Excellent    \_\_\_ 4-Very Good    \_\_\_ 3-Good  
\_\_\_ 2-Fair    \_\_\_ 1-Poor    \_\_\_ 0-Unsatisfactory

**Comments:**

- V. COMMUNITY RELATIONSHIPS:** Makes an effort to understand general community issues and concerns. Remains involved and active in the community, represents the Village well and in a professional and positive manner. Works proactively with the media and press. Works effectively with community organizations and other agencies. Educates the community on Village goals and services.

\_\_\_ 6-Outstanding    \_\_\_ 5-Excellent    \_\_\_ 4-Very Good    \_\_\_ 3-Good  
\_\_\_ 2-Fair    \_\_\_ 1-Poor    \_\_\_ 0-Unsatisfactory

**Comments:**

- VI. COMMUNICATION:** Insures that Council Members receive important information in a timely and effective manner. Presents the Council and community with clear and accurate written reports and correspondence. Responds to correspondence, requests, and complaints quickly and appropriately. Facilitates open two-way communication and encourages mutual honesty and respect with the community, Council, and staff.

\_\_\_ 6-Outstanding    \_\_\_ 5-Excellent    \_\_\_ 4-Very Good    \_\_\_ 3-Good  
\_\_\_ 2-Fair    \_\_\_ 1-Poor    \_\_\_ 0-Unsatisfactory

**Comments:**



## VILLAGE MANAGER PERFORMANCE EVALUATION

- VII. LEADERSHIP:** Provides the Council and the organization with real solutions and creative alternatives to issues and problems. Anticipates and responds to issues. Assures that Council decisions are thought out, objective, and consistent with past practices, and are legal and ethical. Makes use of sound administrative practices. Leads the organization through effective management of people and tasks.

\_\_\_ 6-Outstanding    \_\_\_ 5-Excellent    \_\_\_ 4-Very Good    \_\_\_ 3-Good  
\_\_\_ 2-Fair    \_\_\_ 1-Poor    \_\_\_ 0-Unsatisfactory

**Comments:**

- VIII. PROFESSIONALISM:** Deals effectively and appropriately with the public and other organizations. Devotes time and energy to the job. Demonstrates high ethical standards in the organization. Works to keep "politics", and personal perspectives out of the decision making process. Stays active in professional organizations and regional issues.

\_\_\_ 6-Outstanding    \_\_\_ 5-Excellent    \_\_\_ 4-Very Good    \_\_\_ 3-Good  
\_\_\_ 2-Fair    \_\_\_ 1-Poor    \_\_\_ 0-Unsatisfactory

**Comments:**



## VILLAGE MANAGER PERFORMANCE EVALUATION

**Achievements:** Identify a few of the top achievements or strong points you observed in the Village Manager over the past year.

**Comments:**

**Objectives:** List two-to-three performance objectives that you feel are important for the Village Manager to work on for the coming year.

**Comments:**



## VILLAGE ATTORNEY PERFORMANCE EVALUATION

### **Purpose of Evaluation**

The purpose of the performance evaluation process to be conducted by and between the Village of Wellington Council and the Village Attorney is:

1. To strengthen the relationship between the Council and the Village Attorney
2. To provide a mechanism for regular evaluation
3. To identify performance objectives for the Village Attorney
4. To provide feedback to the Village Attorney and identify areas where improvements may be needed

### **Frequency**

The Council will evaluate the Village Attorney annually. The schedule for the evaluation will be during the budget process and will be completed before the adoption of the annual budget.

### **Evaluation Procedure**

The evaluation procedure remains at the will and the direction of the Village Council and may be modified at any time. In general, the evaluation process will include the following steps:

1. The Village Council will inform the Village Attorney when the time for an annual evaluation is due, in accordance with the Village Attorney's contract.
2. The Mayor will ask Council Members to complete the evaluation form prior to an evaluation session.
3. Each Council member may meet face to face with the Village Attorney prior to the evaluation session.
4. The results of the evaluation will be placed on the Official Village agenda as soon as possible.
5. If warranted, the Village Council will authorize the implementation of a salary increase in accordance with the Village's Personnel Policies and Regulations and the Employment Agreement with the Village Attorney.
6. The performance evaluation, and any subsequent actions, will be placed in the Village Attorney's employee personnel file.
7. This performance evaluation process is not intended to and shall not be constructed as a re-opening or modification of the Village Attorney's existing contract.



## VILLAGE ATTORNEY PERFORMANCE EVALUATION

**Village Attorney:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Evaluation Period from:** \_\_\_\_\_ **To:** \_\_\_\_\_

**Submitted by:** \_\_\_\_\_

The following pages define significant areas of responsibility for the Village Attorney position. In each section, examples of performance and responsibilities are articulated to better explain each subject heading. Please rate the Attorney's performance based on the following categories:

**Rating Performance**                      **Definition**

6	<b>Outstanding</b> Far Exceeds all expectations	Overall skills and abilities far exceed all expectations of the position. Demonstrates strong expertise within key areas of responsibilities. Delivers consistently outstanding results beyond scope of the performance plan over entire period. Anticipates needs and executes plans flawlessly.
5	<b>Excellent</b> Exceeds all expectations	Overall skills and abilities greatly exceed the expectations of the position. Demonstrates strong expertise within key areas of responsibilities. Occasionally receives outstanding results beyond scope of the performance plan in some key areas of responsibility over entire performance period.
4	<b>Very Good</b> Meets all expectations	Occasionally exceeds performance expectations of the position. Performs the most difficult parts of the job competently and thoroughly. Contributes significant results on their own initiative. Works with a high level of independence, initiative and concern for the quality of the service produced by the organization.
3	<b>Good</b> Meets expectations	Meets all expectations of the position and is competent in the performance of responsibilities.
2	<b>Fair</b> Meets most expectations	Often fails to meet performance expectations of the position. Performance is generally adequate, but is deficient in one or more key areas and will require additional training or assistance to fully achieve expectations.
1	<b>Poor</b> Fails to meet most expectations	Performance is well below expectations in most areas of responsibility. Serious performance deficiencies that inhibit adequate performance in the position. Employee should be evaluated for continuation of current position, demotion or termination of employment.
0	<b>Unsatisfactory</b> Fails to meet all expectations	Performance is well below expectations in most all areas of responsibility. Serious performance deficiencies that prohibit adequate performance in the position. Employee should be evaluated for continuation of current position, demotion, or termination of employment.



## VILLAGE ATTORNEY PERFORMANCE EVALUATION

1. **Communication:** Effectively communicates (orally and in writing) complex issues to government officials, the press and the public where diverse viewpoints and goals exist. Ensures that Council members receive important information in a timely and effective manner. Presents the Council and community with clear and accurate written reports and correspondence. Responds to correspondence, requests and complaints quickly and appropriately. Facilitates open two-way communication and encourages mutual honesty and respect with the community, Council and staff.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good

\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**

2. **Job Knowledge:** Possesses and applies a comprehensive understanding and knowledge of the Village Charter, Village Code of Ordinances, Code of Ethics and Florida Statutes. Applies effective litigation skills before trial and appellate level courts and administrative agencies. Has an extensive understanding of legal issues faced by local governments. Has the ability to effectively formulate and advance legal strategies that further the goals of the Village.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good

\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**





### VILLAGE ATTORNEY PERFORMANCE EVALUATION

3. **Professionalism:** Deals effectively and appropriately with the public and other organizations. Devotes time and energy to the job. Demonstrates high ethical standards in the organization. Works to keep politics and personal perspectives out of the decision making process. Stays active in professional organizations.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**

4. **Management.** Effective in the management, supervisory and interpersonal skills in the context of both a law office and organization, including the ability to establish and maintain effective working relationships with members of management, the Village Council, employees, other government officials, boards and committees, and the general public. Creates a collaborative, team building, environment for staff. Recognizes the accomplishments of staff and other agencies working on behalf of the Village. Supports professional growth and opportunity within the organization. Accepts full accountability for staff and the outcome of Village projects or decisions. Identifies organizational problems and takes remedial action.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**



## VILLAGE ATTORNEY PERFORMANCE EVALUATION

5. **Relationship with Council:** Demonstrates a positive and trusting relationship with Council, both as a group and individually, by acting as an advisor to them on legal issues as they arise.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**

6. **Relationship with the Community:** Understands general community issues and concerns. Remains involved and active in the community, represents the Village well and in a professional and positive manner. Works effectively with the media and press, community organizations and other agencies.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**



## VILLAGE ATTORNEY PERFORMANCE EVALUATION

7. **Relationship with the Village Manager and Department Heads:** Demonstrates a positive legal consultative relationship with the Village Manager and Department Heads in their pursuit of meeting the goals and objectives of the Village.

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**

8. **Completion of Work:** Completes work assignments within reasonable or set time frames. (In this context, "reasonable" means a time frame which is acceptable to Council in terms of their priorities, and in consideration of the attorney's ongoing workload.)

\_\_\_ 6-Outstanding \_\_\_ 5-Excellent \_\_\_ 4-Very Good \_\_\_ 3-Good  
\_\_\_ 2-Fair \_\_\_ 1-Poor \_\_\_ 0-Unsatisfactory

**Comments:**



## VILLAGE ATTORNEY PERFORMANCE EVALUATION

**Achievements:** Identify a few of the top achievements or strong points you observed in the Village Attorney over the past year.

**Comments:**

**Objectives:** List two-to-three performance objectives that you feel are important for the Village Attorney to work on for the coming year.

**Comments:**



## Performance Evaluation for the City Manager

FOR: \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF EVALUATOR: \_\_\_\_\_

### ANNUAL EVALUATION PROCESS:

1. The Mayor and each City Commissioner is requested to complete the evaluation form based on his/her assessment of the City Manager in ten major areas of responsibility that include a total of 32 specific performance measures. An "Overall Impression" rating and six (6) comment areas are also included.
2. The Mayor and each City Commissioner shall discuss the evaluation individually with the City Manager at a Performance Conference. Preliminary scores may be adjusted as a result of the discussion. There is a "Comments" section below each question for clarification purposes, if necessary.
3. A composite Ratings Summary Chart shall be prepared by the City Manager and provided to the City Commission. (The detailed rating sheets of the other Commission members will be provided when requested.)
4. The performance evaluation shall be reviewed at a Commission meeting at which point the City Commission shall consider an increase in the Manager's compensation.

### INSTRUCTIONS:

***Rating Scale:*** Each question is followed by a rating scale. Raters may circle the selected performance indicator (1, 2, 3, 4 or 5) or place an "X" along with a numerical score on the rating scale line when you feel a rating falls between two whole numbers. There are 32 listed performance indicators in the ten major performance categories on the pages that follow:

- 1 = Unsatisfactory:** poor, needs substantial improvement = VERY DISSATISFIED
- 2 = Below expectations:** needs improvement = MARGINAL
- 3 = Satisfactory:** meeting an acceptable performance level = SATISFIED
- 4 = Meeting expectations:** very good = MORE THAN SATISFIED
- 5 = Exceeding expectations:** excellent = VERY SATISFIED

# CITY MANAGER'S TEN MAJOR AREAS OF RESPONSIBILITY

## I. Organizational Management

**1. Leadership:** Does the City Manager motivate others to maximum performance? Is the City Manager respected as demanding but fair? Is the City Manager providing the necessary assistance to the Board and leadership to the City's staff and volunteers? Does the City Manager get enthusiastic response to his/her new ideas and needed organizational changes?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**2. Supervision:** Does the City Manager adequately supervise and direct the activities of the Department Heads and staff? Is the City Manager able to control the operational activities of the City through others?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**3. Job Organization:** Does the City Manager delegate responsibility effectively? Does the City Manager use his/her time productively? Does the City Manager program activities in an orderly and systematic way?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**4. Staff Development:** Does the City Manager appoint and train effective subordinates? Is the City Manager able to recruit and retain quality employees? Is the Manager committed to having City staff operate well as a team? Does (s)he effectively develop Department Heads and staff members?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

## II. Fiscal/Business Management

**5. Budget:** Is the budget developed in a systematic and effective manner? Is the budget proposal from the Manager reasonable and appropriate? Is the annual budget presented in a timely manner and does it reflect a well-planned, realistic and accurate financial plan? Does the City Manager carry out the budget satisfactorily and control expenses within the levels set in the budget?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**6. Agendas:** Does the Manager prepare comprehensive, relevant and complete agenda topics and reports for the City Commission?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_



**7. Financial Reporting:** Does the Manager provide periodic financial reports in a well-designed, informative and understandable format?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**8. Managing Multiple Priorities:** Is the Manager capable of prioritizing and implementing multiple priorities while considering the most important goals, objectives and tasks facing the City?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**9. Productivity:** Can the Manager be depended on for sustained productive work? Does the Manager readily assume responsibility? Does the Manager meet time estimates within his/her control?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

### III. Program Development and Follow-Through

**10. Execution of Policy:** Does the City Manager understand and comply with the overall policies, laws and philosophy of the City? Do his/her efforts lead towards successful accomplishment of goals? Does the City Manager measure results against goals and take corrective action?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**11. Program Development:** Does the Manager translate policies and objectives into specific and effective programs? Does the Manager independently recognize problems, develop relative facts, formulate alternate solutions and decide on appropriate recommendations?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**12. Imagination - Initiative:** Does the City Manager show originality in approaching problems? Does the City Manager create effective solutions? Is the City Manager able to visualize the implications of various alternatives?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

## IV. Communication

**13. Communication:** Does the City Manager keep appropriate people informed? Does the City Manager present his/her thoughts in an orderly and understandable manner? Is the City Manager able to be persuasive?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**14. Reporting:** Does the City Manager submit accurate and complete staff reports on schedule? Do the reports adequately convey information on the City?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**15. Commission Communication:** Does the Manager provide the Commission with adequate information to make decisions?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**16. Written Communication:** How effective are the Manager's letters, memoranda and other forms of written information?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
 \_\_\_\_\_

### V. Relationship with the Mayor/Commission

**17. Response to Commission:** Does the Manager respond in a positive way to suggestions and guidance from the Commission? Is the Manager attuned to the Commissions' attitudes, feelings and needs?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
 \_\_\_\_\_

### VI. Long Range Planning

**18. Strategic Planning:** Does the Manager help develop effective goals, objectives, policies and procedures while providing an annual work plan that advises of present and future needs of the City?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
 \_\_\_\_\_

**19. Economic Development:** Does the Manager demonstrate leadership and vision in promoting the economic development of the City while maintaining concerns for “quality of life” issues?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**20. Multi-Year Approach:** Is the City Manager helping the City Commission to address the City’s future through multi-year planning and appropriate capital budgeting?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

### VII. Relationship with Public/Public Relations

**21. Media Relations:** Is the Manager skillful in his dealings with the news media? Does the City Manager properly convey the policies and programs of the City?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**22. Community Reputation:** What is the general attitude of the community to the Manager? Is the City Manager regarded as a person of high integrity and ability? Is his/her public credibility an asset or liability to the City?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

### VIII. Intergovernmental Relations

**23. Intergovernmental Relations:** Does the Manager work effectively with federal, state, and other local government representatives? Is the relationship with other local government officials beneficial to the City? Is the City Manager able to facilitate cooperative efforts among various local agencies and the City?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

### IX. Professional/Personal Development

**24. Objectivity:** Is the City Manager unemotional and unbiased? Does the City Manager take a rational and impersonal viewpoint based on facts and qualified opinions? Is the City Manager able to divide his/her personal feelings from those which would most effectively convey the City's interest?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**25. Professional Reputation:** How does the Manager stand among his/her colleagues? Does the City Manager deal effectively with other public managers? Is the City Manager respected by professional and staff representatives of other cities and counties? Does the City Manager attend and participate in seminars and conferences for professional development?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**26. Stress Management:** Is the Manager able to resolve problems under strain and unpleasant conditions? How well does the Manager tolerate conditions of uncertainty? Does the Manager respond well to stressful situations and adequately deal with the stress inherent to the position?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

### X. Personal Attributes

**27. Leadership Style:** Does the Manager display a leadership style that is firm, but flexible and adaptable, while responding to individuals or situations in an appropriate, positive manner?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_



**28. General Attitude:** Is the City Manager enthusiastic? Cooperative? Willing to adapt? Does the City Manager have an enthusiastic attitude toward the City, both professionally and personally?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**29. Drive:** Is the Manager energetic and willing to spend the time necessary to do a good job? Does the City Manager have good initiative and is the City Manager a self-starter? Does the City Manager have good mental and physical stamina?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**30. Judgment and Decisiveness:** Is the City Manager able to reach quality decisions in a timely fashion? Are his/her decisions generally good? Does the City Manager exercise good judgment in making decisions and in his/her general conduct?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**31. Integrity:** Does the City Manager properly avoid politics and partisanship? Does the Manager fulfill his/her responsibilities and duties in accordance with the ICMA Code of Ethics? Is the City Manager honest and forthright in his/her professional capacities? Does the City Manager have a reputation in the community for honesty and integrity?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**32. Self-Assurance:** Is the Manager self-assured of his/her abilities? Is the City Manager able to be honest with himself/herself and take constructive criticism? Does the City Manager take responsibility for mistakes which are his? Is the City Manager confident enough to make decisions and take actions as may be required without undue supervision from the Commission?

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**OVERALL PERFORMANCE IMPRESSION:**

+	+	+	+	+
1.0	2.0	3.0	4.0	5.0
Unsatisfactory	Below Expectations	Satisfactory	Meets Expectations	Exceeds Expectations

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_

**Strengths:**

*Based upon your overall evaluation of the City Manager, what areas would you list as his/her strong points as a manager?*

**Improvements suggested:**

*Based upon your evaluation, what areas would you suggest the City Manager work on to improve his/her skills and to be more effective in specific areas or situations?*

**Commendations:**

*Area(s) of performance calling for praise/commendation.*

**Comment Areas**

1. What are the manager's most significant accomplishments during the past year?

2. What are the manager's strongest qualities?

3. In what areas does the manager need to improve? Recommendations.

4. Two things the manager does that you would like him/her to continue.

5. Two things the manager does that you would like him/her to discontinue.

6. Two things the Manager does not do you would like him/her to start.

**Performance Evaluation for the City Manager  
Signature Page**

\_\_\_\_\_  
**Evaluator's Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Evaluator's Printed Name**

**Performance Conference Date:** \_\_\_\_\_

\_\_\_\_\_  
**City Manager's Signature**

\_\_\_\_\_  
**Date**

***City Manager's Comments:***

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## City of Greenacres

### City Manager Self Evaluation

Rate each item from 1 (Low) to 5 (High) based on your opinion of the City Manager's performance. Mark N/A if you do not have enough information to rate.

#### I. Individual Characteristics

Score: #DIV/0!

Displays diligence and thoroughness in the discharge of duties.

Exhibits composure, appearance and attitude appropriate for the position.

Displays enthusiasm, cooperation and willingness to adapt to a variety of situations.

Exercises good judgement.

#### II. Professional Skills

Score: #DIV/0!

Maintains knowledge of current developments affecting local government management.

Anticipates and analyzes problems to develop effective approaches for solving them.

Sets a professional example by handling affairs of the public office in a fair and impartial manner.

Demonstrates a capacity for innovation and creativity.

Willing to try new ideas proposed by the governing body and/or staff.

#### III. Relations with Members of the Governing Body

Score: #DIV/0!

Carries out directives of the body as a whole as opposed to those of any one member or minority group.

Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions.

Disseminates complete and accurate information equally to all members in a timely manner.

Assists by facilitating decision making without usurping authority.

Responds well to requests, advice and constructive criticism.

**IV.**

**POLICY EXECUTION**

**Score: #DIV/0!**

Implements governing body actions in accordance with the intent of the Council.

Supports the actions of the governing body after a decision is reached, both inside and outside the organization.

Understands, supports and enforces local government laws, policies and ordinances.

Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness.

Offers workable alternatives to the governing body for changes in policy when an existing policy or ordinances is no longer practical.

**RESPONSIVENESS AND TIMELINESS OF ACTIONS**

**Score: #DIV/0!**

Provides regular information and reports to the governing body concerning matters of importance to local government.

Responds in a timely manner to requests from the governing body.

Takes the initiative to provide information, advice and recommendations to the governing body on matters that are non-routine and non-administrative in nature.

Reports produced by the City Manager are accurate, comprehensive, concise and written to their intended audience.

Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny.



**VI. CITIZEN RELATIONS**

**Score: #DIV/0!**

Responsive to requests from citizens.

Demonstrates a dedication to service to the community and its citizens.

Maintains a non-partisan approach in dealing with the news media.

Meets with and listens to members of the community to discuss their concerns and strives to understanding their interests.

Gives an appropriate effort to maintain citizen satisfaction with City services.

**VII. STAFFING**

**Score: #DIV/0!**

Recruits and retains competent personnel for staff positions.

Applies an appropriate level of supervision to improve any areas of substandard performance.

Stays accurately informed and appropriately concerned about employee relations.

Professionally manages the compensation and benefits plan.

Promotes training and development opportunities for employees at all levels of the organization.

**VIII. SUPERVISION**

**Score: #DIV/0!**

Encourages Department Directors to make decisions with their jurisdictions with minimal City Manager involvement, yet maintains general control of operations.

Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at department levels.

Develops and maintains a friendly and information relationship with the staff and work force in general, yet maintains the professional dignity of the City Manager's Office.

Sustains or improves staff performance by evaluating the performance of staff, setting goals and objectives for them, periodically assessing their progress, and providing feedback.

Encourages teamwork, innovation and effective problem-solving among the staff members.

**IX.**

**FISCAL MANAGEMENT**

**Score: #DIV/0!**

Prepares a balance budget to provide servicesw at a level directed by the governing body.

Makes the best possible use of available funds, conscious of the need to operate the City in an efficient and effective manner.

Prepares a budget and budgetary recommendation in an intelligent and accessible format.

Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability.

Appropriately monitors and manages fiscal activities of the organization.

**X.**

**COMMUNITY**

**Score: #DIV/0!**

Shares responsibility for addressing the difficult issues facing the City.

Avoids unnecessary controversy.

Cooperates with neighboring communities and the county.

Helps the governing body address future needs and develop adequate plans to address long terms trends.

Cooperates with other regional, state and federal agencies.

**General Comments about the City Manager's Performance:**

**Goals, Objectives and Areas for Improvement:**

**Rater's Name:**

**Rater's Signature:**

**Date:**



## City of Greenacres

### City Manager Evaluation (Year)

Rate each item from 1 (Low) to 5 (High). Mark N/A if you do not have enough information to rate.

- 1 Does not meet expectations
- 2 Meets some expectation
- 3 Meets Expectation
- 4 Exceeds Expectation
- 5 Greatly Exceeds Expectation

#### I. Individual Characteristics

Score: #DIV/0!

Displays diligence and thoroughness in the discharge of duties.

Exhibits composure, appearance and attitude appropriate for the position.

Displays enthusiasm, cooperation and willingness to adapt to a variety of situations.

Exercises good judgement.

#### II. Professional Skills

Score: #DIV/0!

Maintains knowledge of current developments affecting local government management.

Anticipates and analyzes problems to develop effective approaches for solving them.

Sets a professional example by handling affairs of the public office in a fair and impartial manner.

Demonstrates a capacity for innovation and creativity.

Willing to try new ideas proposed by the governing body and/or staff.

#### III. Relations with Members of the Governing Body

Score: #DIV/0!

Reports produced by the City Manager are accurate, comprehensive, concise and written to their intended audience.

Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny.

**VI.**

**CITIZEN RELATIONS**

**Score: #DIV/0!**

Responsive to requests from citizens.

Demonstrates a dedication to service to the community and its citizens.

Maintains a non-partisan approach in dealing with the news media.

Meets with and listens to members of the community to discuss their concerns and strives to understanding their interests.

Gives an appropriate effort to maintain citizen satisfaction with City services.

**VII.**

**STAFFING**

**Score: #DIV/0!**

Recruits and retains competent personnel for staff positions.

Applies an appropriate level of supervision to improve any areas of substandard performance.

Stays accurately informed and appropriately concerned about employee relations.

Professionally manages the compensation and benefits plan.

Promotes training and development opportunities for employees at all levels of the organization.

**VIII.**

**SUPERVISION**

**Score: #DIV/0!**

Encourages Department Directors to make decisions within their jurisdictions with minimal City Manager involvement, yet maintains general control of operations.

Cooperates with other regional, state and federal agencies.

**General Comments about the City Manager's Performance:**

**Goals, Objectives and Areas for Improvement:**

**Rater's Name:**

**Rater's Signature:**

**Date:**



## Town of Lake Park

### ANNUAL PERFORMANCE EVALUATION FORM TOWN MANAGER JOHN D'AGOSTINO

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments. *(Please do not complete in pencil.)*

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Evaluator 's Name

EVALUATION PERIOD

5/01/2018 to 5/01/2019

#### EVALUATION SCALE

5	Outstanding	Consistently achieves and exceeds all standards/objectives of work performance.
4	Very Effective	Regularly meets and frequently exceeds standards of work performance.
3	Effective	Regularly meets standards of work performance.
2	Marginally Effective	Often fails to meet standards of work performance.
1	Ineffective	Clearly and consistently fails to meet standards of work performance.



**1. MANAGEMENT STYLE/PROFESSIONAL SKILLS**

- \_\_\_ Maintains open and informative communications with the Town Commission
- \_\_\_ Knowledgeable of current developments affecting the local government management field.
- \_\_\_ Effectively implements and enforces Town policies and procedures
- \_\_\_ Demonstrates a capacity for innovation and creativity
- \_\_\_ Anticipates problems and develops effective approaches for solving them.
- \_\_\_ Maintains a work atmosphere conducive to productivity and efficiency
- \_\_\_ Takes responsibility for staff actions.
- \_\_\_ Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- \_\_\_ Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- \_\_\_ Properly controls the Town's operational and functional activities and motivates others to maximum performance
- \_\_\_ Effectively recruits professional staff

**COMMENTS:**

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**2. FISCAL MANAGEMENT**

- \_\_\_ Possesses knowledge of governmental accounting/budget procedures
- \_\_\_ Prepares a balanced budget to provide services at a level directed by the Town Commission
- \_\_\_ Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- \_\_\_ Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- \_\_\_ Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town

\_\_\_ Expenditures are made within budget limitations according to established policy

COMMENTS:

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### 3. PERSONAL SKILLS/COMMUNICATIONS

- \_\_\_ Willing to commit time necessary to complete required tasks
- \_\_\_ Demonstrates high concern for ethical behavior
- \_\_\_ Skillful in verbal communication
- \_\_\_ Skillful in written communication
- \_\_\_ Informs the Commission of current issues and administrative developments
- \_\_\_ Encourages a positive attitude regarding the Town
- \_\_\_ Receptive to constructive criticism and advice
- \_\_\_ Manages stress effectively

COMMENTS:

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### 4. RELATIONS WITH THE TOWN COMMISSION

- \_\_\_ Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- \_\_\_ Carries out the directives of the Commission as a whole, rather than those of any one member
- \_\_\_ Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- \_\_\_ Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- \_\_\_ Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

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**5. COMMUNITY RELATIONS**

- Effectively addresses and accommodates citizen complaints
- Shows a sensitivity to and appreciation of diversity of the Town's population
- Responsive to issues of both commercial and residential populations
- Takes a "hands-on" approach when necessary
- Maintains an effective working relationship with other local governments
- Takes a diplomatic approach to problem solving
- Projects a positive image on behalf of the Town of Lake Park
- Provides management support to Town Boards
- Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

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ADDITIONAL SUMMARY COMMENTS:

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OVERALL RATING:

- |                    |                          |
|--------------------|--------------------------|
| 5 - Outstanding    | 2 - Marginally Effective |
| 4 - Very Effective | 1 - Ineffective          |
| 3 - Effective      |                          |

\_\_\_\_\_  
**EVALUATOR'S SIGNATURE**

\_\_\_\_\_  
**DATE**

### Town Manager Performance Evaluation

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

**Rating Scale Definitions (1-5)**

- Unsatisfactory (1): The employee's work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level can not be allowed to continue.
- Improvement Needed (2): The employee's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
- Meets Job Standard (3): The employee's work performance consistently meets the standards of the position.
- Exceeds Job Standard (4): The employee's work performance is frequently or consistently above the level of a satisfactory employee, but has not achieved an overall level of outstanding performance.
- Outstanding (5): The employee's work performance is consistently excellent when compared to the standards of the job.

**I. PERFORMANCE EVALUATION AND ACHIEVEMENTS**

	1	2	3	4	5	N/A
<b>1. Town Council Relationships</b>						
A. Effectively implements policies and programs approved by the Town Council.	_____	_____	_____	_____	_____	_____
B. Reporting to the Town Council is timely, clear, concise and thorough.	_____	_____	_____	_____	_____	_____
C. Accepts direction/instructions in a positive manner.	_____	_____	_____	_____	_____	_____
D. Effectively aids the Town Council in establishing long range goals.	_____	_____	_____	_____	_____	_____
E. Keeps the Town Council informed of current plans and activities of administration and new developments in technology, legislation, governmental practices and regulations, etc.	_____	_____	_____	_____	_____	_____
F. Provides the Town Council with clear reports of anticipated issues that could come before the Town Council.	_____	_____	_____	_____	_____	_____

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.	Public Relations	1	2	3	4	5	N/A
A.	Projects a positive public image.	_____	_____	_____	_____	_____	_____
B.	Is courteous to the public at all times.	_____	_____	_____	_____	_____	_____
C.	Maintains effective relations with media representatives.	_____	_____	_____	_____	_____	_____

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3.	Effective Leadership of Staff	1	2	3	4	5	N/A
A.	Delegates appropriate responsibilities.	_____	_____	_____	_____	_____	_____

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4.	Fiscal Management	1	2	3	4	5	N/A
A.	Prepares realistic annual budget.	_____	_____	_____	_____	_____	_____
B.	Controls expenditures in accordance with approved budget.	_____	_____	_____	_____	_____	_____
C.	Keeps Town Council informed about revenues and expenditures, actual and projected.	_____	_____	_____	_____	_____	_____
D.	Ensures that the budget addresses the Town Council's goals and objectives, including readability.	_____	_____	_____	_____	_____	_____

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5.	Communication	1	2	3	4	5	N/A
A.	Oral communication is clear, concise and articulate.	_____	_____	_____	_____	_____	_____
B.	Written communications are clear, concise and accurate.	_____	_____	_____	_____	_____	_____

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

6. Personal Traits	1	2	3	4	5	N/A
A. Initiative.	_____	_____	_____	_____	_____	_____
B. Judgment.	_____	_____	_____	_____	_____	_____
C. Fairness and impartiality.	_____	_____	_____	_____	_____	_____
D. Creativity.	_____	_____	_____	_____	_____	_____

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

7. Intergovernmental Affairs	1	2	3	4	5	N/A
A. Maintains effective communication with local, regional, state and federal government agencies.	_____	_____	_____	_____	_____	_____
B. Financial resources (grants) from other agencies are pursued.	_____	_____	_____	_____	_____	_____
C. Contributions to good government regular participation in local, regional and state committees and organizations.	_____	_____	_____	_____	_____	_____
D. Lobbies effectively with legislators and state agencies regarding Town programs and projects.	_____	_____	_____	_____	_____	_____

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**II. ACHIEVEMENTS RELATIVE TO OBJECTIVES FOR THIS EVALUATION PERIOD**

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

**III. SUMMARY RATING**

Overall Performance Rating – Considering the results obtained against established performance standards as well as overall job performance, the following rating is provided:

Unsatisfactory (1) \_\_\_\_\_

Improvement Needed (2) \_\_\_\_\_

Meets Job Standards (3) \_\_\_\_\_

Exceeds Job Standards (4) \_\_\_\_\_

Outstanding (5) \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IV. FUTURE GOALS AND OBJECTIVES**

Specific goals and objectives to be achieved in the next evaluation period: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Evaluator's Signature



**File Attachments for Item:**

A. Coronavirus Disease 2019 – COVID 19 Budget Impact Update



# MEMO

**TO:** Mayor and Council  
**FROM:** Ken Cassel, City Manager  
**DATE:** April 30, 2020  
**RE:** COVID Financial Impact

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The following is in response to the Mayor's request and a blueprint of the steps needed for the remainder of this fiscal year and projected for the FY 2021 budget. With the effect of the pandemic, all entities, including municipalities, are impacted in their daily operations as well as their revenue streams. All municipalities are experiencing a decline in revenue, not from Ad-valorem taxes currently, but from all the other tax revenue sources such as local option gas tax, franchise fees, utility taxes, communications tax, and occupational licenses, to name a few.

The following is an overview of our revenue stream: Ad-valorem taxes (5.125 mills of the assessed value as of January 1<sup>st</sup> each year) currently generates approximately \$535,600 (net after discounts) which is 13.5% of the budget. The other revenue sources described above account for approximately \$303,200 (7.6%) of the budget. The development departments (Building, P&Z, Engineering) generate approximately \$1,142,500 or 28.9% of the budget which covers the cost of those departments and some administrative overhead. The remaining \$1,960,000 (49.7%) of the budget is covered by developer contribution.

There are no accounting (GASB) requirements that set an amount for contingency or reserves. It is totally up to the governmental entity's manager and the governing board to determine the appropriate amounts. It is considered Best Management Practices to have between two to five (2-5) percent contingency in a budget and to have the first quarter operating expenses in reserves. First quarter operating reserves are necessary since the fiscal year begins October 1<sup>st</sup> and the first revenue received from the County Tax Collector is not received until December. Since Westlake has a funding agreement with the main developer, having a large contingency line or the first quarter operating reserves has not been necessary.

We have been operating since our incorporation in 2016 with a minimal contingency and operating reserves. The developer has always honored all funding requests in accordance with the agreement. To date we have not experienced any issues with having enough funds in which to cover the required expenses of the City. However, for the next three budget years I will be including a percentage of the first quarter operating

reserves and contingency lines into the budget so when the funding agreement expires the City will have the appropriate reserves.

As we all know, budgets are a guide based on projected revenues and expenses which are subject to change during any given year. The revenues are estimated on available data at the time of budget preparation and expenses are based on projected needs for the coming year. Disruptions in the revenue stream calls for adjustments in the expense side of the equation. I examined the current budget and have frozen expenditures in areas which were budgeted as a possible need that have not materialized nor is critical to the operation of the City.

The areas of the budget that have been frozen are as follows:

1. Code compliance \$50,000
2. Public relations consultants - \$88,800
3. Capital outlay computers - \$6,000
4. Repair and Maintenance Parks - \$50,000
5. Misc.-Event Expense - \$75,000.

By freezing the expenditures in these line item's, amounting to \$269,800, we have been able to fully cover any losses in the non-Ad Valorem revenue's without impacting any of the operations of the City.

Prior to the pandemic I was considering the need for additional space by adding a second trailer on site. With the advent of the pandemic and remote working, I have placed that on hold and will continue to evaluate the need as the year progresses.

In conjunction with the finance team, I will continue to monitor revenues and keep a tight rein on expenditures for the remainder of this fiscal year while looking at longer range impacts on next year's budget.

I will keep the Council informed of the City's financial position as we move through the remainder of the year. I look forward to speaking with each of you regarding any questions you may have regarding the finances of the City.