



Town of Loxahatchee Groves Regular Town Council Meeting AGENDA

July 20, 2010 at 7:00 p.m.

Loxahatchee Groves Water Control District
101 West "D" Road, Loxahatchee Groves

Dave Browning, Mayor (Seat 4)
Dennis C. Lipp, Vice Mayor (Seat 5)
Ronald D. Jarriel, Council Member (Seat 1)
Jim Rockett, Council Member (Seat 2)
Ryan Liang, Council Member (Seat 3)

Frank R. Spence, Town Manager,
Michael D. Cirullo, Town Attorney, Goren, Cherof, Doody & Ezrol
Ann Harper, Town Clerk

1. OPENING

- A. Call to Order/Roll Call
- B. Pledge of Allegiance
- C. Invocation
- D. Additions and Deletions
- E. Approval of Agenda

2. CONSENT AGENDA

- A. Approval of May Revenues and Expenses
- B. Approval of July 6, 2010 Council Meeting Minutes
- C. Approval of June 2010 Invoice from
Goren, Cherof, Doody & Ezroll, P.A. (Town Attorney)
Approval of Invoice for Court Reporter service for
Shade Meeting 6/1/10
- D. Approval of 7/12/10 Invoice for Court Reporting
- E. Agreement with JC Code & Construction Consultants
for Code Compliance and Building Official Services

3. PRESENTATIONS

- A. Candidates for Elective Office

4. COMMITTEE REPORTS

- A. Finance Advisory & Audit Committee *(Chairman Lung Chiu)* Report
- B. Solid Waste Monitoring Report *(Frank Schiola)* Report

Town of Loxahatchee Groves
Regular Town Council Meeting
July 20, 2010
Agenda – Page 2

5. ORDINANCES - PUBLIC HEARING – 2nd Reading

A. ORDINANCE 2010-004

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR AN EXTENSION OF THE MORATORIUM ENACTED PURSUANT TO THE TOWN OF LOXAHATCHEE GROVES ORDINANCE NO. 2007-07, CONSISTENT WITH THE TOWN CHARTER, ON THE PROCESSING AND REVIEW OF APPLICATIONS FOR DEVELOPMENT ORDERS AND DEVELOPMENT PERMITS, AND APPLICATIONS FOR AMENDMENTS TO THE TOWN COMPREHENSIVE PLAN; AMENDING EXEMPTIONS TO THE MORATORIUM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVING FOR AN EFFECTIVE DATE. (2nd Reading)

6. ORDINANCES - PUBLIC HEARING - 1st Reading

A. ORDINANCE 2010-005

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING AN AMENDMENT TO THE TOWN OF LOXAHATCHEE GROVES CURRENTLY EFFECTIVE COMPREHENSIVE PLAN, AS WELL AS THE TOWN OF LOXAHATCHEE GROVE'S ADOPTED COMPREHENSIVE PLAN TO BE EFFECTIVE WHEN THE ADOPTED COMPREHENSIVE PLAN IS EFFECTIVE, IN ACCORDANCE WITH CHAPTER 163, SPECIFICALLY SECTION 163.3184 OF THE FLORIDA STATE STATUTES, CONCERNING A LARGE-SCALE LAND USE PLAN AMENDMENT APPLICATION PROPOSED BY LAND DESIGN SOUTH, DESIGNATED AGENT FOR THE APPLICANT, ATLANTIC LAND INVESTMENTS, LLC, THE CONTRACT PURCHASER FOR PROPERTY OWNED BY ERNEST G. SIMON, AS TRUSTEE OF TRUSTS "A" AND "B" U/W/O ALEXANDER ABRAHAM SIMON TO CHANGE THE DESIGNATION OF THE SUBJECT USE OF LAND FROM RURAL RESIDENTIAL (1 DU PER 10 ACRES) IN THE CURRENTLY EFFECTIVE PLAN AND RURAL RESIDENTIAL (1 DU PER 5 ACRES) IN THE TOWN'S ADOPTED PLAN, TO COMMERCIAL LOW, COMMERCIAL LOW-OFFICE AND INSTITUTIONAL, TO ACCOMMODATE THE FUTURE DEVELOPMENT OF A MAXIMUM OF 100,188 SQ FT OF COMMERCIAL RETAIL, A MAXIMUM OF 156,816 SQ FT OF COMMERCIAL OFFICE/INSTITUTIONAL AND A 232 SITE RECREATIONAL VEHICLE PARK ON 97 ACRES LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND "B" ROAD, LOXAHATCHEE GROVES, FLORIDA (**AMENDMENT 09-1.1**); PROVIDING FOR AMENDMENT TO THE LAND USE PLANS TO REFLECT SUCH CHANGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town of Loxahatchee Groves
Regular Town Council Meeting
July 20, 2010
Agenda – Page 3

6 B.

ORDINANCE 2010-006

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING AN AMENDMENT TO THE TOWN OF LOXAHATCHEE GROVES CURRENTLY EFFECTIVE COMPREHENSIVE PLAN, AS WELL AS THE TOWN OF LOXAHATCHEE GROVE'S ADOPTED COMPREHENSIVE PLAN TO BE EFFECTIVE WHEN THE ADOPTED COMPREHENSIVE PLAN IS EFFECTIVE, IN ACCORDANCE WITH CHAPTER 163, SPECIFICALLY SECTION 163.3184 OF THE FLORIDA STATE STATUTES, CONCERNING A LARGE-SCALE LAND USE PLAN AMENDMENT APPLICATION PROPOSED BY THE OWNERS OF THE PROPERTY, SOLAR SPORTSYSTEMS, INC. AND LOXAHATCHEE EQUESTRIAN PARTNERS, LLC TO CHANGE THE DESIGNATION OF THE SUBJECT USE OF LAND FROM RURAL RESIDENTIAL (1 DU PER 10 ACRES) IN THE CURRENTLY EFFECTIVE PLAN AND RURAL RESIDENTIAL (1 DU PER 5 ACRES) IN THE TOWN'S ADOPTED PLAN, TO COMMERCIAL LOW, COMMERCIAL LOW-OFFICE AND INSTITUTIONAL, TO ACCOMMODATE THE FUTURE DEVELOPMENT OF A MAXIMUM OF 74,052 SQ FT OF COMMERCIAL RETAIL, A MAXIMUM OF 60,984 SQ FT OF COMMERCIAL OFFICE FOR MEDICAL OFFICES, AND AN AGED RESTRICTED ELDERLY LIVING FACILITY CONSISTING OF UP TO 120 AGE-RESTRICTED ATTACHED DWELLING UNITS AND A 180 BED CONGREGATE CARE FACILITY AND A DAY CARE CENTER OF UP TO 15,000 SQUARE FEET ON 90 ACRES LOCATED AT THE NORTHEAST CORNER OF SOUTHERN BOULEVARD AND "B" ROAD, LOXAHATCHEE GROVES, FLORIDA (**AMENDMENT 09-1.2**); PROVIDING FOR AMENDMENT TO THE LAND USE PLANS TO REFLECT SUCH CHANGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

6 C.

ORDINANCE 2010-007

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING AN AMENDMENT TO THE TOWN OF LOXAHATCHEE GROVES CURRENTLY EFFECTIVE COMPREHENSIVE PLAN, AS WELL AS THE TOWN OF LOXAHATCHEE GROVE'S ADOPTED COMPREHENSIVE PLAN TO BE EFFECTIVE WHEN THE ADOPTED COMPREHENSIVE PLAN IS EFFECTIVE, IN ACCORDANCE WITH CHAPTER 163, SPECIFICALLY SECTION 163.3184 OF THE FLORIDA STATE STATUTES, CONCERNING A LARGE-SCALE LAND USE PLAN AMENDMENT APPLICATION PROPOSED BY THE OWNERS OF THE PROPERTY, WILLIE AND FRANKIE DAY, TO CHANGE THE DESIGNATION OF THE SUBJECT USE OF LAND FROM RURAL RESIDENTIAL (1 DU PER 5 ACRES) IN THE CURRENTLY EFFECTIVE PLAN AND RURAL RESIDENTIAL (1 DU PER 5 ACRES) IN THE TOWN'S ADOPTED PLAN, TO COMMERCIAL LOW-OFFICE TO ACCOMMODATE THE FUTURE DEVELOPMENT OF A MAXIMUM OF 81,021 SQ FT OF COMMERCIAL OFFICE SPACE FOR PROFESSIONAL AND MEDICAL OFFICES ON 9.3 ACRES LOCATED AT THE SOUTHWEST CORNER OF OKEECHOBEE BOULEVARD AND FOLSOM ROAD, LOXAHATCHEE GROVES, FLORIDA (**AMENDMENT 09-1.3**); PROVIDING FOR AMENDMENT TO THE LAND USE PLANS TO REFLECT SUCH CHANGES; PROVIDING FOR CONFLICTS; PROVIDING FOR AMENDMENT TO THE LAND USE PLANS TO REFLECT SUCH CHANGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

7. PROPOSED BUDGET

- A. Presentation and submittal of Town Manager's Proposed Budget for Fiscal Year 10/1/10 – 9/30/11

Town of Loxahatchee Groves
Regular Town Council Meeting
July 20, 2010
Agenda – Page 4

8. RESOLUTIONS

A. RESOLUTION 2010- 007

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES ADOPTING A PROPOSED OPERATING MILLAGE RATE OF _____ FOR GENERAL OPERATING BUDGET PURPOSES FOR FISCAL YEAR 2010/11; APPROVING AND AUTHORIZING TRANSMITTAL OF THE FORM DR 420 TO THE PROPERTY APPRAISER; PROVIDING FOR THE ESTABLISHMENT OF AND SETTING FORTH THE DATE, TIME AND PLACE OF THE PUBLIC HEARING TO CONSIDER THE FY 2010/11 MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

B. RESOLUTION 2010-006

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES AND FACILITIES AND PROGRAMS ("SOLID WASTE COLLECTION SERVICES") IN THE TOWN OF LOXAHATCHEE GROVES, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE SOLID WASTE COLLECTION SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

9. OLD BUSINESS

10. NEW BUSINESS

A. Addendum items (if needed)

B. ADMINISTRATIVE UPDATE

- A. Administrative Update
- B. August Calendar
- C. Council "Bucket" List

C. CLOSING COMMENTS

- A. Public Comments
- B. Town Attorney Comments - Discussion on Shade Session relating to DOAH
Petition filed by Callery Judge and the Seminole Improvement District
- C. Town Council Member Comments
- D. Adjournment

Comment Cards: Anyone from the public wishing to address the Local Planning Authority must complete a Comment Card before speaking. This must be filled out completely with your full name and address and given to the Town Clerk. During the meeting, before public comments, you may only address the item on the agenda in which is being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is three (3) minute time limit on all public comment.

Any person who decides to appeal any decision of the Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.