



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF WORKSHOP/SPECIAL MEETING
JANUARY 19, 2021**

Meeting audio available in Town Clerk's Office

CALL TO ORDER

Mayor El-Ramey called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE

Mayor El-Ramey led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor El-Ramey led a prayer.

ROLL CALL

Mayor Lisa El-Ramey, Vice Mayor Marge Herzog, Councilmembers Laura Danowski, Phillis Maniglia and Robert Shorr, Town Manager James Titcomb, Assistant Town Manager Francine Ramaglia, Town Attorney James Brako, Public Works Director Larry Peters, and Town Clerk Lakisha Burch.

ADDITIONS/DELETIONS/MODIFICATIONS TO THE AGENDA

Councilmember Danowski asked if item 1 Meeting Minutes be pulled from the Consent Agenda stating that she needed additional time to review the minutes and expressed her concerns.

Councilmember Shorr asked that item 2 be pulled for discussion.

Mayor El-Ramey stated that she agrees with Councilmember Danowski and had a discussion with Town Attorney regarding the minimum meeting notes and is there a way to stated that we are also adopting the closed caption and audio.

Town Manager Titcomb asked that some housekeeping measures be done and repeated what the motion and request were from the Councilmembers.

Motion was made by Councilmember Danowski seconded by Councilmember Maniglia to table all meeting minutes until the February 2, 2021 Town Council Regular Meeting; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia and Shorr. Motion passed unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There were public comments made by the following: Bobby Barnette and Virginia Standish.

CONSENT AGENDA

1. Approval of Meeting Minutes.

- a. January 21, 2020 Town Council Workshop Meeting Minutes
- b. February 18, 2020 Town Council Workshop Meeting Minutes
- c. March 3, 2020 Town Council Regular Meeting Minutes
- d. September 22, 2020 Town Council Final Budget Hearing Meeting Minutes
- e. October 6, 2020 Town Council Regular Meeting Minutes
- f. October 20, 2020 Town Council Workshop/Special Meeting Minutes
- g. November 3, 2020 Town Council Regular Meeting Minutes
- h. November 17, 2020 Town Council Workshop Meeting Minutes
- i. December 1, 2020 Town Council Regular Meeting Minutes
- j. December 15, 2020 Town Council Workshop/Special Meeting Minutes

PULLED FROM THE CONSENT AGENDA AND TABLED UNTIL THE FEBRUARY 2, 2021 TOWN COUNCIL REGULAR MEETING.

- 2. Approval of Town Council Meeting Schedule from May 2021 to December 2021.

Motion was made by Councilmember Shorr seconded by Councilmember Danowski to pull item 2 approval of Town Council Meeting Schedule from May 2021 to December 2021 from the Consent Agenda for discussion; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia and Shorr. Motion passed unanimously.

Councilmember Shorr asked Town Clerk Burch asked was this schedule time sensitive and could this be postponed until after the election. Town Clerk Burch responded to Councilmember Shorr's stating that there would be no hardship regarding the scheduling of these meetings, and it is totally up to Town Council. There was discussion among Town Council.

Motion was made by Councilmember Shorr seconded by Vice Mayor Herzog to approve item 2 Town Council Meeting Schedule from May 2021 to December 2021; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia and Shorr. Motion passed unanimously.

PRESENTATIONS AND PROCLAMATIONS

- 3. Proclamation- Martin Luther King, Jr. Day of Service.

Town Council read the proclamation into the record recognizing Martin Luther King, Jr. Day of Service.

Town Clerk Burch stated that if any of the Town Council wanted a proclamation on the agenda, please let her know and she will make sure that it is done that she is just trying to move the Town in a forward motion. She also stated that the last proclamation that she received came from Councilmember Danowski commented about the Village of Wellington celebrating their 25th Year of Incorporation and presenting them a proclamation. Councilmember Maniglia stated that she wanted a proclamation recognizing Ms. Elle Hope, Town Clerk Burch responded by stating she had no issue with this and just needed the information for the proclamation and she would make sure to get on an agenda.

4. Approval of Certified Building Official (CBO) & Services Piggyback.

Town Manager Titcomb presented the item to the Town Council. Mr. Titcomb explained the purpose of the item stating that this model that will pay for this is re-investing money that will be coming to the Town.

a. Nova Engineering and Environmental, LLC.

Javier Jimenez, P.E., Project Manager and Joe Berko, BU, BN, PX, Building Code Administrator of Nova Engineering and Environmental, LLC. presented a PowerPoint presentation to the Town Council. Mr. Jimenez stated the order in which their presentation would be presented and gave an overview of the company and what services they would be offering the Town. Mr. Berko also addressed the Town Council and discussed why the Town needs the services provided and the project approach by Nova Engineering and Environmental, LLC. He also gave brief description of the Florida Building Code.

Councilmember Danowski thanked NOVA representatives for taking the time to present to Town Council. She also asked about their challenges and success in an agriculture community. Mr. Berko responded by stating that the challenges he has experienced are the following: Diverse area-people who live in agriculture areas are wanting two things space and privacy- he further went to explain his answer. He also stated that his job is to make sure that the Florida Building Code (FBO) and what Town Council has agreed on is followed. Councilmember Danowski asked Mr. Berko how Nova would handle the situation where there are properties that have a full growing business but because they have an animal or two what to be consider as agriculture residential. Mr. Berko responded what does the ULDC states and how does Town Council want the code enforcement conducted. Mr. Jimenez reinstated that Nova is here to enforce the Town's rules.

Councilmember Maniglia stated she does not feel that the question regarding agriculture was answered and stated that Palm Beach County has started to crack down on the rent a goat. She also expressed her thoughts on other topics. Mr. Berko addressed Councilmember Maniglia concerns. She also asked about what the protocol for Code Enforcement. Mr. Berko addressed her comment on the ULDC code. He stated that an education process should be done for residents, then proceeded to give examples. Councilmember Maniglia asked how the handling of the planning would be addressed. Town Manager Titcomb addressed her question. Asst. Town Manager Ramaglia also addressed Councilmember Maniglia's concern regarding the planning process.

Vice Mayor Herzog asked having employees work in Westlake affect Loxahatchee Groves. Mr. Berko responded by stating there is not any and stated that an inspector's job is to inspect to make sure that the project is up to code and correct. Mr. Jimenez continue to state that the need of Westlake has no bearing on the needs of Loxahatchee Groves.

Councilmember Shorr stated that looking at the schedule of values are we looking for a piggyback to duplicate this schedule of value for the Town, what is the big picture. Asst. Town Manager Ramaglia stated that this is in the packet as an example. Then continued to explain the piggyback process for this service. Councilmember Shorr asked for help to understand a typical project when

submitting documents for a new house and what is the estimated turnaround time and explain the process. Mr. Berko responded to Councilmember Shorr by stating that he would try to become paperless and stated that he turns building plans in about two weeks. Councilmember Shorr asked who is PZB. Town Manager Titcomb responded to Councilmember Shorr by stating the Town has a PZB board, Town Planner Consultant and Town staff that all contribute to the planning process. Councilmember Shorr asked about Mr. Berko's experience with fast-tracking permits. Mr. Berko and Mr. Jimenez responded to his question.

Mayor El-Ramey stated that the reason for NOVA begin here tonight is that there are cases all over town-how NOVA is going to come in a stop this behavior from continuing. Mr. Berko stated as a Building Official he has the authority to stop work that is not safe or approved.

Councilmember Maniglia asked Town Manager asked is NOVA going to supply the Town with a Plans Examiner and asked about the canal that is between Westlake and Town of Loxahatchee Groves. Town Titcomb responded to her questions. Mr. Jimenez also addressed her questions.

Town Council thanked Mr. Jimenez and Mr. Berko for presenting.

b. SAFEbuild (acquired Calvin, Giordano and Associates, Inc.)

John Stone, Building Services Director (North Florida Region), Mario Sotolongo, Code Enforcement Director (Florida) and Robin Verse, Account Services Manager of SAFEbuild presented a PowerPoint presentation and gave a description of their company and explained that SAFEbuild acquired Calvin, Giordano and Associates, Inc.

Councilmember Danowski asked how familiar they are with the Right-to-Farm Act. Mr. Stone stated he is familiar with it in Okeechobee and went to explain the Act. She also asked how he would take the Town through Community Rating System (CRS) and what experience does her have with a 298 Special Districts. Mr. Stone stated that he is familiar with CRS but not with Special Districts. He then went to explain.

Councilmember Maniglia stated that she recognizes some of the Towns that SAFEbuild works in. She then asked Town Manager do we have a plan. Town Manager Titcomb responded that is the process to take all these services back in-house.

Vice Mayor Herzog asked how the piggyback process work. Ms. Verse explained the process. Vice Mayor Herzog stated that she remembers working with Calvin, Giordano and Associates and stated that she felt they were being nicked and dined, how have it changed. Mr. Verse responded by stating that they are a new company, and they have processes in place to handle invoices. She also asked about the Code Enforcement. Mr. Sotolongo responded that is important to be proactive.

Councilmember Shorr asked about to turn around time- what happens if you do not meet expectation, where are the controls in a 90/10 process. Ms. Verse stated that it is a standardized turn around, quarterly business review with each client. Mr. Stone also addressed Councilmember Shorr's question. Councilmember Shorr asked why we would want to piggyback on this type of contract instead of going out for a Request for Proposal (RFP). Mr. Stone responded that the RFP

process is cumbersome, and this is a chance to solve the Town's problem quickly. He also asked about the

Mayor El-Ramey asked SAFEbuild the same question as NOVA in regard to how they will handle the many cases that are not in compliance regarding building issues. Mr. Stone responded. Mr. Stone responded.

Councilmember Maniglia stated that the Town is an equestrian community and how would SAFEbuild have RV rentals. Mr. Stone responded.

There was discussion among the Town Council and Town Staff regarding the direction of how the Town will processed regarding NOVA and SAFEbuild.

There was consensus by Town Council to have staff move forward with bringing forth comparison chart of the two companies: NOVA and Safebuild with the following: employees, communities which they serve, where records will be stored, timeline when we will be implemented, fees as percentage vs hourly, consider hours (overestimate), existing staff (how they will fall into place) and references by the February 16th Town Council Workshop/Special Meeting.

REGULAR AGENDA

5. Approval of Resolution No. 2021-03 authorizing the Entry by the Town into Agreements with Vendors for Goods and Services Utilizing the Wellington Public Works Annual Contracts; Authorizing the Mayor to Execute Necessary Documents in Forms Acceptable to the Town Manager and Town Attorney to take necessary action to implement such Cooperative Purchasing Agreement.

Councilmember Maniglia asked could these type resolutions be general of all. Town Attorney Brako stated that he recommends having separate resolutions for each entity. Town Manager Titcomb also stated this is not an agreement with Wellington but to utilize the quotes as that have been vetted by Wellington as a piggyback.

Motion was made by Councilmember Maniglia seconded by Vice Mayor Herzog to adopt Resolution No. 2021-03 authorizing the entry by the Town into agreements with Vendors for goods and services utilizing the Village of Wellington's annual Public Works contracts awarded January 12, 2021; authorizing the Mayor to execute necessary documents in forms acceptable to the Town Manager and Town Attorney to take necessary action to implement such Cooperative Purchasing Agreements; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia and Shorr. Motion passed unanimously.

DISCUSSION

6. Discussion of Road Repair Bid Options.

Asst. Town Manager Ramaglia presented the item to Town Council stating that Town Council gave direction for staff to put together a separate bid for road repairs and there was a draft that was prepared by Public Works and it was sent to an independent review because it is very important to get the scope of services and also identify the market ability of anything that is put on the streets. When our drafted was reviewed that stated they would like to meet before Town Council to go over our options. There recommendations are listed as follows:

- Recommendation 1 – Repairs and Maintenance of this type is most normally advertised as an invitation to bid and not an RFP. We recommend that if the Town proceed with a procurement document, that it be converted to a bid document. This will guarantee value and provide contractors the ability to determine adequate and appropriate means and methods within the bounds of the bid's specifications.
- Recommendation 2 – The document will require significant clarification with respect to scope and technical specifications. For instance, there are no units of measure. Furthermore, there are alternative materials, and it is unclear what is the requested material and what would be an alternative material. There needs to be a meaningful and equitable method of bid tabulation.
- Recommendation 3 – The RFP references a number of road repair systems that are commonly found on contracts with other local governments such as Micro sealing, Fog Sealing, Full Depth Reclamation, and more. We recommend that the Town utilize existing contracts and request piggybacked pricing for these services as they are bid at higher quantities and would provide better pricing for those services to the Town.

In terms of the overarching policy decisions on roadway and pavement management, the firm also makes the following recommendations:

- Recommendation 1 – The Town should consider a professional services contract with a qualified professional engineering firm to review the roadway and canal construction requirements as well as to determine base standards for reconstruction, repair, or maintenance of its existing roadways.
- Recommendation 2 – Using information provided by Recommendation 1, develop a pavement management and repair program that will incorporate appropriate techniques to the areas of roadway needing repair.
- Recommendation 3 – Develop a long-term capital management program that will incorporate ditch and canal stabilization as well as stabilization of roadways.

Mayor El-Ramey stated that a scope of work has already been given. There was discussion among Town Council and Town Staff.

There was consensus by Town Council to use direction from the October 6th meeting on page 27 piggyback to OGEM Roads and send a copy of draft RFP to all Town Councilmembers.

TOWN COUNCILMEMBERS COMMENTS

Phillis Maniglia, Councilmember (Seat 1)

- Town Council being a collective of 5 not 1.

- Getting information on the trail ride.
- Getting items placed on the agenda.

Laura Danowski, Councilmember (Seat 2)

- How does Town Staff want information reported?
- 5-day Work week
- Thing a mag digger
- RV revision
- Proclamation for Village of Wellington
- Committee days

Lisa El-Ramey, Mayor (Seat 3)

- Official Town Social Media
- Calendar
- Hiring new hires (Public Works)
- Proposed hybrid model for Public Works
- Volunteer program
- Status of dash cam -move forward
- Trail signs language
- Slaughter ordinance
- Nuisance ordinance for February 16th meeting

Motion was made by Councilmember Maniglia seconded by Councilmember Shorr to extend the Nuisance abatement ordinance to the February 16th meeting; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia and Shorr. Motion passed unanimously.

Robert Shorr, Councilmember (Seat 4)

- Committees (alternates)- What is the involvement of an alternate on a committee?

There was discussion among Town Council and Town Staff decisioning what the involvement of an alternate on an advisory committee. Town Clerk Burch responded to Councilmember Shorr concerns by stating there is not mention in the Charter or Code regarding alternates on advisory boards except the Planning & Zoning Board. Town Attorney Brako also responded to the topic.

- Committee Rules

There was consensus by Town Council to do a roll call among the regular committee members, if not a quorum then, call alternates but send all committee and alternate members a packet.

- Thanked everyone for the trail ride
- Task list

Marge Herzog, Vice Mayor (Seat 5)

- Committee members
- Canal work- beginning date

- Coastal issues (vegetation)

TOWN STAFF COMMENTS

Town Manager

Code Enforcement Magistrate Hearings was held on January 13th.

Town Attorney

Spoke about F.S. 164

Gave an update on the AGO opinion.

Public Works

Spoke about Johnson-Davis quote for Big Dog, South North B Road

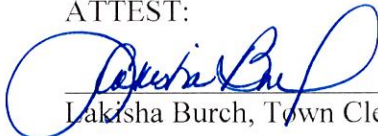
Thanked Town Council for approval of piggybacks.

ADJOURNMENT

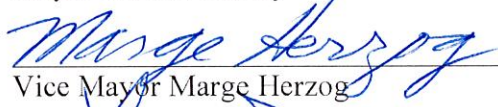
There being no further business meeting was adjourned at 10:32 p.m.

TOWN OF LOXAHATCHEE GROVES

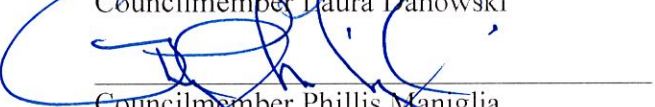
ATTEST:


Lakisha Burch, Town Clerk


Mayor Lisa El-Ramey


Vice Mayor Marge Herzog


Councilmember Laura Danowski


Councilmember Phillis Maniglia

APPROVED AS TO LEGAL FORM:

Town Attorney


Councilmember Robert Shorr