



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF COUNCIL MEETING
AUGUST 20, 2019**

Meeting audio available in Town Clerk's Office

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Shorr led the Pledge of Allegiance.

MOMENT OF SILENCE

ROLL CALL

Mayor Robert Shorr, Vice Mayor David DeMarios, Councilmembers Laura Danowski, Lisa El-Ramey (excused absent) and Phillis Maniglia, Town Manager James Titcomb, Town Attorney Michael D. Circullo, Jr. and Town Clerk Lakisha Burch.

ADDITIONS/DELETIONS/MODIFICATIONS OF AGENDA

Councilmember Maniglia asked when Town Meeting Minutes will be on the agenda for approval by Town Council. Town Clerk Burch responded by stating that the goal and intent is to have Town Meeting Minutes for the previous month be on the first agenda of each month.

Comments from The Public on Non-Agenda Items

The public is encouraged to offer comments on any non-agenda item. Generally, remarks by an individual will be limited to one time, up to three minutes or less. The Mayor or presiding officer has discretion to adjust the amount of time allocated.

There were public comments made by the following: Ron Jarriel, Ken Johnson, Pat Johnson, Katie Lakeman, Marianne Miles and John Ryan.

CONSENT AGENDA

1. Warrant No. 2019-DD04 Reimbursement to Town of Loxahatchee Groves
2. Purchases in Accordance with Ordinance No. 2008-09

Motion was made by Vice Mayor DeMarios seconded by Councilmember Maniglia to approve the Consent Agenda; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor DeMarios, Councilmembers Danowski and Maniglia.

REGULAR AGENDA

3. Solid Waste Contract Update

Francine Ramaglia, Assistant Town Manager presented the item to Town Council by giving an update on Solid Waste Collection. Waste Pro Area Manager Chris Schulle also addressed the Town Council. There was discussion among the Town Council, Ms. Ramaglia and Mr. Schulle.

Councilmember Maniglia asked can there be more cans and if putting out additional cans do, they must be from Waste Pro cans. Mr. Schulle responded to her questions.

There was public comment made by Ken Johnson:

Motion was made by Vice Mayor DeMarios seconded by Councilmember Danowski to have staff open negotiation Costal Waste and Recycling without concluding negotiation with WastePro USA; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor DeMarios and Councilmember Danowski. Nye: Councilmember Maniglia. Motion passed 3-1.

4. SOD Farm Reimbursement

Francine Ramaglia, Assistant Town Manager presented the item to the Town Council by stating the history that in October 2018, the South Florida Sod Farm was granted a Vegetation Removal Permit which required a mitigation payment of \$1,996,958 as a condition of approval. The payment is refundable upon receipt of Bona Fide Ag Use Code by the Palm Beach County Property Appraiser. As the Bona Fide Ag designation was granted by the County, payment is due under the terms of the agreement. The funds were placed in an interest-bearing account with the Florida Municipal Investment Trust from which the Town has earned over \$30,000. The funds have been withdrawn from the Trust and a check for \$1,996,958 will be provided to the Sod Farm no later than August 23, 2019. There was discussion among the Town Council.

There were public comments made by the following: Ron Jarriel, Ken Johnson and Marianne Miles.

Motion was made by Councilmember Maniglia to apply the 30,000 received in interest to go towards repairs on B Road. Motion failed for lack of second.

Motion was made by Vice Mayor DeMarios seconded by Councilmember Danowski to receive and file; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor DeMarios, Councilmember Danowski and Maniglia. Motion passed unanimously.

5. Synovus \$500,000 Annual Line of Credit

a. Bond Counsel

Francine Ramaglia, Assistant Town Manager, presented the item to Town Council by stating the following: Staff has contacted each of its financial institutions with respect to replacing the District's previous \$200,000 emergency line of credit with FCB (now Synovus) with a \$500,000 emergency line of credit from each bank. At the time of agenda publication, we have only received Synovus' offer which is based upon the following terms:

- Annual or 12-month revolving LOC subject to renewal with 90 advance request, subject to potential additional underwriting, to be used solely for catastrophic events for which the Governor of the State of Florida has declared an emergency
- Interest rate based on LIBOR plus 3% with a floor rate of 5.19% (would have been 5.25% if renewal of District LOC)
- Repayment secured by pledge of FEMA reimbursement and all legally available non-ad valorem assessments.
- Commitment fee of \$1,000 plus \$3,500 Bank's Bond Counsel costs for a total of \$4,500. (This is consistent with the terms of the previous District LOC, possibly lower as the commitment fee of past LOC was \$2,000.) Annual renewals are likely to be closer to \$2,500 in total. It

should be noted that all fees are predicated on the Town using an acceptable bond counsel; if not, Bank's Bond Counsel also serves as Town Bond Counsel thereby increasing costs from \$3,500 to \$8,000.

- No prepayment penalty (previous LOC had prepayment penalty)
- If used, balance may be converted to tax-exempt bank note depending on nature of emergency spending (for example, reconstruction of public purpose facilities)

Synovus has represented that they have reduced their normal costs for this transaction from \$7,000 to \$4,500 (assuming the Town engages its own bond counsel). We await proposals from the Town's other bankers, Bank United and Wells Fargo.

There were public comments made by the following: Ron Jarriel and Marianne Miles.

Motion was made by Vice Mayor DeMarios seconded by Councilmember Danowski to staff proceed with Synovus Line of Credit, have Town Attorney and staff engage Bond Counsel and delegate the authority to the Mayor and Manager to sign closing documents, subject to approval by Town Attorney and Bond Counsel; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor DeMarios, Councilmembers Danowski and Maniglia. Motion passed unanimously.

6. Sheriff Contract Renewal

Town Manager Titcomb presented Town Council the item regarding the agreement for law enforcement services by and between the Palm Beach County Sheriff Office and the Town of Loxahatchee Groves.

There were public comments made by the following; Ron Jarriel, Todd McLendon and Marianne Miles.

Motion was made by Councilmember Maniglia seeking an Attorney General opinion on what services does the Sheriff has to provide. Motion fails for lack of second.

Motion was made by Vice Mayor DeMarios seconded by Councilmember Danowski to approve the agreement between the Palm Beach County Sheriff Office and the Town of Loxahatchee Groves and direct staff to correct all scribbler errors; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor DeMarios, Councilmembers Danowski and Maniglia. Motion passed unanimously.

7. Code Enforcement Contract

Town Manager Titcomb presented Town Council the item regarding the agreement for contracted code enforcement and related service between the Town of Loxahatchee Groves and C.A.P. Government, Inc.

Councilmember Danowski asked Town Attorney does she has to recuse herself from the vote due to her owning a home in Lake Worth Beach. Town Attorney Shutt responded no.

There were public comments made by the following: Ron Jarriel and Marianne Miles.

Motion was made by Councilmember Maniglia seconded by Councilmember Danowski to accept staff recommend of entering into an agreement with C.A.P. Government, Inc. for

**contracted services regarding code enforcement and related services; it was voted as follows:
Ayes: Mayor Shorr, Vice Mayor DeMarios, Councilmember Danowski and Maniglia.
Motion passed unanimously.**

8. Fiscal Year 2019-2020 Budget Workshop Discussion

Francine Ramaglia, Assistant Town Manager presented the item of the 2019-2020 fiscal year budget to Town Council giving the following update that this is the third budget discussion and will form the basis to advertise our FY 2019-2020 Budget for the first and second budget public hearings scheduled for September 5th and September 19th.

At the July 9th meeting, Council set the TRIM rates as follows:

Ad Valorem Millage	3 mills
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Non-Ad Valorem Assessments:

Roads & Drainage	\$200 per unit
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OGEM Debt	Rates based on debt service schedule
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Solid Waste	\$450 per unit
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At the July 23rd meeting, Council and staff discussed the budget overview and went through the significant issues to be addressed in preparing the FY 2019-2020 Budget which include the following decision points for continued discussion at this meeting. For instance,

Roads & Drainage	Priorities, approach and funding for road maintenance. <i>Current budget funding level is same as in prior year.</i>
Capital & Funding Mechanisms	Current & long-term approach as well as: • Items to include in current year • Use of Surtax Funds <i>Current budget funding only includes 1 of 3 culvert replacements required</i>
OGEM Debt	Use funds held in bank loan required resurfacing account for resurfacing or to reduce loan
Organization model/level of service	Current budget is balanced with existing employees plus an “equivalency” to the management contract for staffing & services previously provided by USMG

The proposed budget for FY 2019-2020 is balanced based on current year activities and equivalencies of funding levels. It does not yet include prioritized projects or specific levels of service.

There was consensus of the Town Council to stop canal project-cancel all Pos but stay on hold.

Town Manager Titcomb mentioned the Town Attorney Legal Service agreement needed to be bought forward for approval to the next meeting.

There was consensus of the Town Council for the Town Attorney to bring forth back the legal services agreement for approval at the next meeting.

There were public comments made by the following: Ron Jarriel, Marianne Miles and John Ryan.

Town Councilmembers and Staff Comments

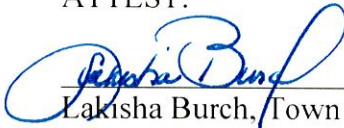
Councilmember Maniglia commented that she asked Jo Siciliano to seat on RETGAG and she would ask Mr. Patrick Painter, rules on signs on the trails and the Town becoming organic by 2025.

Mayor Shorr stated that he will be having his Town Meeting on Saturday, August 24, 2019.

Adjournment

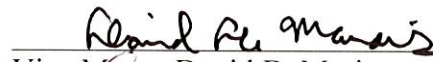
There being no further business meeting was adjourned at 10:15 p.m.

ATTEST:


Lakisha Burch, Town Clerk

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**


Mayor Robert Shorr


Vice Mayor David DeMarios

Councilmember Laura Danowski

APPROVED AS TO LEGAL FORM:


R. Brian Shutt, Town Attorney


Councilmember Lisa El-Ramey

Councilmember Phillis Maniglia

