

TOWN OF OCEAN RIDGE

AGENDA



August 11, 2014

6:00 P.M.

TOWN HALL – MEETING CHAMBERS

TOWN COMMISSION

Mayor Geoffrey A. Pugh

Commissioner Gail Adams Aaskov

Commissioner Lynn L. Allison

Commissioner James A. Bonfiglio

Commissioner Richard J. Lucibella

ADMINISTRATION

Town Manager Kenneth N. Schenck, Jr.

Town Attorney Kenneth G. Spillias

Town Clerk Karen E. Hancsak

Police Chief Chris Yannuzzi

RULES FOR PUBLIC PARTICIPATION

1. **PUBLIC COMMENT:** The public is encouraged to offer comments with the order of presentation being as follows: Town Staff, public comments, Commission discussion and official action. Town Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor or presiding officer has discretion to adjust the amount of time allocated.
 - A. Public Hearings: Any citizen is entitled to speak on items under this section.
 - B. Public Comments: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the commission under this section. The Commission may withhold comment or direct the Town Manager to take action on requests or comments. The Commission meetings are held for the purpose of discussing and establishing policy and to review such other issues that affect the general welfare of the Town and its residents. Where possible individual grievances should first be taken up with the Town Staff.
 - C. Regular Agenda and First Reading Items: When extraordinary circumstances or reasons exist and at the discretion of the Commission, citizens may speak on any official agenda item under these sections.

2. **ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the podium and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

APPELLATE PROCEDURES

Please be advised that if a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The Town neither provides nor prepares such record.

Persons who need an accommodation in order to attend or participate in this meeting should contact the Town Clerk at 732-2635 at least 2 days prior to the meeting in order to request such assistance.

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of July 7, 2014
2. Minutes of Special Town Commission Meeting of July 23, 2014
3. Approval of Annual Floodplain Management Report for FY 2013/14

MOTION	SECOND	DISCUSSION	VOTE
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ANNOUNCEMENTS AND PROCLAMATIONS

4. The Administrative Office will be Closed on Monday, Sept. 1, 2014 for the Official Holiday
5. The Tentative Budget Adoption and Regular Town Commission Meeting will be held on Tuesday, Sept. 9, 2014 at 5:01 PM – Regular Meeting Immediately to Follow Budget Hearing and the Final Budget Adoption Meeting will be held on Tuesday, Sept. 16, 2014 at 5:01 PM
6. Proclamation for “Florida Water Professionals Month”

PUBLIC COMMENT – (15 minute maximum with 3 minute individual limit)

PUBLIC HEARINGS

None

REGULAR AGENDA

(Items Which Require Town Commission Action That Must Be Filed With Town Clerk 1 Week prior to Meeting – Public Comment Permitted)

REPORTS

7. Town Manager
8. Town Attorney
9. Police Chief
10. Town Engineer

ACTION ITEMS

11. Confirm the Hiring of Dispatcher/Clerk Courtney Hammond By: Kenneth Schenck, Town Manager
12. Authorize the Temporary Hiring of One Dispatcher/Clerk to Fill the Vacant Position to be Confirmed at the Sept. 9th Meeting By: Kenneth Schenck, Town Manager
13. Authorize the Temporary Hiring of One Police Officer to Fill the Vacant Position to be Confirmed at the Sept. 9th Meeting By: Kenneth Schenck, Town Manager
14. Renewal of the NoSeeum Annual Contract with Clarke Environmental Mosquito Management, Inc. at a Cost of \$49,972 from Budgeted Funds in the Proposed 2014/15 Budget By: Kenneth Schenck, Town Manager
15. Request to Clear a Portion of the Thompson Street Right-of-Way along the South Border to the Southwest Corner of the Property Located Immediately Adjacent to the ROW at No Cost to the Town By: Kenneth Schenck, Town Manager

- 15.a Approval of Employee Health Insurance to Become Effective Oct. 1, 2014**
By: Kenneth N. Schenck, Town Manager

RESOLUTIONS

None

FIRST READING OF ORDINANCES

16. Ordinance No. 607; Amending its Code of Ordinances, at Chapter 63, General and Administrative Provisions, by Amending Article VII, Nonconforming and Grandfathered Uses Section 63-117, Grandfathered Uses, Lots, and Structures, to permit the Continuation of Existing Non-Residential Uses and Section 63-118, Nonconforming Signs and Uses, to Strike the Expired Provisions Concerning Amortization of Non-Residential Uses; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; and Providing for an Effective Date
17. Ordinance No. 608; Amending its Code of Ordinances, at Chapter Thirty, Licenses and Business Regulations, by Amending Article VII, Business Permit Section 30-157, Residential Rental Registration, to Alter the Reporting Requirements Contained Therein, and Section 30-158, Fee, To Establish a New Fee Schedule; Providing for Severability, Providing for Repeal of Ordinances in Conflict; Providing for Codification; and Providing for an Effective Date
18. Ordinance 609; Amending Chapter 1, Section 1-3 of the Code of Ordinances to Provide Revised Definitions of Vehicle and Motor Vehicle; Amending Chapter 62, Article II, Sections 62-26 Through 62-29 and 62-31 Through 62-33 of the Code of Ordinances to Provide for Regulations on Beaches Within the Municipal Limits; Providing for Severability; Providing for the Repeal of All Ordinances n conflict; Providing for Codification; and Providing for an Effective Date

SECOND READING AND ADOPTION OF ORDINANCES

None

TOWN COMMISSION ITEMS

(Information Items Only – 3 minute limit per item)

ADJOURNMENT

NEXT SCHEDULED TOWN MEETING(S):
PUBLIC HEARING FOR TENTATIVE BUDGET ADOPTION/REGULAR TOWN COMMISSION
MEETING ON SEPTEMBER 9, 2014 AT 5:01 PM
PUBLIC HEARING FOR FINAL BUDGET ADOPTION ON SEPTEMBER 16, 2014 AT 5:01 PM

REGULAR TOWN COMMISSION MEETING HELD JULY 7, 2014

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, July 7, 2014, at 6:00PM in the Town Hall Meeting Chambers.

The meeting was called to order by Mayor Pugh. The roll call was answered by the following:

Commissioner Aaskov	Commissioner Bonfiglio
Commissioner Lucibella	Mayor Pugh

Comm. Allison was absent with notice.

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Clerk Hancsak advised that there was a minor change to both the June 2nd and 23rd meeting that was sent out with the agenda packets. Atty Spillias requested to add an item under Item #7 regarding a suggestion on the continued use of the 5011 N Ocean Blvd. building.

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of June 2, 2014
2. Minutes of Special Town Commission Meeting of June 23, 2014
3. Ocean Ridge Resolution No. 2014-05; Supporting the Location of Major League Baseball Teams in Central Palm Beach County (John Prince Park)

Comm. Bonfiglio motioned to approve the Agenda as amended. Comm. Aaskov seconded the motion.

Motion Carried – yea (4).

ANNOUNCEMENTS AND PROCLAMATIONS

4. The FY 2014/15 Budget Presentation/Adopt Proposed Millage Meeting will be held on Wednesday, July 23, 2014 at 8:30 AM

PUBLIC COMMENT

Joe Belafonte, 5600 N Ocean Blvd., commented that several years ago a concern was brought up regarding fireworks and the nesting of turtles and he advised that the fireworks this year did not seem to affect the nesting. It appears that the nests are about the same.

PUBLIC HEARINGS

5. An Application Submitted by Mauro Brothers, LLC, 2626 N Federal Highway, Boynton Beach FL 33435, representing the owner, Peter and Angela Caruso, 6029 Old Ocean Blvd., Ocean Ridge FL 33435, Requesting a Land Development Permit from the Provisions of the Land Development Code, Article 2; COASTAL CONSTRUCTION, Section 67-17; Coastal Construction and Excavation Setback Line; Sub-Paragraph (a); Setback Line Established; and Sub-Paragraph (h) Existing Structures to Permit the Construction of a Swimming Pool and Pool Decking that Would Extend a Maximum of 180'(+/-) East of the Coastal Construction Control Line (CCCL) Located at 6029 Old Ocean Blvd. or legally described as Lot 7, Blk 4, Amended Plat of Boynton Sub (exact description available for review in the Clerk's Office)

Clerk Hancsak read the application and summarized that this request is to construct an 8 x 40' pool and 11' x 20' deck expansion that will extend a maximum of 180'(+/-) east of the CCCL at 6029 Old Ocean Blvd. The Town Code requires a Land Development Permit for any construction east of the CCCL. The code also requires that a public hearing be held for any work that requires submittal to DEP for formal permitting. This is not a variance request. The applicant provided a draft site plan. Upon review of the

REGULAR TOWN COMMISSION MEETING HELD JULY 7, 2014

plans it appears that all of the zoning requirements have been met. The Commission may either approve the request contingent on DEP approval once it is verified that it meets all zoning regulations or deny it until it is verified that it meets all our land development regulations and require a continuation or a rehearing. There are no legal issues in approving this request, and there is no fiscal impact. Staff recommends approval of the applicant's request for 6029 Old Ocean Blvd, contingent on DEP approval and meeting all of the zoning and building requirements upon actual building permit submittal and review.

Clerk Hancsak stated that all fees have been paid and that no additional correspondence had been received. Atty. Spillias stated that this was a quasi-judicial hearing, and those providing testimony were sworn in at this time. He asked the Commission if they had exparte communications with the client or representatives. Mayor Pugh stated that he had seen the property.

Comm Bonfiglio questioned whether the Commission could proceed with the request since the owner or a representative was not present to which he was advised that they need not be present.

Comm Lucibella moved to approve the request for a Land Development Permit contingent on DEP approval and proper permit submittal. Comm Aaskov seconded the motion.

Joe Finley, Turtle Beach, commented that he believed the owner was up north on business.

Kristine de Haseth, 29 Sabal Island Drive, clarified that the proposed pool was still in line with neighboring pools.

Motion carried – Yea (4).

REPORTS

6. Town Manager

Manager Schenck reported the following: 1) Inlet Cay Island – The leak in the drainage pipe on Bimini Cove Drive has been sealed, and we're working with the manufacturer to replace the red valve at the end of the drain pipe. Eleuthera Dr. construction will begin in mid-July. 2) FEMA Flood Maps – FEMA has accepted our map revisions and will include them in their evaluations. However since they're revising the overall rates, it's impossible to tell what the final results will be. FEMA maps are expected by the end of summer. 3) Old Ocean Right of Way – The signed documents have been received and will be recorded with the County. 4) Beach Crossovers – a draft ordinance for the August meeting is being written outlining the beach regulations. Staff will also work on signage, however, the ordinance needs to come first so the signs are correct. 5) Town Hall Utility and Access Easement – Mr. Swaim is working with the regulatory agencies. 6) PBA Contract Negotiations – staff met the PBA and local representatives on June 27th. Their revised proposal needs to be clarified and as of today he is waiting for the revisions. Several articles need to be agreed upon.

Manager Schenck mentioned that the Flood Maps will not be completed until 2019 but they advised that they would include our maps in their study.

Manager Schenck also mentioned that Gulfstream recently adopted an ordinance relating to Sober Houses and it was based on an ordinance adopted by Boca Raton that supposedly has judicial approval. The ordinance provides for an application process, but it is unknown if this presents a violation of privacy issues. Atty Spillias is reviewing the ordinances.

REGULAR TOWN COMMISSION MEETING HELD JULY 7, 2014

Manager Schenck also mentioned that he was contacted by Jeff Lee, 15 Sabal Island Drive, who is concerned with the railroad that will travel to Orlando. He suggested that the Town oppose the railroad. There was no discussion.

7. Town Attorney

Atty. Spillias commented that he would not be present for the August meeting but Tara Duhy from his office would attend.

Atty Spillias stated that the staff has received and is reviewing the application for the proposed mixed use district, Comprehensive Plan Amendment, and Land Use Map change for 5011 N Ocean Blvd. (Sivitilli). He advised that he has been working with Seth Bain (law clerk and former land planner for 10 years) from his office regarding some concerns. One concern included the proposed requirements of the district and the fact that the property can't meet this criteria. He reiterated that the ordinances adopted in 1969 and 1975 prohibited any commercial zoning through an amortization process and all have been phased out except the 5011 building. They were researching rather than creating a mixed use district, to amend the "no commercial" code to address the 1 property remaining by possibly grandfathering it unless a 6 month abandonment period occurs or if damage by natural causes is not repaired within a 1 year period. This would allow the property to retain the residential zoning, grandfathering, and provide a loss of grandfathering status if abandoned.

Comm Bonfiglio stated he was concerned with possible litigation from the commercial properties that have already phased out. Atty Spillias advised that there is nothing to prevent anyone from suing, however; the prior commercial properties were given a law abiding amortization period to convert. He stated that the 5011 building was a different circumstance because the Town prevailed in a lawsuit 10-12 years ago and after the settlement agreement was over the Town could allow for the mixed use area. He added that this property has been a continuous disagreement among the Commission and residents regarding the continued use of the property. He concluded by stating that he had no concerns on the success of a prior commercial property owner. Comm Bonfiglio asked if there was case law to support this opinion.

The consensus of the Commission was for staff to research the suggestion further and also comment on whether there was existing case law. A question was also raised on whether the Town could require the Sivitillis' to still architecturally improve the building.

At this point Senator Maria Sachs was introduced. Mrs. Sachs summarized her two years serving this area and pointed out that she worked diligently on the beach renourishment for the coastal areas as well as a bill pertaining to parasailing. She advised that her office was open to suggestions and she was planning on scheduling a property insurance roundtable meeting to allow for residents to ask questions of various insurance representatives.

8. Police Chief

Chief Yannuzzi clarified that there were no questions regarding his report. He commented that the 2nd annual shredding event resulted in processing 1,970 lbs of documents, interviews were taking place for both the dispatch and officer position, and he recognized the commendation letter for Lt. Hutchins. One of the new dispatchers will be introduced further in the agenda. He concluded by stating that in response to a number of water-related incidents, both he and Manalapan Police Chief Mattox were coordinating a joint training opportunity on water safety/rescue. Training personnel with PBC Ocean Rescue have agreed to provide the instruction free in October.

9. Town Engineer

Engineer Tropepe was absent with notice.

REGULAR TOWN COMMISSION MEETING HELD JULY 7, 2014

ACTION ITEMS

10. Confirm the Hiring of Dispatcher/Clerk Kady Lynn Southworth By: Kenneth Schenck, Town Manager

Chief Yannuzzi summarized Ms. Southworth's credentials and advised that the Commission gave tentative approval at the June meeting.

Comm Lucibella moved to confirm Kady Southworth as a Dispatcher/Clerk, seconded by Comm Aaskov.

Ms. Southworth was introduced in the audience and was given a warm welcome.

Motion Carried – yea (4).

11. Authorize the Renewal of Annual Landscaping Maintenance Contract (minus any special projects) with Chris Wayne and Associates in the Amount of \$43,008 to be Budgeted for FY 2014/15

Manager Schenck advised that the company has offered to renew their contract with no increase in cost. He stated that they have done a good job since originally contracted in 2008. He commented that the last time they advertised for bids only one other bid was received from a Miami firm at about 4 times the cost. He recommended renewing the contract.

Comm Bonfiglio disclosed that the company has worked for him to which Atty Spillias advised there was no conflict unless a vote was taken that would provide a special gain to him.

Comm. Aaskov motioned to authorize the renewal of the Annual Landscaping Maintenance Contract with Chris Wayne & Associates in the Amount of \$43,008 from Budgeted Funds. Comm Lucibella seconded the motion.

Motion Carried – yea (4).

12. Discuss Possible Revisions to Ordinance #603 Regarding the Rental Registrations

Town Manager Schenck reiterated the requirements of Ordinance #603 but stated that it has created some confusion among the residents as to who is required to register, the terms of some leases or no lease, the cost per registration, and also whether the renter information should be required. He was suggesting amending the code to provide for a \$25 - \$35 registration fee due each January per property rather than per lease and also eliminating the renters' information on the form to avoid any suggestions of invasion of privacy.

Comm Lucibella questioned the reasoning behind the adoption of the ordinance. He stated that everyone needs to understand the ordinance or it should be repealed. Chief Yannuzzi commented that in addition to the several violations for renting less than 30 days they have ascertained that last year 22 additional property rentals were discovered, squatters were found in one residence, and a Sober House was discovered. He stated that 11 property rentals have been discovered so far this year. He stated that the ordinance was adopted based on issues for the safety and welfare of the residents and also to attempt to maintain order in the neighborhood after many complaints had been received. Comm Lucibella stated that he was still concerned with the Town questioning the status on why individuals were living someplace.

Mayor Pugh stated that the ordinance may have gone too far with requiring the identification of the renters but he understands why the Town would want to be aware of the rental locations. Regarding the fee, he stated that there were administrative costs involved and he felt the fee was appropriate. He added

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that the property owners and rental agencies may be less likely to rent for less than 30 days with this ordinance in place.

Bob Weisblut, 5000 Old Ocean Blvd., stated it makes no sense for him to register his property and pay the fees, especially per lease, when he already pays the County and State. He also stated that his tenants are non-transient. He felt the ordinance was adopted to ascertain the single family home rentals.

Christopher Currie, 27 Tropical Drive, stated that he felt the ordinance should be repealed and then reviewed as to any amendments that should be made. He reiterated his comments from the last meeting citing that the ordinance was designed for single family homes, and he would be paying annually for something that is known and would not change (2 apartments rented). He added that he would have no problem with advising of a tenant change but he felt the renter information was an invasion of privacy.

Comm Aaskov suggested either repealing the ordinance or requiring a property owner to annually register all properties on one form at a \$35 fee. Comm Lucibella commented that if the Commission was not going to repeal the ordinance then he would agree with the comments made by Comm Aaskov. He added that the code already provides for penalties for rentals less than 30 days.

Comm Bonfiglio stated he felt the ordinance accomplished the goal of deterring short term rentals, violations by rental companies, and also police calls. He agreed with amending the ordinance but not repealing it.

Town Clerk Hancsak clarified that the rental registrations/fees already collected were done during the current code requirements and would not be refunded and the information received was considered public record.

Comm Lucibella moved to direct the Town Attorney to revise the existing ordinance to allow for the monitoring of rental property owners through an annual fee per owner with no further personal information required. Comm Aaskov seconded the motion.

Motion carried – Yea (4).

RESOLUTIONS

13. Resolution No. 2014-06; Acknowledging the Right of Employees and Residents to Contact the Office of the Inspector General (OIG) when they Become Aware of Mismanagement in any Local Government

Town Manager Schenck summarized his memorandum by stating that when the Office of the Inspector General was set up one of the requirements was that the communities adopt a resolution informing their employees and residents of their ability to contact the OIG if any wrong doing they see.

Comm Bonfiglio moved to adopt Resolution No. 2014-06, seconded by Comm Aaskov.

Motion Carried – yea (4).

TOWN COMMISSION ITEMS

14. Discuss Posting of Monthly Agenda Backup Correspondence in Addition to the Agenda on the Website By: Comm Lucibella

Comm. Lucibella stated that he has observed that over the last few meetings some of the residents were concerned that information they may have submitted was not heard by the Commission. He suggested posting the backup material on the website in addition to the agenda to provide for more transparency.

REGULAR TOWN COMMISSION MEETING HELD JULY 7, 2014

There was a consensus by the Commission to post agenda backup material along with the agenda on the website for informative purposes.

Meeting Adjourned at 7:35 pm.

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella

Special Town Commission Meeting of the Town of Ocean Ridge held on Wednesday, July 23, 2014 at 8:30 AM in the Town Hall Meeting Chambers

The meeting was called to order by Mayor Pugh and roll call was answered by the following:

Commissioner Aaskov
Commissioner Allison

Commissioner Bonfiglio
Commissioner Lucibella

Mayor Pugh

1. CONSIDERATION OF THE 2014-2015 PROPOSED BUDGET

Town Manager Schenck provided a budget summary chart of the last 4 years showing the surplus to Fund Balance at each Year End. The proposed 2014/2015 General Fund Budget will require \$436,628 from unappropriated funds to balance the GF budget. This includes a proposed \$150,000 transfer to the Capital Projects Fund. To balance the budget as proposed, it would require a tax increase with a millage rate of 5.93 or 5.35 coupled with \$286,628 from the reserves. This would be a 10.8% tax increase which equates to about \$300+ a year for a \$500,000 home. The fiscal year 2014/2015 General Fund Expenditures have an increase of \$276,950 over last year (not including the \$150,000 transfer). Personnel costs account for 43% of the budget and operating expenses (majority being the 2 loans and the fire/ems contract) account for 41%. The upcoming year's budget also focuses on continuing on-going projects including storm-water improvements, road and drainage pipe repairs, landscape maintenance, building & zoning contract and maintaining the town's current level of visibility for public safety.

This year's preliminary budget maintains last year's millage rate of 5.350 or a 5.56% increase over the rolled back rate. The reduction in property values several years ago has resulted in an annual loss of revenue of about \$740,000. The rolled back rate based on this year's property values is 5.0680. If we were to use this as our budget rate instead of the 5.35 we would need an additional \$210,250 to balance the budget or a total of \$646,878.

Manager Schenck stated that we have not received quotes regarding the health or liability insurance (expected in August) but have estimated a 10% increase. He added that the budget includes a 3% merit increase to those employees that are topped out and up to 5% for those employees not topped out (both based on their anniversary dates). He also noted that all highlighted requested items were included in the budget and could be discussed in more detail at the summary of each department.

Manager Schenck mentioned that the contract for police services with Briny Breezes provided for a total increase of 3.6% (2.1% CPI plus 1.5%). Comm Lucibella mentioned that the law enforcement budget increased 7% while the Briny Breezes residents increase in their taxes was only 3.6%, adding that he felt they should be charged the same. Comm Lucibella questioned whether the \$65,000 budgeted for overtime could be reduced if the Town utilized the Reserve Officers. Chief Yannuzzi explained that the Reserve Officers did not provide general patrol.

Manager Schenck advised that our contract with Boynton Beach Fire would be up for renewal in 2016. Comm Bonfiglio suggested that staff and the Commission begin negotiations with Boynton Beach and explore other options that may be available, such as contracting out only portions. Mayor Pugh stated that there are state mandates requiring 2 in and 2 out. Comm Allison stated that prior commissions have researched this and Boynton Beach still is the most cost efficient option.

Manager Schenck stated that an additional \$10,000 was budgeted in the General Fund towards drainage improvements to include the purchase of the new type of red valves that should be more efficient. He stated that the Capital Projects Fund included \$50,000 to add a 3" force main along SR A1A from Adams to the 5900 block thereby allowing the Villas of Ocean Ridge to tie their system into it, \$10,000 was proposed to grade the alley between Hudson and Ocean Ave., and \$100,000 was proposed for repaving.

Manager Schenck stated that a new alarm monitor system at a cost of \$38,495 was proposed. He reminded the Commission that the fee to the residents was increased from \$180 to \$200 two years ago but the system has not been purchased yet. He advised that it would take approximately 7 years to pay for itself. Comm Lucibella commented that he felt this cost was outrageous and could be done for much less. He also stated that it should be competitively bid. Mayor Pugh agreed that more than one bid should be sought. Chief Yannuzzi advised that he relied on an alarm expert who had recommended this company. He added that both he and the expert traveled to Palm Beach to see this same system. He added that upon further review of the proposal he discovered that it could

SPECIAL TOWN COMMISSION MEETING HELD JULY 23, 2014

be reduced by \$5,000 because of the actual monitors needed. The consensus was to keep the item in the budget at this time but to check the costs and other possible vendors.

Manager Schenck advised that two fully equipped vehicles were proposed at a cost of \$76,000. Two 2011 vehicles that would be out of warranty with total mileage (actual mileage and idle time) of upwards of 224,387 miles would be traded in. New accessory equipment is required because the Fords would be replaced with a Chevy product. A question was raised if the warranties could be extended. He also stated that \$28,000 was budgeted for a proposed new truck. Comm Lucibella questioned the justification for the truck purchase to which he was advised that that the 2000 model truck leaks oil and the ball joints need to be replaced costing between \$5,000 and \$6,000. The consensus was for staff to provide an itemized list of repairs with associated costs.

Terry Brown, Harbour Drive So., questioned whether the Town's current drainage system could accommodate the additional water to which he was advised that the Villas of Ocean Ridge has their own drainage and only the overflow would drain into the Town's system. He stated that he agreed with Comm Lucibella that the alarm system should be competitively bid. He also stated that he supports the pay raises and also the extra position. He added though, that he did not agree with the position being solely designated as a beach patrol officer and that the position should be utilized for additional patrols. Comm Lucibella agreed and stated that he actually did not feel another officer was necessary and that there should be equal patrol to all areas. Mr. Brown concluded by questioning whether the golf cart would meet the street legal guidelines.

Gerry Magruder, 9 Ridge Blvd. reminded the Commission that her home was burglarized, along with several homes in the area, and she felt the \$85,000 salary could be applied towards the purchase of cameras in the Town. She stated that neighboring municipalities to the north and south already had camera systems in place. She felt this would be the best tool for the police department.

Nancy Hogan, 37 Hibiscus Way, commented that she felt the Town should keep apprised of Boynton Beach's budget and services considering they are a neighboring Town. She iterated her prior concerns regarding the response time for EMS to travel east over the bridge, also citing that she believed that the timing of the traffic lights at the intersection of Woolbright and Federal should be reviewed.

Betty Bingham, 1 Ocean Ave., felt the Town should start studying the fire contract and questioned if the services (EMS and Fire) could be separated and only pay for actual fire calls. Comm Lucibella reminded her that federal mandates need to be adhered to but he agreed with the concept.

Ed Brookes, 15 Ocean Ave., commented that property values increased 6% and even if the millage rate remains at 5.35 it will be a tax increase to the residents. He commented that the Town needed to live within their means rather than raise taxes or use surplus, commenting a budget should not begin with fluff. He also felt that \$85,000 to fund an additional officer for beach patrol was unfair to all of the taxpayers, to which Comm Lucibella agreed. Comm Bonfiglio commented that there was very little discretionary items and funds were needed from the surplus but agreed that the budget should start with income and see what purchases can be made. Mayor Pugh commented that each of the past and present Commissioners have their ideas how the budget process should occur. He also mentioned that a 5.56% tax increase equates to about \$350 for his property. Comm Lucibella stated that the Town needed to control growth expenses.

Town Clerk Hancsak explained the Consolidated Statement of Revenues and Disbursements for the General Fund. Comm Lucibella questioned the comparison of the current June balance sheet reflecting 4.2 million in monies compared to the 2.78 estimated balance at 2013/14 year end. Clerk Hancsak advised that the 2.78 million was an estimate of Fund Balance not cash and utilized 100% of the expenditures and 100% of the revenues received, along with the \$150,000 transfer to Capital Projects. She stated that the majority of the revenue has been received for the year, however; there were still 3 months of expenditures that will be paid out. Comm Lucibella commented that the Commission needed to start contemplating the replacement of the Town Clerk and suggested possibly utilizing an intern from FAU. Town Clerk Hancsak commented that the Commission will need to decide if the new position will be both Clerk and Treasurer as most Municipal Clerks do not perform financing duties. She stated several of the smaller municipalities employ a Town Manager/Finance Director that has an extensive financial background.

SPECIAL TOWN COMMISSION MEETING HELD JULY 23, 2014

Revenues

Town Clerk Hancsak briefly summarized the revenues and reminded the Commission that the ad valorem revenue reflected an increase of \$236,878 from the prior year. This is based on a property tax levy of 5.3500 per \$1000 (same as current year) of assessed valuation. The rolled back rate for this year is 5.0680. She added that the Garbage/Trash revenue in the amount of \$300,400 reflects charging the residents a Single Family Rate of \$231.00 and a Multi-Family Rate of \$161.70 and the remainder is administrative fees. The estimated revenues for Building Permits remained the same at \$120,000 even though over \$200,000 has already been received for FY 2013/14. She stated that several new home construction permits were issued or applied for this year and the inspections will take place next year. Clerk Hancsak concluded by stating that the \$5,566,622 in revenues supplemented by \$436,628 from reserves will balance the proposed budget based on a millage rate of 5.35. She then explained the Summary of Expenditures, the Personnel Expenses and Total Budget Review pages.

Town Commission

The slight increase in Florida State Retirement rates (6.95% to 7.37%) and an increase in the E & O Insurance (\$1,800) accounted for the increase in this department.

Town Manager

This department increased slightly: the personnel costs reflect a 3 merit increase, \$7,200 vehicle allowance, a Florida Retirement System contribution rate of 7.37% (\$7,548 in the ICMA account), 100% of the health insurance premium with a 10% estimated increase and 3 months remaining of the approved \$1500 2014 calendar year deductible and 9 months of a \$1500 2015 deductible, dental coverage (\$192) and vision coverage (\$84). The Operating Supplies for Gas and Oil is based on an estimated \$4 per gallon for fuel.

Town Clerk

This department increased from the prior year. The personnel costs include a 3% merit increase to the Town Clerk and up to a 5% merit increase to the 2 employees not topped out on the Step Plan and an increase to the FRS contribution rate from 6.95% to 7.37%, and 12.28% for the DROP contribution rate. The Life & Health Insurance reflect 100% of the premium (with a 10% estimated increase), 3 months remainder of the approved \$1500 2014 deductible, 9 months of a \$1500 2015 deductible, dental coverage (\$576) and vision coverage (\$252). Replacement of two chairs (\$600) is budgeted.

Town Attorney

The Professional Services account increased from a \$6300 monthly retainer to \$7,000 based on invoices from the prior year's actual service. The \$205/hr blended rate remains the same for anything not included in the retainer costs. The Special Counsel Account remained the same (\$25,000) to reflect anticipated costs for PBA discussions and Inspector General Suit costs. Expenditures for permit review are offset by the building permit revenues. \$5000 is included in printing/binding for code supplements.

Appointed Boards

This department increased slightly due to anticipated insurance costs.

General Government

This activity reflects a decrease due to the reduction in the Repair & Maintenance account, even though a/c maintenance costs increased. Three garage doors were replaced in FY 2013/14. \$5,000 was also budgeted to replace the Chamber/Community Room and Dispatch carpets (which may be a low figure now that several quotes have been received). Other costs in that account include: funding for any Town Hall building repairs such as air conditioners, sound equipment, annual fire inspection by our fire alarm company and cleaning service. The Insurance account reflects a 3% increase. The Other Current Charges account remains the same which still includes

SPECIAL TOWN COMMISSION MEETING HELD JULY 23, 2014

\$3000 to provide for funding for donation/promotional events. Subscriptions and Memberships includes \$12,000 (\$4000 for this year and \$4,000 for FY13/14 and \$4,000 for FY 12/13) to fund monies for the PBC Inspector General. The State Revolving Payment is \$468,000 and the Town Hall Loan Payment is \$311,175. Capital Outlay includes \$8000 for new Air Conditioning Unit/s if necessary, and \$1100 to purchase a computer if necessary. Clerk Hancsak stated that we have budgeted for one computer consistently. The holiday function and lighting is still included in the budget.

Manager Schenck explained the funding for the Inspector General by stating that the original method of funding the office was based on a percentage of each municipalities existing contracts. However; the County decided to fund the office by taxing each of the municipalities which resulted in 11+ municipalities filing a lawsuit on the grounds that the new method was illegal. To date only a small portion of the first years' funding has been paid so all three years are included in the budget.

Public Safety

Clerk Hancsak noted that the costs in this department had increased from the prior year. The FRS contribution rates increased from 19.06% to 19.82% and 6.95% to 7.37%. The personnel costs include a 3% merit increase to those topped out, and up to a 5% increase on the anniversary date to 14 employees not topped out on the Step Plan, an additional 5% on Oct. 1st to four employees to correct the parody with the new employees, 100% of the health insurance premium (with an estimated 10% increase) 3 months remainder of the approved \$1500 2014 calendar year deductible, 9 months of a \$1500 2015 deductible, dental coverage (\$3840) and vision coverage (\$1680) to all employees. A new Special Detail Pay account in the amount of \$7,000 was budgeted along with the associated costs. The Repair and Maintenance – Radio account has increased for various maintenance costs (\$3,600). The Operating Supplies – Gas and Oil has stayed the same (budgeted \$4/gal). The Fire/ALS Service contract with the City of Boynton Beach increased 4% from last FY per the existing contract (\$37,551). Capital outlay expenditures include: 2 Police Vehicles fully equipped (\$76,000); 2 Computer Replacements (\$3600), Copier for the Squad Room (\$500), 2 Laptop Computers (\$4,000), 2 Radar units (\$5,990), USA Program Software (\$5,493), and the new Alarm Monitoring Equipment (\$38,495).

Chief Yannuzzi advised that the USA software is to update 2 computers with all of the current upgrades.

Chief Yannuzzi responded to the comment from Mrs. Magruder about several burglaries by stating that there has been a 48% decrease in burglaries last year and that so far this year there has been one actual and one attempted burglary. He reminded the Commission that several communities are in discussions to install cameras along a 12 mile stretch of coastal area. Regarding the additional officer, Chief Yannuzzi advised that this position has been part of a budget discussion since the 11/12 budget. He agreed that the officer would not be strictly a beach officer but the position will make beach patrols more available and consistent. He reminded the Commission that while the goal is to have 3 officers on the road at all times it does not always occur, citing vacations, sick time, short staff, dispatch relief, breaks, etc. He stated the additional position would permit more consistent coverage 7 days a week.

Comm Lucibella stated that residents by the beach area were asking for better management of patrolling not necessarily more beach patrol. He wanted harder work by the existing police presence. He cited that the law enforcement budget increased 18% last year and a 7% increase is proposed for this year. He advised that the private sector does not automatically give raises to employees and he believed that the staff was treated well. He stated he did not believe the Town needed 3 officers on the road at all times or the other costs associated with an additional officer. He also stated that if the officers enforced the current rules/regulations then less enforcement would be needed. Chief Yannuzzi stated that he felt his staff was doing a great and cited the CAD event statistics since its inception. He added that he felt they were also doing a good job with code enforcement for the Town.

Mayor Pugh commented that the general patrol and security would be enhanced with an additional officer and the level of service would be positively affected. Comm Allison agreed and stated that the duties would be the same as the other officers and all the discussions revolved around needing more patrol. Comm Bonfiglio suggested keeping the additional officer in the budget designated for beach patrol and propose the millage at 5.90 and determine if the residents want the extra position or not through their input. Comm Lucibella reiterated his comment that if there was enforcement of our rules/regulations we would need less enforcement. Chief Yannuzzi mentioned some of cost offsets such as: 911 call taker and 911 equipment reimbursements, reimbursements for bulletproof vests, 12.50 money for radio related equipment reimbursement, and misc. \$1,000 grant monies totaling approximately \$36,000.

SPECIAL TOWN COMMISSION MEETING HELD JULY 23, 2014

Clerk Hancsak mentioned that the proposed revenue to offset the special detail pay was inadvertently not budgeted and would be included when amendments were made.

Building & Zoning

Clerk Hancsak stated that this department reflected a decrease in the Other Current Charge account. The FY 2013/14 budget was amended to include a substantial building permit refund which has since been removed from this budget. The Professional Services account increased based on anticipated additional inspections related to new home construction or building permits. The contract with Hy-Byrd Inspections, Inc. was renewed last year and remains the same without an increase. This department is offset by the building permit revenue.

Emergency Preparedness

There was no change to this department as it remains as zero. Clerk Hancsak encouraged the Commission to consider funding for this department in the future if projected revenue allows for same. Having funds budgeted would avoid any delay of payment for emergency expenses.

Solid Waste

This activity reflects an overall 2.13% increase in the Republic Services contract. The costs are offset with the revenues received. The proposed Single Family Rate will be \$231 and the Multi-Family Rate will be \$161.70 annually.

Environmental

This department increased. \$12,000 has been budgeted to fund a State mandated Comprehensive Plan amendment to address new regulations related to the potable water system. The NoSeeum fee remains the same, however; additional areas sprayed has added \$5,000 to the budget. The Town Engineering fees remains the same, however; due to additional site reviews and drainage concerns the budget was increased by \$5,000. The Landscape budget increased by \$5,000 to accommodate any special landscaping projects. The Repair & Maintenance account increased \$3,000 to provide for repairs to dune walkovers.

Public Works

This department increased from the prior year. The personnel costs include a 3% merit to the Maintenance Supervisor and up to 5% on the anniversary date to the other employee not topped out on the Step Plan and the Florida Retirement System contribution rate from 6.95% to 7.37%. The Life & Health Insurance reflects 100% of the premium (with a 10% estimated increase), 3 month remainder of the approved \$1500 2014 calendar year deductible, 9 months of a \$1500 2015 deductible, dental coverage (\$384) and vision coverage (\$168). The Operating Supplies for Gas and Oil is based on an estimated \$4/gal. The Road Materials & Supplies account increased \$10,000 to provide for the purchase of red valves and drainage line cleaning. The Capital Outlay account includes \$3,000 for an electric golf cart and \$28,500 for a new truck with an 8' bed.

Manager Schenck advised the new type of red valve has been improved and is inside the pipe thus deterring barnacles from obstructing the valves and becoming more cost efficient. He stated that the Town recently installed one on Inlet Cay Island and if successful they will replace others.

Clerk Hancsak advised that \$50,000 was again budgeted in the Contingency for miscellaneous unbudgeted or emergency funding in any department.

Capital Projects

A \$150,000 Transfer from the General Fund is proposed to assist in funding projects including: \$50,000 for a 3" Force Main from Adams to the 5900 blk of SR A1A (the Villas of Ocean Ridge would fund any tie in to our system),

SPECIAL TOWN COMMISSION MEETING HELD JULY 23, 2014

\$5,000 for grading the alley between Hudson and Ocean Ave., \$15,000 for the associated miscellaneous drainage professional service, and \$100,000 for Phase I of Repaving.

A consensus was made to investigate the regulations for golf carts on the street, more details on the maintenance truck repairs, actual warranty date information on the two trade in vehicles, and provide additional quotes and/or information on the alarm monitoring system.

Comm Lucibella moved to schedule the Regular Meeting to Monday, August 11, 2014 at 6 PM and hold a Special Budget Meeting one hour before the Regular Meeting, pending approval of the date change by the Town Attorney. Comm Allison seconded the motion.

Motion carried – Yea (5).

Certification of Rolled Back Rate for Millage for 2014/15

Comm. Lucibella moved that the rolled back rate be certified at 5.0680 per \$1,000 and that the Certification of Taxable Value form be executed to reflect this for submission to the Property Appraiser and Tax Collector of Palm Beach County. Comm. Bonfiglio seconded the motion.

Motion carried – Yea (5).

Proposed Millage Rate for 2014/15

It was discussed that any proposed millage rate set at this meeting can come down prior to the budget adoption, however it cannot go up.

Comm Bonfiglio moved that the proposed millage rate for 2014/15 be established at 5.9300 mills (to cover all proposed expenses without utilizing any surplus) and that this be included on the Certification of Taxable Value form that is forwarded to the Property Appraiser and Tax Collector of Palm Beach County. There was no second to the motion.

Comm. Allison moved that the proposed millage rate for 2014/15 be established at 5.5000 mills and that this be included on the Certification of Taxable Value form that is forwarded to the Property Appraiser and Tax Collector of Palm Beach County. Comm. Aaskov seconded the motion.

Motion carried – Yea (5)

First Public Hearing to consider the budget for fiscal year 2014/2015

Comm. Bonfiglio moved that the First Public Hearing to consider the budget for the fiscal year 2014-2015 be held at 5:01 PM on Tuesday, September 9th, 2014, with the regular meeting immediately following, and that this date be included on the Certification of Taxable Value form that is forwarded to the Palm Beach County Property Appraiser and Tax Collector, seconded by Comm. Allison.

Motion carried – yea (5).

Second Public Hearing to consider the tentative budget for the 2014/2015 fiscal year

Comm. Bonfiglio moved that the second public hearing to consider the tentative budget for the 2014/2015 fiscal year be held at 5:01 PM on Tuesday September 16th, 2014, seconded by Comm. Allison.

Motion carried – yea (5).

SPECIAL TOWN COMMISSION MEETING HELD JULY 23, 2014

Comm Lucibella commented that although the motions were already completed he would like to make a motion that the Commission approve a 5.50 millage rate subject to a balanced budget without any reserves being utilized. There was no second to the motion.

Manager Schenck mentioned that another shade meeting needed to be scheduled to discuss the PBA negotiations. There was a consensus to schedule the meeting for July 30, 2014 at 8:30 AM.

Meeting adjourned at 11:45am.

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella

Town of Ocean Ridge**Memorandum**

Date: August 11, 2014
To: Mayor and Town Commissioners
From: Ken Schenck, Town Manager
Re: Drainage Report

Each year we have to send a drainage and flood report to the Federal Flood Management Agency. It's support for our National Flood Insurance Rating. The report is submitted to the County for inclusion in their Countywide report. It's a status of what we've done and are proposing to do to prevent flooding. The report must be approved by the Commission and published for the residents to see and comment on if they desire.

Staff recommends approval of the report.

TOWN OF OCEAN RIDGE

6450 NORTH OCEAN BOULEVARD

OCEAN RIDGE, FLORIDA 33435

www.oceanridgeflorida.com

(561) 732-2635 ♦ FAX (561) 737-8359

GEOFFREY A. PUGH
MAYOR, CHAIRMAN OF COMMISSION

KENNETH N. SCHENCK, JR.
TOWN MANAGER



COMMISSIONERS
GAIL ADAMS AASKOV
DR. LYNN L. ALLISON
JAMES A. BONFIGLIO
RICHARD J. LUCIBELLA

Activity 510 Floodplain Management Plan Annual Progress Report for the Town of Ocean Ridge, Florida August 2014

The purpose of this report is to explain the progress that occurred this past fiscal year (2013-2014) in implementing the Town's Stormwater Drainage Plan and what improvements are planned for fiscal year 2014-2015. The Town Manager, Ken Schenck, Town's consulting engineer, Engenuity Group, Inc. and the Town's NFIP Coordinator, Lisa Burns, prepared this report. The report briefly reviews the enforcement and maintenance of the Flood Damage Prevention Ordinance, Stormwater Management Plan, and Drainage System Maintenance Standard Operating Procedure.

The Town of Ocean Ridge is a small coastal community in Palm Beach County. The Town adopted the Countywide Local Mitigation Strategy (LMS) with Palm Beach County and in 1993 adopted its own Flood Damage Prevention Ordinance. The Town's goals have been to educate the residents to become aware of flood warnings, to be more aware of flood safety procedures, enhance flood insurance awareness, and to mitigate drainage issues within the Town.

The Town is an active participant in the County Wide Community Rating System (CRS) and attends monthly meetings. Ocean Ridge continues to update the flood information section on their website, in their newsletters, as well as provide literature at Town Hall. The Town of Ocean Ridge has been verified as a Class 7 rating in the National Flood Insurance Program's (NFIP) Community Rating System (CRS) as of May 2009 (a positive increase in rating from previous Class 8). NFIP policies issued or renewed for properties in the Special Flood Hazard Areas (SFHAs) will receive a 15% premium discount.

Copies of the Town's Stormwater Drainage Plan and previous annual progress reports can be found at Town Hall. The report for 2013-14 will be made available at Town Hall, published on the Town's website www.oceanridgeflorida.com,

released to local press, and in the Ocean Ridge Tidings email newsletter. In addition, Palm Beach County is responsible for notification of the LMS to the public and media.

Previous projects included drainage improvements on Oceanview/Douglas Drive areas, west end of Coconut Lane and the cul-de-sac on Bonito Drive have been completed. Projects to be undertaken in 2014/15 include the Eleuthera Drive and Thompson Street drainage improvements, and some various smaller projects throughout town.

All catchment grills, basins, outfalls, pipes, swales, ditches and the pump station within the Town are thoroughly inspected quarterly by Engenuity Group, Inc. or by the town's staff and is recorded in the Ocean Ridge NPDES Inspections booklet. The Town's Public Works Department conducts daily visual checks of catchment grates, swales, ditches, and the two pump stations during their rounds. The Town Hall notifies the Police Department (as needed), Public Works Department and Town Engineer (as needed) when residents notify the Town of any drainage, illicit discharge, and dumping issues. If any action is required, the Town Manager, Public Works Department, and/or the Police Department will inspect, coordinate with the Town Engineer and results annotated on the Drainage System Maintenance Log and recorded by the NFIP/CRS Coordinator. Other inspections and maintenance (NPDES, etc.) logs are kept on file with the Town Engineer.

Street sweeping is conducted quarterly by a contractor. The contractor sweeps a total of 18 curb miles of the total right-of-way (9 miles on each side) and removes an estimated 6 cubic yards of debris each quarter. This is disposed of in the designated Town dumpster which is located behind the Public Works facility. The storm drains are cleaned out annually.

Approximately 63,360 linear feet of swales/ditches are inspected and maintained.

At the end of the calendar year, an annual National Pollutant Discharge Elimination System (NPDES) report is submitted to the Florida Department of Environmental Protection.

On behalf of the Town, Engenuity Group, Inc. continues to review new construction permit applications for compliance with Town ordinances for drainage, swale construction, and finish floor elevations. Projects increasing their impervious area by over 10 percent are also reviewed to meet the code. The Town's Building Official, Hy-Byrd, Inc., also continues to enforce the requirements of our Flood Damage Prevention Ordinance including freeboard of one foot above base elevation.

This report was presented to the Town Commission at the August 2014 Regular Town Commission Meeting. Copies of this report were made available to the public and the media.

NFIP/CRS Activities
 Town of Ocean Ridge
 6450 N. Ocean Blvd. * Ocean Ridge, FL 33435
 561-732-2635

Activity 510: Floodplain Management Plan and Activity 540: Drainage Maintenance System Problem Areas

Problem Site	Drainage Issue	Recommended Measures
<ul style="list-style-type: none"> • South Phase Project • Douglas Drive • Oceanview Drive • Tropical Drive • Hersey Drive • Sailfish Lane • Fayette Drive • Osprey Drive • Dolphin Bend • Dolphin Drive • Beachway Drive • Beachway North • Osprey Court • David Lane • Adams Road 	<ul style="list-style-type: none"> • Road flooding • Property damage • Access issues • Safety issues • Deteriorated piping • Undersized piping • No pretreatment • Basin lower than surrounding perimeter roads • Groundwater intrusion • Tidal influences • Limited/no swales • Deteriorated roads 	<ul style="list-style-type: none"> • South Phase Project construction completed in 2007. • Continue to monitor pumping stations located on Tropical Drive and Woolbright Road. • Provided a permanent location for the Tropical Drive Pump Station generator. • Continue with swale implementation whenever applicable. • Douglas Drive, Oceanview Drive, & Spanish River Drive mitigation completed in 2010.

Problem Site	Problem	Action
Harbour Drive South	<ul style="list-style-type: none"> • Standing water in roadway • Tidal issues • Deterioration of drainage pipes 	<ul style="list-style-type: none"> • Replaced several catch basins and pipes within right-of-way in 2007. • Red valve installed in 2008-09.
Harbour Drive North	<ul style="list-style-type: none"> • Standing water in roadway • Tidal issues • Deterioration of drainage pipes 	<ul style="list-style-type: none"> • Cleaned and evaluated the pipe. • Pipe replaced in 2008-09. • Red valve installed in 2008-09.
Hudson Avenue	<ul style="list-style-type: none"> • Road flooding • Property damage • Road integrity diminished due to continued saturation of road 	<ul style="list-style-type: none"> • Constructed a new elevated road • New drainage system constructed 2005/2006 • Continue to monitor performance of improvements.
Coconut Lane	<ul style="list-style-type: none"> • Road flooding • Property damage • Low lying road and homes • Tidal issues • Cul-de-sac flooding • Access issues • Outfall issues 	<ul style="list-style-type: none"> • Rehabilitated curbing and drainage – completed 2007 • Pumping Station design complete. Permit issued. • West end of Coconut Lane construction completed in 2013.

Problem Site	Drainage Problem	Mitigation
Town Hall	<ul style="list-style-type: none"> • Drainage near jurisdictional wetlands 	<ul style="list-style-type: none"> • Monitor site for any adverse encroachments. • Construction completed Fall 2008.
Spanish River Drive	<ul style="list-style-type: none"> • Road flooding during high tide • Deteriorating pipes • Outfall issues • Limited swales • Collapsed outfall pipe 	<ul style="list-style-type: none"> • Replace road piping and catch basins. • Replace red valve to address tidal issues. • Install additional valley gutter for better flow of drainage. Construction completed August 2008. • Additional Spanish River Drive mitigation completed in 2010.
Eleuthera Drive	<ul style="list-style-type: none"> • Outfall pipe deterioration • Roadway pipe deterioration • Catch basins undersized 	<ul style="list-style-type: none"> • Replace outfall pipe. • Replace red valve. • Replace road piping and catch basins. • Construction completed August 2008.
Bimini Cove Drive	<ul style="list-style-type: none"> • Outfall pipe deterioration • Roadway pipe deterioration • Catch basins undersized 	<ul style="list-style-type: none"> • Replace outfall pipe. • Replace red valve. • Replace road piping and catch basins. • Construction completed August 2008.

Problem Site	Drainage Problem	Maintenance/Work
State Road A1A – North Ocean Blvd. (FDOT Road)	<ul style="list-style-type: none"> • Periodic road flooding • Property damage • Access issues • Safety issues • Limited/No swales • Obstructions in right-of-way • Unswaled driveways • Non conforming driveways 	<ul style="list-style-type: none"> • FDOT completed improvements – FEB 2008. • Continue coordination with FDOT on performance of improvements.
Bonito Drive (cul-de-sac)	<ul style="list-style-type: none"> • Road flooding during heavy rains and high tide 	<ul style="list-style-type: none"> • Cul-de-sac drainage improvements completed in 2013.
Inlet Cay (cul-de-sac)	<ul style="list-style-type: none"> • Constant flooding and poor drainage 	<ul style="list-style-type: none"> • Repair began in 2013 on three roads and has been completed.
Thompson Street	<ul style="list-style-type: none"> • Drainage and flooding problems 	<ul style="list-style-type: none"> • Repairs began February 2014 and has been completed.
Bimini Cove Drive	<ul style="list-style-type: none"> • Valve of discharge pipe malfunctioning 	<ul style="list-style-type: none"> • Contractor has inserted a sealer to correct a break in line in May 2014
Miscellaneous Projects Throughout Town	<ul style="list-style-type: none"> • Minor flooding and lack of drainage 	<ul style="list-style-type: none"> • Repairs scheduled to begin in 2014/15.

<i>Eleuthera Drive</i>	<ul style="list-style-type: none"> • <i>Flooding and high ground water in cul-de-sac</i> 	<ul style="list-style-type: none"> • <i>Raise the road to eliminate flooding. Projected will begin August 2014.</i>
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Rev. 07/14 KNS/lab

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OCEAN RIDGE, FLORIDA 33435

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PROCLAMATION BY THE TOWN OF OCEAN RIDGE
DECLARING AUGUST AS FLORIDA WATER PROFESSIONALS MONTH

WHEREAS, the Florida Water and Pollution Control Operators Association, organized in 1941, is a non-profit trade organization that promotes the sustainability of Florida's water utility industry through workforce development, to protect the health of Florida's citizens and to preserve the state's water resources; and

WHEREAS, this organization offers water and wastewater treatment plant operator and water distribution system operator training courses required for the state of Florida's operator licenses, eight voluntary certification programs, and continuing education programs for operator license renewal; and

WHEREAS, this organization, in recognizing the importance of the Florida Statutes and Administrative Code that regulate the water industry, acts as liaison between the Florida Department of Environmental Protection and industry personnel; and

WHEREAS, the Florida Water & Pollution Control Operators Association recognizes all those who have played a significant part in operating and maintaining drinking water, wastewater, and stormwater systems in Florida by celebrating *Florida Water Professionals Month*, which applauds their constant efforts to protect our health and environment.

NOW, THEREFORE, I, Geoffrey Pugh, Mayor of the Town of Ocean Ridge, do hereby extend greetings and best wishes to all observing August 2014, as

"FLORIDA WATER PROFESSIONALS MONTH"

(SEAL)

Mayor

Town Clerk

Memorandum

Date: August 4, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Town Update August, 2014

I am providing you with brief updates on some of the Town's continuing projects and events.

Inlet Cay Island

The red valve replacement for the Bimini Cove Dr Drainage pipe has been ordered and should be installed in early August.

Repaving of Eleuthera Dr. started August 4th and should take about two months to complete.

FEMA Flood Maps

FEMA has accepted our map revisions and will include the revisions in their evaluations. This should lower the flood insurance for some properties. However, since they're revising the overall rates it's impossible to tell what the final results will be. The new FEMA maps are expected by the end of the summer.

Old Ocean Blvd. Right of Way

We've received the signed documents and have forwarded them to the attorney for finalization and recording with the County.

Beach Crossovers

The proposed ordinance will be on the August agenda.

Town Hall Utility and Access Easement

Mr. Swaim is still working with the regulatory agencies.

PBA Contract Negotiations

Staff met the PBA and local representatives again on July 31st and presented our latest proposal. The PBA has a counter proposal and will be submitting it to us shortly.

Calendar of Events

Commission Budget Workshop-----August 11, 2014 @ 5:00 PM

Commission Meeting-----August 11, 2014 @ 6:00 PM

cc: Chris Yannuzzi, Police Chief
Karen Hancsak, Town Clerk
Town Employees

Agenda: Aug 11, 2014

Memo: Item # 9

**Town of Ocean Ridge, Florida
Agenda Memorandum
Office of Police Chief Christopher T. Yannuzzi**

- Subject:**
- 1. Monthly Activity Report (June 2014)**
 - 2. Monthly Boynton Beach Fire/EMS Activity Report**
 - 3. Personnel Update: Officer & Dispatcher Applicants**
 - 4. Grant and PBC 9-1-1 reimbursements:**
 - a. Electronic filing was completed for the \$1,000 Byrne Grant reimbursement toward the purchase of the new RadarSign.**
 - b. Electronic filing was completed for \$897.75 from the DOJ BJA's for 50% reimbursement for body armor. This brings the total to \$1,795.50 this year.**
 - c. 2nd Quarter reimbursement was submitted to Palm Beach County 9-1-1 for \$3, 577.09. This would be in addition to the 1st Quarter submission for \$5,042.42 that we have yet to receive.**
 - 5. 2014 Semi-Annual (January-June) Uniform Crime Report results.**
 - 6. "9/11 Remembrance Ceremony": The annual Palm Beach County ceremony will be held on Thursday, September 11th, 2014 at 7:00 PM at Christ Fellowship Church, 5343 Northlake Blvd., Palm Beach Gardens. This is a non-denominational event.**

Mayor and Town Commissioners:

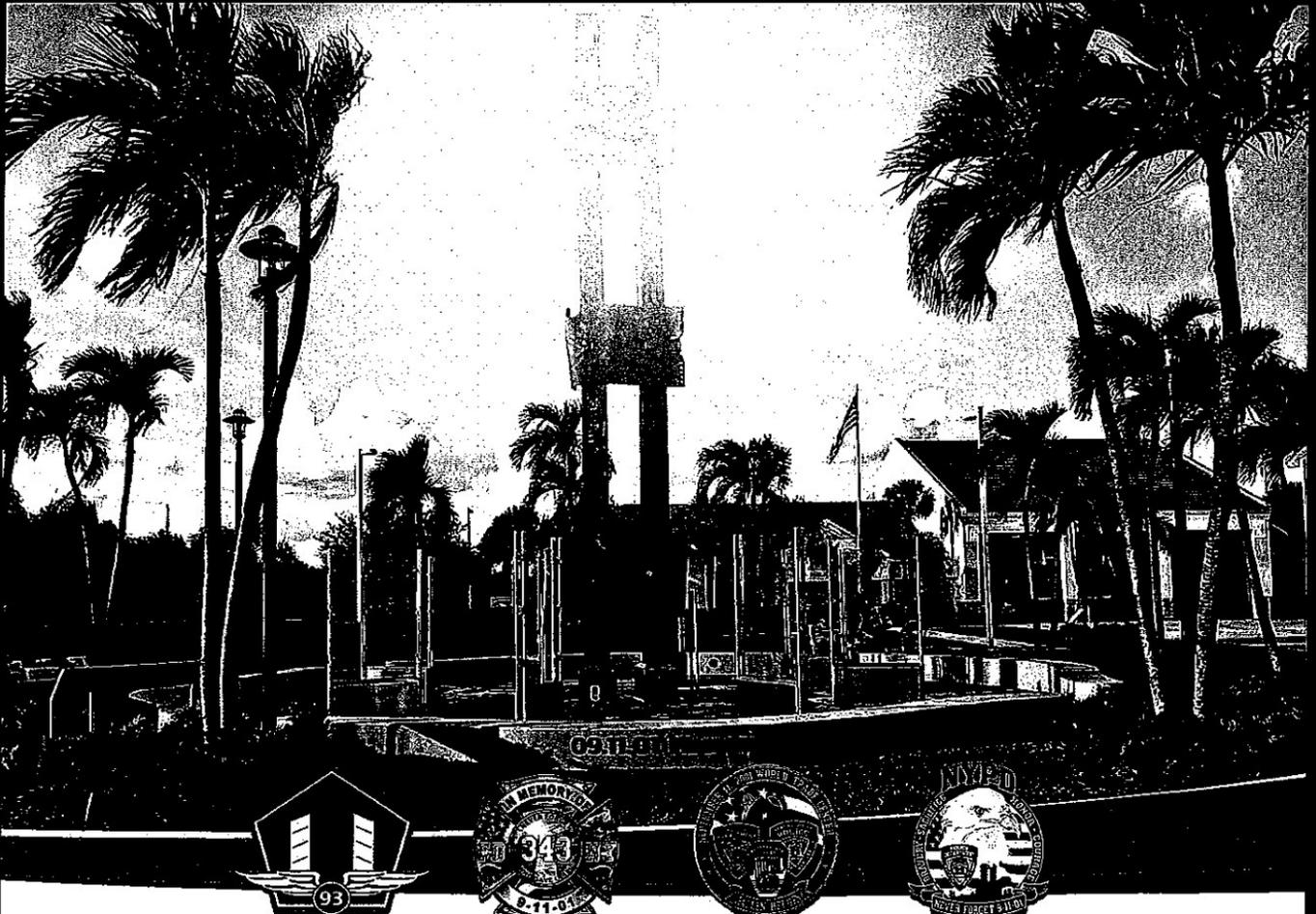
Attached please find the June 2014 Monthly Activity Report and the monthly Boynton Beach Fire/EMS Activity Report. (Both of these reports also located on the website under Police/Monthly Reports)

Verbal update regarding the efforts to fill vacant positions.

I'm available to answer any questions either prior to or at the meeting.

CITY OF PALM BEACH GARDENS

9/11 Remembrance Ceremony



A gathering to share in the remembrance of the families, first responders, police, firefighters, and emergency medical personnel who lost their lives on that fateful day.

Remembrance Ceremony
Thursday, September 11, 2014
7:00PM

Christ Fellowship Church
5343 Northlake Boulevard

Following the Remembrance Ceremony and just a short walk away

Personal Reflection
9/11 Memorial Site
5161 Northlake Boulevard

Special Thanks to:





JUL 21 2014

Florida Department of Law Enforcement

Gerald M. Bailey
Commissioner

Criminal Justice Information Services
Post Office Box 1489
Tallahassee, Florida 32302-1489
(850) 410-7100
www.fdle.state.fl.us

Rick Scott, Governor
Pam Bondi, Attorney General
Jeff Atwater, Chief Financial Officer
Adam Putnam, Commissioner of Agriculture

MEMORANDUM

TO: Chief Christopher T. Yannuzzi
FROM: The Uniform Crime Reporting (UCR) Program
SUBJECT: Verification Letter

The enclosed Uniform Crime Reports information was provided by your UCR Coordinator and accepted by the FDLE UCR Program. The attached report contains the figures that will be used to compile both the Florida Department of Law Enforcement's and the Federal Bureau of Investigation's UCR Semi-annual Report for 2014.

The Crime in Florida Report and the UCR checklists have been provided to make you aware of how your agency's 2014 Semi-annual figures relate to your 2013 Semi-annual figures. Review the information from the current cycle and how it relates to the previous year's. Please note that the areas identified on the UCR checklists do not reflect an error on your agency's part, but we ask that you review these areas to ensure that the figures are accurate. **Certify the validation of your agency's data by checking the appropriate statement on the verification letter. You must also sign and date both the verification letter and the UCR checklists before returning them to the UCR Program.** If you believe that the 2014 Semi-annual figures are not accurate, please ensure that you provide the adjusted information with your reply. Note that you cannot adjust the 2013 Semi-annual data.

Please verify the information immediately upon receipt of this notification and provide a response, within five days, by returning this sheet and the UCR checklists to the number or email address provided below.

THE INFORMATION CONTAINED IN THE REPORT IS VALID.

THE INFORMATION CONTAINED IN THE REPORT IS NOT VALID AND CORRECTED DATA IS PROVIDED.

[Handwritten Signature]
Signature of **Chief Christopher T. Yannuzzi** #515 Date **7/24/14**

Ocean Ridge Police Department – FL0502400

PLEASE FAX YOUR RESPONSE TO 850-410-7124, OR EMAIL TO DAVIDKENNEDY@FDLE.STATE.FL.US

Service • Integrity • Respect • Quality

UNIFORM CRIME REPORT CHECKLIST – 2014 SEMI-ANNUAL SUBMISSION

JUL 21 2014

Ocean Ridge Police Department – FL0502400

<input type="checkbox"/> No comparative data for 2013	<input checked="" type="checkbox"/> No LEOKA supplemental data (Semi-annual submission should include supplements for January – June)
<input type="checkbox"/> LEOKA supplemental data provided	<input type="checkbox"/> No arrest data provided
<input checked="" type="checkbox"/> Clearances reflect a change of 10% or greater. 2013SA: 18.5% 2014SA: 9.1% % Change: -50.0%	

The categories indicated below reflected a significant (10% or greater) change from the previous year.

OFFENSES			
No categories reflected a 10%, or greater, increase / decrease.			
Category	2013SA	2014SA	% Change
Murder	0	0	-
Forcible Rape	0	0	-
Forcible Fondling	0	0	-
Robbery	0	0	-
Aggravated Assault	2	0	-100.0%
Burglary	7	2	-71.4%
Pocket Picking	0	0	-
Purse Snatching	0	0	-
Shoplifting	0	0	-
From Motor Vehicle	8	5	-37.5%
Motor Vehicle Parts	0	0	-
Bicycles	2	1	-50.0%
From Building	0	0	-
From Coin	0	0	-
Operated Devices	0	0	-
All Other	7	12	71.4%
Motor Vehicle Theft	1	2	100.0%
Total Index	27	22	-18.5%
Arson	0	0	-
Simple Assault	1	2	100.0%

STOLEN PROPERTY			
No categories reflected a 10%, or greater, increase / decrease.			
Category	2013SA	2014SA	% Change
Currency, Note, etc.	1027	4209	309.8%
Jewelry, Precious Metals	13025	19100	46.6%
Clothing & Furs	2275	365	-84.0%
Motor Vehicles	11000	10000	-9.1%
Office Equipment	880	3800	331.8%
TVs, Radios, Stereos	1937	650	-66.4%
Firearms	525	0	-100.0%
Household Goods	3980	800	-79.9%
Consumable Goods	0	120	-
Livestock	0	0	-
Miscellaneous	11621	3267	-71.9%

VEHICLE RECOVERIES			
No categories reflected a 10%, or greater, increase / decrease.			
Category	2013SA	2014SA	% Change
Stolen Locally & Recovered Locally	0	0	-
Stolen Locally & Recovered Other Jurisdiction	1	2	100.0%
Stolen Other Jurisdiction & Recovered Locally	1	0	-100.0%

RECOVERED PROPERTY			
No categories reflected a 10%, or greater, increase / decrease.			
Category	2013SA	2014SA	% Change
Currency, Note, etc	0	0	-
Jewelry, Precious Metals	0	0	-
Clothing & Furs	130	0	-100.0%
Motor Vehicles	11000	10000	-9.1%
Office Equipment	0	0	-
TVs, Radios, Stereos	600	0	-100.0%
Firearms	0	0	-
Household Goods	0	0	-
Consumable Goods	0	0	-
Livestock	0	0	-
Miscellaneous	1100	1300	18.2%

Signature of Christopher T. Yannuzzi Date 7/24/14

PLEASE SIGN AND FAX THIS CHECKLIST TO 850-410-7124 OR EMAIL TO DAVIDKENNEDY@FDLE.STATE.FL.US.

UNIFORM CRIME REPORT CHECKLIST – 2014 SEMI-ANNUAL SUBMISSION

Ocean Ridge Police Department – FL0502400

JUL 21 2014

The categories indicated below reflected a significant (10% or greater) change from the previous year.

DOMESTIC RELATED OFFENSES

___ No categories reflected a 10%, or greater, increase / decrease.

Category	2013SA	2014SA	% Change	Category	2013SA	2014SA	% Change
Murder	0	0	-	Aggravated Stalking	0	0	-
Manslaughter	0	0	-	Simple Assault	1	0	-100.0%
Forcible Rape	0	0	-	Threat / Intimidation	0	0	-
Forcible Fondling	0	0	-	Simple Stalking	0	0	-
Aggravated Assault	1	0	-100.0%	Total Domestic Violence	2	0	-100.0%

ARRESTS

___ No categories reflected a 10%, or greater, increase / decrease.

Category	2013SA	2014SA	% Change	Category	2013SA	2014SA	% Change
Murder	0	0	-	Extortion / Blackmail	0	0	-
Forcible Rape	0	0	-	Intimidation	0	0	-
Forcible Fondling	0	0	-	Prostitution / Commercialized Sex	0	0	-
Robbery	0	0	-	Non-forcible Sex Offenses	0	0	-
Aggravated Assault	1	0	-100.0%	Stolen Property Buy / Rec / Possess	0	0	-
Burglary	2	0	-100.0%	DUI	0	0	-
Larceny	0	0	-	Destruction / Damage / Vandalism	0	0	-
Motor Vehicle Theft	0	0	-	Gambling	0	0	-
TOTAL INDEX	3	0	-100.0%	Weapons Violations	0	0	-
Manslaughter	0	0	-	Liquor Law Violations	0	0	-
Kidnap / Abduction	0	0	-	Miscellaneous	20	17	-15.0%
Arson	0	0	-	TOTAL PART II	24	19	-20.8%
Simple Assault	2	1	-50.0%	TOTAL	27	19	-29.6%
Drug Arrests	0	1	-				
Bribery	0	0	-				
Embezzlement	0	0	-				
Fraud	2	0	-100.0%				
Counterfeit / Forgery	0	0	-				


 Signature of **Chief Christopher T. Yannuzzi**

 Date

PLEASE SIGN AND FAX THIS CHECKLIST TO 850-410-7124 OR EMAIL TO DAVIDKENNEDY@FDLE.STATE.FL.US.



CRIME IN FLORIDA

Ocean Ridge PD January - June 2014



Florida Department of
Law Enforcement

The activities presented in this release are a preliminary indication of crime and criminal activities known to, and reported by, law enforcement agencies for the first half of 2014. This report reflects data residing in the UCR database as of 07/17/2014.

Offense Totals

INDEX OFFENSES	2013	2014	Percent Change
Murder	0	0	
Firearm	0	0	
Knife/Cutting Instr.	0	0	
Hands/Fists/Feet	0	0	
Other	0	0	
Forcible Sex Offenses	0	0	
Forcible Rape	0	0	
Firearm	0	0	
Knife/Cutting Instr.	0	0	
Hands/Fists/Feet	0	0	
Other	0	0	
Forcible Sodomy	0	0	
Firearm	0	0	
Knife/Cutting Instr.	0	0	
Hands/Fists/Feet	0	0	
Other	0	0	
Forcible Fondling	0	0	
Firearm	0	0	
Knife/Cutting Instr.	0	0	
Hands/Fists/Feet	0	0	
Other	0	0	
Robbery	0	0	
Firearm	0	0	
Knife/Cutting Instr.	0	0	
Hands/Fists/Feet	0	0	
Other	0	0	
Aggravated Assault	2	0	
Firearm	0	0	
Knife/Cutting Instr.	0	0	
Hands/Fists/Feet	2	0	
Other	0	0	
Burglary	7	2	-71.4
Forced Entry	3	1	-66.7
No Forced Entry	4	0	
Attempted Entry	0	1	
Larceny	17	18	5.9
Pocket Picking	0	0	
Purse Snatching	0	0	
Shoplifting	0	0	
From Motor Vehicle	8	5	-37.5
Motor Vehicle Parts	0	0	
Bicycles	2	1	-50.0
From Building	0	0	
From Coin Oper. Dev.	0	0	
All Other	7	12	71.4
Motor Vehicle Theft	1	2	100.0
TOTAL INDEX OFFENSES	27	22	-18.5

Crime Volume

Total Index	22
Total Violent	0
Total Nonviolent	22

Property Values

Total Stolen	\$ 42,311
Total Recovered	\$ 11,300

Arrest Data

Total	19
Adult	19
Juvenile	0
Male	14
Female	5

Domestic Violence by Offense Type

PRIMARY OFFENSE	2013	2014	Percent Change
Murder	0	0	
Manslaughter	0	0	
Forcible Rape	0	0	
Forcible Sodomy	0	0	
Forcible Fondling	0	0	
Aggravated Assault	1	0	
Aggravated Stalking	0	0	
Simple Assault	1	0	
Threat/Intimidation	0	0	
Simple Stalking	0	0	
TOTAL	2	0	

PROPERTY INFORMATION VALUES

TYPE PROPERTY	STOLEN VALUE	RECOVERED VALUE
Currency, Note, Etc.	4,209	0
Jewelry, Precious Metals	19,100	0
Clothing & Furs	365	0
Motor Vehicles	10,000	10,000
Office Equipment	3,800	0
TVs, Radios, Stereos	650	0
Firearms	0	0
Household Goods	800	0
Consumable Goods	120	0
Livestock	0	0
Miscellaneous	3,267	1,300
TOTAL VALUES	42,311	11,300

CRIME IN FLORIDA

Ocean Ridge PD

January - June 2014

Crime Trends

	Index Total Crimes	% CH	Violent Crimes	% CH	Nonviolent Crime	% CH
2010	29	11.5	0		29	20.8
2011	15	-48.3	1		14	-51.7
2012	34	126.7	0		34	142.9
2013	27	-20.6	2		25	-26.5
2014	22	-18.5	0		22	-12.0

Domestic Violence

by Offense Type to Victim's Relationship to Offender

OFFENSES	Total	RELATIONSHIP VICTIM TO OFFENDER							Arrests
		Spouse	Parent	Child	Sibling	Other Family	Cohabitant	Other	
Murder	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0	0	0	0
Forcible Sodomy	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Aggravated Stalking	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Threat/Intimidation	0	0	0	0	0	0	0	0	0
Simple Stalking	0	0	0	0	0	0	0	0	0
TOTAL OFFENSES	0	0	0	0	0	0	0	0	0

ARSON				VEHICLE RECOVERY	
STRUCTURE	TOTAL INHABITED	TOTAL ABANDONED	ATTEMPTED		Number
Single Occupied Residence	0	0	0	Stolen Locally and Recovered Locally	0
Other Residence	0	0	0		
Storage	0	0	0	Stolen Locally and Recovered By Other Jurisdictions	2
Industrial/Manufacturing	0	0	0		
Commercial	0	0	0		
Community/Public	0	0	0		
All Other Structures	0	0	0	Stolen Other Jurisdictions and Recovered Locally	0
Motor Vehicles	0	0	0		
Other Mobile	0	0	0		
Other	0	0	0		
TOTALS	0	0	0		

Memorandum

Date: July 31, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Authorization to Hire a Police Dispatcher

Attached is a memo from Chief Yannuzzi requesting authorization to hire a police dispatcher, Ms. Courtney Hammond. As we are short this position we would like to fill the vacancy as soon as possible. We would like to hire her effective August 12, 2014 with your approval.

I concur with his proposal and request your approval to do so. Thank you.

**Ocean Ridge Police Department
Inter-Office Memo**

To: Town Manager Kenneth N. Schenck, Jr.

From: Chief of Police Christopher T. Yannuzzi



Date: July 30, 2014

Subject: Hiring of a Police Dispatcher/Clerk

The Background Investigation of Police Dispatcher/Clerk applicant Courtney Hammond is nearly completed. Although she has no Dispatch experience, she is bi-lingual (Spanish and English) and has an Associate & a Bachelor degree in Criminal Justice.

Since she is inexperienced and not certified, she is prepared to accept the position at a starting salary of \$34,112; which is 5% lower than advertised.

Under the new State-mandated certification requirements to be a 9-1-1 Public Safety Telecommunicator (PST), Ms. Hammond must attend a minimum of 232-hours of training within her first year of employment. Since the Ocean Ridge Police Department has received certification from the FL Department of Health as a training facility, all of this training will be done in-house; thereby avoiding the need & expense of sending her to Palm Beach State College.

The position is fully budgeted for FY 2013/2014; so there are adequate funds to cover this appointment.

Therefore, since her background is complete, I would request your approval to hire Courtney Hammond; and that the matter be placed on the Agenda for final consideration for confirmation by the Town Commission on August 11, 2014. If approved, I am requesting she be hired effective Tuesday, August 12, 2014.

Memorandum

Date: July 31, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Authorization to Hire a Police Dispatcher

Attached is a memo from Chief Yannuzzi requesting authorization to hire a police dispatcher. The hiring would be temporary with the formal approval at the September meeting. As we are short this position we would like to fill the vacancy as soon as possible. The hiring would only occur if all of the background checks are positive, which it appears they will be.

I concur with his proposal and request your approval to do so. Thank you.

**Ocean Ridge Police Department
Inter-Office Memo**

To: Town Manager Kenneth N. Schenck, Jr.
From: Chief of Police Christopher T. Yannuzzi 
Date: July 31, 2014
Subject: Advanced Authorization to Hire a Police Dispatcher/Clerk

As I previously reported to you and the Town Commission, efforts have been underway to fill two Dispatcher/Clerk vacancies. One potential candidate is already on the August 11, 2014 Agenda. However, background investigations are still ongoing for the filling of the second position.

Unfortunately, this second candidate will not be ready for a recommendation to the Town Commission on August 11, 2014. However, since time is of the essence, should the applicant reach a point where he or she can be hired, I would request that we not wait until the September 9, 2014 meeting. Therefore, I am seeking authorization thru you and the Town Commission to hire a Dispatcher/Clerk beforehand, and have their employment reviewed for confirmation by the Town Commission in September. At this point, it would appear the candidate would be temporarily hired on or about August 18, 2014.

The current situation has resulted in providing coverage via creative scheduling. ORPD Police Officers have received Dispatch training and many have volunteered or been assigned to cover vacant shifts. In addition, the 4 remaining Dispatchers have filled in as needed. As a result, the duties and responsibilities are being covered, albeit some via the use of overtime, and there has been no negative impact in terms of Dispatch service to the public.

Thank you for your consideration.

Memorandum

Date: July 31, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Authorization to Hire a Police Officer

Attached is a memo from Chief Yannuzzi requesting authorization to hire a police officer. The hiring would be temporary with the formal approval at the September meeting. As we are short this position we would like to fill the vacancy as soon as possible. The hiring would only occur if all of the background checks are positive, which it appears they will be.

I concur with his proposal and request your approval to do so. Thank you.

**Ocean Ridge Police Department
Inter-Office Memo**

To: Town Manager Kenneth N. Schenck, Jr.
From: Chief of Police Christopher T. Yannuzzi 
Date: July 31, 2014
Subject: Advanced Authorization to Hire a Police Officer

As I previously reported to you and the Town Commission, efforts have been underway to fill a Police Officer vacancy.

Unfortunately, a specific candidate will not be ready for recommendation to the Town Commission on August 11, 2014. However, since time is of the essence, should an applicant reach a point where he can be hired, I would request that we not wait until the September 9, 2014 meeting. Therefore, I am seeking authorization thru you and the Town Commission to hire a Police Officer beforehand, and have his employment reviewed for confirmation by the Town Commission in September. At this point, it would appear the candidate would be temporarily hired on or about August 18, 2014.

Both of the candidates currently in background have extensive Florida law enforcement experience; which should expedite their Field Training.

Thank you for your consideration.

Memorandum

Date: July 28, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Clarke Contract Renewal for Noseeums

The contract with Clarke Environmental for noseem spraying expires on September 30, 2014. Enclosed is a renewal contract to go from Oct.1, 2014 through September 30, 2015.

We have added several areas and homes over the past two years without a corresponding rate increase. They finally caught up to us. The increase is about 16% due mainly to the increased areas being sprayed. The cost is \$49,972.

I have checked with two other companies that claim to have this type of experience. One is Fleming Environmental Services. They have the experience but have indicated that they can't meet Clarke's bid price. The other is Envirosapes Plus, Inc. Their price was lower than Clarke but after talking to the other companies I have serious concerns that they can do the job for the quoted price. Also the chemicals they propose to use have me concerned. Additionally the only one with noseem experience in the company used to work for Clarke as a sprayer. There are no licensed sprayers in the company for this type of work nor is the company licensed for this type of work.

As neither of these companies have acceptable proposals and I am not aware of any other company that sprays for noseeums staff recommends approval of the contract for next year with Clarke Environmental for \$49,972. A copy of the contract is attached.



**Clarke Environmental Mosquito Management, Inc.
Professional Services Outline For
The 2014-2015 Town of Ocean Ridge
Environmental Mosquito Management (EMM) Program**

Part I. General Service

- A. Computer System and Record Keeping Database
- B. Comprehensive Insurance Coverage naming Town of Ocean Ridge
- C. Program Consulting and Quality Control Staff
- D. Regulatory compliance on local, state, and federal levels

Part II. Adult Surveillance

- A. The contractor shall provide either a landing count or light trap each week within the twelve months of treatments. The results will indicate whether or not a treatment is necessary.

Part III. Adult Control

- B. Treatments will be scheduled weekly throughout the year. Treatments will be performed on either Thursday or Friday (weather permitting). Adulticiding in mosquito/no-see-urn harborage areas:
 1. Fifty-two (52) backpack barrier treatments will be performed within known spray areas (map attached), up to 6.1 miles of the Town to reduce re-infestation. A natural pyrethrin pesticide in conjunction with a registered insecticide for residual control (Flit) will be used. The pricing for authorized treatments beyond the core program will be **\$961.00** per treatment.

*Additional area can be added (If both contractor and the Town of Ocean Ridge agree) at \$165.00/linear mile per treatment.

** Pelican cove is treated every other week

2014-2015 EMM Payment Total Cost for parts I, II & III..... \$49,972.00



**Clarke Environmental Mosquito Management, Inc.
 Client Agreement and Authorization
 The 2014 - 2015 *Town of Ocean Ridge*
 Environmental Mosquito Management (EMM) Program**

- I. Program Payment Plan: For Parts I, II & III as specified in the Professional Services Cost Outline, the total for the 2014 - 2015 program is \$49,972. The payments will be due on the dates according to the payment schedule below. Any additional treatments beyond the core program will be invoiced when the treatment is completed.
- II. Any additional treatments that are requested by the *Town of Ocean Ridge* beyond the core program will be invoiced when the treatment is completed at \$961.00 per treatment.

PROGRAM PAYMENT PLAN

Month	2014/2015	Month	2014/2015
October 1, 2014	\$4,164.33	April 1, 2015	\$4,164.33
November 1, 2014	\$4,164.33	May 1, 2015	\$4,164.33
December 1, 2014	\$4,164.33	June 1, 2015	\$4,164.33
January 1, 2015	\$4,164.33	July 1, 2015	\$4,164.33
February 1, 2015	\$4,164.33	August 1, 2015	\$4,164.33
March 1, 2015	\$4,164.33	September 1, 2015	\$4,164.33
		TOTAL	\$49,972.00

- III. **Approved Contract Period and Agreement:**
 Please check one of the following contract periods:

2014 thru 2015 Season

(New areas to be covered in 2014 - 2015 will be pro-rated to the program cost at the rates in effect at the time.)

For Town of Ocean Ridge:

Sign Name: _____ Title: _____ Date: _____

For Clarke Environmental Mosquito Management, Inc.:

Name: Victoria von Ammon Title: Control Consultant Date: 6-13-14



2014-15 Town of Ocean Ridge

Clarke Environmental Mosquito Management, Inc.
Client Authorization
Town of Ocean Ridge
Environmental Mosquito Management (EMM) Program

Administrative Information:

Invoices should be sent to:

Name: _____

Address: _____

City: _____ State: _____ Zip _____

Office Phone: _____ Fax: _____ P.O. # _____

Accounts Payable E-Mail : _____

****In an effort to be more sustainable, we ask that you provide us with an e-mail address that the invoices should be sent to.****

Treatment Address (if different from above):

Address: _____

City: _____ State: _____ Zip _____

Contact Person for Town of Ocean Ridge:

Name: _____ Title: _____

Office Phone: _____ Fax: _____ E-Mail: _____

Home Phone: _____ Cell: _____ Pager: _____

Alternate Contact Person for Town of Ocean Ridge:

Name: _____ Title: _____

Office Phone: _____ Fax: _____ E-Mail: _____

Home Phone: _____ Cell: _____ Pager: _____

Please sign and scan and email, or return a copy of the complete contract for our files to:

Clarke Environmental Mosquito Management, Inc., Attn: Crystal Challacombe: cchallacombe@clarke.com

3036 Michigan Avenue, Kissimmee, FL 34744; Fax number 407-944-0709

Memorandum

Date: July 31, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Thompson RW Clearing

Mr. William Swaim is looking to purchase the area from north of the Thompson St. easement to the Corrine St. nature trail walkway. In order to do so they need to survey the area. Because of the overgrown southern border and southwest corner the surveyor can't get in there. He is asking permission to clear the 20 foot easement we have along the south border to the southwest corner of the property. There are no mangroves in the area and most of the vegetation is Brazilian Pepper trees. Only exotic vegetation will be removed. The Town doesn't use this r/w so the clearing will not have an adverse impact on the Town. As the ultimate goal is to construct homes in the area the long term development will be a benefit to the Town. Attached are two aerials showing the Town's r/w in the Thompson St. extension. The 2007 aerial shows the area relatively clear and the present aerial shows how it has grown over.

As there is no adverse impact on the Town and hopefully there will be long term benefits I recommend we allow Mr. Swaim to remove the exotic vegetation in order to survey the property.

2007



Approximate Mangrove Line

20' Road Right of Way Thompson Street

No clearing in any mangrove area, only exotic removal

02/20/2007



20' by 360'
Clearing area of
exotic vegetation
only

07/01/2005

Memorandum

Date: August 6, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Approval of Health Insurance Plan

Attached is the proposed health insurance renewal for next year. The premium has actually been reduced by 8.7% from \$500.12 per employee to \$456.82. This is the same plan we have this year. The agent is checking with other companies but feels that the new federal regulations will make any other quotes higher. The eye and dental premiums are the same as last year. There will be a slight decrease in the disability and life coverages.

Based on the reduced premium staff recommends approval of the renewal of the insurance coverages pending review of any other quotes presented by the agent.

Insurance Proposal For

Town of Ocean Ridge

Presented by

ADAMS*BENEFIT

600 CORPORATE DRIVE, SUITE 650

FORT LAUDERDALE, FLORIDA 33334

(954) 772-9320

August 5, 2014

Town of Ocean Ridge

Benefit and Premium Illustration

NHP	
HSA XV-7	
In-Network	Out-Network
Calendar Year Deductible (CYD)	\$1,500 Ind. \$3,000 Family
Co-Insurance	70%
Physicians Office	70% / CYD
Specialist Office	70% / CYD
Inpatient Hospital	70% / CYD
Out-Patient Surgery	70% / CYD
Out-Patient Major Diagnostic (e.g., MRI, MRA, PET, CT)	70% / CYD
Emergency Room	90% / CYD
Urgent Care Center	90% / CYD
Prescription Drugs	90% / CYD
RX Deductible	Calendar Year
Retail	\$20/\$40/\$60/20%
Mail Order	\$40/\$80/\$120
Out of Pocket	\$3,000 Ind. \$6,000 Family
Provider Search	Includes Deductible www.mynhp.com
Rates:	
EE	23
EE + SP	0
EE + Child	0
Family	0
Monthly Premium	\$11,502.76
Change from Current	Incumbent Plan -8.7%
	\$456.82
	\$1,032.41
	\$880.02
	\$1,328.65
	\$10,506.86

This is a brief summary of the rates and benefits offered. The Certificate of Coverage is the governing document for all benefits, requirements and limitations. If there is a variation between this summary and the Certificate of Coverage, the Certificate will govern. Final premium rates may change from those quoted based upon actual enrollment as of the effective date.

ADAMS BENEFIT

Town of Ocean Ridge

Dental DMO

UHC	
DMO 0036	
In-Network	
N/A	
Calendar Year Deductible	\$5.00
Office Visit	No Charge
0120 - Periodic Oral Exam	No Charge
0272 - Bitewings- 4 images (X-rays)	No Charge
1110 - Prophylaxis	No Charge
2150 - Amalgam - 2 surfaces (permanent)	\$240
6242 - Bridge Pontic	\$240
2740 - Crown Porcelain	\$220
2792- Crown - Full cast noble metal	\$10
5520 - Replace broken tooth - complete denture	N/A
Calendar Year Maximum	N/A
Orthodontic Lifetime Max	N/A
Rate:	
Employee	\$13.75
Employee + Spouse	\$23.98
Employee + Child	\$29.48
Employee + Family	\$37.62

***Please refer the Benefit Copay Schedule for a complete listing of services**

This is a brief summary of the rates and benefits offered. The Certificate of Coverage is the governing document for all benefits, requirements and limitations.

If there is a variation between this summary and the Certificate of Coverage, the Certificate will govern.

Final premium rates may change from those quoted based upon actual enrollment as of the effective date.

Town of Ocean Ridge Life & AD&D

Lincoln							
Class 1:	Option 1						
Rate	\$15,000						
Life	Renews: 08/01/2015						
AD&D	Renews: 08/01/2015						
	<table border="1"> <tr> <th style="background-color: black; color: white;">Current</th> <th style="background-color: black; color: white;">Renewal</th> </tr> <tr> <td>\$.21/\$1,000</td> <td>\$.36/\$1,000</td> </tr> <tr> <td>\$.04/\$1,000</td> <td>\$.03/\$1,000</td> </tr> </table>	Current	Renewal	\$.21/\$1,000	\$.36/\$1,000	\$.04/\$1,000	\$.03/\$1,000
Current	Renewal						
\$.21/\$1,000	\$.36/\$1,000						
\$.04/\$1,000	\$.03/\$1,000						

Mutual of Omaha	
Option 1	\$15,000
Proposed	\$.36/\$1,000
	\$.03/\$1,000

Short Term Disability

Lincoln					
All Employees	Option 1				
Benefits Begin	60% to \$900				
Duration	1st Day Accident 7th Day Sickness 26 weeks				
Rate: per \$10 of benefit	<table border="1"> <tr> <th style="background-color: black; color: white;">Current</th> <th style="background-color: black; color: white;">Renewal</th> </tr> <tr> <td>\$.50/\$10</td> <td>\$.48/\$10</td> </tr> </table>	Current	Renewal	\$.50/\$10	\$.48/\$10
Current	Renewal				
\$.50/\$10	\$.48/\$10				
	Renews: 08/01/2015				

Mutual of Omaha	
Option 1	60% to \$900
1st Day Accident	1st Day Accident
7th Day Sickness	7th Day Sickness
26 weeks	26 weeks
Proposed	\$.48/\$10

Long-Term Disability

Assurant					
All Employees	Option 1				
Elimination Period	66 2/3% to \$5,000				
Own Occupation	180 days 36 months				
Rate: per \$100 of covered payroll	<table border="1"> <tr> <th style="background-color: black; color: white;">Current</th> <th style="background-color: black; color: white;">Renewal</th> </tr> <tr> <td>\$.98/\$100</td> <td>\$.85/\$100</td> </tr> </table>	Current	Renewal	\$.98/\$100	\$.85/\$100
Current	Renewal				
\$.98/\$100	\$.85/\$100				
	Renews: 03/01/2015				

Mutual of Omaha	
Option 1	66 2/3% to \$5,000
180 days	180 days
36 months	36 months
Proposed	\$.85/\$100

This is a brief summary of the benefits and rates offered. The Certificate of Coverage is the governing document for all benefits, requirements and limitations. If there is a variation between this summary and the Certificate of Coverage, the Certificate will govern. Final premium rates may change from those quoted based upon actual enrollment as of the effective date.

Memorandum

Date: August 3, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
**Re: Code Revisions for Grandfathering of
Nonresidential Uses**

Enclosed are the proposed revisions to the Town Code to address grandfathering of nonresidential uses. The proposed ordinance addresses concerns and discussions that the Commission has had in the past. Attorney Spillias will be addressing elements of the ordinance with some possible options. Final adoption will be based on the wishes of the Commission after the discussion of the ordinance.

Included with the ordinance is an architectural rendering presented by the owner. They will be at the meeting to respond to questions.

ORDINANCE NO. 607

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES, AT CHAPTER 63, GENERAL AND ADMINISTRATIVE PROVISIONS, BY AMENDING ARTICLE VII, NONCONFORMING AND GRANDFATHERED USES SECTION 63-117, GRANDFATHERED USES, LOTS, AND STRUCTURES, TO PERMIT THE CONTINUATION OF EXISTING NON-RESIDENTIAL USES AND SECTION 63-118, NONCONFORMING SIGNS AND USES, TO STRIKE THE EXPIRED PROVISIONS CONCERNING AMORTIZATION OF NON-RESIDENTIAL USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in recognition of the Town's residential character, a provision for the amortization of all non-residential uses was adopted in 1969; and

WHEREAS, since 1969 the Town's Code of Ordinances has prohibited non-residential uses in the Town except as grandfathered; and

WHEREAS, since 1969, all required periods for amortization have expired; and

WHEREAS, in light of changed circumstances, including the limited scope of non-residential uses remaining in the Town and the demonstration that such remaining uses do not pose a significant threat to the health, safety and welfare of its citizens, the Town has decided it is in its best interest to grant Grandfathered Use status to any currently existing non-residential uses in the Town; and

WHEREAS, it is the desire of the Town Commission that such modification to the Town Ordinances does not permit the expansion or modification of such Grandfathered Uses, nor permit the establishment of any new non-residential uses within the Town; and

WHEREAS, the Town Commission recognizes that provisions for the ongoing regulation and review of Grandfathered Uses are necessary to insure that such Uses do not become a nuisance or otherwise threaten the health, safety and welfare of the citizens of the Town; and

WHEREAS, in light of the efforts of property owners in the Town to improve and maintain their property in a manner in keeping with the quality and ambience of the Town; and

WHEREAS, the Town Commission has determined that the amendments as set forth herein will continue to protect the unique character of the Town's residential zoning districts and be in the best interests of the health, safety, and welfare of the citizens and residents of Ocean Ridge.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA:

SECTION 1. Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2. Amendment.

Chapter 63, Section 63-117(d)(2), of the Code of Ordinances of the Town of Ocean Ridge, is hereby amended as follows:

(2) Replacement, restoration and reconstruction. If any existing grandfathered structure, as provided for in this subsection, is destroyed by any nonvoluntary means, including fire, flood, wind, explosion, act of God, or act of a public enemy, such structure shall be permitted to be replaced, restored or reconstructed as it had previously existed prior to its destruction according to the property development regulations in effect at the time of its original construction and any permitted additions thereto, except that such replacement, restoration and reconstruction can only occur in compliance with those building, plumbing, electrical, gas, fire and other construction and safety related regulations of the town in effect at the time of application for a permit to allow replacement, restoration or reconstruction. In no event shall the destroyed grandfathered structure be so replaced to a degree or level greater than the original structure as to height, lot coverage, total floor area, yard setback requirements or other applicable property development regulations at the time of original construction, without the granting of a variance. Moreover, if any existing grandfathered structure is destroyed by voluntary destruction and the landowner applies to rebuild the structure, the landowner must comply with all other current zoning criteria and may not increase the existing nonconformance. Notwithstanding the foregoing, subject to the approval of the town commission, the landowner of a grandfathered

building or structure which includes residential-type units, may be permitted to seek the demolition and redevelopment of the grandfathered structure and, in doing so, exceed the allowable density in the multifamily-zoned areas of the town, but in such circumstances must reduce the number of units which were grandfathered by at least 50 percent (fractional units to be rounded up). The number of permitted units shall then be deemed the allowable grandfathered density on said property. It is further provided that any development of property pursuant to this section must be approved and developed pursuant to the planned residential development provisions of chapter 64 of the Town's Code subject to the following:

(a). The minimum area requirement of subsection 64-22(1) shall not apply.

(b). The allowable density as provided for in subsection 64-24(a) shall be modified as set forth herein;

(c). Subsection 64-24(d) shall not apply.

(d). The minimum yard setback requirements of subsection 64-24(f)(1) shall not apply. Instead, the minimum yard setback requirements of the applicable zoning district shall govern.

(e). The maximum building height of 44 feet set forth in subsection 64-24(f)(4) shall, in RMM zoning districts, be reduced to the permissible height as set forth in subsection 64-2(d)(3).

For the purposes of this section, a structure shall be deemed to have been destroyed if the structure will require repair or replacement the cost of which will exceed 50 percent of the appraised value of the structure as established by the Palm Beach County Property Appraiser.

~~The maximum allowable time for the amortization of commercial uses, including retail stores, offices, and motels is imminent at the adoption of this amendment on June 7, 1999. Therefore, the reconstruction of earlier grandfathered structures for occupancy by a nonconforming or commercial use is hereby prohibited.~~

SECTION 3. Amendment.

Chapter 63, Section 63-117(e)(10), of the Code of Ordinances of the Town of Ocean Ridge, is hereby amended as follows:

(10) *Replacement of use.* If any existing grandfathered use structure, as provided for in this section, is destroyed by any means, including fire, flood, wind, explosion, act of God, or act of a public enemy, such use shall be permitted to be replaced according to the property development regulations in effect at the time of its original construction, except that replacement can only occur in compliance with those building, plumbing, electrical, gas, fire and other construction and safety related regulations of the town in effect at the time of application for a permit to allow replacement. In no event shall the destroyed grandfathered use be replaced to a degree or level greater than the original use as to height, lot coverage, total floor area, bulk or yard setback requirements unless otherwise provided by current Town codes and land use regulations. If the destroyed grandfathered use to be replaced was composed of dwelling units for in-transit or nonowner-occupied lodging, and is intended to continue such use, in addition to the other provisions of this subsection, the following requirements shall apply:

(a). No advertising or signs shall use the word "hotel," "motel," or the like, but the word "lodge" may serve as a substitute.

(b). The terms "by day" or "by night" shall not be used, but the terms "vacancy" or no vacancy" are permitted.

(c). Each of the signs erected under the special signage requirements of this subsection shall comply with all provisions of chapter 70 of this land development code.

For the purposes of this section, a structure shall be deemed destroyed if the damage caused to the structure will require repair or replacement the cost of which will exceed fifty percent (50%) of the appraised value of the structure as established by the Palm Beach County Property Appraiser.

SECTION 4. Amendment.

Chapter 63, Section 63-117(e)(12), of the Code of Ordinances of the Town of Ocean Ridge, is hereby amended as follows:

(12) *New activities, products or services.* ~~No~~ New activities, products or services shall only be permitted in a grandfathered use under this land development code, subject to the following:

(a). Any proposed change of activity, products or services shall be submitted to the Administrative Official for a determination that the proposed change is consistent with the kind, quality, volume and intensity of the grandfathered use. Such submittal will include at a minimum: a statement describing the proposed change and how it is consistent with the uses previously occupying the building, a building plan or survey showing the location of the proposed change, and a statement by a Professional Engineer that the proposed change will not materially alter the traffic or parking demands generated by prior activities, products or services.

(b). Upon submittal of all required materials, the Administrative Official shall render a written finding within 15 days as to whether the proposed change is consistent with the kind, quality, volume and intensity of the grandfathered use, and as such may be permitted as a continuation of the grandfathered use.

(c). The denial or granting of such administrative determination shall conform to the criteria in section 63-91 of this Land Development Code, and the denial of an administrative determination may be appealed to the board of adjustment, by written request, filed with the town clerk not more than ten days following the rendering of a written decision by the administrative official. Such appeal shall be a de novo hearing before the board of adjustment for the granting of a variance.

SECTION 5. Amendment.

Chapter 63, Section 63-118, of the Code of Ordinances of the Town of Ocean Ridge, is hereby amended as follows:

Sec. 63-118. - Nonconforming signs and uses.

(a) *Nonconforming signs not grandfathered.* Those signs that were rendered nonconforming by the adoption of Ordinance No. 229 are not grandfathered by any provision of this land development code and shall be removed in accordance with the original amortization schedule provided for in Ordinance No. 229 adopted on December 30, 1969, as follows:

Individual Sign Replacement Cost	Time Limit
Under \$100.00	1 year
\$100.00 to \$250.00	2 years
Over \$250.00	3 years

Provided, however, that each grandfathered use may erect or maintain only one sign not to exceed five square feet of surface area for each 25 feet of front yard frontage, or remaining fraction over one-half yard, on a public street.

~~(b) *Nonconforming nonresidential uses not grandfathered.* Those nonresidential uses that were originally rendered nonconforming by the adoption of Ordinance No. 229 are not grandfathered by any provision of this land development code and shall be removed in accordance with the original amortization schedule provided for in Ordinance No. 229, adopted on December 30, 1969, the amortization schedule of which is hereby reaffirmed and readopted for purposes of this section as follows: Any and all nonresidential nonconforming uses shall be discontinued within 40 years of the date of construction of the nonresidential building; provided, however, that no such mandatory discontinuance shall be required in less than 20 years from the date the use became nonconforming by passage of Ordinance No. 229, adopted on December 30, 1969. Any structure involved in such nonresidential nonconforming use shall be removed unless converted to a conforming use which complies with all property development regulations in the district within which it is located. For purposes of this subsection, the date of construction shall be the date of issuance of the building permit for the principal building by the town.~~

SECTION 6 – Severability: In the event any section, paragraph, sub-paragraph, sentence, clause, phrase or word of this Ordinance shall be declared invalid, illegal or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

SECTION 7 - Repeal of Ordinances: Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

SECTION 8 – Codification: This Ordinance shall be incorporated in and shall be included in the Town’s Code of Ordinances.

SECTION 9 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ____ day of _____, 2014.

SECOND AND FINAL READING this ____ day of _____, 2014.

Commissioner _____ offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor _____

DR. LYNN L. ALLISON, Vice Mayor _____

GAIL ADAMS AASKOV Commissioner _____

JAMES BONFIGLIO, Commissioner _____

RICHARD LUCIBELLA, Commissioner _____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ____ day of _____, 2014.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
GEOFFREY A. PUGH, MAYOR

ATTEST: _____
TOWN CLERK

RECEIVED

JUL 25 REC'D



LEWIS
LONGMAN &
WALKER | P.A.
ATTORNEYS AT LAW

TOWN OF OCEAN RIDGE

Kenneth G. Spillias
kspillias@llw-law.com

Reply To:
West Palm Beach Office

July 24, 2014

Karen E. Hancsak Town Clerk
Ocean Ridge Town Hall
6450 North Ocean Blvd.
Ocean Ridge, FL 33435

Re: Sivitilli

Dear Karen:

Enclosed please find correspondence I received from Liliane Sivitilli as well as a rendering of an improved building at 5011 N. Ocean Blvd. Please make these documents available to Ken Schenck and to the Commissioners. They should also be included in the agenda backup on the non-conforming use ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth G. Spillias'.

Kenneth G. Spillias

KGS/mal
Enclosure

See Things Differently®

TAMPA BAY
101 Riverfront Boulevard
Suite 620

Bradenton, Florida 34205

00370128-1
p | 941-708-4040 • f | 941-708-4024

JACKSONVILLE

245 Riverside Avenue
Suite 150

Jacksonville, Florida 32202

p | 904-353-6410 • f | 904-353-7619

TALLAHASSEE

315 South Calhoun Street
Suite 830

Tallahassee, Florida 32301

p | 850-222-5702 • f | 850-224-9242

WEST PALM BEACH

515 North Flagler Drive
Suite 1500

West Palm Beach, Florida 33401

p | 561-640-0820 • f | 561-640-8202

www.llw-law.com

Orlando and Lilliane Sivitilli
10 Fayette Drive
Ocean Ridge, Florida
33435

July 23, 2014

Kenneth G. Spillias
Lewis, Longman & Walker
515 North Flagler Drive
Suite 1500
West Palm Beach, Florida 33401

Re: 5011 North Ocean Blvd

Dear Mr. Spillias:

We understand that the Town of Ocean Ridge will be considering an ordinance that would grandfather the current mixed use status of our property located at 5011 N. Ocean Blvd. In connection with this, we wish to inform the Town of Ocean Ridge that if such ordinance were to be adopted, the Town has our full commitment to a substantial property improvement plan, to be completed immediately, as well as our dedication to maintain 5011 N. Ocean Blvd in the condition immediately following such property improvement plan throughout the building's future as a mixed use asset.

Furthermore, we wish to articulate the key elements of our property improvement plan for your awareness. The guiding principle of this plan will be to create a bright, 'beautifully-landscaped', interpretation of Old Florida Revisionist. You can find attached to this letter a rendering that begins to represent our vision.

The key actions we will take to accomplish this improvement include:

- + Totally refaced second story
- + Extensive custom awnings spanning entire length of building
- + Expansive addition to landscaping

- + Replacement of all exterior windows and doors with hurricane strength variety
- + Complete painting of exterior of entire building
- + Butterfly garden on south side of property
- + New Pavement of parking area
- +Relocate mechanical units where practical

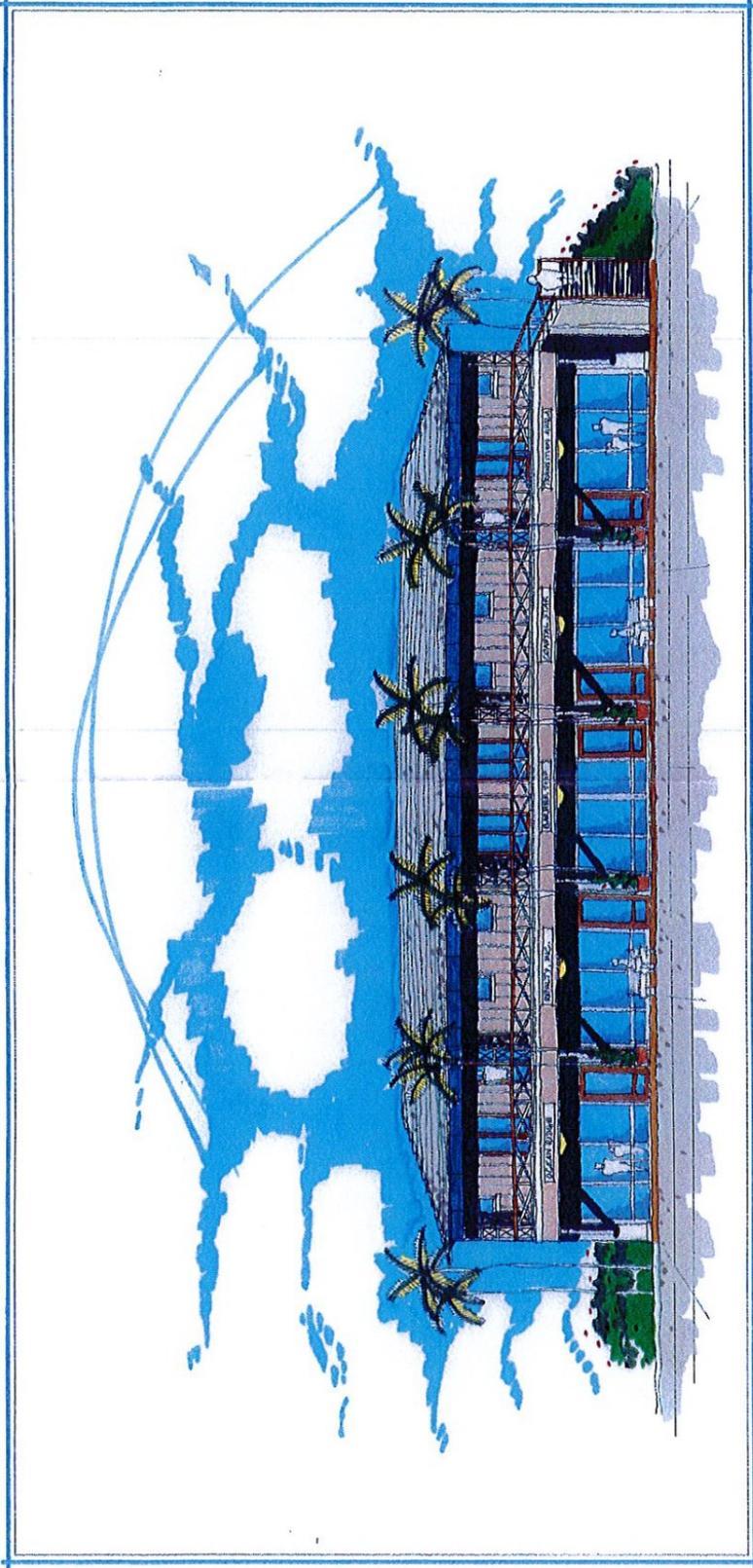
We are delighted to be engaged with renowned architect Randall E. Stofft, who recently completed the luxury 4001 Ocean Blvd development to drive the vision and planning of our property improvement plan. Mr. Stofft can be made available, upon request, to Town of Ocean Ridge officials to elaborate on our plan.

Finally, we want to reiterate our strong commitment to completing this property improvement plan, as described above, and that the results will make the residents of Ocean Ridge proud of our property.

Sincerely,

Liliane Sivtelli 

Orlando and Liliane Sivtilli



FRONT ELEVATION CONCEPT
2" = 1'-0"

FACADE CONSIDERATIONS

- NEW TOPOFRONT UPHILL LOWER GLASS
- REMOVE LOWER AWNING
- NEW FINISHES - STYL CO. BRICK, AWNINGS
- NEW PORCHES
- NEW BALUNES
- REBUILD SECOND LEVEL WALLS WITH NEW WINDOWS & DOORS
- ACCELERATE LANDSCAPE

OCEAN RIDGE
COMMERCIAL PROJECT
OCEAN RIDGE, FLORIDA

RANDALL STOFFT
ARCHITECTS
Creative Inspiration, Sustainable
Design, Quality, Integrity, The Craftsmanship

AS IN PLANS (D)
07.10.14 (REV)
07.15.14 (REV)

Memorandum

Date: August 3, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Rental Ordinance Revisions

Enclosed is the revised rental ordinance. The major change is that the registration is annual for a renter and all properties can be listed on one registration rather than each lease requiring its own registration. Other changes are the elimination of the need to supply the renter's information and a reduction of the fee.

I believe these changes respond to the concerns of the Commission and the residents. Staff recommends adoption of the ordinance subject to any changes the Commission would like to include.

ORDINANCE NO. TBD

608

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES, AT CHAPTER THIRTY, LICENSES AND BUSINESS REGULATIONS, BY ~~CREATING A NEW~~AMENDING ARTICLE VII, BUSINESS PERMIT SECTION 30-157, RESIDENTIAL RENTAL REGISTRATION, TO ALTER THE REPORTING REQUIREMENTS CONTAINED THEREIN, AND SECTION 30-158, FEE, TO ESTABLISH A NEW FEE SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

~~WHEREAS, by adoption of Ordinance No. 603 on June 3, 2013, the Town Commission is concerned about rental properties in residential zoning districts not governed by a cooperative or condominium association established a rental registration procedure for all property owners within the Town who lease property located in a residential zoning district not governed by a cooperative or condominium association or otherwise exempt; and~~

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~~WHEREAS, the Town includes several residential zoning districts the Town Commission has determined that the application of Ordinance No. 603, as presently constituted, has led to confusion, concerns expressed by landlords for the privacy of their tenants, and an administrative burden on Town staff; and~~

~~WHEREAS, the Town Commission has been advised that short term rentals are disrupting the residential character of the Town's residential zoning districts determined that a more streamlined, less intrusive rental registration process would address the concerns of landlords as well as the residents of the Town and the Town staff; and~~

~~WHEREAS, the Town Commission has determined that the transitory nature of rental properties together with the frequency of rental turnovers will have a negative impact on the Town's residential zoning districts and make it more difficult for these neighborhoods to maintain their unique, cohesive residential character amendments to Sections 30-157 and 30-158 of the Towns Code of Ordinances, the codification of Ordinance No. 603, as set forth herein will continue to protect the unique character of the Town's residential zoning districts and be in the best interests of the public health, safety and welfare of the citizens and residents of Ocean Ridge; and and~~

~~WHEREAS, the Town Commission deems it necessary and advisable to create a residential property rental registration database to ensure that the social fabric, reliability and consistency of the Town's residential zoning districts are preserved; and~~

~~WHEREAS, the Town Commission has determined that Sections 30-157 and 30-158, Code of Ordinances, Town of Ocean Ridge, Florida, needs to be created to protect the unique character of the Town's residential zoning districts by creating a residential property rental registration program; and~~

WHEREAS, given the nature of the amendments to the rental registration procedure provide for herein and the alteration of the administrative tasks involved in implementing the amended procedures, the Town Commission deems it necessary and advisable appropriate to charge a fifty dollar (\$50.00) application fee per lease for the registration of a residential rental property in the Town's residential registration database reduce the registration fees previously established in Ordinance No. 603, and

WHEREAS, the Town Commission of the Town of Ocean Ridge, Florida, hereby finds this ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Ocean Ridge.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 - Findings of Fact: The WHEREAS clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Addition of Articles Amendment: Chapter 30, LICENSES AND BUSINESS REGULATIONS, Article VII, Section 30-157 and Section 30-158 are hereby ~~created~~ amended as follows:

Chapter 30. LICENSES AND BUSINESS REGULATIONS

ARTICLE VII. BUSINESS PERMIT

Sec. 30-157. Residential Rental Registration.

- a) Every person engaging in the lease of real property located in a residential zoning district not governed by a cooperative or condominium association or otherwise exempt, shall register all rental properties with the Town ~~and complete an application for on a form provided by the Town's rental registration program for that purpose.~~ For purposes of this section and section 30-158 below, a "rental property" shall be defined as a single family, duplex, triplex or multi-family dwelling.
- b) ~~The rental registration application shall include the number of rental properties being registered and, for each rental property, valid information concerning, but not limited to, owner's name and address, the property control numbers, addresses, and number of units length of lease and name(s) of lessee contained in each rental property being registered. All rental properties in the Town owned by a single owner may be included in a single rental registration form.~~
- b)c) Registration shall be required annually no later than January 31 for all rental properties leased or held for lease as of January 1. For properties not leased or held for lease as of January 1, that become leased after that date, a rental registration form shall be required to be provided to the Town no later than fifteen (15) days after the commencement of the lease period.

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e)d) Properties that are governed by a not-for-profit association pursuant to Chapters 718, 719, Florida Statutes, are exempt from the Town's residential rental registration program.

d)e) The provisions of this section may be enforced and penalties imposed for violations of this section as provided by law. Without limiting the Town's right to impose any other penalties as provided by law, or to enforce this section by any other lawful means, a violation of this section shall be subject to code enforcement procedure and penalties contained in Chapter 16.

Sec. 30-158. Fee.

The regulatory fee for the Town's rental registration program is ~~\$50.00~~ \$35.00 per ~~lease-application rental registration~~. Such fee is payable ~~in-advance at the time of submission of the rental registration form~~ by all persons engaged in leasing real property in a residential zoning district, unless exempted by the terms of this article or as may be otherwise exempted by law.

SECTION 3 – Severability: In the event any section, paragraph, sub-paragraph, sentence, clause, phrase or word of this Ordinance shall be declared invalid, illegal or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

SECTION 4 - Repeal of Ordinances: Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

SECTION 5 – Codification: This Ordinance shall be incorporated in and shall be included in the Town's Code of Ordinances.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ~~6th~~ ___ day of ~~May, 2013~~ _____, 2014.

SECOND AND FINAL READING this ~~3rd~~ ___ day of ~~June, 2013~~ _____, 2014.

Commissioner _____ offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor _____

DR. LYNN L. ALLISON, Vice Mayor _____

GAIL ADAMS AASKOV Commissioner _____

ED BROOKES JAMES BONFIGLIO, Commissioner

ZOANNE HENNIGAN RICHARD LUCIBELLA, Commissioner

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ~~3rd~~ day of June, 2013, 2014

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
GEOFFREY A. PUGH, MAYOR

ATTEST: _____
TOWN CLERK

ORDINANCE NO. 603

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES, AT CHAPTER THIRTY, LICENSES AND BUSINESS REGULATIONS, BY CREATING A NEW ARTICLE VII, BUSINESS PERMIT SECTION 30-157, RESIDENTIAL RENTAL REGISTRATION AND SECTION 30-158, FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission is concerned about rental properties in residential zoning districts not governed by a cooperative or condominium association; and

WHEREAS, the Town includes several residential zoning districts; and

WHEREAS, the Town Commission has been advised that short term rentals are disrupting the residential character of the Town's residential zoning districts; and

WHEREAS, the Town Commission has determined that the transitory nature of rental properties together with the frequency of rental turnovers will have a negative impact on the Town's residential zoning districts and make it more difficult for these neighborhoods to maintain their unique, cohesive residential character; and

WHEREAS, the Town Commission deems it necessary and advisable to create a residential property rental registration database to ensure that the social fabric, reliability and consistency of the Town's residential zoning districts are preserved; and

WHEREAS, the Town Commission has determined that Sections 30-157 and 30-158, Code of Ordinances, Town of Ocean Ridge, Florida, needs to be created to protect the unique character of the Town's residential zoning districts by creating a residential property rental registration program; and

WHEREAS, the Town Commission deems it necessary and advisable to charge a fifty dollar (\$50.00) application fee per lease for the registration of a residential rental property in the Town's residential registration database; and

WHEREAS, the Town Commission of the Town of Ocean Ridge, Florida, hereby finds this ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Ocean Ridge.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 - Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Addition of Articles: Chapter 30, LICENSES AND BUSINESS REGULATIONS, Article VII, Section 30-157 and Section 30-158 are hereby created as follows:

Chapter 30. LICENSES AND BUSINESS REGULATIONS

ARTICLE VII. BUSINESS PERMIT

Sec. 30-157. Residential Rental Registration.

- a) Every person engaging in the lease of real property located in a residential zoning district not governed by a cooperative or condominium association or otherwise exempt, shall register all rental properties with the Town and complete an application for the Town's rental registration program.
- b) The rental registration application shall include valid information concerning, but not limited to, owner's name, the property control number, address, length of lease and name(s) of lessee.
- c) Properties that are governed by a not-for-profit association pursuant to Chapters 718, 719, Florida Statutes, are exempt from the Town's residential rental registration program.
- d) The provisions of this section may be enforced and penalties imposed for violations of this section as provided by law. Without limiting the Town's right to impose any other penalties as provided by law, or to enforce this section by any other lawful means, a violation of this section shall be subject to code enforcement procedure and penalties contained in Chapter 16.

Sec. 30-158. Fee.

The regulatory fee for the Town's rental registration program is \$50.00 per lease application. Such fee is payable in advance by all persons engaged in leasing real property in a residential zoning district, unless exempted by the terms of this article or as may be otherwise exempted by law.

SECTION 3 – Severability: In the event any section, paragraph, sub-paragraph, sentence, clause, phrase or word of this Ordinance shall be declared invalid, illegal or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

SECTION 4 - Repeal of Ordinances: Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

SECTION 5 – Codification: This Ordinance shall be incorporated in and shall be included in the Town's Code of Ordinances.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 6th day of May, 2013.

SECOND AND FINAL READING this 3rd day of June, 2013.

Commissioner Brookes offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner Allison and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor	<u>Yea</u>
DR. LYNN L. ALLISON, Vice Mayor	<u>Yea</u>
GAIL ADAMS AASKOV Commissioner	<u>Yea</u>
ED BROOKES, Commissioner	<u>Yea</u>
ZOANNE HENNIGAN, Commissioner	<u>Absent</u>

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 3rd day of June, 2013.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
GEOFFREY A. PUGH, MAYOR

ATTEST: _____
TOWN CLERK

Memorandum

Date: August 6, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Ordinance 609 Re: Beach Conduct

Ordinance 609 has been developed to govern conduct on the beaches. It does differentiate allowable conduct between the public and private part of the beaches. The ordinance, once approved by the Commission, will be used to develop signage for the public beach entrances. This is the first reading and therefore the ordinance can be modified as required by the Commission.

I have a few questions would like to clarify at the meeting.

The questions involve Sections 7 and 9 and the 7 day limit for removal of certain items. I have a question on wording of Section 8 as we don't have any Town lifeguards. I also have a question on lewd behavior and whether it should be added or is State law satisfactory.

Another item to be discussed is the demarcation line separating the public and private portions on the beach. The principle reason to confirm this line is so that the Police know where the regulations set forth in the ordinance apply. This will facilitate enforcement of the regulations. There are three options for this line.

1. Utilize the high water mark which is a constantly moving line.
2. Utilize the rack line which is also a moving line.
3. Utilize a line so many feet off the vegetation line which would be a stationary line. 20 to 30 feet might be workable. West of this line would be considered private and east of it open to the public. It's difficult to use a surveyed line as all of the properties don't have the same depth from the ocean.

4. The above options will apply south of Edith St. North of this area has been renourished with new sand and the State has delineated the erosion control line as the public/private boundary. This line is approximately the high tide line prior to the addition of the new sand.

ORDINANCE NO. 609

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING CHAPTER 1, SECTION 1-3 OF THE CODE OF ORDINANCES TO PROVIDE REVISED DEFINITIONS OF VEHICLE AND MOTOR VEHICLE; AMENDING CHAPTER 62, ARTICLE II, SECTIONS 62-26 THROUGH 62-29 AND 62-31 THROUGH 62-33 OF THE CODE OF ORDINANCES TO PROVIDE FOR REGULATIONS ON BEACHES WITHIN THE MUNICIPAL LIMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge Code of Ordinances, Chapter 1, Section 1-3 provides definitions of “vehicle” and “motor vehicle;” and

WHEREAS, the Town of Ocean Ridge Code of Ordinances, Chapter 62, Article II, Sections 62-26 through 62-32 provide for regulations on the beaches within the municipal limits; and

WHEREAS, the Town of Ocean Ridge Code of Ordinances, Chapter 62, Article II, Sections 62-33 through 62-35 are reserved; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

Section 1. Findings of Fact. The WHEREAS clauses set forth above are adopted herein as findings of fact.

Section 2. Amendment. The definition of “motor vehicle” found Chapter 1, Section 1-3 is hereby amended to read as follows:

Motor vehicle means and includes any ~~self-propelled~~ wheeled conveyance propelled by motor, battery, electricity, or any means other than solely by human effort. Motor vehicle shall not include vehicles utilized for the purpose of transporting physically disabled persons.

Section 3. Amendment. The definition of “vehicle” found in Chapter 1, Section 1-3 is hereby amended to read as follows:

Vehicle means any ~~self-propelled~~ wheeled conveyance designed and used for the purpose of transporting or moving persons, animals, freight, merchandise or any substance, including but not limited to bicycles and motor passenger-cars, trucks, buses, campers, recreational-vehicles. Vehicle shall not include any boat or vessel as defined below and regulated by chapter 62 of this

Code. Vehicle shall not include baby carriages, strollers, wheelchairs or other devices used solely to transport small children or disabled persons.

Section 4. Amendment. Chapter 62, Article II, Section 62-26 is hereby amended to read in its entirety as follows:

~~62-27- Disturbing the peace at municipal beach.~~ Applicability.

~~It shall be unlawful for any person to disturb the peace of any of the inhabitants or residents of the town at or in the vicinity of the municipal beach or inlet by using loud, boisterous or obscene language or loud singing or in any other manner which could be construed to be a breach of the peace.~~ All persons using the municipal beaches shall comply with and abide by the rules and regulations of this chapter. All persons using the private beaches located within the municipal boundaries of the town shall comply with these regulations where applicable.

Section 5. Amendment. Chapter 62, Article II, Section 62-27 is hereby amended to read in its entirety as follows:

Sec. 62-27. – ~~Motor vehicles and v~~Vehicles.

(a) Generally. The stopping, standing, parking or operation of any ~~motor vehicle or~~ vehicle upon the ocean beaches or the banks and dunes adjacent thereto within the limits of the town is a nuisance per se.

(b) Prohibited; exemption. It shall be unlawful for any person to stop, stand, park or operate any ~~motor vehicle or~~ vehicle upon the ocean beaches or the banks and dunes adjacent thereto within the limits of the town; provided, however, nothing in this section shall prevent:

(1) Official ~~motor vehicles or~~ vehicles of a government agency from traversing the beaches, banks or dunes in the performance of official governmental duties;

(2) Nongovernmental ~~motor vehicles or~~ vehicles from traversing the beaches, banks or dunes for purposes of maintenance and/or preservation of same as authorized or required by a government agency; or

(3) ~~Motor vehicles or v~~Vehicles utilized for the purpose of transporting a physically disabled person who would otherwise be incapable of accessing and traveling upon the beach without such assistance, from traversing the beaches and access points thereto.

(c) Presumption regarding violations. In any prosecution charging a violation of a provision of this section or other ordinance governing the stopping, standing, parking or operating of a ~~motor vehicle or~~ vehicle, proof that the particular ~~motor vehicle or~~ vehicle described in the complaint was parked or operated in violation of any such ordinance or regulation, together with proof that the defendant named in the complaint was at the time of such parking or operating the registered owner of such ~~motor vehicle or~~ vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such ~~motor vehicle or~~ vehicle was the person who stopped, stood, parked or operated such ~~motor vehicle or~~ vehicle at the point where and for the time during which such violation occurred.

(d) Penalty. A person found to be in violation of the terms of this section shall be subject to the provisions of section 1-13.

Section 6. Amendment. Chapter 62, Article II, Section 62-28 is hereby amended to read in its entirety as follows:

Sec. 62-28. – Animals.

- a) Public Portions of Municipal Beaches. No person shall take any animal upon the public portions of municipal beaches. Animals are determined to be a per se nuisance when on the beach, even if such animal is leashed. This section does not apply to service animals as defined by the Americans with Disabilities Act.
- b) Private Beaches. On the portions of the beach that are private property, animals may only be on the beach with the consent of the owner or occupant of the private property. Animals on private property shall at all times remain within the boundaries of private property and under the control of the animal's owner or caretaker. The owner or occupant of the private property shall ensure the any offal, feces, or excretia of the animal is removed and disposed of in a sanitary manner.

Section 7. Amendment. Chapter 62, Article II, Section 62-29 is hereby amended to read in its entirety as follows:

Sec. 62-29. – Littering.

- a) Public Portions of Municipal Beaches. No person shall ~~leave, place, or deposit on any public portions of municipal beach any loose papers, cans, bottles or other trash, or refuse, or debris, including but not limited to loose papers, cans, or bottles.~~ All persons shall deposit such materials in the receptacles prepared therefor, when such receptacles are available. When no such receptacle is available, or if the receptacle is full, all trash, refuse or debris must be removed from the beach.
- b) Private Beaches. On the portions of the beach that are private property, no person shall place or deposit on any such beach any trash, refuse or debris, including but not limited to loose papers, cans, or bottles. Further, the owner of the private property shall not allow trash, refuse or debris to remain on his or her property for a period of time greater than seven days after notification by the town. Any such trash, refuse or debris located upon private beachfront property shall be properly disposed of in a manner otherwise provided by the codes and regulations of the town.

Section 8. Amendment. Chapter 62, Article II, Section 62-31 is hereby amended to read in its entirety as follows:

Sec. 62-31. – Obedience to lifeguards.

Every person using the public portion of municipal beaches shall obey all commands of the town lifeguards in charge of such beaches.

Section 9. Amendment. Chapter 62, Article II, Section 62-32 is hereby amended to read in its entirety as follows:

Sec. 62-32. – Possession or deposit of glass on beach; prohibited.

It shall be unlawful for any person to possess or deposit a glass container, or any other item made of glass on the public portions of municipal beaches. On the portions of the beach that are determined to be private property, no person shall leave or abandon any glass container or any other item made of glass. Further, the owner of the private property shall not allow glass containers or items to remain on his or her property for a period of time greater than seven days after notification by the town.

Section 10. Amendment. Chapter 62, Article II, Section 62-33 is hereby amended to read in its entirety as follows:

62-33- Disturbing the peace at municipal beach.

It shall be unlawful for any person to disturb the peace of any of the inhabitants or residents of the town at or in the vicinity of the municipal beach or inlet by using loud, boisterous or obscene language or loud singing or in any other manner which could be construed to be a breach of the peace.

Section 11. Amendment. Chapter 62, Article II, Section 62-33 is hereby amended to read in its entirety as follows:

Sec. 62-33-Intoxication.

No person shall consume any intoxicating beverages on public portions of municipal beaches.

Section 12. Severability. In the event any section, paragraph, sub-paragraph, sentence, clause, phrase or word of this Ordinance shall be declared invalid, illegal or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

Section 13. Repeal of Ordinances. Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

Section 14. Codification. This Ordinance shall be incorporated in and shall be included in the Town's Code of Ordinances.

Section 15. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING this ___ day of _____, 2014.

SECOND AND FINAL READING this ___ day of _____, 2014.

Commissioner _____ offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor _____

DR. LYNN ALLISON, Vice Mayor _____

GAIL ADAMS AASKOV, Commissioner _____

JAMES A. BONFIGLIO, Commissioner _____

RICHARD J. LUCIBELLA, Commissioner _____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ___ day of _____, 2014.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
GEOFFREY A. PUGH, MAYOR

ATTEST: _____

