

REGULAR COMMISSION MTG HELD SEPT. 09, 2014
TOWN OF OCEAN RIDGE
AGENDA

- 1 -



September 09, 2014
5:01 P.M.
TOWN HALL – MEETING CHAMBERS

TOWN COMMISSION

Mayor Geoffrey A. Pugh

Commissioner Gail Adams Aaskov Commissioner Lynn A. 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.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Presentation of Tentative budget and Proposed Millage Rate for Fiscal year 2014-2015

- a. **Comment from Commissioners and Public**
- b. **Adoption of Tentative Budget for Fiscal Year 2014-2015**
- c. **Adoption of Tentative Millage for Fiscal Year 2014-2015**
- d. **Announce Computed Millage Rate is Higher Than the Rolled Back by 8.52% (this is currently based on proposed millage rate on tax bills and if changed it will be announced with the correct %)**
- e. **Public Hearing Date for Final Adoption is Tuesday, Sept. 16, 2014 at 5:01 PM**

REGULAR MEETING

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

CONSENT AGENDA

- 1. **Minutes of Special Town Commission Meeting of Aug. 11, 2014**
- 2. **Minutes of Regular Town Commission Meeting of Aug. 11, 2014**

MOTION	SECOND	DISCUSSION	VOTE
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ANNOUNCEMENTS AND PROCLAMATIONS

- 3. **Proclamation Declaring September as “National Sickle Cell 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

- 4. **Town Manager**
- 5. **Town Attorney**
- 6. **Police Chief**
- 7. **Town Engineer**

ACTION ITEMS

- 8. **Request to Ratify and Record a New After-the-Fact Unity of Title for 55 Douglas Drive and Vacant Lot Located Immediately North By: Karen Hancsak, Town Clerk**
- 9. **Request to Discuss Conceptual Design for Development and Right-of-Way Abandonment for the End of Coconut Lane By: Kenneth Schenck, Town Manager**
- 10. **Confirm the Hiring of Dispatcher/Clerk Robert Harvey to Fill the Vacant Position By: Kenneth Schenck, Town Manager**
- 11. **Confirm the Hiring of Police Officer Richard Jones to Fill the Current Vacant Position By: Kenneth Schenck, Town Manager**
- 12. **Approval of Insurance Coverage Workers Comp, General and Auto Liability, Property, Crime by Preferred Government Insurers Trust through Milton Carpenters Insurance at a Annual Cost of \$103,202 Effective Oct. 1, 2013 By: Kenneth Schenck, Town Manager**

RESOLUTIONS

None

FIRST READING OF ORDINANCES

None

SECOND READING AND ADOPTION OF ORDINANCES

13. **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**
14. **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 in conflict; Providing for Codification; and Providing for an Effective Date**

TOWN COMMISSION ITEMS

(Information Items Only – 3 minute limit per item)

ADJOURNMENT

**NEXT SCHEDULED TOWN MEETING(S):
FINAL BUDGET ADOPTION MEETING SEPT. 16, 2014 AT 5:01 PM
REGULAR TOWN COMMISSION MEETING OCT. 6, 2014**

MEMORANDUM FOR TOWN COMMISSION

Memorandum

To: TOWN COMMISSION
From: Karen E. Hancsak, Town Clerk
Date: September 09, 2014
Re: MOTIONS FOR TENTATIVE BUDGET AND MILLAGE ADOPTION
WITH A 5.35000 MILLAGE RATE

Unfortunately, since there have been no final decisions made yet we will need to take a five minute break so that I can fill in the blanks with whatever you decide. I have tentatively included the latest revision, which included the changes through August 11, 2014 and still using a 5.35 millage rate.

1. **TO ADOPT A TENTATIVE BUDGET:** I move that a budget in the amount of \$5,884,372 be tentatively adopted for the 2014-2015 Operating Fund. This includes a \$150,000 transfer to the Capital Projects Fund.
2. **TO ADOPT TENTATIVE MILLAGES:** I move that a millage of \$5.35 per \$1,000 of assessed valuation be tentatively adopted for the 2014-2015 general operating revenues.
3. **MAYOR TO ANNOUNCE:** the computed millage rate is 5.56% more than the rolled back rate of \$5.0680 (+5.56%)
4. **MAYOR TO ANNOUNCE:** the date and time of the second and final public hearing is established as 5:01 P.M. (after 5:01 P.M.) on Tuesday, Sept. 16, 2014. The 2014-2015 operating and capital projects budgets and corresponding millages will be finalized and adopted at that time.

PLEASE REMEMBER TO BRING YOUR BUDGETS WITH YOU TO MEETING!!!

Memorandum

To: TOWN COMMISSION, TOWN MANAGER
From: Karen E. Hancsak, Town Clerk
Date: August 11, 2014
Re: CHANGES TO THE PROPOSED FY 2014/15 BUDGET

The Budget Presentation and Setting the Proposed Millage meeting was held on July 23, 2014 at 8:30 AM which resulted in no Commission Action changes. These revenue/expenditure changes resulted in a \$25,878 decrease in expenditures, a \$10,500 increase in revenues and a reduction in the surplus to balance of \$36,378.

The August 11, 2014 Budget Meeting resulted in the Commission removing several items from the budget which included: Golf Cart (\$3,000 reduction), Two Police Vehicles (\$76,000), and a portion of the New Alarm Monitoring System (\$18,000). Due to these changes the Repair/Maintenance Account in Law increased (\$4,000) and the Revenue – Equipment Sales reduced due to no police vehicle trade ins (\$10,000). These revenue/expenditure changes resulted in a \$93,000 additional decrease in expenditures, a \$10,000 decrease in revenues, and an additional reduction in the surplus funds to balance the budget of \$83,000.

The Budget with the most recent revisions and still with a 5.35 millage rate are reflected below.

Current Revenue with Changes	\$5,567,122
Current Expenditures with Changes	\$5,884,372
Proposed Surplus to Balance Budget	\$ 317,250

See attached summary page.

BUDGET REVISION SUMMARY FOR FISCAL YEAR 2014/15

	Budget Changes	Expenditures	Revenues	SURPLUS NEEDED TO BALANCE BUDGET
ORIGINAL BUDGET	TOTAL AS PROPOSED	6,003,250	5,566,622	436,628
Revisions After July 23rd Meeting	Rental Registration Fees Reduced Special Detail Police Services 2000 Pickup Truck Trade In Reflect 2.5% Merit Incr for Topped Out Employees Effective Oct 1st Health Ins Premium Decrease	5,550 (31,428)	(1,500) 10,000 2,000	
	TOTAL	5,977,372	5,577,122	400,250
Revisions after August 11 Meeting	Removal of Golf Cart Removal of Two Police Vehicles Additional Vehicle Repair Funds Reduction for Alarm Monitoring System Removal of 2 Vehicle Trade Ins	(3,000) (76,000) 4,000 (18,000)	(10,000)	
	TOTAL	5,884,372	5,567,122	317,250
Revisions Approved Sept 9th				
Revisions Approved Sept 16th				
FINAL BUDGET	TOTAL	5,884,372	5,567,122	317,250

THE FY 14/15 BUDGET INCLUDES THE \$150,000 TRANSFER FROM SURPLUS FUNDS TO THE CAPITAL PROJECTS FUND

Town of Ocean Ridge, Florida
Annual Budget
General Fund
Consolidated Statement of Revenues and Disbursements
Budget Year 14-15

	12-13	13-14	14-15	
	Actual	Est Actual	Proposed	Adopted
FUND BALANCE Forward	3,311,706	3,358,453	3,385,953	0
Revenue	5,247,179	5,650,000	5,567,122	0
Sale of Capital Assets	7,000	7,500		
Total Available	8,565,885	9,015,953	8,953,075	0
Expenditures	4,882,432	5,330,000	5,884,372	0
Transfer to Capital Proj				
Drainage Improvements	325,000	300,000	150,000	0
FUND BALANCE Forward	3,358,453	3,385,953	2,918,703	#REF!

These figures represent spending 100% of the FY 14/15 budgeted expenditures

Please keep in mind that of the \$2,918,703 proposed balance forward the following are assigned reserve accounts:

Self Insurance Contingency:	\$160,000
Beautification:	\$115,000
Drainage/TH Reserve Acct	\$ 370,000

CAPITAL PROJECTS FUND
Consolidated Statement of Revenues and Disbursements
FY 14-15

	12-13	13-14	14-15	
	Actual	Est Actual	Proposed	Adopted
FUND BALANCE Forward	182,982	214,395	105,277	
Coconut Loans/Grants	119,415	0	0	0
Gen Fun Trnsfr for TH	325,000	300,000	150,000	0
Revenue	77	100	100	0
Total Available	627,474	514,495	255,377	0
Professional Serv.	33,885	40,000	15,000	0
Coconut Prof Services	13,733	0	0	0
Coconut Drainage Imp	81,166	0	0	0
Inlet Cay Drainage Impr	163,366	80,758	0	0
Bonito Drive Drainage/Paving	60,482	0	0	0
Inlet Cay Piling Repair	60,447	35,196	0	0
Thompson St. Drainage	0	75,264	0	
Eleuthera Paving/Const	0	178,000	0	
Alley between Hudson/Ocean			5,000	
3" Force Main 5900 blk A1A			50,000	
Phase I Paving	0		100,000	
FUND BALANCE Forward	214,395	105,277	85,377	0

Town of Ocean Ridge, Florida
General Fund

Statement of Estimated Revenues
FY 2014-2015

New Rate
Per \$1,000 = 5.3500

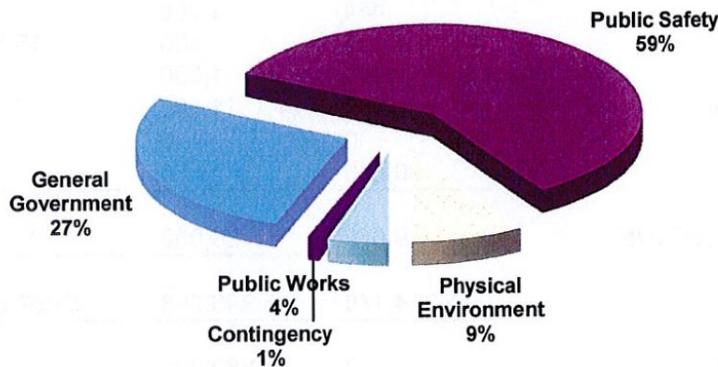
	2012-2013 Actual	2013-2014 Approp'd	Actual thru June	2014-2015 Proposed
<u>Ad Valorem Taxes</u>				
Real & Personal Property NET	3,611,937	3,751,918	3,656,342	3,988,796
<u>Local Option 6 Cent Gas Tax</u>	33,729	34,000	23,123	34,500
<u>New 5 Cent Gas Tax</u>	15,775	15,000	11,195	16,000
<u>Transfer From Franchise Tax Fund</u>				
Florida Power & Light	151,526	160,000	97,349	160,000
Communications Service Tax	51,475	45,000	32,147	48,000
<u>Utility Service Tax</u>				
Electricity	216,909	208,000	153,736	218,000
Gas	10,362	9,500	13,339	12,000
Water	79,478	80,000	65,203	81,000
<u>Interest on Delinquent Taxes</u>	6,395	5,000	2,489	5,000
TOTAL TAXES	4,177,586	4,308,418	4,054,923	4,563,296
<u>Licenses & Permits</u>				
Boat Permits	0	50	0	50
Prof. and Occupational Licenses	2,489	2,000	2,476	2,500
DPS Business Permits	14,025	16,000	12,395	15,000
Occupational Vehicle Identification	5,692	5,000	6,170	6,000
Building Permits	159,005	120,000	201,355	120,000
Sign Permits	387	500	345	500
Alarm User Permits	584	600	538	600
Rental Registrations	0	3,000	4,150	1,500
TOTAL LICENSES & PERMITS	182,182	147,150	227,429	146,150
<u>State Shared Revenues</u>				
FEMA Grant Monies	0	0	0	0
PBCty Energy Efficient Grant Monies	47,465	0	0	0
Revenue Sharing (General)	38,560	39,000	28,556	41,500
Alcoholic Beverage License	140	150	140	150
Local Govt 1/2 Cent Sales Tax	122,640	127,000	90,831	137,000
Rebate on Municipal Vehicles	1,971	1,900	1,045	2,000

	2012-2013 <u>Actual</u>	2013-2014 <u>Approp'd</u>	Actual thru June	2014-2015 <u>Proposed</u>
<u>Shared Revenue From Other Local Units</u>				
Street Light Maint. Reimbursement	8,466	8,700	0	8,900
Palm Beach County Occ. License	7,730	9,000	3,777	8,000
Proportion 911 Call Taker Revenue	12,513	18,000	20,867	18,000
911 DPS Related Reimbursements	18,969	17,000	0	14,000
PBC 1250 Radio Reimbursement Monies	1,478	3,000	844	3,000
Solid Waste Recycle Program	4,055	6,000	1,608	4,000
TOTAL INTERGOVERNMENTAL REVENUE	263,987	229,750	147,668	236,550
<u>Charges For Services</u>				
Zoning Fees	9,893	5,000	6,077	5,000
Certification, Copying, Record Search	2,598	2,000	2,123	2,000
Other Gen Govt Charges and Fees	8,024	5,000	7,140	5,000
Law Enforcement/Fire Service	185,002	203,500	152,640	210,826
Alarm Monitoring	57,454	60,000	53,878	57,000
Special Detail Services	0	0	0	10,000
Other Public Safety Charges and Fees	10,063	500	738	500
<u>Physical Environment</u>				
Garbage and Trash	294,117	296,580	286,555	300,400
TOTAL SERVICE CHARGES	567,151	572,580	509,151	590,726
<u>Fines and Forfeits</u>				
Court Fines	4,618	4,000	3,774	5,000
Police Education	369	400	291	400
Violation of Local Ordinances	9,214	8,000	82,230	8,000
TOTAL FINES AND FORFEITS	14,201	12,400	86,295	13,400
<u>Miscellaneous Revenue</u>				
Interest Earned (Savings, Investments)	9,990	12,000	3,969	12,000
Interest Earned (Tax Collect)	444	1,000	81	1,000
Interest Earned (Liens, et cetera)	1,138	500	15,586	1,000
Art Proceeds	0	1,000	0	1,000
Equipment-Sales & Compensation	7,000	11,500	7,500	2,000
Contributions	0	0	0	0
Miscellaneous Income	30,500	0	0	0
TOTAL MISCELLANEOUS REVENUE	49,072	26,000	27,136	17,000
SUB-TOTAL REVENUES	5,254,179	5,296,298	5,052,603	5,567,122
FUND BALANCE UNAPPROPRIATED	0	580,002	0	317,250
INSURANCE PROCEEDS	0			
GRAND TOTAL	5,254,181	5,876,300	5,052,603	5,884,372

**General Fund
Town of Ocean Ridge, Florida
Summary of Expenditures**

2014-15 Budget

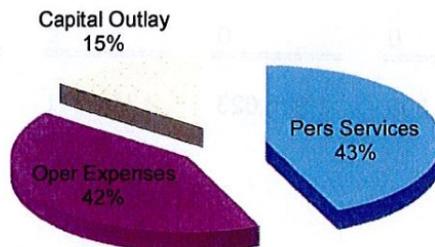
Code	Department	12-13 Actual	13-14 Approp'd	Actual thru June '14	14-15 Proposed
511.101	Town Commission	18,226	19,694	17,291	21,518
512.102	Town Manager	132,570	138,618	103,002	141,442
513.103	Town Clerk/Finance	262,366	280,194	208,493	292,960
514.104	Legal	125,171	110,000	68,070	117,000
515.105	Appointed Boards	1,650	6,000	2,672	6,100
519.106	General Government	924,463	977,730	625,575	970,485
521.107	Public Safety	2,648,998	3,135,362	2,438,926	3,243,578
524.108	Building & Zoning	119,748	149,274	127,823	122,500
525.109	Emergency Preparedness	0	0	0	0
534.111	Solid Waste	235,442	245,000	178,713	249,500
539.112	Environmental	250,627	217,300	165,797	250,300
541.113	Public Works	163,167	245,357	152,507	268,989
580.114	Contingency	0	51,771	18,736	50,000
	Total	<u>4,882,428</u>	<u>5,576,300</u>	<u>4,107,605</u>	<u>5,734,372</u>
	Building Permit Rebates			0	
590.100	Transfer to Cap Projects	325,000	300,000	300,000	150,000
		5,207,428	5,876,300	4,407,605	5,884,372



**General Fund
Summary of Expenditures
By Major Category**

2014-15 Budget

Code	Department	Personnel Services	Operating Expenses	Capital Outlay	Total	Percent
511.101	Town Commission	6,918	14,600	0	21,518	0.38%
512.102	Town Manager	135,841	5,600	0	141,442	2.47%
513.103	Town Clerk/Finance	245,121	47,240	600	292,960	5.11%
514.104	Legal	0	117,000	0	117,000	2.04%
515.105	Appointed Boards	0	6,100	0	6,100	0.11%
519.106	General Government	0	182,210	788,275	970,485	16.92%
521.107	Public Safety	1,957,775	1,247,420	38,383	3,243,578	56.56%
524.108	Inspections	0	122,500	0	122,500	2.14%
525.109	Emergency Preparedness	0	0	0	0	0.00%
534.111	Solid Waste	0	249,500	0	249,500	4.35%
539.112	Environmental	0	250,300	0	250,300	4.36%
541.113	Public Works	140,989	99,500	28,500	268,989	4.69%
580.114	Contingency	0	50,000	0	50,000	0.87%
	Total	2,486,644	2,391,970	855,758	5,734,372	100.00%
	Percent	43.36%	41.71%	14.92%	100.00%	100.00%
590.100	Transfer to Cap Projects		-		150,000	
					5,884,372	



**General Fund
Summary of Expenditures
Four Year Comparison**

Personnel Expenses

<u>Code</u>	<u>Department</u>	<u>2011-12 Actual</u>	<u>2012-13 Actual</u>	<u>2013-14 Budget</u>	<u>2014-15 Proposed</u>	<u>Four year % change</u>
511.101	Town Commission	6,752	6,764	6,894	6,918	2.459%
512.102	Town Manager	127,763	128,537	133,018	135,841	6.323%
513.103	Town Clerk/Finance	212,929	222,141	233,794	245,121	15.119%
514.104	Legal	0	0	0	0	0.000%
515.105	Appointed Boards	0	0	0	0	0.000%
519.106	General Government	0	0	0	0	0.000%
521.107	Public Safety	1,448,770	1,491,482	1,804,148	1,957,775	35.134%
524.108	Inspections	0	0	0	0	0.000%
525.109	Emergency Preparedness	0	0	0	0	0.000%
534.111	Solid Waste	0	0	0	0	0.000%
539.112	Environmental	0	0	0	0	0.000%
541.113	Public Works	95,391	96,699	136,857	140,989	47.801%
580.114	Contingency	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	0.000%
	Total	1,891,605	1,945,623	2,314,711	2,486,644	

**General Fund
Summary of Expenditures
Four Year Comparison**

Total Budget Figures

<u>Code</u>	<u>Department</u>	<u>2011-12 Budget</u>	<u>2012-13 Budget</u>	<u>2013-14 Budget</u>	<u>2014-15 Proposed</u>	<u>Four Year % change</u>
511.101	Town Commission	19,321	19,338	19,694	21,518	11.371%
512.102	Town Manager	134,475	136,808	138,618	141,442	5.181%
513.103	Town Clerk/Finance	267,622	270,581	280,194	292,960	9.468%
514.104	Legal	105,000	105,000	110,000	117,000	11.429%
515.105	Appointed Boards	6,000	6,000	6,000	6,100	1.667%
519.106	General Government	989,510	961,512	977,730	970,485	-1.923%
521.107	Public Safety	2,743,696	2,883,988	3,135,362	3,243,578	18.219%
524.108	Inspections	100,500	110,500	149,274	122,500	21.891%
525.109	Emergency Preparedness	0	0	0	0	0.000%
534.111	Solid Waste	236,000	240,000	245,000	249,500	5.720%
539.112	Environmental	187,800	198,800	217,300	250,300	33.280%
541.113	Public Works	191,757	196,819	245,357	268,989	40.276%
580.114	Contingency	<u>50,000</u>	<u>54,000</u>	<u>51,771</u>	<u>50,000</u>	0.000%
	Total	5,031,681	5,183,346	5,576,300	5,734,372	

TOWN MANAGER

The Town Manager provides general administrative services for the management of the Town to ensure that all Council policies and directives are carried out and to coordinate work of all Town departments and employees. Activities include: providing liaison between the Town Commission, advisory boards/commissions, and the Town staff; preparing regular and special management reports; preparing the Commission agenda and materials for Commission meetings; processing citizen inquiries and service requests; processing zoning and land development matters; and, working with other agencies of government and representing the Town at meetings and conferences.

This department increased slightly. The personnel costs reflect a 3% merit increase, the continued \$7,200 vehicle allowance, a Florida Retirement System contribution rate of 7.37% (the Town contributes and includes this amount (\$7,548) in the ICMA account). The Life & Health Insurance account reflects 100% of the premium (with a 10% estimated increase), 3 months remainder of the approved \$1,500 2014 calendar year deductible, 9 months of a \$1,500 2015 deductible, dental coverage (\$192), and vision coverage (\$84) .

The Operating Supplies for Gas and Oil is based on an estimated \$4.00 per gallon for fuel.

ADDENDUM

07/2014

Salary Revision to Reflect 2.5% to Topped Out Employees

Effective Oct. 1st and associated costs

\$2,571 Addition

Final Health/Dental/Vision/STD/LTD/Life Premiums

\$1,152 Decrease

NET EFFECT

\$1,419 INCREASE

**Town of Ocean Ridge, Florida
Annual Budget**

Fund: Department:
General Town Manager

Acct Number
512.102

Summary of Expenditures

Code		FY 12-13	FY 13-14	Actual		FY 14-15	
No.	Item	Actual	Approp'd	thru	Proposed	% +/- from	% of Dept.
				June		13/14	Expended
<u>PERSONNEL SERVICES</u>							
501.100	Executive Salaries	98,962	102,194	78,355	104,568	2.32%	76.67%
501.110	One Time 3% Lump Sum Adj	2,767	0	0	0	0.00%	0.00%
501.400	Overtime Pay	0	0	0	0	-100.00%	0.00%
501.419	Vacation Pay	0	1,827	0	1,872	2.50%	0.00%
501.700	Cafeteria Plan	0	0	0	0	N/A	N/A
502.100	FICA Taxes	7,755	7,958	5,994	8,143	2.33%	75.32%
502.200	FRS Retirement Contributions	0	0	0	0	N/A	N/A
502.210	ICMA Retirement Contributions	11,385	11,943	8,732	12,669	6.08%	73.11%
502.300	Life & Health Insurance	7,111	8,356	6,358	7,864	-5.89%	76.09%
502.310	Long Term Disability	372	432	297	420	-2.78%	68.75%
502.400	Worker's Compensation	185	309	192	304	-1.46%	62.15%
Total Personnel Services		128,537	133,018	99,928	135,841	2.12%	75.12%
<u>OPERATING EXPENSES</u>							
503.400	Other Contractual Services	0	0	0	0	0.00%	0.00%
504.000	Travel & Per Diem	90	200	0	200	0.00%	0.00%
504.100	Communication Services	1,028	1,200	704	1,200	0.00%	58.67%
504.500	Insurance	43	200	46	200	0.00%	23.00%
504.600	Repair & Maintenance	0	0	0	0	0.00%	0.00%
504.620	Repair & Maintenance-Vehicle	0	0	0	0	0.00%	0.00%
505.200	Operating Supplies	0	0	0	0	0.00%	0.00%
505.210	Operating Supplies - Gas & Oil	2,532	3,500	1,985	3,500	0.00%	56.71%
505.400	Subscriptions/Memberships	340	500	340	500	0.00%	68.00%
Total Operating Expenses		4,033	5,600	3,075	5,600	0.00%	54.91%
<u>CAPITAL OUTLAY</u>							
506.400	Machinery & Equipment	0	0	0	0	NA	NA
Total Capital Outlay		0	0	0	0	NA	NA
TOTAL TOWN MANAGER		132,570	138,619	103,002	141,442		

**Town of Ocean Ridge, Florida
Annual Budget**

Fund:	Department:	Acct Number
General	Town Manager	512.102

Detail of Personnel Services & Capital Outlay

		Employees		FY 13-14	FY 14-15
Item		Present	Proposed	Approp'd	Proposed
<u>Executive and Regular Salaries</u>					
501.100	Town Manager	1	1	102,194	104,568
501.110	1 Time 3% Lump Sum Adjust	0	0	0	0
SUBTOTAL				102,194	104,568
501.400	Overtime & Vacation Pay			0	0
501.410	Vacation Pay			1,827	1,872
501.700	Cafeteria Plan			0	0
502.100	FICA Taxes			7,958	8,143
502.200	FRS Retirement Contributions			0	0
502.210	ICMA Retirement Contributions			11,943	12,669
502.300	Life & Health Insurance			8,356	7,864
502.310	Long Term Disability			432	420
502.400	Worker's Compensation			309	304
TOTAL PERSONNEL SERVICES				133,018	135,841
<u>CAPITAL OUTLAY</u>					
506.400	Machinery & Equipment				0
	Lap Top			0	0
	Misc			0	0
	Vehicle			0	0
TOTAL CAPITAL OUTLAY				0	0

TOWN CLERK/TREASURER

The office serves as the official depository for all official records of the Town. All applications for regulatory licenses and permits are process by this office. The Clerk is responsible for the conduct of all municipal elections. The Clerk serves as secretary to the Town Commission and other boards.

The office provides the accounting, internal auditing, and control services for all Town government activities. All receipts, disbursements, and investments are processed by this office.

* * * * *

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 on their anniversary date to the Deputy Town Clerk and Receptionist/Clerk, and an increase to the Florida Retirement System contribution rate from 6.95% to 7.37% and a 12.28% DROP contribution rate. The Civilian and DROP rate is set by the State. The Life & Health Insurance reflects 100% of the premium (with a 10% estimated increase), 3 months remainder of the approved \$1,500 2014 calendar year deductible, 9 months of a \$1,500 2015 deductible, dental coverage (\$576), and vision coverage (\$252).

ADDENDUM

07/2014

Salary Revision to Reflect 2.5% to Topped Out Employee

Effective Oct. 1st and associated costs

\$ 469 Addition

Final Health/Dental/Vision/STD/LTD/Life Premiums

\$3,456 Decrease

NET EFFECT

\$2,987 DECREASE

**Town of Ocean Ridge, Florida
Annual Budget**

Fund: Department:
General Town Clerk & Finance

Acct Number
513.103

Summary of Expenditures

Code		FY 12-13	FY 13-14	Actual		FY 14-15	
No.	Item	Actual	Approp'd	thru June	Proposed	% +/- from 13-14	% of Dept. Expended
<u>PERSONNEL SERVICES</u>							
501.100	Executive Salaries	76,226	78,562	60,335	80,526	2.50%	76.80%
501.110	One Time 3% Lump Sum Adj	2,288	0	-	0	0.00%	0.00%
501.200	Regular Salary and Wages	91,769	95,987	71,653	100,773	4.99%	74.65%
501.210	One Time 3% Lump Sum Adj	2,736	0	-	0	0.00%	0.00%
501.400	Overtime Pay	829	2,646	825	2,778	4.99%	31.18%
501.410	Vacation Pay	3,240	3,357	-	3,540	5.44%	0.00%
502.100	FICA Taxes	13,503	13,812	10,160	14,353	3.91%	73.56%
502.200	FRS Retirement Contributions	10,733	12,548	12,784	17,781	41.70%	101.88%
502.300	Life & Health Insurance	19,389	25,068	17,858	23,592	-5.89%	71.24%
502.310	Long Term Disability	1,116	1,296	891	1,260	-2.78%	68.75%
502.400	Worker's Compensation	312	518	328	519	0.02%	63.27%
Total Personnel Services		222,141	233,794	174,834	245,121	4.84%	74.78%
<u>OPERATING EXPENSES</u>							
503.200	Accounting & Auditing	24,740	30,000	23,360	30,000	0.00%	77.87%
503.400	Other Contractual Services	0	0	-	0	0.00%	0.00%
504.000	Travel & Per Diem	1,382	1,700	390	1,800	5.88%	22.94%
504.500	Insurance	248	300	152	300	0.00%	50.67%
504.610	Repair & Maintenance	7,132	8,050	7,480	8,250	2.48%	92.92%
504.900	Other Current Charges & Obligations	6,438	6,000	1,992	6,500	8.33%	33.20%
505.400	Subscriptions/Memberships	285	350	285	390	11.43%	81.43%
Total Operating Expenses		40,225	46,400	33,659	47,240	1.81%	72.54%
<u>CAPITAL OUTLAY</u>							
506.400	Machinery & Equipment	0	0	0	600	NA	
Total Capital Outlay		0	0	0	600	NA	
TOTAL TOWN CLERK & FINANCE		<u>262,366</u>	<u>280,194</u>	<u>208,493</u>	<u>292,960</u>		

**Town of Ocean Ridge, Florida
Annual Budget**

Fund:	Department:	Acct Number
General	Town Clerk & Finance	513.103

Detail of Personnel Services & Capital Outlay

		Employees		FY 13-14	FY 14-15
	Item	Present	Proposed	Approp'd	Proposed
<u>Executive and Regular Salaries</u>					
501.100	Town Clerk	1	1	78,562	80,526
501.110	One Time 3% Lump Sum Adj			0	0
501.200	Deputy Town Clerk	1	1	50,772	53,311
501.200	Clerk Typist	1	1	45,214	47,462
501.210	One Time 3% Lump Sum Adj			0	0
SUB TOTAL		3	3	174,548	181,299
<hr/>					
501.400	Overtime & Vacation Pay			2,646	2,778
501.410	Vacation Pay			3,357	3,540
502.100	FICA Taxes			13,812	14,353
502.200	FRS Retirement Contributions			12,548	17,781
502.300	Life & Health Insurance			25,068	23,592
502.310	Long Term Disability			1,296	1,260
502.400	Worker's Compensation			518	519
				59,245	63,822
TOTAL PERSONNEL SERVICES				233,794	245,121
<hr/>					
<u>CAPITAL OUTLAY</u>					
506.400	Machinery & Equipment			0	600
TOTAL CAPITAL OUTLAY				0	600

**Town of Ocean Ridge, Florida
Annual Budget**

Fund: Department:
General Law Enforcement & Fire Control

Acct Number
521.107

Summary of Expenditures

Code		FY 12-13	FY 13-14	Actual		FY 14-15	
No.	Item	Actual	Approp'd	thru	Proposed	% +/- from	% of Dept
				June		13-14	Expended
<u>PERSONNEL SERVICES</u>							
501.100	Executive Salaries	72,558	90,484	68,830	92,746	2.50%	76.07%
601.110	One Time Lump Sum Adj	2,168	0	0	0	#DIV/0!	
501.200	Regular Salary and Wages	885,353	1,025,807	729,469	1,117,953	8.98%	71.11%
501.210	One Time Lump Sum Adj	28,950	0	0	0		
501.400	Overtime Pay	92,244	65,000	39,806	65,000	0.00%	61.24%
501.410	Vacation Pay	4,996	23,834	2,970	22,872		
501.500	Special Pay (SI & CD)	12,460	15,600	9,640	17,220	10.38%	61.79%
501.510	Special Detail Pay	0	0	0	7,000		
501.600	Holiday Pay	33,119	43,400	19,283	47,298	8.98%	44.43%
502.100	FICA Taxes	86,679	95,512	66,613	104,812	9.74%	69.74%
502.200	FRS Retirement Contributions	147,765	212,438	143,272	245,649	15.63%	67.44%
502.300	Life & Health Insurance	93,696	166,620	89,119	164,619	-1.20%	53.49%
502.310	Long Term Disability	6,200	8,640	5,445	8,820	2.08%	63.02%
502.400	Worker's Compensation	25,294	45,651	20,976	51,184	12.12%	45.95%
502.500	Unemployment Comp	0	11,163	203	12,602	12.89%	1.82%
Total Personnel Services		1,491,482	1,804,148	1,195,626	1,957,775	8.52%	66.27%
<u>OPERATING EXPENSES</u>							
503.100	Professional Services	12,310	21,120	19,908	19,720	-6.63%	94.26%
503.400	Other Contractual Services	905,112	941,318	941,316	978,869	3.99%	100.00%
504.000	Travel & Per Diem	6,579	12,900	4,657	11,400	-11.63%	36.10%
504.100	Communications Services	20,221	18,020	16,558	18,020	0.00%	91.89%
504.200	Postage, Freight	921	1,000	716	1,200	20.00%	71.60%
504.300	Utility Service	12,025	15,500	8,634	16,500	6.45%	55.70%
504.400	Rentals and Leases	0	0	0	1,600	NA	#DIV/0!
504.500	Insurance	19,775	24,622	21,148	25,500	3.57%	85.89%
504.610	Repair & Maintenance	29,599	35,400	22,993	31,262	-11.69%	64.95%
504.620	Repair & Maint - Vehicle	16,642	16,500	10,801	20,800	26.06%	65.46%
504.630	Repair & Maint - Radio	12,728	16,272	11,963	19,872	22.12%	73.52%
504.700	Printing & Binding	874	3,000	338	1,950	-35.00%	11.27%
504.900	Other Current Charges & Obligations	1,649	1,500	948	1,500	0.00%	63.20%
505.100	Office Supplies	4,275	6,000	2,881	7,000	16.67%	48.02%
505.200	Operating Supplies	5,866	7,050	2,310	9,650	36.88%	32.77%
505.210	Operating Supplies - Gas & Oil	43,771	58,000	30,909	58,000	0.00%	53.29%
505.220	Operating Supplies - Uniforms	11,706	15,031	5,331	17,998	19.74%	35.47%
505.400	Subscriptions/Memberships	7,913	6,631	6,268	6,579	-0.78%	94.53%
Total Operating Supplies		1,111,966	1,199,864	1,107,679	1,247,420	3.96%	92.32%
<u>CAPITAL OUTLAY</u>							
506.200	Buildings		0	0	0		
506.400	Machinery & Equipment	45,550	131,350	135,620	38,383	-70.78%	103.25%
Total Capital Outlay		45,550	131,350	135,620	38,383	-70.78%	103.25%
TOTAL LAW ENFORCEMENT & FIRE CONTROL		2,648,998	3,135,362	2,438,926	3,243,578		

**Town of Ocean Ridge, Florida
Annual Budget**

Fund:	Department:	Acct Number
General	Law Enforcement & Fire Control	521.107

Detail of Personnel Services & Capital Outlay

		Employees		FY 13-14	FY 14-15
Item		Present	Proposed	Approp'd	Proposed
EXECUTIVE AND REGULAR SALARIES					
501.100	Director	1	1	90,484	92,746
501.110	One Time Lump Sum Adj			0	
501.200	Lieutenant	1	1	76,594	78,508
	Sergeant	4	4	275,109	287,224
	Police Officers	9	9	477,835	503,220
	Dispatcher Supervisor	1	1	51,012	54,227
	Dispatchers	4	4	145,256	145,378
	1 Additional Officer Position	0	0	0	49,396
501.210	One Time Lump Sum Adj			0	
SUB TOTAL		20	20	1,116,290	1,210,699
501.400	Overtime & Vacation Pay			65,000	65,000
501.410	Vacation Pay			23,834	22,872
501.500	Special Pay/Incentive			15,600	17,220
501.510	Special Detail Pay			0	7,000
501.600	Holiday Pay			43,400	47,298
502.100	FICA Taxes			95,512	104,812
502.200	FRS Retirement Contributions			212,438	245,649
502.300	Life & Health Insurance			166,620	164,619
502.310	Long Term Disability			8,640	8,820
502.400	Worker's Compensation			45,651	51,184
502.500	Unemployment Compensation			11,163	12,602
TOTAL PERSONNEL SERVICES				1,804,148	1,957,775
CAPITAL OUTLAY					
506.200	Buildings			0	0
506.400	Machinery & Equipment				
	2 Police Cruisers			64,000	0
	Replace 2 Laptop Computers(2,000x2)			2,000	4,000
	Replace 2 Computers			1,100	2,400
	USA CAD Alarm Program Software			0	5,493
	New Alarm Monitoring Equipment			0	20,000
	2 Radar Units			2,995	5,990
	New Color Copier (Squad)			1,000	500
	New ATV to Replace 2000 Polaris			15,000	0
	Computer/Server Replacement 18 items			45,255	0
TOTAL CAPITAL OUTLAY				131,350	38,383

**DISPATCH SERVICES ARE INCLUDED IN OVERALL DEPARTMENT TOTAL
BUT A BREAKDOWN OF SERVICES IS LISTED ON THE NEXT PAGE**

PUBLIC WORKS

This department provides maintenance to all Town streets, property, buildings and grounds. Activities include: weed and grass cutting, traffic and street sign maintenance, water system maintenance, storm drainage maintenance, maintenance of all Town dune crossovers, and maintenance of the Town Hall complex.

This department increased from the prior year. The personnel costs include a 3% merit increase to the Maintenance Supervisor, up to a 5% merit increase on the anniversary date to the one employee not topped out on the Step Plan, and the Florida Retirement System contribution rate increased from 6.95% to 7.37%. The Life & Health Insurance reflects 100% of the premium (with a 10% estimated increase), 3 months remainder of the approved \$1,500 2014 calendar year deductible, 9 months of a \$1,500 2015 deductible, dental coverage (\$384), and vision coverage (\$168). The Operating Supplies for Gas and Oil is based on an estimated \$4.00 per gallon for fuel. The Road Materials & Supplies account increased (\$10,000) to provide for the purchase of red valves. Capital Outlay expenditures include an electric golf cart (\$3,000) and a 2015 Pickup Truck w/8' Bed (\$28,500).

ADDENDUM

07/2014

Salary Revision to Reflect 2.5% to Topped Out Employee

Effective Oct. 1st and associated costs

\$1,453 Addition

Final Health/Dental/Vision/STD/LTD/Life Premiums

\$2,304 Decrease

NET EFFECT

\$ 851 DECREASE

ADDENDUM

8/14

Removal of Golf Cart

\$3,000 Decrease

**Town of Ocean Ridge, Florida
Annual Budget**

Fund: Department:
General Public Works

541.113

Summary of Expenditures

Code		FY 12-13	FY 13-14	Actual		FY 14-15	
No.	Item	Actual	Approp'd	thru	Proposed	% +/- from	% of Dept.
				June		13-14	Expended
<u>PERSONNEL SERVICES</u>							
501.200	Regular Salary and Wages	73,393	89,062	67,580	92,184	3.51%	75.88%
501.210	One Time 3% Lump Sum Adj	2,193			0		
501.400	Overtime	559	5,000	570	5,000	0.00%	11.40%
501.140	Vacation Pay	988	1,740	0	1,803	NA	NA
501.700	Cafeteria Plan	0	0	0	0	NA	NA
502.100	FICA Taxes	5,879	7,196	5,213	7,435	3.32%	72.45%
502.200	FRS Retirement Contributions	4,191	6,658	4,736	7,295	9.57%	71.13%
502.300	Life & Health Insurance	6,186	16,592	9,975	15,728	-5.21%	60.12%
502.310	Long Term Disability	372	864	594	840	-2.78%	68.75%
502.400	Worker's Compensation	2,938	7,074	2,318	7,939	12.23%	32.77%
502.500	Unemployment Compensation	0	2,672	0	2,766	3.51%	0.00%
Total Personnel Services		96,699	136,857	90,986	140,989	3.02%	66.48%
<u>OPERATING EXPENSES</u>							
503.100	Professional Services	0	0	0	0	NA	
504.300	Utility Service	38,135	40,000	32,441	43,000	7.50%	81.10%
504.500	Insurance	1,219	2,500	1,307	2,500	0.00%	52.28%
504.610	Repair & Maintenance	4,026	7,000	3,359	7,000	0.00%	47.99%
504.620	Repair & Maintenance - Vehicle	747	3,500	1,105	2,500	-28.57%	31.57%
505.200	Operating Supplies	2,512	3,500	2,523	3,500	0.00%	72.09%
505.210	Operating Supplies - Gas/Oil	3,600	6,000	2,547	5,000	-16.67%	42.45%
505.220	Operating Supplies - Uniforms	500	500	318	500	0.00%	63.60%
505.230	Operating Supplies - Sm Tools	506	500	281	500	0.00%	56.20%
505.300	Road Materials & Supplies	15,223	25,000	14,596	35,000	40.00%	58.38%
509.900	Contingency-NPDES	0	0	0	0	NA	#DIV/0!
Total Operating Expenses		66,468	88,500	58,477	99,500	12.43%	66.08%
<u>CAPITAL OUTLAY</u>							
506.300	Improvements Other Than Bldgs	0	0	0	0	NA	0.00%
506.400	Machinery & Equipment	0	20,000	3,044	28,500	42.50%	15.22%
Total Capital Outlay		0	20,000	3,044	28,500	42.50%	15.22%
TOTAL PUBLIC WORKS		<u>163,167</u>	<u>245,357</u>	<u>152,507</u>	<u>268,989</u>		

**Town of Ocean Ridge, Florida
Annual Budget**

Fund:	Department:	Acct Number
General	Public Works	541.113

Detail of Personnel Services & Capital Outlay

Item	Employees		FY 13-14	FY 14-15
	Present	Proposed	Approp'd	Proposed
<u>501.200 REGULAR SALARIES</u>				
FT Maintenance Supervisor	1	1	52,904	54,227
FT Maintenance Man	1	1	36,158	37,958
501.210 One Time 3% Lump Sum Adjustment			0	0
SUB TOTAL	2	2	89,062	92,184
<hr/>				
501.400 Overtime & Vacation Pay			5,000	5,000
501.410 Vacation Pay			1,740	1,803
501.700 Cafeteria Plan			0	0
502.100 FICA Taxes			7,196	7,435
502.200 FRS Retirement Contributions			6,658	7,295
502.300 Life & Health Insurance			16,592	15,728
502.310 Long Term Disability			864	840
502.400 Worker's Compensation			7,074	7,939
502.500 Unemployment Compensation			2,672	2,766
<hr/>				
TOTAL PERSONNEL SERVICES			136,857	140,989
<hr/>				
<u>CAPITAL OUTLAY</u>				
506.300 Improvements Other Than Buildings			0	0
506.400 Machinery & Equipment				
Electronic Golf Cart			0	0
Red Valves (2 @ \$2,000 each)			0	0
2015 Pickup Truck w/8' Bed			0	28,500
Used Bucket Truck			20,000	0
TOTAL CAPITAL OUTLAY			20,000	28,500

PUBLIC HEARING/TENTATIVE BUDGET ADOPTION MEETING HELD AUG 11, 2014

Public Hearing/Tentative Budget Adoption Meeting of the Town of Ocean Ridge held on Monday, August 11, 2014, at 5:01PM 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

PUBLIC HEARING

a. Comments from Commissioners and Public

Clerk Hancsak summarized the July 23rd Budget Meeting stating that no changes were made to the proposed budget but the Commission did request additional information. However after the budget distribution it was discovered that the Special Detail Pay expense was not offset with the anticipated revenue (\$10,000), the trade in for the 2000 Pickup Truck was not included in the revenue (\$2000) pending approval of the new truck purchase and the Rental Registration revenue would be too high (\$3000 now reduced to \$1500) if the Commission chooses to lower the cost to \$35 as discussed at the July Regular Meeting. Also at the direction of the Town Manager, the budget was revised to provide for increases of 2.5% effective October 1st for all employees already topped out instead of the proposed 3% on their anniversary as originally presented. The other employee's proposed increases of up to 5% on their anniversary dates remained the same. The revision reflects an overall personnel increase of \$5550. On August 5th staff was presented with the renewal rates for the existing Health Insurance, Short Term Disability, Life and AD&D, Long Term Disability, Dental and Vision coverage. The NHP Health Insurance renewal rates decreased 8.7% keeping the same plan. The STD, Life and LTD also had a rate reduction by changing to another company. Dental and Vision rates remained the same. The budget has been revised to reflect the decreases (\$31,428 total). These revenue/expenditure changes result in a \$25,878 decrease in expenditures, a \$10,500 increase in revenues with an overall reduction in the original surplus needed to balance the budget (\$36,378). With these changes the total expenditures instead of \$6,003,250 would be \$5,977,372, and the total Revenues instead of \$5,566,622 would be \$5,577,122. As a result the surplus needed to balance the budget would be \$400,250.

Public Comment

Gerry Magruder, 9 Ridge Blvd, was concerned that this budget did not reflect the purchase of cameras for the Town of Ocean Ridge in order to reduce the number of break-ins and crime.

Mayor Pugh stated that the purchase of cameras was a multi-agency project and that Chief Yannuzzi had been meeting/coordinating with other municipalities for almost a year. Even though the purchase of cameras is not in this budget, there is money in the General Fund and the budget could be amended to purchase cameras once approved.

Kristine DeHaseth, 29 Sabal Island Drive, requested that Ocean Ridge present a balanced budget. She was concerned with having to dip into the reserves each year in order to balance.

Zoanne Hennigan, 91 Island Dr. South, agreed with Mrs. DeHaseth and requested that the millage rate not be increased, as the Town's revenue would already increase from the increased property values. She also thanked the Commission for providing the budget details on line. She was not in favor of salary increases and requested that the Town stay within their means.

Manager Schenck stated that the Commission had requested some additional information regarding some of the proposed capital items. 1) Golf Cart -- This would be a helpful asset to the Public Works. According to the Florida Statue, a municipal maintenance use of a golf cart is under different ruling from recreational carts. 2) Pickup Truck -- the old truck went to the repair shop for a detailed estimate on the ball joints. The mechanic considered it dangerous to drive, and the repairs are almost \$1000. He could not get any other necessary repair estimates until we get it back from the shop. The truck has almost 100,000 road miles and serves as our only 4 wheel drive when we have heavy flooding or storms. He would let Chief Yannuzzi discuss the Home Alarm System and the Police Car Warranties.

Comments from the Commission

Mayor Pugh agreed with the Town Manager that the pickup truck was in disrepair and needed replaced. He was concerned that it might put the Town at risk if it wasn't. He also stated that just because the funds were in the budget, didn't mean that it had to be spent. Clerk Hancsak reminded the Commission that if they did not choose to purchase the new truck then \$3000 - \$5000 would need to be added for vehicle maintenance repairs.

PUBLIC HEARING/TENTATIVE BUDGET ADOPTION MEETING HELD AUG 11, 2014

Chief Yannuzzi stated that the purchase and installation of cameras was an expansive project that would include private enterprise. Cameras would be placed at 2 locations in Ocean Ridge but additional cameras would be included along 12 miles of A1A and the Town's cost would be between \$60,000 - \$120,000. He had sent a draft letter to agencies to make a presentation. This would be discussed at our September meeting. At this time we have not set aside specific funds for this project until there is a final cost, and it would probably be funded from reserves. Comm. Aaskov asked if Lighthouse Point could come to Ocean Ridge and do a presentation. There was a discussion of a possible workshop in the fall.

Chief Yannuzzi stated that regarding the Alarm Monitoring System, he had been working with SIS from Orlando. In reviewing it, he had reduced 5 work stations to 2 and also decided to have in-house training. These changes would reduce the cost down by \$10,000. This system is a fully functional alarm system. The law requires for 2 calls out for alarm companies, however; our dispatch is immediately notified when an alarm was activated and an officer responds to all calls. He felt it was well worth the funds, and was needed as our old system is no longer usable.

Chief Yannuzzi stated that the extended vehicle warranties are for 60 months or 75,000 miles and the existing vehicles will exceed the mileage probably by the end of December. If the Commission chose to wait until a vehicle was down, before we ordered the replacement, it can take 6 months to receive the new patrol vehicle. This would place more wear/tear on the remaining vehicles and reduce the trade-in value of the broken vehicle. Since the existing police equipment for the Ford vehicles would become useless, the consensus was to keep the existing vehicles as long as possible.

Comm. Bonfiglio stated that unfortunately the Town had no control over the 4% minimum Fire/EMS Contract annual increase or other certain costs. However; he did state that he would be in favor of putting one patrol vehicle in the budget. Comm. Allison stated that the Town in the past has attempted to purchase 2 new vehicles every year if possible and rotate out the cars with the highest mileage.

Comm Allison stated that she was in favor of keeping the golf cart in the budget. Mayor Pugh stated that the Polaris ATV approved last year was supposed to serve both the maintenance and police department.

Comm. Lucibella was not in favor of the SIS program as he felt the price was too high. He was also concerned of potential programming issues with the new system, and felt that there were other systems available at a lower cost of \$20,000 that would be CAD system accessible.

The cost of an additional officer was also discussed, and it was noted that the average time to hire personnel takes 4-6 months, including background checks, physical, and psychological tests. Comm Lucibella stated that he felt the 35% increase in the police department budget was too much and he was not in favor of an additional police officer and all of the associated benefits. He added that the Town was adequately served and more stringent enforcement of existing laws would result in less enforcement. In support of the position, Chief Yannuzzi stated that devotion to code enforcement costs the town money and the officer's time. Comm Bonfiglio mentioned that there has been a recent increase in crime and an additional officer would allow for more flexibility for the shift coverage and provide additional patrols.

There was a consensus to remove the Golf Cart (\$3000), remove the 2 police vehicles (\$76,000), however; \$4000 additional funds were added to the repair and maintenance account for repairs to existing vehicles, and to budget only \$20,000 for the Alarm Monitoring System (reducing the budget by \$18,000). Removing the 2 vehicles also resulted in reducing the revenue by \$10,000 anticipated for the trade in of 2 vehicles.

The Tentative Budget Adoption Meeting/Regular Meeting immediately to follow is scheduled for Tuesday, September 9, 2014 at 5:01pm. The Final Budget Adoption is scheduled for September 16, 2014 at 5:01pm.

PUBLIC HEARING/TENTATIVE BUDGET ADOPTION MEETING HELD AUG 11, 2014

Meeting adjourned at 6:07pm.

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, August 11, 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 Commissioner Allison
Mayor Pugh

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Clerk Hancsak advised that the three resolutions adopted at the July 7, 2014 meeting each contained a typographical error and that the numbering should actually be 2014-07, 08 and 09 and not 2014-04, 05, and 06. Atty Spillias pointed out the correct spelling for Seth Behn.

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

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

Motion Carried – yea (5).

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

Betty Bingham, 1 Ocean Ave., commented that the Town should be leery of purchasing Chevrolet products at this time. She also commented that crime would reduce greatly if individuals were fined for a first violation.

Dr. Ritota, 4 Hudson Ave., clarified that grading the alleyway between Hudson and Ocean Ave. was in the upcoming budget.

Kristine de Haseth, 29 Sabal Island Dr., commented that she felt the three controversial ordinances was too excessive for one agenda.

Joe Belmonte, 5600 N Ocean Blvd., stated that because the beach renourishment opens the beach to the public and has a positive natural drift he believed that the private land to the south also becomes public. Comm Lucibella stated that the public area is the Erosion Control Line (ECL) not the Mean High Water Line (MHWL). Mr. Belmonte advised that anyone can see new sand in the south as well as the north and he felt it was a moral issue.

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

Terry Brown, Harbour Dr So, commented that he felt the issue regarding the beach and sand will ultimately be decided in the court system. He also stated that he agreed with earlier comments made by Comm Lucibella that someone other than the Chief should review the police structure in general because something is not working right. He referred to a recent incident that occurred on Harbour Dr that he did not believe was handled properly. Mayor Pugh reminded Mr. Brown that this should actually be the Town Manager's job to which Mr. Brown stated that someone needed to look at the politics inside and that some changes were necessary.

Nancy Hogan, 37 Hibiscus Way, reminded everyone in attendance that the monthly Bookmobile was a test program that would be ending in October if a sufficient increase in participation did not occur. She suggested that individuals take advantage of this benefit.

Zoanne Hennigan, 91 Island Dr So, commented that the Rental Registration ordinance was originally adopted citing a public safety issue and if the registration reverts to annual it wouldn't meet the requirements for safety. She agreed with the Chief that the ordinance should remain as is.

Joan Curran, 27 Harbour Dr So, mentioned that the street sign for Harbour Dr possibly needed to have additional illumination.

Connie Many, 19 Harbour Dr No, stated while she felt the Town had a good police department she felt it was mismanaged due to the utilization of services. She felt the Town would be better served through patrols and not issuing hurricane preparedness letters.

PUBLIC HEARINGS

None

REPORTS

6. Town Manager

Manager Schenck reported the following: 1) Inlet Cay Island – The red valve replacement on Bimini Cove Dr has been ordered and should be installed in early August. The Eleuthera Dr Repaving commenced Aug. 4 and should take approximately 2 months to complete. 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 is on the agenda 5) Town Hall Utility and Access Easement – Mr. Swaim is still working with the regulatory agencies. 6) PBA Contract Negotiations – staff met the PBA and local representatives on July 31st and presented our latest proposal to which they have a counter offer and will present it shortly.

7. Town Attorney

Atty. Spillias advised that the Office of Inspector General litigation has been scheduled for 8/18/14, however; it is 6th on the docket for that day. He also mentioned that he was preparing a letter from the Town in response to a request for a duplex to have two separate parcel numbers with the County. He advised that there is nothing that should prevent this provided they do not try to divide the property itself.

Atty Spillias advised that he was asked to review a recently adopted Gulfstream ordinance, similar to one adopted in Boca Raton, regarding reasonable accommodation proceedings for the Affordable Health Care Act. for Sober Houses. He stated that he concentrated on Boca's ordinance because it was challenged in court, revised, and then approved by a judge with the Injunction being lifted. He had several concerns he would like to review on the Town's behalf. The consensus of the Commission was to review the two municipality's ordinances and then discuss whether they wanted a similar type of ordinance drafted.

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

Comm Bonfiglio asked if a written report regarding the change of use for the 5011 building was completed. Atty Spillias advised that he did not recall that the research be written, however; some research was done and would be discussed during the item on proposed ordinance #607.

9. Police Chief

In summarizing his report, Chief Yannuzzi pointed out that of the 4,550+ CAD events 2,588 were district patrols and 800+ were house checks. He mentioned that a new dispatcher will start employment tomorrow pending confirmation later in the agenda, and background checks were currently being completed for another dispatcher/clerk and police officer position (also on the agenda). He also summarized some of the reimbursements the Town receives such as: 911 call taker and equipment funds, body armor funds, and misc grants totaling approximately \$32,000 thus far.

Chief Yannuzzi summarized the Uniformed Crime Report (UCR) by stating that his police officers were doing an outstanding job and there was a 48% decrease in burglaries from the prior year. He mentioned that there were 35 in 2012 and 13 last year. He stated that perception is reality and unfortunately there has been crime in the homes but not on the beach. He stated that there has been a 71% decrease in burglaries from 2013 to the first six months of 2014, however; one bad week changes those statistics. The positive note is that an individual was arrested for several of incidents that occurred in the last few weeks. He also commended the citizen involvement and response to the email blasts which resulted in the arrest. Concerning the incident of the suspicious vehicle/persons on Harbour Drive, Chief Yannuzzi advised that although the police saw the vehicle that actually drove around the police vehicle no pursuit took place because his officers do not pursue for a property crime, citing safety concerns to the communities during the early evening hours. Lt. Hutchins commented that the two license plate numbers provided proved to be incorrect numbers. He reminded the Commission and public that distributing flyers regarding safety issues for the hurricane season was also part of their duties and added that the officers are obviously patrolling during this time. Comm Lucibella thanked Officers Kurz and Savino and Manalapan for the handling of the burglary suspect arrest. Mayor Pugh also mentioned the resident's diligence as a whole and felt that while these incidents are unfortunate it does bring the community together and provide a feeling of looking out for each other.

Chief Yannuzzi announced the "9/11 Remembrance Ceremony" that would take place on Thursday, Sept. 11, 2014 at 7 PM at Christ Fellowship Church in Palm Beach Gardens.

10. Town Engineer

Engineer Tropepe was absent with notice.

ACTION ITEMS

11. Confirm the Hiring of Dispatcher/Clerk Courtney Hammond

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

Comm Allison moved to confirm Courtney Hammond as a Dispatcher/Clerk, seconded by Comm Aaskov.

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

Motion Carried – yea (5).

12. Authorize the Temporary Hiring of One Dispatcher/Clerk to Fill the Vacant Position to be Confirmed at the Sept. 9th Meeting

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

Manager Schenck stated that Chief Yannuzzi is requesting permission to hire a dispatcher to fill the vacancy. They have reviewed the applicants and selected one to fill the position. She is going through the final clearances. However the results will not be available until shortly after the meeting. Should everything come out as expected he's requesting approval to hire her in August rather than wait until September.

Comm. Lucibella motioned to authorize the temporary hiring of one Dispatcher/Clerk to fill the vacant position, and to be confirmed at the Sept. 9th, 2014 meeting. Seconded by Comm. Bonfiglio.

Motion Carried – yea (5).

13. Authorize the Temporary Hiring of One Police Officer to Fill the Vacant Position to be Confirmed at the Sept. 9th Meeting

Manager Schenck stated that Chief Yannuzzi is requesting permission to hire a police officer to fill the vacancy. They have reviewed the applicants and are completing the background on two of the applicants to fill the one position. They are going through the final clearances. However the results will not be available until shortly after the meeting. Should everything come out as expected he's requesting approval to hire one of them in August rather than wait until September.

Comm. Lucibella motioned to authorize the temporary hiring of one Police Officer to fill the vacant position, and to be confirmed at the Sept. 9th, 2014 meeting. Seconded by Comm. Allison.

Motion Carried – yea (5).

14. Authorize the Renewal of Annual NoSeeum Spraying Contract with Clarke Environmental Mosquito Management, Inc. at a Cost of \$49,972 from Budgeted Funds in the Proposed 2014/15 Budget

Manager Schenck summarized his memorandum by stating that the 16% increase was due to additional areas being sprayed – not an increase in fees. He checked with 2 other companies, one of which advised they could not meet Clarke's bid price and the other is lower in cost but he had serious concerns on the chemicals being used and whether it could actually be done at the quoted cost. There is no licensed sprayers in the 2nd company for this type of work nor is the company licensed for this type of work. He recommended renewing the contract.

Comm. Bonfiglio motioned to authorize the renewal of the Annual NoSeeum Spraying Contract with Clarke Environmental Mosquito Management, Inc. at a cost of \$49,972 from Budgeted Funds. Comm Lucibella seconded the motion.

Terry Brown, Harbour Dr So, stated that the Town should not spend \$50,000 on a problem that will not go away. He also felt this was being slipped in before the budget cycle to which he was advised that the costs are included in the proposed budget.

Mayor Pugh commented his concern on the effectiveness of the spraying this year and he felt that our maintenance personnel should follow up to ensure that they are properly spraying all included areas.

Connie Many, 19 Harbour Dr No, felt the spraying was not a comfort issue but a health issue and felt it was definitely less effective and the workers should be monitored more closely.

Motion Carried – yea (5).

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

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

Town Manager Schenck summarized his memorandum by stating that William Swaim is looking to purchase the area north of the Thompson St easement to the Corrine St nature trail walkway which would result in a benefit to the Town. In order to survey the area they are requesting to clear the overgrown 20' easement described above of only exotic vegetation. He stated there are no mangroves and most of the vegetation is Brazilian Pepper trees. He added that there would be no adverse impact to the Town because we do not utilize this ROW. He supplied aerials from 2007 and present which reflect that the area was relatively clear and has now grown over. He recommended approval of the removal of exotic vegetation in the ROW in order to survey the property.

Mayor Pugh questioned who will supervise the clearing to ensure only exotics are removed. Manager Schenck advised that the Town's landscaping company could oversee the work. Comm Bonfiglio questioned if the Town could be held liable if they trimmed any mangroves to which Atty Spillias advised that an Indemnification Agreement could be signed.

Gary Kosinski, 6000 Old Ocean Blvd. stated he was speaking in order to protect the mangroves and residents of Ocean Ridge and not the non-resident developers. He advised that he spoke with DEP earlier today who allegedly advised that his attempts to develop sensitive areas through exemptions were ludicrous and that he has already been turned down once on a property in Boynton Beach, which he is appealing. He questioned why he was pursuing these environmentally sensitive areas. He was concerned that the Town Manager was recommending approval and felt an Environmental Civil Engineer should be hired to determine if there are non-exotic plants there. Manager Schenck commented that the proposed areas to be developed were zoned Residential.

Mr. Erickson, 5931 N Ocean Blvd., commented that he was concerned with this request, citing that it is easier to ask for forgiveness afterwards and this request should not be trusted. He felt the mangroves and the wildlife habitat should be preserved.

Terry Brown, Harbour Dr So., stated that any permitting would be far into the future and questioned why the Town would participate in helping him with this quest.

Betty Bingham, 1 Ocean Ave., questioned whether this area was owned by the County to which Town Clerk Hancsak explained and pointed out the various owners and zoning of the surrounding area on the aerial.

Kristine de Haseth, 29 Sabal Island Dr, stated she was opposed to using the Town's land and permission should not be granted.

William Swaim, commented that he was acting as agent for the property owner (Kerrigan Trust), and the reason for the request was to determine the actual property lines of the parcel on the four corners. He stated he was coming before the Commission so everyone would be aware what actual work was taking place. Regarding the ludicrous exemption requests, he stated that there are exemptions to the State law. He advised that this property was once farm land and the mangroves infiltrated the area when the County put in the mosquito ditches and could therefore not be considered wetlands for preservation purposes. He added that the property owner has the right to take advantage of these exemptions considering it is zoned Residential. Comm Bonfiglio questioned whether he was actually their agent through Power of Attorney to which Mr. Swaim said that he would have the documentation within the next week, however; he has a letter from the property owner.

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

Comm Lucibella moved to respectfully decline the offer of clearing the Town's property in the ROW, seconded by Comm Allison.

Motion carried – yea (5)

15a. Approval of Employee Health Insurance to Become Effective Oct. 1, 2014

Town Manager Schenck advised that the renewal rate for the same coverage reflects a 8.7% decrease. He also provided additional quotes that were all higher than the existing plan. He stated that the rates for the Short Term and Long Term Disability and Life & AD/D also decreased through changing companies.

Comm Allison moved to authorize the renewal of the Employee Health Insurance effective Oct. 1, 2014, seconded by Comm Aaskov.

Motion carried – yea (5)

RESOLUTIONS

None

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

Atty Spillias reiterated the events that led up to the drafting of this ordinance. He stated that through the years various Commissions and residents have changed their opinions on whether to consider permission for this parcel to continue its mixed use or not and the method to accomplish same. He stated that through a settlement agreement the property was permitted to continue the mixed use (residential on the 2nd story and commercial on the 1st story). The settlement was extended for a one year period and upon its expiration was granted an additional 3 month extension to provide time for the filing of a Comprehensive Plan and Land Use Amendment. The Sivitilli family did make application on June 17th however; there were questions regarding precedence being set because they already do not meet some of the proposed changes. Atty Spillias then stated that at the July 7th meeting he advised that there was possibly a mechanism by which the existing grandfathering ordinance could be amended to allow continuation of the existing use with provisions.

Atty Spillias advised that the proposed ordinance revises the section implementing total residential zoning, grandfathering and amortization. He added that this proposed ordinance actually addresses the two grandfathering properties – 5011 building and the Sun Dek. He stated that because this ordinance provides for downward zoning it could therefore be implemented. He advised that if the properties did not comply with the provisions of the grandfathering then the Town could pursue sun setting the use.

Regarding the question raised whether the other prior commercial properties could litigate, Atty Spillias advised that he has consistently said that those properties had opportunities during the last 20-40 years (depending on the amortization schedule) to gain back their investments. Seth Behn mentioned two cases that he discovered whereby the properties did not prevail because there was no realization of value, or no proof of an arbitrary act by the municipality. He added that the Town provided a generous amortization schedule which has already been upheld in the court system. Atty Spillias mentioned another case and

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

likened it to a Police Officer having discretion on whether to enforce or not and the municipality has the executive function on whether to enforce or not.

Atty Spillias concluded his summary by stating the Commission had the decision of not doing anything thereby requiring the property use to cease, or approving a way to accomplish it either through this proposed ordinance or through a Comp Plan amendment. He added that on the Town's perspective the property needs to be cleaned up a bit and the Commission must decide if their commitment is true and what the timing issue would be. He stated that if the Commission was inclined to approve this ordinance they could delay either first or second reading until the Sivitilli's improve the property or adopt on first reading and then wait for the improvements. He stated that Lisa Sivitilli has presented a one page rendering and letter outlining the proposed improvements which included: refaced 2nd story, custom awnings, additional landscaping, window/door replacement, exterior painting, butterfly garden, paved parking area and relocating the a/c units where practical. He also stated that if the ordinance is adopted through both readings and no work is completed the property would be considered grandfathered as is.

Lisa Sivitilli, representing her parents, stated that this property has always been unique to the Town in that it has maintained a lot of the same tenants for many years unlike some of the short term rentals. She then introduced Randall Stofft, architect for the proposed improvements.

Mr. Stofft stated that he was also a resident at 6665 N Ocean Blvd. He reiterated the description of the proposed improvements. Comm Lucibella clarified that both the electrical and plumbing would also be brought up to code.

Mayor Pugh asked Mr. Miner, Urban Design Kilday Studios, the highest and best use of the property. Mr. Miner advised the size, location, and adjacent communities create a unique situation for this property. He stated that he felt a mixed or small commercial use was the best use.

Comm Bonfiglio summarized the timetable and events leading up to this meeting and stated that the Town has spent a lot of money trying to accommodate this property, even drafting this ordinance. He felt the submittal was totally inadequate. He concluded by stating that he can't justify either changing the policy or allowing them to continue.

The majority of the Commission expressed their disappointment with the lack of a more detailed improvement submittal supplied by Ms. Sivitilli. Ms. Sivitilli commented that it was difficult for the architect to design the improvements without knowing what will be done and added that they have already spent approximately \$10,000.

The following individuals spoke to oppose the proposed ordinance citing legal and economic risks, enormous costs to the Town, other commercial properties already phased out, and broken promises of converting to Townhouse units: Gary Kosinski, Gerry and Don Magruder, Terry Brown, Bruce Gimmy, and Kristine de Haseth.

Sandy Foster, 5900 N Ocean Blvd., stated that she has handled real estate in this area for a long time and she felt no one would invest in Townhouse property across from a gas station. She also stated that there is currently commercial property in this area and that no comparison could be made between the property where Busch's restaurant once stood and the 5011 building is now.

Comm Bonfiglio moved to table Ordinance #607 which he quickly withdrew.

Comm Bonfiglio moved to reject Ordinance #607, seconded by Comm Lucibella.

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

Comm Aaskov recused herself from the vote because she currently rents office space at this building. She advised that she would complete the Voter Conflict form.

Motion carried – yea (5)

Mayor Pugh questioned the future of the building. Atty Spillias advised that once the extension for the Settlement Agreement is expired there would be improper use of the property and it could be brought before code enforcement.

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

Atty Spillias summarized the proposed amendments to the existing Rental Registration code. These included one registration on an annual basis for all properties owned by one owner, removal of the renter's information, and a reduction of the fee from \$50 per lease to \$35 annually.

Comm Allison stated that when this ordinance was originally adopted the objective was safety not revenue and she questioned why even have an ordinance if it was not intended for the original goal. Chief Yannuzzi commented that while the form requested renter information no background checks are performed, however; the document does become part of the public record.

Comm Lucibella and Comm Bonfiglio both agreed that this ordinance does accomplish the goal for registering property.

Don Magruder, 9 Ridge Blvd., stated that he believed that this ordinance was originally in place because of the concern of single family home rentals. He felt the Town should not impose the ordinance on multi-family buildings where an owner actually resides as they already meet County and State guidelines. Comm Lucibella advised that it would be hard to determine these live-in owners and the fee would probably need to increase to cover the administrative costs involved.

Zoanne Hennigan, 91 Island Dr So, stated she agreed with Comm Allison that the ordinance was adopted for safety reasons. She added that it was originally designed for only single family homes but changed so as not to be discriminatory. She felt this ordinance was a compromise but the intent was to be informed of who was residing in the units.

Kristine de Haseth, 29 Sabal Island Dr, stated she had a renter for 2 months who was satisfied in supplying this information which would aid in any possibly police matter. She suggested including the renter information as optional on the form.

Comm Bonfiglio moved to adopt Ordinance #608 on first reading, seconded by Comm Aaskov.

Motion carried – yea (5)

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 in conflict; Providing for Codification; and Providing for an Effective Date

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

Atty Spillias advised that he was asked to draft a comprehensive ordinance encompassing the rules and regulations on the beaches within the Town. Since writing the original ordinance he has made a few revisions. This new ordinance incorporates several items into one document such as: disturbing the peace, animals on public and private property, littering for public and private property, glass, intoxication, and lewd and lascivious behavior. He summarized the ordinance.

Atty Spillias recommended not including a section on the demarcation of the beach stating that by doing so the Town may be giving or taking property away. This would also remove police discretion. An Internal Directive would probably be the best mechanism for enforcement. Comm Lucibella said enforcement would be difficult without a specific demarcation line. He also asked if DEP would permit markers on the beach for the residents. Atty Spillias advised they may permit them if requested by the Town to which Comm Lucibella advised that he believed the residents would pay for them.

Several concerns were raised within the ordinance including: no intoxicating beverages on any beach, the enforcement of the noise and language section, defecation on the beach, and the separation of public vs private on enforcement.

Terry Brown, Harbour Dr So, stated that he felt this ordinance complicates the enforcement even more for the police department. He stated that DEP won't allow anything that would impede the water flow or the turtles on the beach. He added that there are differentiated property lines for all the beachfront owners and the Town is looking for a lawsuit. He concluded by stating that he was concerned with the enforcement of dogs on the private beach and also with having alcohol on a private deck or dune.

Gary Kosinski, 6000 Old Ocean Blvd., suggested using the Rack Line as the demarcation line because it would coincide with the Army Corp of Engineers. He added that a property owner would need to make a complaint to have it enforced.

Mayor Pugh questioned whether a BEACH definition should be adopted. Atty Spillias mentioned that there is no simple answer on this definition and that it comes down to what each community wants for their beach.

Kristine de Haseth, 29 Sabal Island Dr, questioned addressing the rules for trespass and dune regulations in the ordinance. Atty Spillias commented that the State already regulates this.

Comm Lucibella stated that the beachfront owners want assurances that some of the behavior can be controlled and/or enforced on the beach, especially their private portion. He also stated that he was not opposed to the leash regulation being applied for private owners. He did not agree with the glass regulation.

Comm Bonfiglio moved to adopt Ordinance #609 on first reading with minor revisions to remove the intoxication section and expanding on Section 62-33(b). Comm Allison seconded the motion.

Motion carried – yea (5)

Meeting Adjourned at 9:55 pm.

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

REGULAR TOWN COMMISSION MEETING HELD AUGUST 11, 2014

Attest By:

Town Clerk

Commissioner Bonfiglio

Commissioner Lucibella

TOWN OF OCEAN RIDGE

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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

PROCLAMATION BY THE TOWN OF OCEAN RIDGE DECLARING SEPTEMBER 2014 AS SICKLE CELL MONTH

WHEREAS, The Sickle Cell Foundation of Palm Beach County is a voluntary health organization that has been in existence since 1973; and

WHEREAS, Since its inception, the Foundation's mission has been to improve the quality of life for persons affected by Sickle Cell Disease and members of their families, and to educate the public about this blood disorder; and

WHEREAS, The Sickle Cell Foundation is the only entity in Palm Beach County that is dedicated to serving persons affected by Sickle Cell disease and members of their families, and to educate the public about this blood disorder; and

WHEREAS, Various educational presentation and blood drives are scheduled during the month of September throughout Palm Beach County.

NOW, THEREFORE, BE IT RESOLVED that I, Geoffrey A. Pugh, Mayor of the Town of Ocean Ridge, do hereby proclaim September 2014,

"SICKLE CELL MONTH"

BE IT FURTHER RESOLVED that a copy of the Proclamation will be sent to the Sickle Cell Foundation of Palm Beach County at 1600 North Australian Avenue, West Palm Beach FL 33407-5621.

(SEAL)

Geoffrey A. Pugh, Mayor

Karen E. Hancsak, Town Clerk

Memorandum

Date: September 2, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Town Update September, 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 September. It's been delayed at the factory.

Repaving of Eleuthera Dr. will also start in September.

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. There is a public meeting on Sept. 8th at the Boynton Beach Library from 4PM to 7PM. This will allow the public to make comments and ask questions.

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. The County is requiring additional documents on one of the properties.

Beach Crossovers

The second reading of the proposed ordinance will be on the September agenda.

Town Hall Utility and Access Easement

Mr. Swaim is still working with the regulatory agencies.

Recovery Houses-

Mr. Spillias forwarded the Ordinances from Gulfstream and Boca regarding the recovery houses in their communities. If the Commission wants to pursue this avenue we'll need some direction as there are pros and cons.-

PBA Contract Negotiations

Staff met the PBA and local representatives again in August and presented our latest proposal. The PBA has a counter proposal which we will be meeting with the Commission to discuss.

Calendar of Events

Commission Budget Meeting -----September 17, 2014 @ 5:01 PM
Commission Meeting-----October 6, 2014 @ 6:00 PM
Code Enforcement Meeting-----October 7, 2014 @ 10:00 Am

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

Agenda: Sept. 9, 2014
Memo: Item # 6

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

- Subject:**
- 1. Monthly Activity Report (July 2014)**
 - 2. Monthly Boynton Beach Fire/EMS Activity Report**
 - 3. FL Department of Health re-certification of our 911 Public Safety Telecommunicator Training Program allowing for in-house training of Dispatchers**
 - 4. Reminder: "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.**
 - 5. Bicycle/Motorist/Pedestrian Education/Enforcement Initiative including a "Bicycle Safety Fair".**
 - 6. Letters of Commendation for Burglary Arrest**

Mayor and Town Commissioners:

Attached please find the July 2014 Monthly Activity Report and the monthly Boynton Beach Fire/EMS Activity Report. (For those individuals reviewing the agenda and backup on the website - Items 1 and 2 are located on the website under Police/Monthly Reports).

The other items (3-6) are attached.

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

In addition, the Florida's Department of Highway Safety & Motor Vehicles has issued the enclosed News Release promoting child safety awareness. Several website links are also notated in the document.

(See attached 2-page release)

9/11 Remebrance Ceremony:

The annual Palm Beach County 9/11 Rememberance Ceremony will take place on Thursday, September 11, 2014 at 7:00Pm at Christ Fellowship Church, 5343 Northlake Blvd., Palm Beach Gardens. This is a non-denominational event sponsored by the Palm Beach County Fire Chiefs Association and supported by multiple area law enfocement and civic organizations.

The Ceremony provides an opportunity to remember all of the public safety personnel and civilians who lost their lives that fateful day.

Following the in-door Ceremony, (weather permitting) there will be an opportunity to join in a short walk to the City of Palm Beach Garden's 9/11 Memorial site at 5161 Northlake Blvd for a moment of personal reflection.

(See attached flyer)

The second Bicycle/Motorist/Pedestrian Traffic education/Enforcement Initiative:

Law Enforcement entities along A1A from Broward County to the Town of Palm Beach will be conducting another initiative to educate bicyclists, motorists and pedestrians regarding Florida's traffic laws and take enforcement action when necessary.

The initiative will begin on Saturday, September 13th, to include a "Back to School" Safety Fair sponsored by the Dori Sloberg Foundation's South Florida Safe Roads Task Force. The one-day Safety Fair will be held at Oceanfront Park, 6415 N. Ocean Blvd, Ocean Ridge from 9:00AM to Noon.

Additional dates for the initiative will be Sunday, September 14th; Tuesday, September 16th and Thursday, September 18th.

(See attached flyer)

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

July 24, 2014

Certified #: 7012 3050 0002 4101 0196

Return Receipt Requested

Jessica Simpson
Ocean Ridge Police Department
6450 North Ocean Boulevard
Ocean Ridge, FL 33435

Dear Jessica:

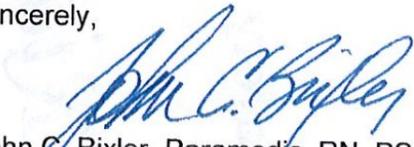
Ocean Ridge Police Department has been approved as a 911 Public Safety Telecommunicator Training Program. Enclosed is your Certificate of Approval, valid beginning December 14, 2014 and expiring December 14, 2016.

The Training Program has been assigned school code **168**, which shall be used on each completion certificate issued.

Ocean Ridge Police Department must maintain compliance with Chapter 401.465, Florida Statutes, and Chapter 64J-3, Florida Administrative Code. The Department of Health may conduct a scheduled or unscheduled compliance review at any time.

Congratulations on your approval. Should you have any questions contact Luke Remillard at (850) 245-4440, extension 2743, or by email at luke.remillard@flhealth.gov.

Sincerely,


John C. Bixler, Paramedic, RN, BSN
Emergency Medical Services Administrator

JCB/ljr
Enclosure

Florida Department of Health

Division of Emergency Preparedness and Communications Support
Bureau of Emergency Medical Oversight
4052 Bald Cypress Way, Bin A-22 • Tallahassee, FL 32399-1722
PHONE: (850)245-4440 • FAX (850)488-9408

www.FloridasHealth.com

TWITTER: HealthyFLA
FACEBOOK: FLDepartmentofHealth
YOUTUBE: fldoh

Certificate of Approval

for the

911 Public Safety Telecommunication Training Program

Sponsored by

Ocean Ridge Police Department

*This approval is granted for the period beginning on the
14th day of December, 2014, and ending on the 14th day of December, 2016.*

*This certificate is issued as approval and recognition that this program meets
the standards as specified in Chapter 401, Florida Statutes.*



Florida Department of Health

A handwritten signature in blue ink, appearing to read "John C. Zylka", written over a horizontal line.

Emergency Medical Services Administrator

Stop on Red, Kids Ahead

FloridaSchoolBusSafety.gov

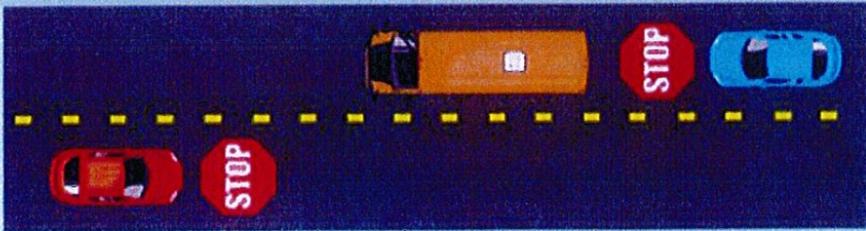
- ◆ A one day survey, conducted by the Florida Department of Education in April 2012, showed that more than 21,000 drivers illegally passed a stopped school bus.
- ◆ Each illegal pass-by could result in a tragic injury or fatality of a student. The inconvenience of an extra few seconds spent waiting for a stopped bus is insignificant compared to the loss of a child's life.
- ◆ Florida Motor Vehicles Laws require that motorists stop upon approaching any school bus which displays its flashing red lights and has its stop signs extended.
- ◆ Section 316.172, F.S. states that: Drivers who improperly pass a stopped school bus are subject to a citation, a fine for \$271 and four points on their driver's license.



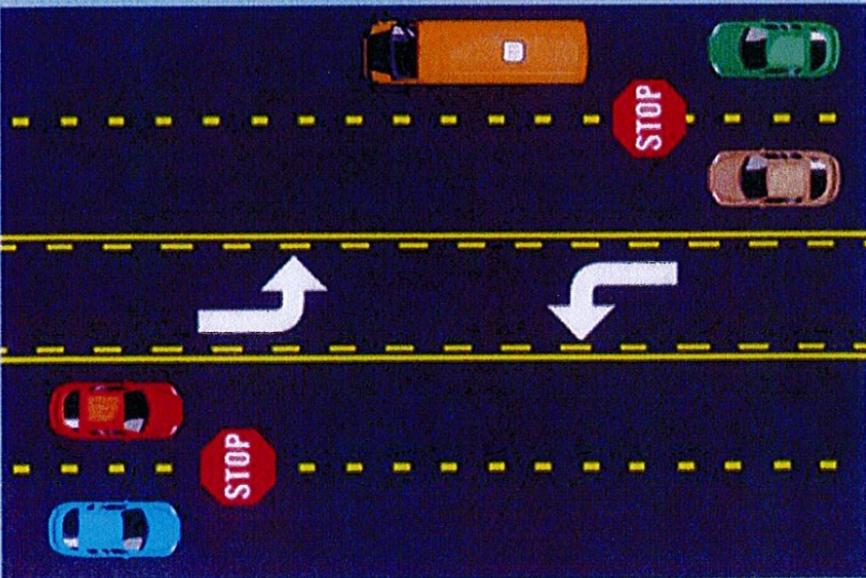
Ocean Ridge Police Department
6450 N. Ocean Blvd., Ocean Ridge, FL 33435



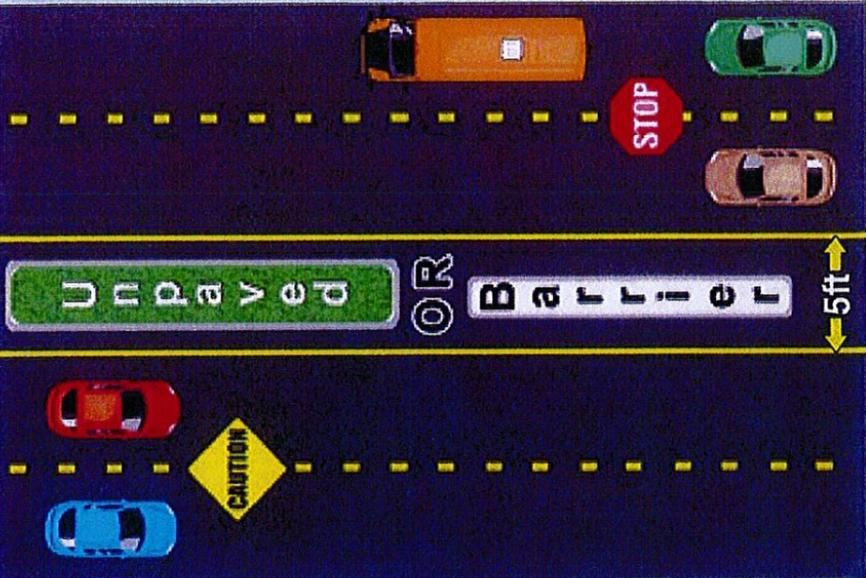
WHAT TO DO WHEN APPROACHING A STOPPED SCHOOL BUS



TWO-LANE:
Vehicles traveling in both directions **MUST** stop



MULTI-LANE Paved Across:
Vehicles traveling in both directions **MUST** stop



DIVIDED HIGHWAY
Unpaved space (Min 5ft) OR any raised median/physical barrier.
Vehicles behind bus **MUST** stop.
Vehicles traveling in the opposite direction proceed with caution.

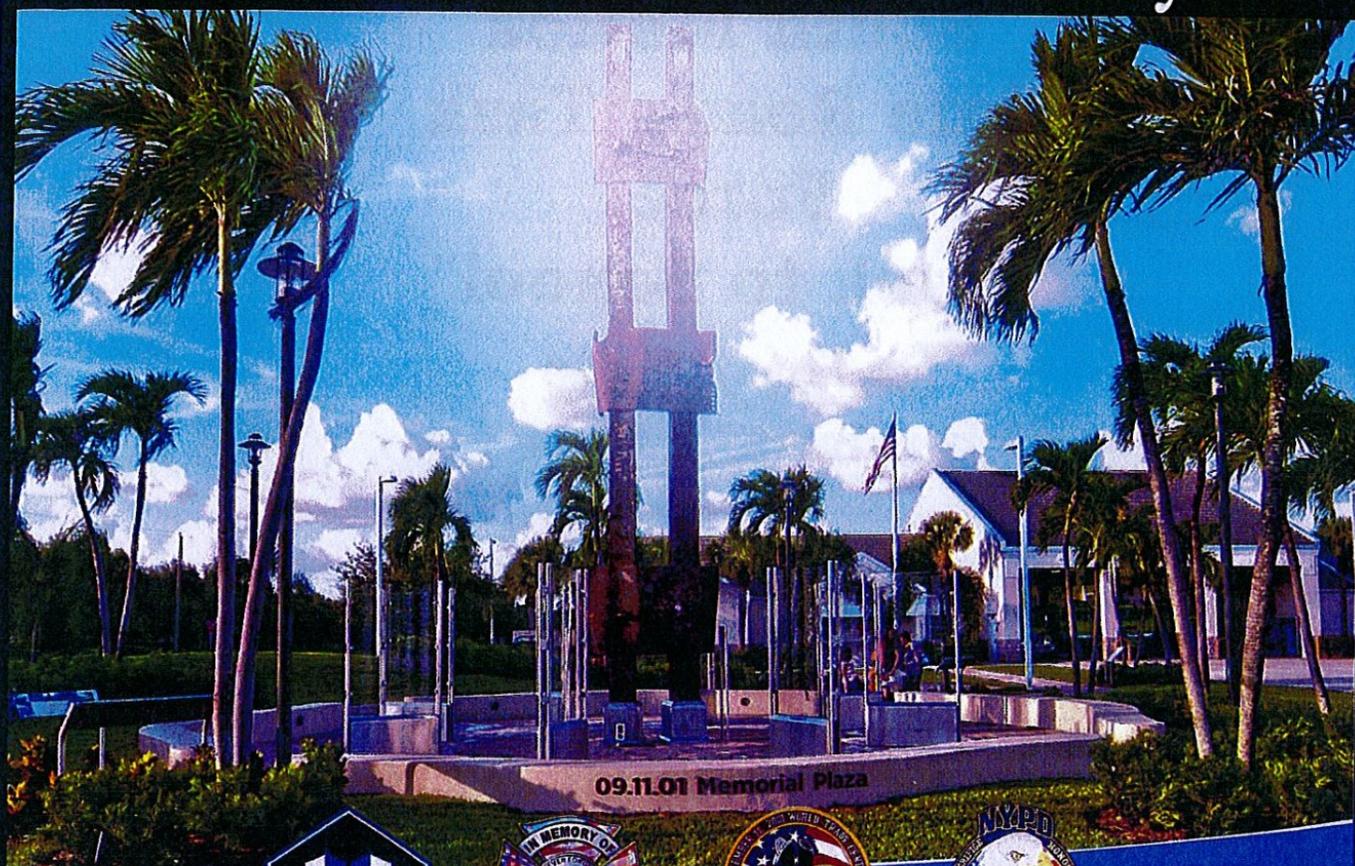


Passing a stopped school bus carries a fine of \$271 and a penalty of four points on your driver's license.



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:

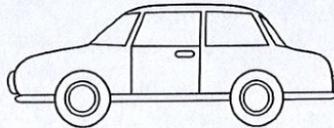




South Florida Safe Roads Task Force "Back to School" Safety Fair

Saturday September 13, 2014
9am-12pm
Boynton Beach Oceanfront Park
6415 N Ocean Drive (A1A)

**Free Helmets &
Helmets
Fittings**



**Free
Food &
Music**



**Seatbelt &
Baby Car Seat
Demonstrations**



**Interactive
Games**



**Bicycle
Raffle**

**FREE Parking when you mention the
event!**



The South Florida Safe Roads Task Force was formed to keep cyclists, pedestrians, motorcycle drivers and motorists safe and happy as they share the road!

For more information contact the Dori Slosberg Foundation at (561) 488-7900 or Florida Department of Transportation at (954) 777-4361.

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

To: Christopher T. Yannuzzi, Chief of Police
From: Lieutenant Hal C. Hutchings
Date: August 10, 2014
Subject: **Commendation / Officer David Kurz**

Chief Christopher T. Yannuzzi
Lieutenant Hal C. Hutchings
Det. Oscar Leon

On July 31, 2014 the Officers of the Ocean Ridge Police Department responded to the report of a burglary to an occupied residence. As a result of the initial investigation, video evidence was received from the victim. Part of that video evidence was converted to still photographs. Information about the crime and still pictures were disseminated to the public and Law Enforcement in a simultaneous manner.

Upon review of the information on Friday August 1, 2014, Officer Kurz recognized the suspect and vehicle photo as being related to a Delray Beach Police Department case from a bulletin he received earlier. He immediately provided me with this information, as well as stating he believed he recognized the suspect and vehicle. Officer Kurz advised he could not remember exactly where he had seen the suspect at the time. A short time later I received information of a similar nature from Manalapan Police Department, and was able to contact Det. Oscar Leon of the Delray Beach Police Department regarding a request to identify he had issued with the similar suspect and vehicle. Det. Leon provided that he received a tip from a subject identifying himself as the father of the suspect in his bulletin, naming Marcantonio Sacco as the owner of the vehicle. I then recalled Officer Kurz having contact with Sacco on a previous medical call in Town. I then requested Officer Kurz view the full video of the crime provided by the victim.

While viewing the video, I advised Officer Kurz of the possible suspect and he then stated "that's the guy I had at Colonial Ridge we sent to the hospital", referring to a medical call for an incoherent subject several months ago.

On August 2, 2014, Officer Kurz was dispatched to a suspicious vehicle at 110 Bonito Dr., after a report from a resident of the vehicle from the ORPD issued bulletin being parked in the driveway of a vacant property.

On arrival, Officer Kurz immediately recognized the vehicle and suspect from the video of the crime he had viewed the day before. In addition, upon seeing the suspect he recognized him as Marcantonio Sacco, from his previous encounter. Officer Kurz also advised me that he observed the clothing, shoes and backpack used in the commission of the crime, recorded on video, in plain view sitting in the vehicle with Sacco.

Based upon his on-scene observations and recall of details of the crime scene video for July 31, 2014, Officer Kurz determined he had probable cause to believe that Sacco was in fact the subject in the video, and responsible for committing burglary to the occupied dwelling. Officer Kurz therefore, arrested Sacco and removed him from the Town, eliminating his ability to commit further criminal acts.

I hereby Commend Officer Kurz for his dedication and actions in this event. His attention to detail, recognition of the suspect from the information presented, and the immediate response to his discovery, have removed a criminal from the streets of the Town. Since the arrest of the suspect, it has been discovered that Sacco is a suspect in more than 8 other crimes throughout the South County area and that he is the subject of investigation of multiple Law Enforcement agencies in Palm Beach County.



The Town of Ocean Ridge Police Department

Emergency 911 — Business (561) 732-8331 — Fax (561) 732-8676

6450 N. Ocean Blvd.
Ocean Ridge, FL 33435-5297

Christopher T. Yannuzzi
Chief of Police

August 25, 2014

Mrs. Amy McDonald
107 Bonito Dr.
Ocean Ridge, FL 33435

Dear Mrs. McDonald,

I wanted to take a moment to extend a well-deserved "Thank You" on behalf of not only the Police Department, but all of the citizens of Ocean Ridge. Your actions on August 2, 2014 in alerting Dispatch to your observations of a suspicious vehicle resulted in the arrest of a Burglary suspect.

Specifically, on July 31, 2014 a residential burglary occurred on Harbour Drive South. As a part of the ensuing investigation, Lt. Hal Hutchins sent out an email broadcast to Ocean Ridge residents in which he described a suspect vehicle. On August 2, you observed a vehicle matching the description in the driveway of 110 Bonito Drive. Responding Officers were able to locate the suspect and seize the vehicle; undoubtedly thwarting additional crimes. Based on video surveillance footage from the original scene, the subject was charged with that burglary and taken to the Palm Beach County Jail.

In order for any Police Department to provide superior service, there must be support from the citizenry. Your call that day is a prime example of that cooperative spirit which started a sequence of events resulting in the apprehension of a felon. Once again the idea of "See Something, Say Something" was brought to fruition.

Sincerely,


Christopher T. Yannuzzi,
Chief of Police

Agenda: Sept 9, 2014

Memo: Item #8

**Town of Ocean Ridge, Florida
Agenda Memorandum**

Office of the Town Clerk

**Subject: Request for Unity of Title for 55 Douglas Drive and
the Adjacent Lot in the Blue Ocean Subdivision**

Mayor and Town Commissioners:

REQUEST

The applicants, Jim and Debbie Cerullo, currently reside at 55 Douglas Drive, but also own the vacant lot immediately adjacent to this property (see attached survey). Evidently they joined this property by Unity of Title in Oct. of 2002. However; the Town's Code of Ordinances at Section 63-5 (copy attached) requires a Unity of Title Covenant in which the Town shall be a party to the recorded document, which shall run with the land. This was unknown to the Town until a contractor came into to inquire about the pool permit submittal. Their letter indicates that they plan on several improvements to the vacant property but any permit submittals will need to go through the normal building permit process to determine that it meets all zoning and building codes.

RECOMMENDATION

Staff recommends that the Unity of Title be approved and executed by the Mayor and Town Clerk and recorded as an official record in Palm Beach County.

has been duly made that false statements or misrepresentations existed as to material facts in the application or plans upon which the permit or approval was based.

- b. *Suspension.* The administrative official may suspend a building permit or certificate of occupancy and use where an administrative determination has been duly made that an error or omission on either the part of the permit applicant or government agency existed in the issuance of the permit or certificate approval.
- c. *Notice and appeal.* All administrative official decisions concerning the issuance, revocation or suspension of building permits and certificates of occupancy and use shall be stated in an official written notice to the permit applicant. Any decision of an administrative official may be appealed to the board of adjustment or building board of appeals, as applicable.

(Ord. No. 540, 3-13-2003)

Sec. 63-5. Unity of title agreements.

Where development is proposed on a lot-by-lot basis rather than in a planned residential development, abutting property owners may be allowed to master plan or jointly develop their separately and severally owned properties by execution of a unity of title covenant, which shall be recorded in the office of the clerk of the circuit court of the county, stipulating that a lot, lots or parcels of land shall be held under single or joint ownership and shall not be eligible for further subdivision, and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety. The parties executing the unity of title agreement shall agree to bind themselves and their successors in title, individually and collectively, in the maintenance of the development program approved by the town, and the town shall be a party to the recorded unity of title covenants, which shall run with the land. Such unity of title shall be released only by official action of the town commission upon a finding that the purpose or need of the unity of title no longer exists.

(Ord. No. 540, 3-13-2003)

Secs. 63-6—63-15. Reserved.

ARTICLE II. CONCURRENCY MANAGEMENT*

Sec. 63-16. Consistency with comprehensive plan.

(a) *Development orders to be consistent with comprehensive plan.* No development order shall be issued unless based upon a finding that the development is consistent with the 1989 comprehensive plan and any amendments thereto.

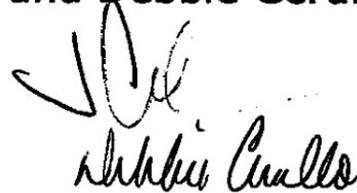
*Cross references—Solid waste, ch. 42; streets and sidewalks, ch. 46; traffic and vehicles, ch. 54; utilities, ch. 58; buildings and building regulations, ch. 67.

State law reference—Concurrency, F.S. § 163.3180.

Town of Ocean Ridge,

We are writing to request consideration for a Unity of Title involving our residence at 55 Douglas Drive and the vacant lot immediately adjacent to the North. The original paperwork was submitted to the County in 2002 and is included in our application along with a survey with legal descriptions of the properties. Initial reasoning was that the property at 55 Douglas Drive did not allow parking aside from a 1 car garage and the space to the North would allow multiple vehicles in a convenient location. Currently, we plan to build a pool and adjacent pool house along with upgrading the parking area and landscaping. In addition, we have an aerobic sewage treatment system located on the 55 Douglas property that will accommodate the additional facilities we plan to build on the lot to the North. It seems reasonable that these properties be unified for these reasons.

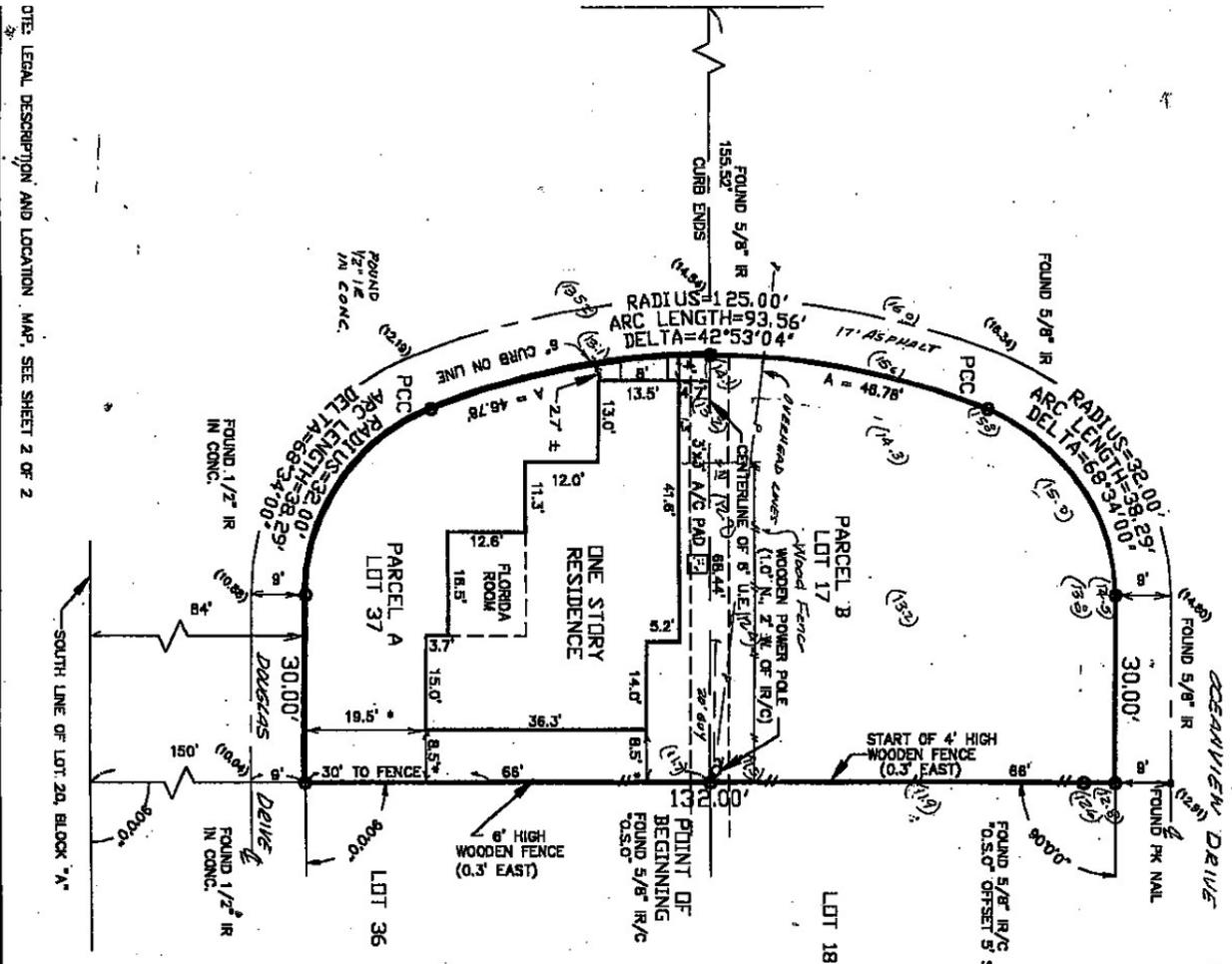
Jim and Debbie Cerullo

A handwritten signature in black ink, appearing to read "Debbie Cerullo". The signature is written in a cursive style with a large initial "D".

55 Douglas Drive

Ocean Ridge, FL 33435

561-274-8375



LEGAL DESCRIPTION AND LOCATION MAP, SEE SHEET 2 OF 2



FOR THE BENEFIT OF:
 JAMES A. CERULLO, A SINGLE MAN

- * CALCULATED MEASUREMENT
- U/C - DENOTES UTILITY ENCUMBRANCE
- R/C - DENOTES IRON ROD WITH CAP
- R - DENOTES IRON ROD (NO CAP)
- CL - DENOTES CENTER LINE
- DENOTES EXISTING ELEVATION

FINISHED FLOOR (ENCLOSED FLORIDA ROOM) ELEV. 13.43
 FINISHED FLOOR ELEV. 13.89
 GARAGE FLOOR ELEV. 13.41
 ADJACENT GROUND ELEV. 12.7

ADDRESS:
 55 DOUGLAS DRIVE
 OCEAN RIDGE, FL

FLOOD ZONE "B"
 COMMUNITY TOWN OF OCEAN RIDGE, FL
 COMMUNITY PANEL NO. 125134-0001-C
 MAP REVISED: SEPT. 30, 1982

I HEREBY CERTIFY THAT THE SKETCH SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY DIRECTION, AND THAT SAID SURVEY IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THERE ARE NO APPARENT GROUND ENCUMBRANCES, UNLESS OTHERWISE SHOWN AND THAT THE SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND CHAPTER 61G17-8 OF THE FLORIDA ADMINISTRATIVE CODE.

DATE: 2/6/03

REGISTERED SURVEYOR NO. 5285

PROPERTY SHOWN HEREON HAS NOT BEEN ABSTRACTED BY SURVEYOR FOR RIGHTS-OF-WAY, AND/OR EASEMENTS OR RECORDS; ELEVATIONS SHOWN HEREON ARE BASED ON N.G.V. DATUM UNLESS OTHERWISE NOTED; ALL PROPERTY CORNERS ARE IRON ROD WITH CAPS, UNLESS OTHERWISE NOTED; FOUNDATION OF EXISTING BUILDINGS LYING BELOW SURFACE NOT LOCATED, BEARINGS AND/OR ANGLES SHOWN HEREON ARE BASED ON RECORD PLAT OR DEED CALLS UNLESS OTHERWISE NOTED; MEASUREMENTS MADE IN ACCORDANCE WITH UNITED STATES STANDARD, UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING OR SKETCH IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

LB 2102 Joe Tucker

LAND SURVEYORS

RICHARD L. SHEPARD and Associates

Phone: (381) 381-4388
 216 SE 23RD AVENUE
 2nd FLOOR
 BOYNTON BEACH, FLORIDA 33439
 FAX: (381) 734-7548

LOT 17 AND LOT 37
 BLUE OCEAN SUBDIVISION
 UNRECORDED PLAT
 PALM BEACH COUNTY, FLORIDA

SCALE: 1" = 20'

DATE: 2/6/03

DRRAWING NO. SHEET 1 OF 2
 N03-02-069

**THIS INSTRUMENT PREPARED BY
AND RETURN TO:**

Robert W. Federspiel, P.A.
151 N.W. First Avenue
Delray Beach, FL 33444

DECLARATION OF UNITY OF TITLE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the ordinances of the Town of Ocean Ridge pertaining to the issuance of building permits and regulating building construction activities, the undersigned, being the free owner of the following described real property situated in the Town of Ocean Ridge, County of Palm Beach, and State of Florida, to-wit:

**SEE LEGAL DESCRIPTIONS ATTACHED
HERETO AS EXHIBITS "A" AND "B"**

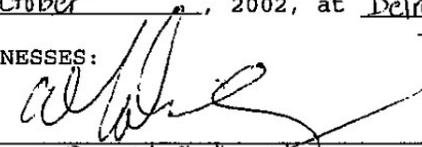
do hereby make the following declarations of condition, limitation and restriction on said lands, hereinafter to be known and referred to as a DECLARATION OF UNITY OF TITLE, as to the following particulars:

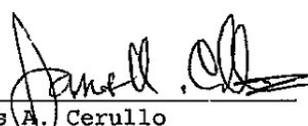
1. That the aforesaid plot or combination of separate lots, plots, parcels, acreage or portions thereof, shall hereinafter be regarded and is hereby declared to be unified under one title as an indivisible building site.
2. That the said property shall henceforth be considered as one plot or parcel of land, and that no portion thereof shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel of land.

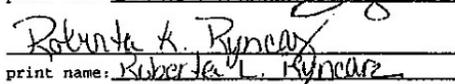
The undersigned further agrees that this Declaration of Unity of Title shall constitute a covenant to run with the land, as provided by law, and shall be binding upon the undersigned, his heirs, successors and assigns, and all parties claiming under them until such time as the same may be released in writing under the order of the Chief Building Official of the Town of Ocean Ridge. If the release is not given by the Chief Building Official, an appeal from such determination may be taken to the Board of Adjustment. The undersigned also agree that this instrument shall be placed of record in the office of the Clerk of the Circuit Court of Palm Beach County, Florida.

Signed, sealed, witnessed and acknowledged this 18th day of October, 2002, at Delray Beach, Florida.

WITNESSES:


print name: Donald C. Douglas


James A. Cerullo


print name: Roberta K. Runcare

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before me, the undersigned Notary Public in and for the aforesaid County and State, personally appeared JAMES A. CERULLO, ~~who is personally known to me or~~ who has produced FL. drivers' license as identification and did not take an oath, being cautioned by me, deposed and acknowledged that he executed the foregoing instrument freely and voluntarily, for the uses and purposes therein expressed.

SUBSCRIBED AND ACKNOWLEDGED before me by JAMES A. CERULLO, this 18th day of October, 2002.

Robert L. Rynca Print name

Notary Public
State of Florida
Commission No.:
Commission Expires:



(SEAL)

LEGAL DESCRIPTION

Exhibit "A"

A parcel of land in Fractional Section 34, Township 45 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows: Beginning at a point in a line parallel to, and 150 feet northerly measured at right angles, from the South line of Lot 20, Block A, Palm Beach Shore Acres (Ocean Boulevard Estates), according to the map or plat thereof of the Plat of Blocks A, B and Z of said Palm Beach Shore Acres as recorded in Plat Book 7, Page(s) 15, Public Records of Palm Beach County, Florida, said point of beginning being 155.52 feet Easterly, measured along said parallel line, from the West line of said Lot 20, and being the Northwest corner of the parcel herein described; thence Westerly along a line parallel to the South line of said Lot 20 a distance of 68.44 feet; thence Southerly along the arc of a curve having a radius of 125 feet, 46.78 feet to a point of compound curvature; thence Southeasterly along the arc of a curve having a radius of 32 feet, 38.29 feet to the end of said curve and a point in a line which is parallel to, and 84 feet northerly measured at right angles, from the South line of said Lot 20; thence Easterly along said parallel line a distance of 30 feet to a point which is the Southeast corner of the parcel herein described; thence northerly along a line at right angles to the South line of said Lot 20, a distance of 66 feet to the Point of Beginning.



LEGAL DESCRIPTION
VACANT LAND

The following parcel of land in fractional Section 34, Township 45 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

Beginning at a point in a line parallel to and 150 feet Northerly, measured at right angles, from the South line of Lot 20, Block A, Palm Beach Shore Acres (Ocean Boulevard Estates), according to Plat of Blocks A, B and Z of said Palm Beach Shore Acres recorded in Plat Book 7, Page 15, Public Records of Palm Beach County, Florida, said Point of Beginning being 155.52 feet Easterly, measured along said parallel line, from the West line of said Lot 20, and being the Southeast corner of the parcel herein described; thence Northerly at right angles to said parallel line, 66 feet; thence Westerly, parallel to the South line of said Lot 20, 30 feet to the beginning of a curve concave to the Southeast and having a radius of 32 feet; thence Westerly and Southerly along the arc of said curve, 38.29 feet to a point of compound curvature; thence Southerly along the arc of a curve having a radius of 125 feet, 46.78 feet to a point in a line parallel to the South line of said Lot 20; thence Easterly along a line which is parallel to the South line of said Lot 20, a distance of 68.44 feet to the Point of Beginning.

Memorandum

Date: September 2, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Development of Coconut Lane

Attached is a conceptual proposal to develop the western end of Coconut Lane. There are two options shown. In addition to replatting the lots the developer would like the Town to abandon the right of way beyond the present cul-de-sac to facilitate the proposed construction. As this area is presently a mangrove area State and COE approval would also be required. One item to consider with the abandonment on either proposal is whether or not the Town wants to retain an easement for residents to access the Intracoastal area. The developer would be responsible for all costs associated with the project. The area is zoned single family residential.

The developer will be at the meeting to answer any questions you may have. He's trying to get some thoughts before going through the application process.

McCarty & Associates
Land Planning and Design LLC
www.McCartyLandPlanning.com
SW Saint Lucie Crescent
Stuart Fl 34994
772-341-9322

August 28, 2014

Town of Ocean Ridge
6450 North Ocean Blvd
Ocean Ridge, FL 33435

RE: Town of Ocean Ridge -Coconut Lane Property

Dear City Council Members:

We are happy to inform you McCarty & Associates Land Planning and Design LLC is representing a group of owners for a collection of lots at the end of Coconut Lane in Ocean Ridge. The owners are exploring potential development options for the property and we would like to present the conceptual development plan options at the September 9th Town Council meeting. Our goal is to identify the town's desires and vision for the property, allowing us to determine the form and elements of the development.

The items to be discussed are as follows:

- ROW Abandonment- remainder of Coconut Lane and Inoyes Ave
- Existing Plat Configuration
- SFWMD permitting and mitigation
- Site plan review and replat
- Extension of utilities
- Review and entitlement process
- Public Benefits:
 - Increased tax revenues
 - ROW Improvements (installation of standard radius cul-de-sac)
 - Improved access for emergency vehicles and trash collection
 - Restoration and preservation of wetlands including site clean up
 - High end housing to promote the Ocean Ridge lifestyle

Attached you will find an aerial exhibit and concepts A and B for your review purposes.

Please contact us if you have any questions or require additional information. We look forward to working with you and welcome your comments.

Sincerely,

McCarty & Associates

Michael T. McCarty
Principal
Mike@McCartyLandPlanning.com

Coconut Lane

Ocean Ridge, Florida

McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com



Aerial Photograph



8/28/2014

Town of Ocean Ridge

Memorandum

Date: September 2, 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, Mr. Robert Harvey. As we are short this position we would like to fill the vacancy as soon as possible. The Commission gave tentative approval at the August meeting. We would like to hire him effective September 8, 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: September 2, 2014
Subject: Hiring of a Police Dispatcher/Clerk

The Background Investigation of Police Dispatcher/Clerk applicant Robert Harvey is complete. Based on Commission authorization to temporarily hire pending final consideration at the September 9, 2014 meeting, the candidate will begin work on Monday, September 8, 2014.

Robert began his career as a Police Dispatcher with the Cleveland State University Police (OH) in April 2003. He has also worked for the Ohio State Police, the Medina County (OH) Sheriff's Office and the Kannapolis (NC) Police Dept., before moving to Florida in 2013. Robert has already completed the State-mandated 9-1-1 Public Safety Telecommunicator course.

Since he is experienced and certified, Robert's starting salary will be \$35,817.60.

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

Therefore, I would request your approval to hire Robert Harvey and that the matter be placed on the Agenda for final consideration for confirmation by the Town Commission on September 9, 2014.

Memorandum

Date: September 2, 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, Mr. Richard Jones. As we are short this position we would like to fill the vacancy as soon as possible. The Commission gave tentative approval at the August meeting. We would like to hire him effective September 9, 2014.

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: September 2, 2014
Subject: Hiring of a new Police Officer

The Police Department has conducted a background investigation of the below Police Officer candidate who successfully completed the application and interview process. The vacancy being filled resulted from the resignation of Ofc. Payne.

Based on Commission authorization to temporarily hire pending final consideration at the September 9, 2014 meeting, the candidate will begin work that morning.

Richard Jones: Started his law enforcement career as a Dispatcher in June 1999 with the Clewiston Police Dept. and then became a Police Officer with the Arcadia Police Dept. in November 2000. He has worked as a Deputy in both the Hendry & Glades County Sheriff's Offices; rising to the rank of Major in Glades County. Most recently he has been working as an Emergency Medical Technician.

Richard has an Associate in Science degree in Criminal Justice and has completed numerous training courses; all of which will be beneficial to the Ocean Ridge Police Department and the citizens we serve.

Therefore, I submit this candidate to you for your review and approval for hiring. If you agree, I am also requesting that you place his name on the Agenda for the September 9th, 2014 Town Commission meeting for their consideration and authorization.

Memorandum

Date: September 2, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
**Re: Approval of Renewal for Liability and
Workers Comp. Insurance**

We've received a renewal policy for our liability and workers compensation insurance from Public Risk Underwriters of Florida. The renewal cost is \$76,716 for liability and \$26,486 for worker's comp. The total being \$103,202. This is a 3% increase over last year. We have looked at the League of Cities and Brown & Brown for coverage and this company has been the lowest cost. They insure many municipalities throughout the State. They have been a good company and worked well with us.

Staff recommends approval of the renewal policy at the quoted rates.

Agenda: Sept. 9, 2014
Memo: Item # 13

Town of Ocean Ridge, Florida

Commission Agenda Memorandum

Office of the Town Clerk

Subject: Ordinance #608; Amending Chapter 30, 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

This Ordinance was approved on first reading on August 4, 2014 and amends the laws that were originally adopted through Ordinance 603. This ordinance provides for an annual registration of all properties/units combined on one form by the property owner. The fee has been reduced to a \$35.00 annual fee and renter information is no longer required on the form.

Staff recommends adopting Ordinance #608 on second reading.

ORDINANCE NO. 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 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 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

WHEREAS, 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 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 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

WHEREAS, given the nature of the amendments to the rental registration procedure provided for herein and the alteration of the administrative tasks involved in implementing the amended procedures, the Town Commission deems it appropriate to reduce the registration fees previously established in Ordinance No. 603.

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: Chapter 30, LICENSES AND BUSINESS REGULATIONS, Article VII, Section 30-157 and Section 30-158 are hereby 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 on a form provided by the Town 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 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 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.
- 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.
- 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.
- 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 \$35.00 per rental registration. Such fee is payable 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 11th day of August, 2014.

SECOND AND FINAL READING this 9th day of September, 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 9th day of September, 2014.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
GEOFFREY A. PUGH, MAYOR

ATTEST: _____
TOWN CLERK

Memorandum

Date: September 2, 2014
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Ordinance 609 - Beaches

The enclosed ordinance has been modified to reflect changes proposed at the last meeting. The major change is the elimination of Sec. 62-33-Intoxication. I believe the other changes were addressed in the revised ordinance Mr. Spillias handed out at the meeting. If there are any additional changes you would like to see they can be addressed at the meeting.

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 TOWN; 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 town; and

WHEREAS, a portion of Chapter 62 regulates the use of vehicles and motor vehicles on beaches; and

WHEREAS, the Town Commission deems it appropriate to more specifically define vehicle, and motor vehicles for more effective enforcement of beach regulations; and

WHEREAS, the Town Commission has determined that it is necessary and appropriate to develop more comprehensive and effective beach management provisions in order to provide recreational opportunities for the public on public beaches while balancing these needs with the rights of beach front property owners; 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 any beach within the town shall comply with and abide by the rules and regulations of this chapter. All persons using the private beaches located within 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 Beaches Within the Town. No person shall take any animal upon the public ~~beaches~~ portions of any beach within the town. 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 any beach within the Town 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 Beaches Within the Town. No person shall leave, place, or deposit on any public portions of any beach within the town 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 three 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 any beaches within the Town shall obey all commands of ~~the town~~ any lifeguards in charge of such beaches, regardless of whether such lifeguards are employed by the town directly.

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 any beaches within the town. 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 three 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 within the town.

- (a) **Noise and Language.** 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~~ any beach or inlet within the town 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.
- (b) **Lewd or Lascivious Behavior; Nudity; Urination and Defecation.** It shall be unlawful for any person to engage in lewd or lascivious behavior on any beach within the town, including those portions of the beach that are determined to be private property. It shall be unlawful for any person to expose their genitals, and, if such person is female, breasts, on any beach within the town, including those portions of the beach that are determined to be private property. It shall be unlawful to urinate or defecate on any beach within the town, including those portions of the beach that are determined to be private property.

Section 11. 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 12. Repeal of Ordinances. Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

Section 13. Codification. This Ordinance shall be incorporated in and shall be included in the Town's Code of Ordinances.

Section 14. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING this 4th day of August, 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: _____