

TOWN OF OCEAN RIDGE

AGENDA



August 3, 2015

6:00 P.M.

TOWN HALL – MEETING CHAMBERS

TOWN COMMISSION

Mayor Geoffrey A. Pugh

Commissioner Gail Adams Aaskov

Commissioner Lynn L. Allison

Commissioner James A. Bonfiglio

Commissioner Richard J. Lucibella

ADMINISTRATION

Town Manager Kenneth N. Schenck, Jr.

Town Attorney Kenneth G. Spillias

Town Clerk Karen E. Hancsak

Police Chief Hal Hutchins

RULES FOR PUBLIC PARTICIPATION

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

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

APPELLATE PROCEDURES

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

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

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of July 6, 2015
2. Minutes of Public Hearing/Budget Proposed Millage Meeting of July 21, 2015
3. Approval of Annual Floodplain Management Report for FY 2014/15

MOTION	SECOND	DISCUSSION	VOTE
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ANNOUNCEMENTS AND PROCLAMATIONS

4. The Administrative Offices will be closed on Monday, Sept. 7, 2015 for the Official Holiday
5. The Tentative Budget Adoption and Regular Town Commission Meeting will be held on Thursday, Sept. 10, 2015 at 5:01 PM – Regular Meeting Immediately to Follow Budget Hearing and the Final budget Adoption Meeting will be held on Thursday, Sept. 17, 2015 at 5:01 PM
6. Proclamation for “Florida Water Professionals Month”

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

PUBLIC HEARINGS

7. An Application Submitted by Affiniti Architects, 6100 Broken Sound Parkway NW, Suite 8, Boca Raton FL 33487, representing the owner, Ocean Ridge 6161 N Ocean LLC, Donna Sotillo, Trustee, 6605 South Dixie Highway, Suite 200, West Palm Beach FL 33405, requesting a Land Development Permit from the provisions of the Land Development Code, Article 2; COASTAL CONSTRUCTION, Section 67-17; Coastal Construction and Excavation Setback Line; Sub-Paragraph (a); Setback Line Established; and Sub-Paragraph (h) Existing Structures to permit the construction of a new two story residence and a eight car garage with a maximum finished floor elevation of 19.56’ NGVD (slightly lower than the structure demolished in 2013) which would extend a maximum of 134.6’ (+/-) east of the Coastal Construction Control Line (CCCL) and also a new deck, pool, spa, and fire pit that will extend a maximum of 194.71’ (+/-) east of the CCCL, and also repairing the existing dune crossover located at 6161 North Ocean Blvd. or legally described as Lot 3-5, Block 3 and Lots 3-5, Block 10, of the Amended Plat of Boynton’s Subdivision (exact description available for review in the Clerk’s Office)

REGULAR AGENDA

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

REPORTS

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

ACTION ITEMS

12. **Request for Lien Reduction and Associated Fees for 6009 Ridge Lane** By: Ninive Giordano, owner
13. **Schedule Public Hearing for Certification of Non-Ad Valorem Assessment for 110 Bonito Drive** By: Karen Hancsak, Town Clerk
14. **Approval of Demolition Contract with The BG Group, LLC for 110 Bonito Drive in an Amount of \$25,317 to be Funded Through a Budget Amendment as Authorized by Resolution No. 2015-05 (see below)** By: Kenneth Schenck, Town Manager
15. **Approval of an Amount Not To Exceed \$25,000 from the Contingency Account to Purchase New Carpeting for the Chambers/Community Room and Dispatch Center and Also for Upgrades/Repairs to the Sound System in the Chambers to be Completed by Mingace Custom Sound Systems, Inc.** By: Kenneth Schenck, Town Manager
16. **Update and Report on License Plate Recognition (LPR) Cameras** By: Hal Hutchins, Police Chief
17. **Request for Authority to Foreclose Lien for 87 Island Drive So** By: Kenneth Spillias, Town Attorney
18. **Discuss Format for Town Manager Application/Interview Process** By: Karen Hancsak, Town Clerk

RESOLUTIONS

19. **Resolution No. 2015-04; Amending the 2014/15 Budget to Include a Transfer from the Unassigned Fund Balance to the General Fund Operating Budget (for the purpose of reimbursement of legal fees to Commissioner Lucibella)**
20. **Possible Resolution 2015-05; Amending the 2014/15 Budget to Include a Transfer from the Unassigned Fund Balance to the General Fund Operating Budget (for the purpose of funding the demolition of 110 Bonito Dr and placing a Special Assessment on the property)**

FIRST READING OF ORDINANCES

None

SECOND READING AND ADOPTION OF ORDINANCES

TOWN COMMISSION ITEMS

(Information Items Only – 3 minute limit per item)

ADJOURNMENT

**NEXT SCHEDULED TOWN MEETING(S):
TENTATIVE BUDGET ADOPTION/PUBLIC HEARING/REGULAR TOWN COMMISSION
MEETING ON SEPT 10, 2015 AT 5:01 PM
FINAL BUDGET ADOPTION MEETING ON SEPT 17, 2015 AT 5:01 PM**

REGULAR TOWN COMMISSION MEETING HELD JULY 6, 2015

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, July 6, 2015, at 6:00 PM in the Town Hall Meeting Chambers.

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

Commissioner Aaskov	Commissioner Bonfiglio
Commissioner Lucibella	Mayor Pugh

Comm. Allison was absent with notice.

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Comm. Bonfiglio congratulated the United States Women's Soccer Team for winning the World Soccer Cup.

Clerk Hancsak announced that a Planning & Zoning Commission Meeting was being held on August 10th, 2015 and that it had been requested that they discuss the handling of blight of construction sites and abandoned properties. She asked if it could be added to their agenda. There was a consensus to add this to the Planning & Zoning Agenda.

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of June 1, 2015

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

Motion Carried – yea (4).

ANNOUNCEMENTS AND PROCLAMATIONS

2. The Administrative Offices will be closed on Friday, July 3, 2015 for the Official Holiday
3. The FY 2015/16 Budget Presentation/Adopt Proposed Millage Meeting and Special Meeting will be held on Tuesday, July 21, 2015 at 8:30 AM.

PUBLIC COMMENT

Betty Bingham, 1 Ocean Ave, stated that it had been over a month since Manalapan had pumped the sand transfer. Manager Schenck stated that he would contact Palm Beach County for their pumping schedule since it had been a while since he had received any reports.

Terry Brown, 23 Harbour Dr. South requested that Planning & Zoning also discuss signage as a visual blight. There seemed to be many unpermitted signs in town such as "No Trespassing" that do not meet the code. There was no discussion by the Commission.

Jim Weege, 19 Sabal Island Drive, stated that there had been some problems with the rebuilt koi pond and the koi fish died. Hopefully within the next few weeks adjustments can be made, and new fish can be added to the pond. Mayor Pugh stated that they also intend to research a chiller for the pond to reduce and maintain the temperature and algae levels.

Jim Cerullo, 55 Douglas Drive, stated his concern for the traffic on Douglas Drive. Vehicles were going the wrong way on a one way street with a blind curve. He gave the Town Clerk a sample of a new proposed caution sign. The Town Manager advised they would look at the area.

REGULAR TOWN COMMISSION MEETING HELD JULY 6, 2015

Ken Kaleel, 86 Island Dr. South, requested that a provision be added to the Code that requires any construction over 25% of house value be fenced/screened. The Town used to demand that contractors/owners keep the roadways and construction sites properly maintained, but had become lax.

There was a consensus from the Commission to prepare an ordinance regarding proper screening of construction sites.

Nancy Hogan, 37 Hibiscus Way, requested that Ocean Ridge be respectful of government agencies and budget to pay off the balance owed to the Ethics Commission.

PUBLIC HEARINGS

4. An Application Submitted by Mark Timothy, Inc. 41 SE 5th Street, Boca Raton FL 33432, representing the owner, 6125 N Ocean Blvd. LLC, Mark T. Pulte, Member, 41 SE 5th Street, Boca Raton FL 33432, Requesting a Land Development Permit from the Provisions of the Land Development Code, Article 2; COASTAL CONSTRUCTION, Section 67-17; Coastal Construction and Excavation Setback Line; Sub-Paragraph (a); Setback Line Established; and Sub-Paragraph (h) Existing Structures to permit the construction of a new single family residence with 4 car garage with a maximum finished floor elevation of 20.31' NGVD (same as structure to be demolished) which would extend a maximum of 128.40' (+/-) east of the Coastal Construction Control Line (CCCL) and also a new deck, pool, spa, and fire pit that will extend a maximum of 164.66' (+/-) east of the CCCL, and also repairing the existing dune crossover located at 6125 N Ocean Blvd. (corner of Anna St. and SR A1A) or legally described as Amended Plat of Boynton Sub sly 21.72' of Lot 10 and Lots 11 & 12, Blk 3 & the pt of Block 10 lying west of & adjacent to abandoned Ocean Blvd. (exact description available for review in the Clerk's Office)

Clerk Hancsak read the application. She stated that no additional correspondence had been received, and that all fees had been paid. She summarized the request advising the plan was to raze the existing single family structure & detached guest house, pool/deck and construct a new 2 story single family residence and attached 4 car garage/guest quarters. The request included a new deck pool, spa, fire pit and repairs to the crossover. The structure is located east of the CCCL with an exception of a portion of the garage/guest quarters. The Code requires a Land Development Permit for any construction east of the CCCL and that a public hearing be held for any work that requires submittal to DEP for formal permitting. This is not a variance request. The applicant has provided draft site plans. The property is located within the RSE District, which based on the size of the lot will meet the code requirements. Upon preliminary review it appears that all of the zoning requirements have been met, and as they will be utilizing the same finished floor elevation they will not need to seek a zoning variance. There are no legal issues in approving the request. Staff recommends approval of the applicant's request contingent on DEP approval and meeting all of the zoning and building requirements upon actual building permit submittal and review.

As this was a quasi-judicial hearing, Atty. Spillias advised that anyone who would be giving testimony must be sworn in at this time. Comm. Bonifiglio stated that he had seen the property but he had not spoken with anyone.

Terry Brown, 23 Harbour Dr. South, stated that the request included crossover repairs and a fire pit. He questioned the scope of the dune repairs and if the fire pit would be in violation during turtle season and without police approval. Benjamin Schreirer, Architect stated that the crossover repairs were for their private crossover only, and that the gas fire pit would be sensitive to Turtle Season and it operates similar to a gas grill

REGULAR TOWN COMMISSION MEETING HELD JULY 6, 2015

Comm. Bonfiglio motioned to approve the applicant's request for 6125 North Ocean Blvd contingent on DEP approval and meeting all of the zoning and building requirements upon actual building permit submittal and review. Seconded by Comm. Aaskov.

Motion Carried – yea (4).

REGULAR AGENDA REPORTS

5. Town Manager

Manager Schenck reported the following: 1) Spanish River Drive – water is ponding, staff is analyzing the best way to solve the concentration problems in the driveway. 2) FEMA Flood Maps – FEMA is still reviewing our maps, however; the Town is requesting that they remove an additional 80 properties from the flood zone. They have agreed to look at it for their major study but staff would prefer them to make the changes in the present study. 3) LPR Cameras – FDOT has a present ban on the addition of new cameras in their right of way. Three of our four entrances are affected by this. The Police Chief's Association is looking to address this in the legislature next year. 4) FDOT Bridge Inspection – The approved bridge repairs have started. 5) Home Alarm Monitoring System – The new receiver/software has been installed and is working properly. 6) Wastewater Proposal – Staff was approached by several people involved with the wastewater plant at Crown Colony that currently serves 3 condos. They wanted to look into sending their wastewater to Boynton and abandoning their plant, thereby eliminating their package plant. Other condominium buildings are also possibly interested. These plants are old and expensive to repair/operate properly. Boynton Beach is also enthused about treating the wastewater and suggested a route for the piping. Staff is looking into the preliminary cost of the project to see if the residents want to continue with the project. At present it appears favorable. 7) All Aboard Florida – A hearing was held in Tallahassee to consider the issuance of bonds for the project. The Board that is to make this decision was not present but they sent their staff. He will keep the Commission updated. 8) Spanish River, Swaim Project – The SFWMD and Mr. Swaim went to court to determine if he can complete his project, which includes mangrove removal and filling in an existing waterway, without the normal permits. The judge ruled against Mr. Swaim so he does have to go through the regular permitting process.

6. Town Attorney

a. Update on Inspector General Lawsuit

Atty Spillias advised that the Cities have requested a 30 day extension.

b. Shark Fishing.

Atty Spillias advised that the search for implementing a ban on shark fishing was still in progress. He has only found 2 instances regarding shark prohibition: One involves a town pier, and the second is for a public park that forbids it within 50 ft. of the public beach. Neither would be applicable to Ocean Ridge. The Department of Fish/Wildlife controls state waters. He is continuing the research but not hopeful at this time. Mayor Pugh asked if Ocean Ridge could implement a time restriction. Atty. Spillias advised that this would limit a person's right to fish and either you have the right or you do not.

7. Police Chief

Chief Hutchins advised that his report was distributed. Both Sgt. Stang and Off. Kurz had received letters of commendation. There were no questions.

8. Town Engineer

Engineer Tropepe was absent with notice.

ACTION ITEMS

9. Request for Lien Reductions and Associated Fees for 40 Hibiscus Way. By Stellar Alon VP, LLC.

REGULAR TOWN COMMISSION MEETING HELD JULY 6, 2015

Clerk Hancsak summarized the request by Stellar Alon VP. LLC for a lien reduction for 3 Code Enforcement Liens: Case #2008-016: concrete deck and dock w/o permit; 2009-027: overgrown lot, and Case #2014-005: dock, 2nd story balcony and concrete deck. There are actually 7 liens on the property, however; Atty James produced a recorded Notice of Lis Pendens filed on November 24, 2009 which bars the other 4 liens. In June 2014 Stellar Alon Growth LLC was made aware of all the prior liens and Code Violations that were still in violation. They did however pay the several outstanding garbage/trash and alarm monitoring liens along with the current billing for garbage/trash and alarm services. Staff has spent many hours regarding these code enforcement issues during the ownership of both parties. The new owners chose to apply for other permits as their priority for the property rather than addressing the concrete deck violation, even though they advised at the Status Hearing on July 1, 2014 that they believed all work could be complete within 60 days. The concrete deck required the submittal of a drainage plan and landscaping plan which ultimately required site drainage modifications. This and the balcony were the most important issues to correct and the concrete deck and was not completed until May 28, 2015.

Clerk Hancsak stated that only the Commission has authority to reduce a lien, and if there is any consideration on reducing the liens, staff recommends that only the liens to the prior owner be considered because once they were notified they chose not to bring the property into compliance until May 28, 2015.

Comm. Bonfiglio disclosed that Atty Jame's Firm had retained him as an expert witness for a separate case. He asked if he had to recuse himself. Atty. Spillias clarified that it would not be necessary to recuse himself as this was not for his own gain.

Elaine James, Atty, representing Stellar Alon Growth LLC, thanked the Town staff for their assistance, and clarified that they were only requesting a reduction of the 2 liens. The deck was substantially more complex than originally realized to correct, and they had gone through 3 engineers to adequately address the problems. She noted that over \$365,000 in improvements had been done to the property. They were requesting a 90% reduction in liens. If the Commission approved a lien reduction they felt this would encourage developers to come to Ocean Ridge and buy delinquent properties and bring them up to code.

It was discussed that the property was currently under contract and that they had only pulled permits for \$140,000 of improvements not \$365,000. The Commission questioned the other \$200,000 of unpermitted work. They felt the company should have done due diligence and performed a lien search before they purchased the property. The neighbors of 40 Hibiscus had suffered ostensibly over the years with the neglected property. However, the Commission were now satisfied with the improvements of the property. Comm. Aaskov stated that she would not be in favor of any lien reductions.

Comm. Bonfiglio motioned to assess Stellar Alon Growth VP LLC \$98,100 (the total daily fines) for the 1st lien, and \$8600 (the total daily fines) for the second lien and \$21,978 (the total cost) for the third lien for 40 Hibiscus Way. Seconded by Mayor Pugh.

Public Comment.

Nancy Hogan, 37 Hibiscus Way, stated that over the last 5 years she had been coming to meetings announcing her concern of the neglected property and asked the Commission for assistance. Mr. Kafka the prior owner had extended the deck and raised the soil elevation, causing a hole in the seawall. While Stellar Homes had worked very hard to improve the property, she did not feel the property was in a position to be sold. Mayor Pugh stated this was a request for a lien reduction only and not about the construction. All permits had been inspected and closed by the Town Building Official and the Town Engineer.

REGULAR TOWN COMMISSION MEETING HELD JULY 6, 2015

Terry Brown, 23 Harbour Dr. South, requested that they withdraw their motion and to have the attorneys excuse themselves to make a deal.

Martha DeNavea, new prospective owner, introduced herself stating that they already had plans for additional improvements to the property. Her family was excited to move into the property, and asked the Commission to come to a fair agreement.

Ken Kaleel, 86 Island Dr. South, stated that in the past the Commission has considered lien reductions based on hardships. He noted that Mrs. Hogan had consistently attended meetings regarding this property and that performing a record search should have been easily done by the Stellar Homes.

Atty. Spillias stated the Town's responsibility is that the property meets the code. Sometimes there can still be adverse impact to neighboring property. That would leave the neighbor with a civil matter. The Town can't require someone to do more than the code has required.

Motion Carried – Yea (3). Nae (1) Comm. Aaskov.

10. Approve and Confirm the Hiring of Two Police Officers (Richard Ermeri and Jimmy Pilon)
Chief Hutchins stated that the Police Dept. had advertised for 4 open positions. Two of the applicants appear to be good candidates. Hopefully within 2 weeks the final background checks would be complete. Both candidates have current employment and will have to give 2 week notice to their current employer. He would introduce them at the August meeting.

Comm. Bonfiglio motioned to approve the hiring of Richard Ermeri and Jimmy Pilon contingent upon final completion of background checks. Seconded by Comm. Lucibella.

Motion Carried – yea (4).

11. Authorize An Amount Not to Exceed \$25,000 from the Contingency Account to Fund the Demolition of 110 Bonito Drive as Authorized by Ordinance 592.

Manager Schenck reported that notices were sent to the owner and lienholders of 110 bonito of the Town's intention to demolish the property and include the demolition costs as a non-ad valorem assessment on the County's 2015 tax bills. We had received one response from a lienholder requesting an extension. He was informed that only the property owner could request an extension, and he has not done so. The next step is to contract with a demolition company to demolish the structure; we estimate the cost to be \$23,000-\$25,000. After the property is demolished the following steps need to be taken: 1) Hire contractor and authorize the Town Manager to execute a contractor for immediate demolition. 2) Authorize an amount not to exceed \$25,000 from the contingency Account to fund the cost of demolition. 3) Schedule a public hearing either at the July 21st or Aug 3rd meeting to be held prior to September 15 to adopt a non-ad valorem assessment roll.

Comm. Bonfiglio motioned to authorize an amount not to exceed \$25,000 from the Contingency Account to Fund the Demolition of 110 Bonito Drive, and authorize the Town manager to seek demolition bid proposals and approve the lowest bid and schedule a public hearing to adopt a non-ad valorem assessment roll. Seconded by Comm. Aaskov.

Clerk Hancsak reported that this would deplete the Contingency Account.

Motion Carried – yea (4).

REGULAR TOWN COMMISSION MEETING HELD JULY 6, 2015

RESOLUTIONS

12. Resolution No. 2015-04; Amending the 2014/15 Budget to Include a Transfer from the Unassigned Fund Balance to the General Fund Operating Budget (for the purpose of reimbursement of legal fees to Commissioner Lucibella.

Atty. Spillias stated that Comm. Lucibella had requested reimbursement for his legal fees required to defend him against the recall petition. The court determined that the petition was legally insufficient. Additionally the petitioners weren't able to obtain the necessary signatures under the relevant statute to call for a recall election. He has researched the issue of the Commission's authority/obligation to reimburse Comm. Lucibella in the circumstances presented. There is a Supreme Court Case which shows that a municipality has a public interest to intervene in a case where a recall petition is legally insufficient and the municipality is obligated to reimburse its elected officials for the cost of having to defend against an insufficient recall petition. Atty. Spillias has reviewed the invoices from Comm. Lucibella's counsel through May 2015 which total \$82,081.22. Overall the invoices are reasonable, however there were 6 hours for which both Comm Lucibella and Atty Spillias agreed that did not directly address the defense against the recall petition. This would reduce the request to \$79,171.22. He is contesting the decision from our D&O insurer that is claiming an exclusion in the policy precludes our claim for reimbursement for his fees and costs paid by the Town to indemnify Comm. Lucibella for his successful defense. If we are successful and they approve our claim there is still a \$50,000 deductible. If they deny the claim, the Commission could decide as to whether to file a legal action for breach of the policy. The reimbursement is not a budgeted item, and the funds will have to be transferred from the reserve account. One smaller invoice is still anticipated.

Comm. Bonfiglio motioned to restructure the resolution to pay the \$50,000 deductible, and then wait for a final decision from the insurance company regarding the balance. Seconded by Comm. Aaskov.

Comm. Lucibella questioned the first paragraph in the Resolution, "successfully obtained the necessary certified signatures" and that it should be changed to a recall attempt. He also requested that this item be tabled to the August meeting as Comm. Allison was not present to express her opinion.

Comm. Bonfiglio withdrew his motion, and Comm. Aaskov withdrew her second.

Terry Brown, 23 Harbour Dr. South, thanked Atty. Spillias for his analysis. He suggested that Comm. Lucibella's attorney go back to the judge and request an order for reimbursement or have the Inspector General review the invoices, which may happen anyway.

Ken Kaleel, 86 Island Dr. South, stated that he was in full support of the Town reimbursing Comm. Lucibella for reasonable fees. He felt that Ocean Ridge should have taken a harder stance on the recall. He felt it was an unwarranted egregious attack to the Commission and damaging to the election process. He also felt that the Town Attorney should take any steps possible to recoup any fees.

Comm. Bonfiglio motioned to defer the Resolution 2015-04 to the August 3rd meeting and to direct the Town Attorney to review the language of the resolution. Seconded by Comm. Aaskov.

Motion Carried – yea (4).

SECOND READING AND ADOPTION OF ORDINANCES

13. Ordinance #611; Providing for the Date of the Annual Town Election in March 2015 to Coincide with the Presidential Primary; Establishing the Proposed Qualifying Period for Candidates; Providing for Supremacy of This Ordinance Over All Ordinances Inconsistent with or in Conflict with Ordinance.

REGULAR TOWN COMMISSION MEETING HELD JULY 6, 2015

Clerk Hancsak reported that the Town's Municipal Election in March 2015 must be changed to coincide with the Presidential Primary to be held on March 15th, 2015. Unfortunately this will also change the qualifying dates to a much earlier period in order to meet the required state and federal laws for overseas and military absentee ballots to be mailed 45 days prior to said election. The qualifying dates will begin at noon, November 24, 2015 and run through noon, December 8, 2015.

Comm. Bonifiglio motioned to approve Ordinance #611 on Second Reading. Seconded by Comm. Lucibella.

Motion Carried – yea (4).

Meeting Adjourned at 8:13 PM.

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella

Attest by:

Town Clerk

Public Hearing/Special Town Commission Meeting of the Town of Ocean Ridge held on Wednesday, July 21, 2015 at 8:30 AM in the Town Hall Meeting Chambers

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

Commissioner Aaskov
Commissioner Allison

Commissioner Bonfiglio
Commissioner Lucibella

Mayor Pugh

PUBLIC HEARING

An application submitted by Kenneth Kaleel, Esp. 54 NE 4th Avenue, Delray Beach, FL 33483, representing the owner, Immo Francois Marcil, Inc., 5001 Old Ocean Blvd., Ocean Ridge, FL 33435, requesting a Land Development Permit from the provisions of the Land Development Code, Article 2; COASTAL CONSTRUCTION, Section 67-17; Coastal Construction and Excavation Setback Line; Sub-Paragraph (a); Setback Line Established; and Sub-Paragraph (h) Existing Structures to permit the construction of a new seawall adjacent to the existing seawall that will extend a maximum of 256.16' (+/-) east of the Coastal Construction Control Line (CCCL) located at 5001 Old Ocean Blvd. or legally described as Palm Beach Shore Acres Blk A,B, & Z Pt of Lots 19 & 20 Blk A Lying East of & Adjacent to Old Ocean Blvd. R/W in OR18753P1269 A/K/A southerly 120' of Lot 54 Blue Ocean Sub Unrecorded (exact description available for review in the Clerk's Office)

Clerk Hancsak read the application. She stated that no additional correspondence had been received, and that all fees had been paid. She summarized the request advising the plan was to construct a new seawall adjacent to the existing seawall that will extend a maximum of 256.16' (+/-) east of the CCCL at 5001 Old Ocean Blvd. The Code requires a Land Development Permit for any construction east of the CCCL and that a public hearing be held for any work that requires submittal to DEP for formal permitting. This is not a variance request. The Commission had already approved a Land Development Permit for the 3-story plus lower level garage duplex to replace the existing 6 unit structure. The applicant did not include the seawall at the time of the original submittal. The applicant has provided draft site plans. Upon preliminary review it appears that all of the zoning requirements have been met, and as they will be utilizing the same finished floor elevation they will not need to seek a zoning variance. There are no legal issues in approving the request. Staff recommends approval of the applicant's request contingent on DEP approval and meeting all of the zoning and building requirements upon actual building permit submittal and review.

As this was a quasi-judicial hearing, Atty. Spillias advised that anyone who would be giving testimony must be sworn in at this time. Comm. Bonifiglio stated that he had seen the property but he had not spoken with anyone.

Ken Kaleel, attorney and representative of the owners of 5001 Old Blvd stated that this request was to rebuild the seawall, their engineer was also present if there were questions.

There was no public comment.

Comm. Bonfiglio motioned to approve the applicant's request for 5001 Old Ocean Blvd contingent on DEP approval and meeting all of the zoning and building requirements upon actual building permit submittal and review. Seconded by Comm. Aaskov.

Motion Carried – yea (5).

ACTION ITEMS

1. CONSIDERATION OF THE 2015-2016 PROPOSED BUDGET

SPECIAL TOWN COMMISSION MEETING HELD JULY 21, 2015

Town Manager Schenck stated that the proposed 2015/2016 General Fund Budget will require \$319,641 from unappropriated funds to balance the GF budget. This includes a proposed \$180,000 transfer to the Capital Projects Fund. To balance the budget as proposed, it would require a tax increase with a millage rate of 5.749. This would be a 13.0% tax increase which equates to an additional \$200 a year for a \$500,000 home. The fiscal year 2015/2016 General Fund Expenditures have an increase of \$402,631 over last year (not including the \$180,000 transfer). Personnel costs account for 45% of the budget and operating expenses (majority being the 2 loans and the fire/ems contract) account for 40%. The upcoming year's budget also focuses on continuing on-going projects including storm-water improvements, road and drainage pipe repairs, landscape maintenance, building & zoning contract and maintaining the town's current level of visibility for public safety.

This year's preliminary budget maintains last year's millage rate of 5.350 or a 5.34% increase over the rolled back rate. The reduction in property values several years ago has resulted in an annual loss of revenue of about \$740,000. The rolled back rate based on this year's property values is 5.0787. If we were to use this as our budget rate instead of the 5.35 we would need an additional \$217,177 to balance the budget or a total of \$536,818. This includes the \$180,000 for capital projects.

Manager Schenck reported that the cost for landscaping maintenance is based on the renewal contract with Chris Wayne & Assoc. and the cost is staying the same. This budget also includes \$31,992 for various landscaping projects. The budget includes the cost for noseem spraying at a cost of \$65,000. This increased due to the increase in homes and condos serviced. There is currently a Beautification Reserve Account that has an approximate balance of \$115,267. The funds in this account are not part of the general budget. It is proposed to utilize \$5000 from this fund to match the Garden Club for Town Hall upgrades.

Most of the major stormwater issues have been addressed and the necessary construction completed. A major project proposed for the current year is a drainage project to connect the Villas of Ocean Ridge to the Town system and may continue into the 15/16 year. The cost is an estimated \$50,000 and would be funded in the Capital Projects Account. The Staff has budgeted \$35,000 for storm drainage, professional and maintenance services, road maintenance, and repairs. The Public Works budget includes a golf cart for cleanup patrol for \$2500 and a new lawnmower for \$3500 to replace a 10 year old mower that is becoming a maintenance problem. The Town had previously applied for and received approval for \$7,006,817 in State Revolving Fund Loan monies for the various stormwater drainage improvements. The term of the loan is for 20 years with semi-annual payments. The yearly payment amount is \$467,943.68.

There are a few capital projects anticipated for this year. This includes the Villas of Ocean Ridge drainage connection which was budgeted in 2014/15 but may carryover. The \$180,000 in this year's budget includes \$100,000 for revitalization of the street paving program and \$80,000 for the first half of the new radio equipment that allows the police to work with County. The remaining \$80,000 will be included in next year's budget. The County hasn't picked a vendor yet so the exact cost and timetable are not known.

Engenuity Group is requesting a 5% increase in their hourly rate. It has been 5 years since they have received an increase. We are budgeting \$50,000 for a full year of Town Engineer services, \$25,000 for building permit review, \$2000 for GIS and \$8000 for NPDES.

In regards to Law Enforcement we have signed a 3 year contract with the Police Union in effect through September 2017. The police budget has \$136,992 in requests for capital items: \$117,000 for 3 new equipped vehicles, and \$9247 for an ATV, replacement computers and a laser gun. We are in the 2nd year of a 3 year agreement with the Town of Briny Breezes for Police Services at a fee of \$213,145/year. The approved contract includes future increases based on 1.5% plus CPI. The CPI for this fiscal year was -.4% so the increase was actually a 1.1% increase.

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Manager Schenck reported that we had contracted with the Boynton Beach Fire Department in Oct 2004 for Fire/EMS Contract Services. Over the last 12 years, the contact has increased from \$655,296 to \$1,018,128 for this Fiscal Year 15/16 based on a 4% minimum increase per the contract. This contract expires in September 2016. Manager Schenck has spoken with neighboring municipalities regarding starting a new Fire District that would include 3 Stations from Gulfstream to Manalapan. Delray Beach may go with Palm Beach County and there is talk that Boynton Beach will be considering it also. Both Gulfstream and Manalapan have budgeted funds for a consultant to research the costs to develop a new fire district. They have asked Ocean Ridge to contribute towards the consultant fees. It was discussed that it would greatly benefit Ocean Ridge when we renegotiated the contract with Boynton Beach, but also investigate an alternate choice for Fire/EMS Services.

Manager Schenck stated that we have not received quotes regarding the health or liability insurance (expected in August) but have estimated a 20% increase and 5% respectfully. He added that the budget includes a 2% merit increase to those employees that are topped out and up to 5% for those employees not topped out (both based on their anniversary dates). He stated that this Fiscal Year includes 27 pays instead of 26 (an additional \$81,000+). He also noted that all highlighted requested items were included in the budget and could be discussed in more detail at the summary of each department.

Manager Schenck reported that we had received \$128,678.41 for the liens on 40 Hibiscus. He proposed to remove the 3 proposed police vehicles from the budget and purchase them this fiscal year instead.

Revenues

Town Clerk Hancsak briefly summarized the revenues and reminded the Commission that the ad valorem revenue reflected an increase of \$293,919 from the prior year. This is based on a property tax levy of 5.3500 per \$1000 (same as current year) of assessed valuation. The rolled back rate for this year is 5.0787. She added that the Garbage/Trash revenue in the amount of \$302,000 reflects charging the residents a Single Family Rate of \$231.00 and a Multi-Family Rate of \$161.70 and the remainder is administrative fees. These are the same rates as last year, although there was a \$.01 decrease in the cost per unit. The estimated revenues for Building Permits are increasing from \$120,000 to \$200,000 as we are expecting 8-10 new single family homes next year. This will also increase our Building & Zonings costs for the increase of inspections that will take place next year. Clerk Hancsak concluded by stating that the \$5,991,770 in revenues supplemented by \$319,641 from reserves will balance the proposed budget based on a millage rate of 5.35. She then explained the Summary of Expenditures, the Personnel Expenses and Total Budget Review pages.

Town Commission

The slight decrease in Florida State Retirement rates (7.37% to 7.26%) and an increase in the E & O Insurance (\$4,000) or 19.8% accounted for the increase in this department. The Town also received a lower bid however, the deductible would have increased to \$75,000 and the Town was waiting on their final decision on coverage regarding Comm. Lucibella.

Town Manager

This department increased slightly: 27 pays instead of 26 pays, the personnel costs reflect a 2% merit increase, \$7,200 vehicle allowance, a Florida Retirement System contribution rate of 7.27% (\$7,843 in the ICMA account), 100% of the health insurance premium with a 20% estimated increase and 3 months remaining of the approved \$1500 2015 calendar year deductible and 9 months of a \$1500 2016 deductible, dental coverage (\$192) and vision coverage (\$84). The Operating Supplies for Gas and Oil is based on an estimated \$4 per gallon for fuel. No overlap has been budgeted, however \$23,550 was budgeted for the approximated payout for the retiring Town Manager.

Town Clerk

SPECIAL TOWN COMMISSION MEETING HELD JULY 21, 2015

This department increased from the prior year due to 27 paychecks instead of the normal 26 and also with the anticipated overlap of salaries due to the retirement of the Town Clerk. The personnel costs include a 2% merit increase to the Deputy Town Clerk and Receptionist/Clerk and a decrease to the FRS contribution rate from 7.37% to 7.26%, and an increase from 12.28% to 12.88% for the DROP contribution rate for 4 months for the current Town Clerk. Monies are also budgeted for the estimated final payout to the retiring Town Clerk consisting of retirement bonus as per Resolution 2011-22 and sick and vacation payouts. The Life & Health Insurance reflect 100% of the premium (with a 20% estimated increase), 3 months remainder of the approved \$1500 2015 deductible, 9 months of a \$1500 2016 deductible, dental coverage (\$1344) and vision coverage (\$280) (based on 3 employees for 12 months and 1 employee for 4 months).

Town Attorney

The Professional Services account reflects a 5 month partial salary for the in-house attorney and 7 months contractual service based on a \$7000 monthly retainer. A \$205/hour blended rate is still budgeted for anything not included in the retainer costs. The Special Counsel Account remained the same (\$25,000) to adequately cover any future items such as: PBA union negotiations and Inspector General Suit costs. Expenditures for permit review (\$1000) are offset by the building permit revenues. \$5000 is included in printing/binding for code supplements.

There was a discussion concerning hiring another town attorney vs. a law firm. Atty. Spillias stated that he had already spoken with one interested law firm and he recommended contracting with a firm.

Appointed Boards

This department remains the same.

General Government

This activity reflects an increase in several accounts: The Professional Services provides for increased ITT maintenance. The Insurance accounts provide for a 5% increases. The Repair and Maintenance account includes increased funding for a/c maintenance and equipment replacement (shifted from Capital Outlay account), Chambers/Community room and Dispatch carpet replacement, along with funding for any Town Hall building repairs such as sound equipment, annual fire inspection by our fire alarm company, cleaning service, etc. The Other Current Charges were reduced however, \$3000 still remains to provide for funding for donation/promotional events. Subscriptions and Memberships decreased based on projected fees provided by the PBC Inspector General - \$10,000 (FY 12/13 thru FY 15/16). The State Revolving Payment is \$468,000 and the Town Hall Loan Payment is \$311,175. The Capital Outlay item includes \$1200 to purchase one computer if necessary. Clerk Hancsak stated that although new carpets were budgeted for FY 14/15, they may not be done until next year due to other unanticipated repairs. She also stated that we were currently getting bids for cleaning service, as we were not happy with our current service.

Public Safety

Clerk Hancsak noted that the costs in this department had increased from the prior year. There are 27 pays instead of 26. The FRS contribution rates changed from 19.82% to 22.04% and 7.37% to 7.26%. The personnel costs include a 2% merit increase to those topped out, and a 5% increase on the anniversary date to 15 employees not topped out on the Step Plan, an additional 5% for the 3 officers per the PBA contract effective Oct, 1st, 100% of the health insurance premium (with an estimated 20% increase) 3 months remainder of the approved \$1500 2015 calendar year deductible, 9 months of a \$1500 2016 deductible, dental coverage (\$4032) and vision coverage (\$1764) to all employees. The General Insurance account reflects a 7% increase. The Professional Services account increased due to an increase in the computer consultant contract. The Operating Supplies – Gas and Oil has stayed the same (budgeted \$4/gal). The Fire/ALS Service contract with the City of Boynton Beach increased 4% from last FY per the existing contract for a total of \$1,018,128 (\$39,259 increase from last year). Capital outlay expenditures

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include: 3 Police Vehicles fully equipped (\$117,000); 2 Computer Replacements (\$2400), 2 Laptop Computers (\$4,000), New Digital Camera (\$450); 1 Laser Radar Gun (\$1895), New ATV to replace the 2006 Suzuki (\$9247), and 2 New Dispatch Chairs, reimbursable by 911 (\$2000).

Chief Hutchins stated that Ford was considering reinstating the Crown Vic within the next year. Last year we had purchased the Chevrolet Caprice and there have already been issues with it. The Crown Victoria was a more durable police vehicle. Once the extended warranty on the vehicles expires at 75,000 miles, the maintenance costs greatly increase. The police department has a small fleet and if they are down 2 vehicles at the same time, it causes difficulty covering the road. Comm. Lucibella questioned the purchase of another ATV when the Ranger was just purchased last year, and why it could not be utilized more for the beach control. Chief Hutchins stated that the size of it does not allow for stable access on the beach. Once we are back to full staff, he does anticipate using both more and there is a need for it; however if the Commission chooses not to purchase a new ATV at this time, he would make do.

Comm. Lucibella asked about license plate cameras. He stated that in Phoenix the municipality was collecting monies from repo companies for their information. Would this information then become public data, and how long would it be stored. He was concerned with a misuse of it even internally. He didn't feel it was a right timing for a decision yet. Earlier this this year when we had a one week test of a license plate camera system, what where the results of that trial?

Chief Hutchins reported that in order to institute cameras at the entrances of Ocean Ridge, we are not able to obtain FDOT approval yet. He had received an inquiry from residents of one island. If the residents purchased the cameras, the Police Department would monitor it. Most of it is automatic, the system alerts the dispatcher to problems. He is researching through Florida Chief Association to resolve issues of using the stored information. Public records becomes a trust issue, while the desire to protect the community is big, at what cost. If allowed to go forward, they would keep the information local and start small with strict control. When Ocean Ridge had the test cameras, there were a lot of alerts, such as expired tags...it was set on a wide perimeter.

There was a consensus to research and provide a synopsis of the license plate camera and a breakdown of costs to the next Commission Meeting.

Chief Hutchins stated that Palm Beach County will be replacing their Radio System on August 18th. Our current system is almost 11 years old. He felt it was in the best interest to stay with the County. This system would include computer hardware and maintenance. Motorola prioritizes us above other users.

Building & Zoning

The Professional Services account increased based on anticipated additional inspections associated with a potential for 8 – 10 new Single Family Home permits and a slight anticipated increase in building permit applications and its associated review related to new home construction or building permits. The contract with Hy-Byrd Inspections, Inc. was renewed last year and remains the same without an increase. This department is offset by the building permit revenue.

Emergency Preparedness

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

Solid Waste

SPECIAL TOWN COMMISSION MEETING HELD JULY 21, 2015

This activity reflects a slight increase. The contract with Republic Services actually reduced by one cent per month per unit; however a possible increase for special SWA charges was added. The costs are offset with revenues received. The proposed Single Family Rate will be \$231 and the Multi-Family Rate will be \$161.70 annually.

Environmental

This department had several increases. The Professional Services reduced \$12,000 because the State mandated Comprehensive Plan amendment to address new regulations related to the potable water system will not be required until 2017. The NoSeeum Spraying cost has increased due to their increased mileage; however the contractor actually reduced the price per mile (total cost \$65,000). The Town Engineering fee has increased 5% and the budget also adjusted due to additional homeowners site review anticipated (total cost \$77,000). The Landscape budget increased by \$5,000 to budget for anticipated landscaping projects at Town Hall (Garden Club to match funds). The Repair & Maintenance account decreased \$5000 with a reduction in anticipated water improvement costs.

Comm. Lucibella felt the cost of the Town Engineer was high, and asked if we should hire an individual engineer on staff instead. There was a consensus not to consider an in-house engineer. Manager Schenck stated that most of the increase would be a result of increased building permits. There was a consensus to not approve the proposed 5% increase for the Town Engineer.

Public Works

This department increased from the prior year. There will be 27 paychecks instead of the normal 26 in this fiscal year. The personnel costs include a 2% merit to the Maintenance Supervisor and a 5% increase on the anniversary date to the other employee not topped out on the Step Plan and the Florida Retirement System contribution rate from 7.37% to 7.26%. The Life & Health Insurance reflects 100% of the premium (with a 20% estimated increase), 3 month remainder of the approved \$1500 2015 calendar year deductible, 9 months of a \$1500 2016 deductible, dental coverage (\$384) and vision coverage (\$168). The Operating Supplies for Gas and Oil is based on an estimated \$4/gal. The Capital Outlay account includes \$2,500 for an electric golf cart and a new riding lawn mower (\$3500).

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

Mayor Pugh requested to obtain a cost from Chris Wayne Associates to include the additional lawn mowing currently performed by the maintenance department. It was also discussed that the salt air breaks down the equipment faster, and research purchasing an inexpensive reliable mower instead of a John Deere. It was also discussed and a consensus was made to not include the \$2500 electric golf cart.

Capital Projects

A \$180,000 Transfer from the General Fund is proposed to assist in funding projects including: \$80,000 towards a one-half estimated cost to replace the radio maintenance system for the Police Department and also \$100,000 for Phase I of Repaving. There is also \$15,000 budgeted for miscellaneous drainage professional services.

In summary, a consensus was made to investigate and report license plate cameras, pricing for hiring a consultant to create a new Fire District, remove the 5% increase for the Town Engineer while maintaining the propose budget, and the removal of the \$2500 golf cart, obtain cost for Chris Wayne to mow all areas of Town including those areas mowed by maintenance.

Comm. Bonfiglio stated that the Commission should consider adding \$13,000 to the budget for the consultant fee for the Fire District.

SPECIAL TOWN COMMISSION MEETING HELD JULY 21, 2015

Certification of Rolled Back Rate for Millage for 2015/16

Comm. Bonfiglio moved that the rolled back rate be certified at 5.0787 per \$1,000 and that the Certification of Taxable Value form be executed to reflect this for submission to the Property Appraiser and Tax Collector of Palm Beach County. Comm. Lucibella seconded the motion.

Motion carried – Yea (5).

Proposed Millage Rate for 2015/16

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

Comm. Bonfiglio moved that the proposed millage rate for 2015/16 be established at 5.4000 mills (to cover all proposed expenses without utilizing any surplus) and that this be included on the Certification of Taxable Value form that is forwarded to the Property Appraiser and Tax Collector of Palm Beach County. There was no second to the motion.

Comm. Allison moved that the proposed millage rate for 2015/16 be established at 5.3500 mills and that this be included on the Certification of Taxable Value form that is forwarded to the Property Appraiser and Tax Collector of Palm Beach County. Comm. Aaskov seconded the motion.

Motion carried – Yea (5)

First Public Hearing to consider the budget for fiscal year 2015/2016

Comm. Bonfiglio moved that the First Public Hearing to consider the budget for the fiscal year 2015-2016 be held at 5:01 PM on Thursday, September 10th, 2015, with the regular meeting immediately following, and that this date be included on the Certification of Taxable Value form that is forwarded to the Palm Beach County Property Appraiser and Tax Collector, seconded by Comm. Allison.

Motion carried – yea (5).

Second Public Hearing to consider the tentative budget for the 2015/2016 fiscal year

Comm. Bonfiglio moved that the second public hearing to consider the tentative budget for the 2015/2016 fiscal year be held at 5:01 PM on Thursday September 17th, 2015, seconded by Comm. Allison.

Motion carried – yea (5).

Manager Schenck stated that there had only been a couple of applicants for the Town Clerk position. The current job description still includes Finance and the Title is Town treasurer. Clerk Hancsak advised that we would need to change the job description in the code also that there was no cut off time or salary range for either the Town Manager or Town Clerk – it had been left open. There was a consensus to revise the description for the Town Clerk position. In the past the Town Commission chose the top 3-4 Town Manager candidates and the interviews were done in public. A second meeting/interview was done in public and the applicant was chosen. The Town Clerk position is interviewed and chosen by the Town Manager and then approved by the Town Commission. Comm. Bonfiglio asked if he had to recuse himself if he knew an applicant. Atty. Spillias stated that it would not be applicable.

Meeting adjourned at 10:23am.

Mayor Pugh

SPECIAL TOWN COMMISSION MEETING HELD JULY 21, 2015

Attest By:

Town Clerk

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella

Memorandum

Date: August 3, 2015
To: Mayor and Town Commissioners
From: Ken Schenck, Town Manager
Re: Drainage Report

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

Staff recommends approval of the report.

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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

Activity 510 Floodplain Management Plan Annual Progress Report for the Town of Ocean Ridge, Florida August 2015

The purpose of this report is to explain the progress that occurred this past fiscal year (2014-2015) in implementing the Town's Stormwater Drainage Plan and what improvements are planned for fiscal year 2015-2016. The Town Manager, Ken Schenck, Town's consulting engineer, Engenuity Group, Inc. and the Town's NFIP Coordinator, Lisa Burns, prepared this report. The report briefly reviews the enforcement and maintenance of the Flood Damage Prevention Ordinance, Stormwater Management Plan, and Drainage System Maintenance Standard Operating Procedure.

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

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

Copies of the Town's Stormwater Drainage Plan and previous annual progress reports can be found at Town Hall. The report for 2014-15 will be made available at Town Hall, published on the Town's website www.oceanridgeflorida.com,

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

Previous projects included drainage improvements on Eleuthera Drive, Thompson Street, and some various smaller minor repair projects throughout town. Projects to be undertaken in 2015/16 include the Villas of Ocean Ridge (5900 Old Ocean Blvd.) tying into the drainage system for mitigation purposes.

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

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

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

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

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

This report will be presented to the Town Commission at the August 2015 Regular Town Commission Meeting. Copies of this report were made available to the public and the media.

NFIP/CRS Activities

Town of Ocean Ridge

6450 N. Ocean Blvd. * Ocean Ridge, FL 33435

561-732-2635

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

Problem Areas

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

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

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

<p>State Road A1A – North Ocean Blvd. (FDOT Road)</p>	<ul style="list-style-type: none"> • Periodic road flooding • Property damage • Access issues • Safety issues • Limited/No swales • Obstructions in right-of-way • Unswaled driveways • Non conforming driveways 	<ul style="list-style-type: none"> • FDOT completed improvements – FEB 2008. • Continue coordination with FDOT on performance of improvements.
<p>Bonito Drive (cul-de-sac)</p>	<ul style="list-style-type: none"> • Road flooding during heavy rains and high tide 	<ul style="list-style-type: none"> • Cul-de-sac drainage improvements completed in 2013.
<p>Inlet Cay (cul-de-sac)</p>	<ul style="list-style-type: none"> • Constant flooding and poor drainage 	<ul style="list-style-type: none"> • Repair began in 2013 on three roads and has been completed.
<p>Thompson Street</p>	<ul style="list-style-type: none"> • Drainage and flooding problems 	<ul style="list-style-type: none"> • Repairs began February 2014 and has been completed.
<p>Bimini Cove Drive</p>	<ul style="list-style-type: none"> • Valve of discharge pipe malfunctioning 	<ul style="list-style-type: none"> • Contractor has inserted a red valve to correct a break in line in May 2014
<p>Eleuthera Drive</p>	<ul style="list-style-type: none"> • Flooding and high ground water in cul-de-sac 	<ul style="list-style-type: none"> • Raised the road to eliminate flooding. Projected will began August 2014 and has been completed.

Ixora Way	<ul style="list-style-type: none"> • Repair work 	<ul style="list-style-type: none"> • Repair/reinstall existing drainage outfall from Woolbright. Work began in early 2015 and has been completed.
Miscellaneous Projects Throughout Town	<ul style="list-style-type: none"> • Minor flooding and lack of drainage and/or repairs 	<ul style="list-style-type: none"> • Repairs scheduled to begin, as needed, in 2015/16.
Villas of Ocean Ridge 5900 Old Ocean Blvd	<ul style="list-style-type: none"> • Interior drainage issues during heavy rains 	<ul style="list-style-type: none"> • Build pipe to tie into Woolbright system. Plans are being prepared and work should begin in 2016.

Rev. 07/15 KNS/lab

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PROCLAMATION BY THE TOWN OF OCEAN RIDGE

DECLARING AUGUST AS FLORIDA WATER PROFESSIONALS MONTH

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

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

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

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

NOW, THEREFORE, I, Geoffrey Pugh, Mayor of the Town of Ocean Ridge, do hereby extend greetings and best wishes to all observing August 2015, as

"FLORIDA WATER PROFESSIONALS MONTH"

(SEAL)

Mayor

Town Clerk

Agenda: July 6, 2015
Memo: Item #7

Town of Ocean Ridge, Florida

Commission Agenda Memorandum
Office of the Town Clerk

Subject: 6161 North Ocean Blvd. – Request for a Land Development Permit for Construction of a new 2 story, 4 car garage with guest area above, new pool/spa/deck and fire pit East of the CCCL

Request:

This request is to construct a 2 story single family structure with an eight car garage that will extend a maximum of 136.6' (+/-) east of the CCCL and also a new deck, pool, spa and fire pit that will extend a maximum of 194.71' (+/-) east of the CCCL, and also repairing the existing dune crossover located at 6161 North Ocean Blvd. The structure is located east of the CCCL with an exception of two breezeways and 2 of the 4 garages.

Background:

The Town Code of Ordinances at Section 67-17 requires a Land Development Permit for any construction east of the CCCL. The code also requires that a public hearing be held for any work that requires submittal to DEP for formal permitting. This is not a variance request.

Discussion of Proposal:

The applicant has provided draft site plans. The property is located within the RSE – Residential Estate District, which based on the size of the lot will meet the code requirements. Upon preliminary review of the plans it appears that all of the zoning requirements have been met. The applicant plans on utilizing the same finished floor elevation as the prior structure that was demolished in 2013 (19.56' NGVD) and therefore does not need to seek a zoning variance before the Board of Adjustment. Section 64-2(e)(3) of the Town Code permits a height is 36' from the first floor finished elevation.

Potential Solutions:

The Commission may address this issue in a number of ways:

1. Approve the request contingent on DEP approval once it is verified that it meets all of the zoning regulations
2. Deny it if it does not meet all our land development regulations

Legal Issues:

There are no legal issues in approving the request.

Staff Recommendation:

Staff recommends approval of the applicant's request for 6161 North Ocean Blvd. contingent on DEP approval and meeting all of the zoning and building requirements upon actual building permit submittal and review.

PLEASE REMEMBER TO BRING YOUR PACKETS WITH YOU.

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Commission of the Town of Ocean Ridge, Florida will hold a public hearing on Monday, the 3rd day of August, 2015 at a Commission Meeting at 6:00 P.M. in the Commission Chambers of the Town Hall, Ocean Ridge, Florida to consider the following:

1. An application submitted by Affiniti Architects, 6100 Broken Sound Parkway NW, Suite 8, Boca Raton FL 33487, representing the owner, Ocean Ridge 6161 N Ocean LLC, Donna Sotillo, Trustee, 6605 South Dixie Highway, Suite 200, West Palm Beach FL 333405, requesting a Land Development Permit from the provisions of the Land Development Code, Article 2; COASTAL CONSTRUCTION, Section 67-17; Coastal Construction and Excavation Setback Line; Sub-Paragraph (a); Setback Line Established; and Sub-Paragraph (h) Existing Structures to permit the construction of a new two story residence with an eight car garage with a maximum finished floor elevation of 19.56' NGVD (slightly lower than the structure demolished in 2013) which would extend a maximum of 134.6'(+/-) east of the Coastal Construction Control Line (CCCL) and also a new deck, pool, spa and fire pit that will extend a maximum of 194.71'(+/-) east of the CCCL, and also repairing the existing dune crossover located at 6161 North Ocean Blvd. or legally described as Lots 3-5, Block 3 and Lots 3-5, Block 10, of the Amended Plat of Boynton's Subdivision (exact description available for review in the Clerk's Office)

ALL PERSONS INTERESTED in these matters may appear before the Town Commission at the time and place aforesaid and be heard. Prior to the hearing the application may be reviewed at the Clerk's Office.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. PERSONS WHO NEED AN ACCOMMODATION IN ORDER TO ATTEND OR PARTICIPATE IN THIS MEETING SHOULD CONTACT TOWN HALL AT 732-2635 AT LEAST 2 DAYS PRIOR TO THE MEETING IN ORDER TO REQUEST SUCH ASSISTANCE.

Dated: July 14, 2015

TOWN OF OCEAN RIDGE, FLORIDA

Publish: Palm Beach Post-Times

Karen E. Hancsak

1st Publication: July 20, 2015

Karen E. Hancsak, Town Clerk

2nd Publication: July 29, 2015

THIS NOTICE IS PUBLISHED PURSUANT TO THE TOWN OF OCEAN RIDGE CODE OF LAWS AND ORDINANCES AND THE FLORIDA STATUTES AND IS POSTED IN FOUR CONSPICUOUS PLACES WITHIN THE TOWN OF OCEAN RIDGE, FLORIDA.

Town of Ocean Ridge

6450 N. Ocean Blvd. Ocean Ridge, FL 33435
(561) 732-2635

Development Action Form

All information must be printed or typed. The completed application must be filed at least thirty (30) days prior to the date of the Town Commission meeting at which the application is to be considered.

Application No.:

Submittal Date:

Property Owner(s) OCEAN RIDGE 6161 N. OCEAN BLVD	Applicant AFFINITI ARCHITECTS
Name: DONNA M. SOTILLO, TRUSTEE	Name: MITCH KUNIK, President
Address: 6605 SOUTH DIXIE HWY STE 200 WEST PALM BEACH, FL 33405	Address: 6100 BROKEN SOUND PARKWAY NW BOCA RATON, FL 33487
Phone: 561-547-5730	Phone: 561-750-0445

STE 8

Proof of ownership, along with agent's authorization letter if Application is being submitted by anyone other than the Owner(s), must be submitted with Application along with a property owner list and labels of all residents within three hundred (300) feet and corresponding circumference map from the Tax Collectors Office is to be provided. Must be submitted a minimum of 28 days in advance of hearing.

9 copies of all plans, plats, surveys, including application forms etc. must be submitted with Application. (Further plans, etc. may be required.)

Check Applicable Approvals Being Requested

(Fees per current Town Code (see attached) must be submitted with application.)

Application Appeal	Rezoning	
Annexation	Site Plan Review	
Architectural Review	Special Exception	
Comprehensive Plan Amendment	Plat or Replat	
Planned Residential Development (PRD)	PRD Amendment	
	Construction East of CCCL	x

Departmental Use Only Do Not Write Below This Line

Accepted For Review

Town Official: _____ Date: _____ Fee Paid: _____

Traffic concurrency letter included? Yes No

Approval

Town Commission/Architectural Commission/Building Board of Adjustment and Appeals:

Conditions of Approval: _____ Date: _____

General Data

Project Name: 6161 North Ocean Boulevard

Project Location (Address and property control no.): 6161 North Ocean Boulevard, Ocean Ridge, FL

Existing Zoning: RSE (Single Family Residential District)

Proposed Zoning: RSE (Single Family Residential District)

Existing Comprehensive Plan Designation: Single Family

Proposed Comprehensive Plan Designation: Single Family

Existing Land Use: Single Family

Proposed Land Use: Single Family

Total Site Area: _____ Sq. Ft.: 70,7000 Acres: 1.62

Flood Zone Category: Flood Zones "AE-5", "B" & "C"

Is site currently served by public water? Yes No

Is site currently served by public sewer? Yes No

Residential

Total Number of Dwelling Units: 1 Density (Units per acre): 1

Commercial

Total Square Footage: N/A Number of Buildings: N/A

Describe briefly the nature of any improvements presently located on the subject property:

Existing vacant lot, existing seagrapes and coastal vegetation on beach side, palm tree and hedges on side property lines existing front masonry wall.

Describe type of operation or business proposed; or the proposed construction:

New two story residence with (8) car garage will be constructed with the furthest extension of the structure at 134.6' (+/-) east of the Coastal Construction Control Line (CCCL); the pool, deck, spa and fire pit will extend a maximum of 194.71' (+/-) east of CCCL; and also repairing the existing dune crossover. The house finished floor slab elevation will be 19.56' NGVD (slightly lower than the structure demolished in 2013)

State the reasons or basis for the Approval request, and explain why this request is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive Plan and will not be detrimental to the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the Town. Additionally, all standards set forth in the Town Code of Ordinances for Special Exceptions, Variances, Administrative Appeals, etc. must be addressed. (Attach a separate Justification Statement if insufficient space.)
 See Attached Sheet "Exhibit A"

Has any previous Application been filed within the last year in connection with the subject property?
 Yes No If Yes, briefly describe the nature of the Application.

Has a site plan been previously approved by the Town Commission for this property? Yes No
 If Yes, please note date of previous approval.

Exact Legal Description of Property

(Attach if insufficient space)

Provided-see page 4.

Give the name, address, and telephone number for the following persons or firms involved in this development:

Agent (if different from Owner):	Developer: OCEAN RIDGE 6161 N. OCEAN LLC
Name:	Name: DONNA M SOTILLO
Company Name:	Company Name: OCEAN RIDGE 6161 N OCEAN LLC
Address:	Address: 6605 SOUTH DIXIE HWY, STE 200 WEST PALM BEACH, FL 33405
Phone:	Phone: 561-547-5730

Planner: N/A	Architect:
Name:	Name: Mitch Kunik
Company Name:	Company Name: AFFINITI ARCHITECTS
Address:	Address: 6100 Broken Sound Pkwy. NW Suite 8, Boca Raton Florida 33487
Phone:	Phone: 561-750-0445
	Florida Registration No.: AA0002340

Engineer:	Landscape Architect
Name: William P. Stoddard	Name: Joe Perterson
Company Name: SCHULKE, BITTLE & STODDARD	Company Name: Peterson Design Professionals
Address: 1717 Indian River Blvd, Suite 201, Vero Bch, FL 32960	Address: 151 S.W. 7th Terrace Boca Raton, FL 33486
Phone: 772-770-9622	Phone: 561-702-0136
Florida Registration No.: FL. Reg. No. 57605	Florida Registration No.: LA 0001355

Witness 

 MITCH KUNIK
Printed Name of Applicant

- Applicant is:
- Owner
 - Optionee
 - Lessee
 - Agent

Address: 6100 BROKEN SOUND PKWY
STE 8
BOCA RATON, FL
Phone: 561-750-0445

LAND DESCRIPTION:

Lot 3, 4, and 5, Block 3, and Lots 3, 4 and 5, Block 10, of the AMENDED PLAT OF BLOCKS 3, 4, 5, AND 6, OF BOYNTON'S SUBDIVISION, according to the plat thereof recorded at Plat Book 6, Page 56, in the Public Records of Palm Beach County, Florida, along with that certain parcel of land formerly known and described as Ocean Boulevard, lying between Lots 3, 4, and 5, Block 3, and Lots 3, 4, and 5, Block 10, of said AMENDED PLAT OF BLOCKS 3, 4, 5 AND 6, OF BOYNTON'S SUBDIVISION.

Said lands situate and lying in Palm Beach County, Florida and containing 70,698 square feet (1.6230 acres) more or less.

Property Address: 6161 N. Ocean Blvd., Ocean Ridge, Florida.

Exhibit A

The proposed new two story residence and (8) car garage will be constructed at 19.56' N.G.V.D. elevation as required by FDEP's no net excavation seaward of the CCCL. The new structure will extend a maximum of 134.67' (+/-) east of the Coastal Construction Control Line (CCCL).

A new deck, pool, spa and fire pit will extend a maximum of 194.71' (+/-) east of the Coastal Construction Control Line (CCCL). The deck, pool, spa and fire pit will be designed by others and under a separate permit. The finish elevation of these improvements will be approximately 19.06 N.G.V.D.

The existing dune crossing will remain and be repaired in its current location. See survey for exact location.

Existing site walls shall remain as drawn on sheet A1.0 except for those sections noted "to be removed" or "to be reinforced".

An LP Gas tank will be located west of the Coastal Construction Control Line (CCCL) under a separate permit.

All of these improvements are in accordance with the standards set forth in the Town Code of Ordinances.

OCEAN RIDGE 6161 N. OCEAN, LLC
6605 South Dixie Highway, Ste 200
West Palm Beach, FL 33405
561-547-5730

June 18, 2015

Re: 6161 N. Ocean Blvd, Ocean Ridge, FL

To Whom it May Concern:

This letter does hereby designate and authorize Affiniti Architects and its representatives to act as our agent in conjunction with the project involving the property captioned above and to sign on our behalf all application forms and other documents which may be necessary for this purpose.

Do not hesitate to contact me should there be any concerns.

Respectfully,



Donna M. Sotillo

Signed in my presence by Donna M Sotillo, this 18th day of June, 2015



SARA N. MEDRANO
MY COMMISSION # FF 131379
EXPIRES: June 10, 2018
Bonded Thru Budget Notary Services



NOTARY PUBLIC



Mitchell F. Kunik, AIA, LEEDAP, NCARB
 Brian J. Collins, AIA, NCARB
 Benjamin Schreier, AIA

BOCA RATON — ORLANDO — BAHAMAS

Matthew W. Wheeler
 Huy D. Nguyen
 Lou Nunez, Jr.

July 06, 2015

Town of Ocean Ridge
 Building Department
 6450 N. Ocean Blvd.
 Ocean Ridge, FL 33435

Regarding 6161 North Ocean Blvd, please note the following:

Total Lot Size	70,700 s.f.	
Maximum lot coverage allowable	22,624 s.f.	32%
Lot coverage provided	13,915 s.f.	19.68%
Maximum floor area allowable	25,452 s.f.	36%
Floor Areas		
1 st floor area	11,309 s.f.	15.99%
2 nd floor area	4,657 s.f.	6.59%
South Garage/Motor Court	1,303 s.f.	1.84%
North Garage/Motor Court	1,303 s.f.	1.84%
Total floor area provided	18,572 s.f.	26.27%

Note: 1st floor area 13,030 (75% equals 9,772 s.f.). Second floor area is less than 75% of first floor area.

Flat Roof Area Calculation:

Gross roof area	14,984 s.f.	
Allowable flat roof area	2,997 s.f.	20%
Flat roof area provided	2,062 s.f.	13.76%

Please feel free to contact our office if you need additional information.

Sincerely,

Mitchell F. Kunik AIA
 For The Firm





Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Interim Secretary

July 1, 2015

William P. Stoddard, Ph.D., P.E., Managing Member
Schulke, Bittle & Stoddard, LLC
1717 Indian River Boulevard, Suite 201
Vero Beach, Florida 32960

RE: 6161 North Ocean Boulevard, Ocean Ridge, Florida

Dear Mr. Stoddard:

This letter is in response to your letter received by email on June 25, 2015. In your letter you requested confirmation from the Department that redevelopment of the subject property shall result in no net excavation seaward of the coastal construction control line, in accordance with permitting criteria, 62B-33.005(4)(b) and 62B-33.005(4)(d), Florida Administrative Code, (F.A.C.).

The Department shall issue a permit for construction which an applicant has shown to be clearly justified by demonstrating that all standards, guidelines, and other requirements set forth in the applicable provisions of Part I, Chapter 161, F.S., and this rule chapter are met, including those criteria specifically listed above.

This determination does not relieve you from your responsibility to comply with the permitting requirements of any other local, state, or federal regulatory agency which has jurisdiction over the proposed activity.

If you have any questions or concerns, or need additional information, please contact me by mail at the letterhead address, (add Mail Station 3522), or by telephone at 850.245.7668, or by e-mail at Celora.A.Jackson@dep.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "C. D. Jackson", written over a horizontal line.

Celora Douse Jackson
Digitally signed by
Celora Douse Jackson
Date: 2015.07.01
14:28:59 -04'00'

Celora Douse Jackson, Permit Manager
Coastal Construction Control Line Program
Division of Water Resource Management

JOSEPH W. SCHULKE, P.E.
JODAH B. BITTLE, P.E.
WILLIAM P. STODDARD, Ph.D., P.E.

SCHULKE, BITTLE & STODDARD, L.L.C.

CIVIL & STRUCTURAL ENGINEERING · LAND PLANNING · ENVIRONMENTAL PERMITTING

July 2, 2015

Karen E. Hancsak, CMC
Town Manager
Town of Ocean Ridge
6450 North Ocean Boulevard
Ocean Ridge, Florida 33435

Re: Ocean Ridge 6161 N Ocean, LLC
6161 North Ocean Boulevard
Ocean Ridge, Florida

Dear Ms. Hancsak:

In order to accommodate the attached letter from the Florida Department of Environmental Protection (FDEP), which states that the "redevelopment of the subject property shall result in no net excavation seaward of the coastal construction control line", we are proposing to set the first floor elevation at 19.56 NGVD (18.00 NAVD). Given that the existing grades in the middle of the site seaward of the Coastal Construction Control Line (CCCL) range from 18.00 NGVD (16.44 NAVD) to 20.15 NGVD (18.59 NAVD), the first floor cannot be placed at the Town of Ocean Ridge's requirement of 17.49 NGVD (15.93 NAVD) and also comply with the FDEP requirement of no net excavation allowed seaward of the CCCL.

Please do not hesitate to contact this office should you have any questions or require additional information.

Sincerely,



William Stoddard
Jul 2 2015 3:32 PM

William P. Stoddard, Ph.D., P.E.



Memorandum

Date: **July 27, 2015**
To: **Mayor & Commissioners**
From: **Ken Schenck, Town Manager**
Re: **Town Update, August, 2015**

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

Spanish River Drive

We are reviewing several drainage problems on Spanish River Drive where water is ponding. We're analyzing the best way to eliminate these problems. Most of the problems remaining are in driveways and not a major priority but do need to be corrected. We're getting major project completed and then we'll address these.

FEMA Flood Maps

We've met with FEMA and have reviewed their maps. We have requesting them to exclude an additional 80 properties from the flood zone. They've agreed to look at it for their major study but we want them to make the change in the present study. We've received a letter from FEMA saying they're reviewing the information we sent them. Nothing new from them.

LPR Cameras

This will be addressed later in the agenda by Chief Hutchins.

FDOT Bridge Inspection & Repairs

The approved bridge repairs have started.

Wastewater Proposal

The Boards of these condos have dispersed for the summer. I feel we need their approval to continue with this project since there will be funding involved. We'll get in touch with them in the fall when they return.

All Aboard Florida

There has been nothing new on this project except that the construction of the tracks and depots are underway. It appears that at present there's no way to stop the project.

Spanish River –Swaim Project

Mr. Swaim is continuing to try to satisfy SFWMD for this project. He proposes to come back to the Commission for an easement once the property ownership is clarified.

Calendar of Events

Code Enforcement-----August 4, 2015 @ 10:00 AM

Planning & Zoning Board-----August 10, 2015 @ 8:00 AM

Board of Adjustment-----August 12, 2015 @ 8:30 AM

Tentative Budget Adoption/ Public Hearing/

Regular Town Commission-----September 10, 2015 @ 5:01 PM

Final Budget Adoption-----September 17, 2015 @ 5:01 PM

Cc: Han Hutchins, Police Chief
Karen Hancsak, Town Clerk
Employees

Agenda: August 3, 2015
Memo: Item #10

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of Police Chief

- Subject:**
- 1. Monthly Activity Report (June 2015)**
 - 2. Monthly Boynton Beach Fire/EMS Activity Report**

Mayor and Town Commissioners:

Attached you will find the June Monthly Police Activity Report; including the Boynton Beach Fire/EMS Activity Report. All of these reports are on the Town's website under Police Department/Monthly Reports.

Included as a separate agenda item is an update on the Town's Automated License Plate Recognition Project.

Since our last meeting and receipt of confirmation to hire two new Officers, we have completed the hiring process. I am pleased to introduce Officer Jimmy Pilon and Officer Richard Ermeri as your newest patrol officers.

As always, I will be happy to answer any questions you may have, either prior to, or at the meeting.

Agenda: Aug. 3, 2015

Memo: Item # 12

**Town of Ocean Ridge, Florida
Commission Agenda Memorandum
Office of the Town Clerk**

Subject: Lien Reduction Request/6007 Ridge Lane

Request:

Ninive Giordano, 6009 Ridge Lane, property owner, is requesting an abatement to the lien that was recorded on 1/23/14 for violating Section 67-51 – remodeling without a permit. This lien now totals \$28,932.22 (517 days @ \$50 per day - \$25,850, interest - \$3,052.22, and recording/release of lien - \$30) through July. Ms. Giordano was made aware of these violations in Dec. 2013 if not prior to that date.

Background:

Case#2013-019, violating section 67-51 of the Town Code (remodeling the residence without permit), was first observed on 10/16/13 while Officer Savino was performing a Dark House check. The work appeared to include kitchen/bath remodeling, a/c and electrical work and French doors. A check with Town Hall revealed the only permit for the residence was in 2010 to replace 13 window/door openings. A Stop Work Order was posted on 10/17/13. On 10/17/13 contact was also made with the housekeeper, Hilaria Campos, who advised that the owner was out of the country until 10/19/13 and she was advised to have the owner contact the Police Dept. No contact was made.

On 10/30/13 an Affidavit and Notice of Violation was prepared, posted on the site, and mailed certified to the address listed on the Property Appraiser site. The letter was returned unclaimed. The hearing was held on 12/3/13 and an Order Finding Violation was issued (the respondent was not present).

On 12/23/13 the Building Official, per request, met with the property owner on site and performed a Courtesy Inspection at which time a number of items, including those subject to the Stop Work Order were inspected and documented (see copy attached).

On 1/7/14 the Special Magistrate issued an Order Assessing Fine and the property was liened (the respondent was not present). This letter too was returned unclaimed.

On 8/19/14 the property owner paid the administrative fines for both hearings but no permits were applied for. She was also provided copies of the Orders and Claim of Lien.

On 2/26/15 permits were pulled for the remodeling/renovation work and the last final inspection was completed on 6/3/15. The accompanying letter was received on 7/20/15.

The lien now totals \$25,850 (517 days @ \$50 per day – 25,850.00, interest - \$3,052.22, and the recording/release of lien - \$30.00).

Staff Recommendation:

The Commission has the only authority to reduce a lien if they so desire. The property was cited in Oct. 2013 and brought into compliance in June 2015. Copies of prior minutes and orders are available for review if requested. The property owner states in the letter that there was an external structural problem that needed to be addressed immediately, however; no permits have been applied for as of this date.

Ninive Giordano
6007 Ridge Lane
Ocean Ridge, FL 33435

RECEIVED

JUL 20 REC'D

July 17, 2015

TOWN OF OCEAN RIDGE

Town of Ocean Ridge
Town Commission
6450 North Ocean Blvd.
Ocean Ridge, Florida 33435

Esteemed Commissioners:

I am writing in regard to my property at 6007 Ridge Lane. I have owned this home since 2001, and am a part-time resident. My family and I are typically in the home for occasional visits throughout the year and during the winter holiday season.

In 2011, I retained the services of a contractor for the purpose of renovating the interior of the home in preparation for full-time occupancy upon retirement. Regrettably, the required work permits were not pulled. The work was conducted in my absence.

In December 2013, I returned to the house to find a "stop work" order taped to the front door. I immediately contacted the building inspector, Mr. D. McIntosh and showed him the property and all renovations in detail. The following day a police officer delivered a letter from the Building Inspector listing code violations and advising that a work permit be pulled prior to commencement of any remedial work. Unfortunately, the contractor was on vacation for the holidays and I was unable to meet with him regarding the violations during that visit to Florida. Between January and August of 2014, I made numerous attempts to coordinate and schedule the remedial work.

In August of 2014, I visited the Ocean Ridge police station to retrieve a police report documenting damage to the home. Chief Yanuzzi escorted me to his office and asked if I had "rectified the problems in my home". He then escorted me to Town Hall and introduced me to the Town Clerk, Karen Hancsak, who informed me that a hearing had been held and that I was being fined \$50.00 per day (plus interest) for unresolved code violations. I was unaware of these events and paid all court costs and fees associated with the hearing the following day.

The contractor who had been paid to pull the work permit and to perform the remedial work failed to do so. When I returned in December 2014 and found no progress, I hired another contractor. The work permit was pulled in March 2015 for a sum of \$5,239.00 (constituting 4 times the normal permit fee as a penalty). The work was completed and passed inspections on June 3rd of 2015.

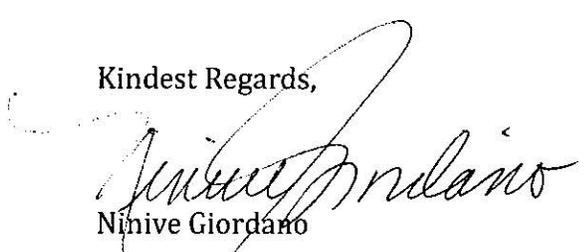
I am contacting you to respectfully request an abatement of the fine. I acknowledge that I should not have allowed a contractor to perform any work in my home without pulling the required work permits. I have acted in good faith to correct the code violations in a timely manner but have no control over the length of time it took the contractors to respond. In addition to court costs and the work permit penalty, I am being fined a total of approximately \$29,000.00.

There is an external structural problem that needs immediate attention. I am unable to commence with the work as it will require anywhere from \$25,000-\$35,000 and I cannot afford the cost of the work and the fines. I met with the Town Manager, Mr. Kenneth Schenck, on July 2nd to present him with the situation. He suggested the contractor pull permits immediately as they take time to process and this is an emergency situation. He further suggested that I contact the commission to present my circumstances.

I ask your kind consideration in a reduction of the fine to \$3,000.00. This will allow me to complete the urgently needed repairs to the exterior in advance of hurricane season.

I will gladly respond to any questions and provide additional details. It is my understanding that there is a meeting scheduled for August 3th. I hereby request that this issue be added to the agenda for consideration.

Kindest Regards,



Ninive Giordano

TOWN OF OCEAN RIDGE
6450 NORTH OCEAN BOULEVARD
OCEAN RIDGE, FLORIDA 33435

www.oceanridgeflorida.com
(561) 732-2635 ♦ FAX (561) 737-8359

GEOFFREY A. PUGH
MAYOR, CHAIRMAN OF COMMISSION

KENNETH N. SCHENCK, JR.
TOWN MANAGER



COMMISSIONERS
GAIL ADAMS AASKOV
DR. LYNN L. ALLISON
EDWARD J. BROOKES
ZOANNE R. HENNIGAN

December 24, 2013

Ms. Ninive Giordano
6007 Ridge Lane
Ocean Ridge FL 33435

RE: CONSTRUCTION WITHOUT A PERMIT

Ms. Giordano:

In response to complaints, a Courtesy Inspection for your property in the Town of Ocean Ridge, was performed on Monday, December 23, 2013. A number of violations of the Florida Building Code, the associated codes and the National Electrical Code were noted. These violations, discrepancies and problematical areas of uncertain workmanship appear to have rendered the structural integrity and those of structure-wide subsystems as in need of extensive repair.

The following items were noted construction elements on the exterior of the structure:

- New double-door Impact Resistant front entryway assembly
- Roof repair on the South Elevation of the structure
- Removal of a Glass Block window on the South Elevation of the structure which appears to have been in-filled and re-stuccoed
- New Impact Resistant personal door on the South Elevation of the structure
- A wall-mounted Air-Conditioning unit on the South Elevation of the structure which appears to have been in-filled and re-stuccoed
- A new Air-Conditioner and Condensing Unit with electrical work on the South Elevation of the structure has been installed
- Two (2) new double-door Impact Resistant assemblies in the Patio Area on the East Elevation
- Structural members appear to have been removed on the Patio Area on the East Elevation
- Electrical work on the Patio Area on the East Elevation

The following items were noted construction elements on the interior of the structure:

- New Tile Flooring throughout the structure
- New Kitchen (including cabinetry)
- New Guest Bath
- New Second Bath (Mother's bath)
- New Master Bath
- New Water heater (Instant-Hot in M/B)

In accordance with Section 105.1 of the Florida Building Code, 2010 edition, and the Florida Building Code – Residential, 2010 edition, you are required to obtain permits for all structural, roofing, electrical, mechanical and plumbing work for your property. Your failure to do so has resulted in deleterious elements which can affect the Life-Safety of your residence. Questionable workmanship for the Mechanical system (Air-Conditioning), the Plumbing system and especially the Electrical system leave cause for deep concern by the Ocean Ridge Building Department.

You are directed, at your earliest convenience, to engage a Florida Licensed General Contractor to make all necessary repairs to your residence. Structural repairs may require a State of Florida Licensed Engineer's input. All repairs to the structure and its subsystems require inspection at various stages of the repair, replacement, rehabilitation or renovation.

Please remember that a Stop Work Order has been issued for your property, and this order will only be lifted upon the issuance of a permit to a Florida Licensed Contractor.

Please feel free to contact the Ocean Ridge Building Department if you require further clarification of the conditions noted herein.

Cordially,



D. McIntosh, MCP
Town of Ocean Ridge Building Official (Acting)

cc: Ken Schenck, Town Manager
Karen Hancsak, Town Clerk
Nubia Savino, Police Officer



CFN 20140026915
 OR BK 26575 PG 0707
 RECORDED 01/23/2014 15:41:42
 Palm Beach County, Florida
 Sharon R. Bock, CLERK & COMPTROLLER
 Pgs 0707 - 711; (5pgs)

Prepared by and return to:

Town Clerk
 Ocean Ridge Town Hall
 6450 North Ocean Blvd.
 Ocean Ridge FL 33435
 (561) 732-2635

Property Control Number: 46 43 45 27-10 000 0070

CLAIM OF LIEN

STATE OF FLORIDA)
 COUNTY OF PALM BEACH)

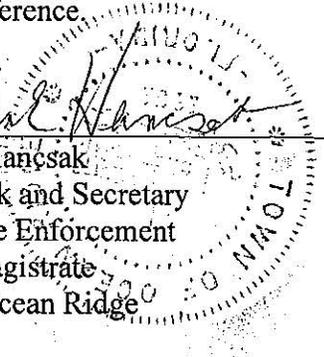
COMES NOW the Town of Ocean Ridge, Florida, by and through the authority of the undersigned Secretary of the Code Enforcement Special Magistrate of the Town of Ocean Ridge, 6450 North Ocean Blvd., Ocean Ridge, Florida 33435, who, being duly sworn says:

1. She is the Secretary of the Code Enforcement Special Magistrate of the Town of Ocean Ridge, Florida.
2. In Case No. CE 2013-019 brought before the Code Enforcement Special Magistrate, said Code Enforcement Special Magistrate imposed a fine, pursuant to its lawful authority to do so, in the amount of \$50.00 per day commencing January 2, 2014.
3. By law, the above fines increase at the daily rate of \$50.00 until the property described below has been brought into compliance with the Order of the Code Enforcement Special Magistrate, as evidenced by an Affidavit of Compliance filed with the Secretary of the Code Enforcement Special Magistrate. To the fine shall be added interest at the rate of 10% per annum to be computed on the date of payment, and from the date this Claim of Lien is filed.
4. By law, administrative costs in the amount of three-hundred-thirty-nine dollars and fifteen-cents (\$339.15) for the hearing held on Dec. 3, 2013 has also been assessed and payable within ten (10) days and also administrative costs in the amount of three-hundred-sixty-one dollars and thirty-two-cents (\$361.32) for the hearing held on Jan. 7, 2014.

5. By law, the above fine constitutes a lien upon any real or personal property owned by Ninive Giordano, including the following described property:
- Lot 7, Coastal Shores Subdivision (6007 Ridge Lane) in Ocean Ridge Florida
6. By law, the Town Attorney may foreclose this lien when instructed to do so by the Code Enforcement Special Magistrate at any time after three (3) months from the filing of this Claim of Lien and in the same manner as mortgage liens are foreclosed.
7. A certified copy of the Order of the Code Enforcement Special Magistrate is attached hereto and incorporated herein by reference.

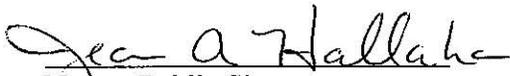


Karen E. Hancsak
Town Clerk and Secretary
of the Code Enforcement
Special Magistrate
Town of Ocean Ridge



**STATE OF FLORIDA
COUNTY OF PALM BEACH**

PERSONALLY APPEARED before me, the undersigned authority, Karen E. Hancsak and acknowledged that (he) (she) did execute the foregoing Claim of Lien.
Sworn to and subscribed before me this 9th day of Jan., 2014.



Notary Public Signature

Jean A. Hallahan

Print Name

Personally known () OR Produced Identification ()

Type of Identification Produced: _____



CODE ENFORCEMENT ORDER
TOWN OF OCEAN RIDGE, FLORIDA

ORDER ASSESSING FINE

TOWN OF OCEAN RIDGE,
Petitioner,

Case No. CE#2013-019

v.

NINIVE GIORDANO,
Respondent.

Re: Violation of Section 67-51 of the Code of Ordinances of the Town of Ocean Ridge.

**Address: 6007 Ridge Lane
Ocean Ridge, Florida**

Legal Description: LOT 7, COASTAL SHORES

The Special Magistrate appointed by the Town Council to hear code enforcement cases for the Town of Ocean Ridge, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement Hearing held on the 7th day of January, 2014, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The town issued the Order Finding Violation to the Respondent by regular mail and met with the Respondent on December 23, 2013 and sent a letter dated December 24, 2013.
2. The Respondent, NINIVE GIORDANO, was not present at the hearing however, there was a finding of proper notice.
3. The Town's Clerk testified to the ongoing violation and that no permits have been applied for or issued.

CONCLUSIONS OF LAW

Respondent was properly noticed of the violation and the hearing.
Respondent remains in violation of Section 67-51 of the Code of Ordinances of the Town of Ocean Ridge.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent, NINIVE GIORDANO, shall immediately comply with of Section 67-51 of the Code of Ordinances of the Town of Ocean Ridge.

A fine of fifty-dollars (\$50.00) per day is hereby assessed for the violation that has existed. The fine is imposed beginning January 2, 2014 and will continue to accrue at fifty-dollars (\$50.00) per day for each day the violation continues to exist.

Respondent shall immediately pay the administrator costs of Three-Hundred-Sixty-One Dollars and Thirty-Two-Cents (\$361.32) that was assessed at the Violation Hearing, which has not yet been paid.

Respondent shall be assessed Three-hundred-Thirty-Nine-dollars and Fifteen-cents (\$339.15) for administrative costs to be paid in full immediately.

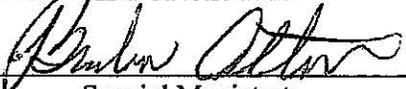
Future violations of the aforementioned code sections may be considered a repeat violation for which a fine of up to five-hundred-dollars (\$500.00) per day may be imposed beginning on the date the violation begins.

A certified copy of this Order may be recorded in the Public Records of Palm Beach County, Florida, and, once recorded, shall constitute a lien against the property upon which the violation existed and upon any other real or personal property owned by the Respondent, pursuant to Chapter 162, Florida Statutes for the original amount.

Upon complying, it is the responsibility of the Respondent to notify the Ocean Ridge Clerk at (561)732-2635 to request a reinspection of the property.

DONE AND ORDERED this 7th day of January, 2014.

TOWN OF OCEAN RIDGE
CODE ENFORCEMENT

BY: 
Special Magistrate

TOWN OF OCEAN RIDGE

6450 NORTH OCEAN BOULEVARD

OCEAN RIDGE, FLORIDA 33435

www.oceanridgeflorida.com

(561) 732-2635 ♦ FAX (561) 737-8359

GEOFFREY A. PUGH
MAYOR, CHAIRMAN OF COMMISSION

KENNETH N. SCHENCK, JR.
TOWN MANAGER



COMMISSIONERS
GAIL ADAMS AASKOV
DR. LYNN L. ALLISON
EDWARD J. BROOKES
ZOANNE R. HENNIGAN

STATE OF FLORIDA)

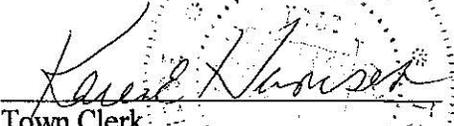
COUNTY OF PALM BEACH)

ss

TOWN OF OCEAN RIDGE)

I, Karen E. Hancsak, duly appointed and acting Clerk of the Town of Ocean Ridge, Florida, do hereby certify that the foregoing are true and correct copies of the original instruments described as the Order Assessing Fine for Case No. CE#2013-019 as contained in the official records of the Town.

Witness my hand and the Official Seal of the Town of Ocean Ridge this 9th day of January, 2014.


Town Clerk



Agenda: Aug. 3, 2015
Memo: Item # 13

Town of Ocean Ridge, Florida
Agenda Memorandum
Office of the Town Clerk

Subject: Schedule Public Hearing for Sept. 10, 2015 at 5:01 PM
Immediately following the Tentative Budget Adoption to
Adopt and Certify the Non-Ad Valorem Assessment Roll
for 110 Bonito Drive

Mayor and Town Commissioners:

As you may recall at the July Meeting the Commission authorized hiring a contractor at a cost not to exceed \$25,000 from the Contingency Account to fund the cost of the demolition at 110 Bonito Drive. The last step was to schedule a Public Hearing to be held prior to Sept. 15th to adopt a non-ad valorem assessment roll.

Recommendation

Staff is proposing to hold the Public Hearing right after the Tentative Budget Adoption and before the Regular Meeting on Sept. 10th starting at 5:01 PM. We would publish the notice between August 18th and the 21st to meet the requirements.

Deadline Sept 15th



DR-408A
N. 02/91

**CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of _____, located in _____ County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the _____ day of _____, _____ year.

Chairman of the Board or authorized agent
of _____
Name of local government
_____ County, Florida

Memorandum

Date: July 28, 2015
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Bids for Demolition of 110 Bonito

We received three bids for the demolition of 110 Bonito Dr. They were: Varga Homes; \$38,000, Cushing Demolition: \$38,500 and Bankers Maintenance: \$39,460. Since we requested the bids we checked with the County and found we could piggy back off of their bid award. Their contract is with The BG Group, LLC in Boca. We requested a bid from them and their bid is \$25,317. The Commission originally approved \$25,000 for this project.

Staff recommends award of the bid to The BG Group, LLC for \$25,317 for the low bid of \$25,317.

Initially we proposed using the contingency account for this project. However, we would prefer to use a budget amendment and use the contingency for other items, such as the carpet and sound system repairs, thereby reducing next year's budget request. As we don't know when we'll recoup the cost, as it's tied to the tax bill, we recommend taking the entire amount out of reserves with a budget amendment.

THE BG GROUP, LLC

7/28/2015

To: Facilities Development & Operations Department
 Town Ocean Ridge
 Ken Schenck
kschenck@oceanridgeflorida.com

Re: Annual Contract, Demolition -12818 Project #

110 Bonito Drive Ocean Ridge

1	Concrete Block	North	\$	2.40	x		=	\$0.00
2	Concrete Block	Central	\$	2.40	x	4,720	=	\$11,328.00
3	Concrete Block	South	\$	1.00	x		=	\$0.00
4	Concrete Block	West	\$	2.40	x		=	\$0.00
5	Wood Frame	North	\$	2.40	x		=	\$0.00
6	Wood Frame	Central	\$	2.40	x		=	\$0.00
7	Wood Frame	South	\$	1.00	x		=	\$0.00
8	Wood Frame	West	\$	2.40	x		=	\$0.00
9	Metal Frame	North	\$	0.50	x		=	\$0.00
10	Metal Frame(trailer)	Central	\$	0.50	x		=	\$0.00
11	Metal Frame	South	\$	0.05	x		=	\$0.00
12	Metal Frame	West	\$	0.50	x		=	\$0.00
13	Modular	North	\$	2.00	x		=	\$0.00
14	Modular	Central	\$	2.00	x		=	\$0.00
15	Modular	South	\$	0.50	x		=	\$0.00
16	Modular	West	\$	2.00	x		=	\$0.00
17	Concrete Piling	Sq Ft.	\$	0.10	x		=	\$0.00
18	Septic Tank	Cu. Ft.	\$	5.00	x	500	=	\$2,500.00
19	Swimming Pool	Sq. Ft.	\$	1.00	x	2,520	=	\$2,520.00
20	Fencing - Chain Link	Lin. Ft.	\$	0.50	x		=	\$0.00
21	Fencing - Wood	Lin. Ft.	\$	1.00	x	300	=	\$300.00
22	Fencing - Masonry	Lin. Ft.	\$	1.00	x		=	\$0.00
23	Concrete Drives/Walks	Sq Ft.	\$	1.00	x	1,063	=	\$1,063.00
24	Asphalt Driveways	Sq Ft.	\$	2.00	x		=	\$0.00
25	Add'l Loads of Trash	Cu.Yd.	\$	12.00	x	100	=	\$1,200.00
26	Tree Removal	Cu.Yd.	\$	10.00	x	100	=	\$1,000.00
27	Tire Removal	Per	\$	40.00	x		=	\$0.00
28	Freon Devacuation	Pound	\$	10.00	x		=	\$0.00
29	Flourescent Tube	Tube	\$	1.00	x		=	\$0.00
30	HID Bulb removal	Bulb	\$	1.00	x		=	\$0.00
31	Imported Fill	Cu. Yd.	\$	9.50	x		=	\$0.00
32	Solid Sod	Sq. Ft.	\$	0.30	x	12,620	=	\$3,786.00
33	Permit		\$	500.00	x	1	=	\$500.00
34	Nonspecific Tasks		\$	40.00	x	28	=	\$1,120.00
	Total Bid amount							\$25,317.00

Includes; Building, deck, pool, drives, dock, trees, shrubs, septic and sod. Excludes; Dock piles.
 Please let us know if there is anything else you require. We look forward to your notice to proceed.

Sincerely,

Steve Greenberg

Memorandum

Date: July 28, 2015
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Sound System Repairs and Carpeting

There are two projects we would like to complete this fiscal year.

The first is the new carpeting in Town Hall. Several areas are worn and need to be replaced. The carpeting includes the dispatch area and the Commission chambers. The cost is estimated at \$9,000. The carpet was budgeted for this year but we had to use the money for air conditioning repairs. Therefore, we need to use the contingency fund if we want to do the carpeting. The carpeting was budgeting for next year so if we do this now we can reduce next year's budget by the \$9,000.

The second item is the repairs on the sound system in the Commission chambers. The project includes an upgrade to the system. The cost is \$12,688.95. The quote is from Mingace Custom Sound, Inc. The project was not budgeted as the repairs weren't anticipated. Therefore, we need to take the funds from the contingency fund.

Staff requests Commission approval for these two projects from the contingency funds.

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

To: Mayor and Commissioners
Via: Kenneth N. Schenck, Town Manager
From: Hal C. Hutchins, Chief of Police 
Date: July 28, 2015
Subject: Automated License Plate Recognition Project - Update

As requested at the July 21, 2015 budget meeting, I have prepared updates regarding the status of the Automated License Plate Recognition Project.

As you are aware, this project was initiated over three years ago. Over this three year period, many meetings have been held with representatives of various entities in an effort to determine the feasibility of developing a joint Automated License Plate Recognition (ALPR) system along the A-1-A corridor. Through these discussions, participants were identified and a preliminary concept of a "Countywide" project was entertained. In addition, several vendors have visited the area to identify how such a program could be implemented.

Due to the protracted time for the conceptualization of this project, many factors have changed; thereby, necessitating a recommendation for revisions to the initial scope and implementations of the project.

What is ALPR?

Though it has been explained before, Automated License Plate Recognition is best simply explained as the collection of images through the use of digital cameras and Computerized Optical Character Recognition software. The collected images are then compared against a specific stored computer database of Florida license plates for stolen or wanted vehicles.

The presence of a similar or matching image results in notification of a human monitor, such as a dispatcher or police officer, for review, verification, and confirmation of match and accuracy.

Upon review and verification, a decision is made as to the proper course of action necessary regarding the verified information.

In addition to real time monitoring and reporting, the Automated License Plate Recognition system may be set to store the images for a specific period, and therefore, may be used for historical crime solution activities. This is traditionally performed by the detective or investigator assigned to investigate a specific case for a specific law enforcement purpose.

Project Update:

Currently, many agencies in Florida and throughout the nation have ALPR systems. Most maintain their own data separately, use a variety of vendors and deploy their cameras in different ways (fixed vs. mobile).

The initial concept, as presented to the Town, was for approximately 12 miles of State Road A-1-A that passes thru multiple jurisdictions (Ocean Ridge through Highland beach); none of which currently have fixed ALPR cameras. All of the affected municipalities are subject to immediate access by members of a mobile society who seek opportunities for recreation, transient living, commercial use, etc. The primary reason for the initiative was to provide an enhanced level of security to all who reside within and pass through the barrier island area.

During the initial conceptualization phase, it was learned that many south Palm Beach County agencies had already begun exploring similar projects. Many are now in some phase of implementation on their respective local road systems. Furthermore, several residents of Ocean Ridge have contacted me regarding local implementation of an ALPR camera system on local roadways.

As examples: The Delray Beach Police Department has been working with Florida-based NDI, Inc. to expand an existing ALPR system by adding fixed cameras at various locations within the City of Delray Beach, now only on non-state roadways and bridges. The Highland Beach Police Department has budgeted monies to fund a project within their municipality.

During the initial phases of this project, it was assumed that placement of ALPR systems would be permissible along State Road right of ways, as several are in existence within Palm Beach County and throughout the State of Florida. However, in the three years since the initiation of this project, the Florida Department of Transportation has issued a letter of interpretation prohibiting the placement of ALPR systems on or encroaching upon all State Roads and their right of ways. The basis for this prohibition is rooted in Florida Statutes 316.0076 and 316.0777(see below), has

been reviewed by the Office of the Governor, and determined in effect to preclude any new installations of ALPR or surveillance camera systems not specifically authorized by State Statute. This interpretation, in effect, eliminates the most logical locations to operate a cost effective and efficient Town wide ALPR program, (A true perimeter system to effectively capture all available license plates passing into and out of the Town at natural geographic choke points, as originally presented), until such time as legislation is in place specifically allowing installation upon and adjacent to State Road A-1-A and State Road 804 (Ocean Avenue) right of ways.

As part of the annual Florida Police Chief's Association Legislative Committee meeting in July, for issue in the next session, I requested a review and action on this item. The issue is being considered; however, I have been informed that due to the emotional and delicate nature of the issue, it is difficult to locate a sponsor for legislative change at this time.

The project, as originally presented, did not consider the installation of ALPR cameras solely on interior sections of Town, upon local roadways, as a phase one option. Though this type system would clearly be preferable as a second phase implementation, after security of the Town perimeters is accomplished; without the ability to implement a perimeter system this option appears to be the only available at this time. The implementation of this type of system is clearly not as effective or cost efficient as that originally proposed.

Having been approached by several residents regarding this issue, I wish to inform you that there is interest in implementing a system on some of the local streets within the Town. This issue has been specifically addressed by residents of Island Drive, Sabal Island, and the Inlet Cay Island. Additionally, I have been receiving inquiries and interest in exploring the option of placement of ALPR cameras in strategic locations in the center and Southern portions of the Town.

Based upon the nature of these requests, and the recognition that the scope of the initial project has changed; I have requested costs for implementation of individual nodes, or camera locations, and a collection system which would be maintained and controlled locally, rather than by an outside entity as proposed in the original concept.

The approximate costs for installation on Island Drive are \$43,000 per site, and were based upon a location with power and right of way within very close proximity to the roadway to be monitored. Other areas may require additional infrastructure installation, and therefore, come at an increased cost.

Security and Release of Data and Personal Identifying Information:

As this project has progressed, the issue of security of information, and availability of the information captured and stored has been of great concern to many within the community. This issue is not to be taken lightly, and is addressed best by a review of applicable statutes that regulate the information captured and stored as a part of an Automated License Plate Recognition system.

The information retrieved from an ALPR system and stored is currently exempt from release, except in specified circumstances, as outlined in Florida Statute 316.0777 (See below). It should be noted that this exemption sunsets, and will be repealed on October 2, 2019 unless acted upon by the Florida Legislature.

In addition, the issue of retention of the information captured has been raised. This is also addressed by Statute in 316.0778 (see below) and Florida Records retention schedule GS2. The current retention, as specified by statute and currently in effect, sets no minimum retention period; however, has a maximum retention set by rule in accordance with the statute of three years.

The ALPR system, by design, does not collect any personally identifiable information. The system merely catalogs images captured, and through optical character recognition compares them against a known and specific database of Florida license plate data.

To truly address security of information and appropriate use of the information collected; the agency will need to require a concise and strictly enforced usage policy be in place prior to going live with any such system. This area of concern seems to be the greatest hurdle to overcome when it comes to implementation of an ALPR system within the Town, as public sentiment, media coverage, recent legislation recommendations, and statutory changes have drawn into question law enforcement's use of such information.

Recommendation:

The program is undeniably "watered down" with the loss of ability to place readers along the State Road A-1-A and S.R. 804 corridors. I would consider the implementation of ALPR within the community to still be a valuable addition to the Police Department investigative tool box. Even without the implementation of a perimeter securing system, the information gathered could be of great investigative assistance in identification of criminals operating within the confines of the Town.

It is therefore, my recommendation that the Commission seriously consider all of the information presented prior to providing direction on how they wish to proceed.

If the system was without cost or controversy among the Towns residents, and truly a guaranteed standalone crime solution system, I would recommend immediate implementation. In addition, if the indication that the legislature was moving to allow installation on State Road right of ways, as originally thought, I would be inclined to recommend a perimeter system be approved for installation, as it is clearly of more value than a piecemeal interior system with the numerous resultant gaps in coverage.

Should the Commission consider implementation and funding for the revised system; I recommend placement of camera nodes, at an estimated approximate cost of \$43,000.00 per location, at the below locations, with an estimated recurring monthly cost of approximately \$65.00 per node and a system set up charge of \$3000.00.

Initial Location Recommendations:

1. Island Drive at East side of bridge.
2. Sabal Island Drive at East side of bridge.
3. Inlet Cay Drive at East side of bridge.
4. Entrance to Harbour Dr. North and South in landscaped median.
5. Woolbright Bridge approach, East side.

These areas are recommended due solely to the fact they are natural control and choke points. Additional locations may be defined based upon crime analysis and community desire as the program is developed.

316.0076 Regulation and use of cameras.—Regulation of the use of cameras for enforcing the provisions of this chapter is expressly preempted to the state. The regulation of the use of cameras for enforcing the provisions of this chapter is not required to comply with provisions of chapter 493.
History.—s. 3, ch. 2010-80.

316.0777 Automated license plate recognition systems; public records exemption.—

(1) As used in this section, the term:

(a) “Active,” “criminal intelligence information,” and “criminal investigative information” have the same meanings as provided in s. [119.011\(3\)](#).

(b) “Agency” has the same meaning as provided in s. [119.011](#).

(c) “Automated license plate recognition system” means a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of license plates into computer-readable data.

(d) “Criminal justice agency” has the same meaning as provided in s. [119.011](#).

(2) The following information held by an agency is confidential and exempt from s. [119.07\(1\)](#) and s. 24(a), Art. I of the State Constitution:

(a) Images and data containing or providing personal identifying information obtained through the use of an automated license plate recognition system.

(b) Personal identifying information of an individual in data generated or resulting from images obtained through the use of an automated license plate recognition system.

(3) Such information may be disclosed as follows:

(a) Any such information may be disclosed by or to a criminal justice agency in the performance of the criminal justice agency’s official duties.

(b) Any such information relating to a license plate registered to an individual may be disclosed to the individual, unless such information constitutes active criminal intelligence information or active criminal investigative information.

(4) This exemption applies to such information held by an agency before, on, or after the effective date of this exemption.

(5) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature.

316.0778 Automated license plate recognition systems; records retention.—

(1) As used in this section, the term “automated license plate recognition system” means a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of license plates into computer-readable data.

(2) In consultation with the Department of Law Enforcement, the Department of State shall establish a retention schedule for records containing images and data generated through the use of an automated license plate recognition system. The retention schedule must establish a maximum period that the records may be retained.

History.—s. 4, ch. 2014-216.

Florida Schedule GS2 Maximum License Plate Recognition System Record Retention

LICENSE PLATE RECOGNITION RECORDS Item #217

This record series consists of license plate records created by license plate recognition systems. The series may include, but is not limited to, images of licenses plates and any associated metadata. These records may become part of a criminal investigative record or some other record series. See Section 316.0778, Florida Statutes, Automated license plate recognition systems; records retention-, requiring a maximum retention period for these records.

RETENTION:

a) Record copy. Retain until obsolete, superseded, or administrative value is lost, but no longer than 3 anniversary years unless required to be retained under another record series.

b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

Memorandum

Date: August 3, 2015
To: Mayor & Commissioners
From: Ken Spillias, Town Attorney
Re: 87 Island Drive—Request for authority to foreclose lien

A building permit was applied for on June 15, 2015 by the owner of 87 Island Drive, Mark Lacho, to construct a new one story single family residence. The permit was reviewed by the Building Official and returned on June 22, 2015 with several pages of initial comments/required revisions. To date the initial comments have not been addressed, nor has Mr. Lacho contacted the Building Officer to address same.

The property was partially demolished in the end of 2013 and the owner has allowed the property to fall into violation of Sections 67-174 and 67-175 of the Town's Code of Ordinances. As a result, the property owner, Mr. Lacho, was cited for violations of the Code provisions. Hearings were held before the Town's Special Magistrate who found Mr. Lacho in violation of the sections referred to. On May 5, 2015, the Special Magistrate entered her Order Assessing Fine reaffirming a previous finding of violation and assessment of \$50.00 per day from February 25, 2015, moving forward.

On May 18, 2015, the Town filed a claim of lien pursuant to the Special Magistrate's Order. The claim of lien is recorded in the Public Records of Palm Beach County at Official Record Book 27540, Page 292. Notwithstanding the claim of lien and the continuing accrual of daily fines, Mr. Lacho has not taken the steps necessary to bring his property into compliance by following through with the building permit process and actual work. A report from the Town's building official regarding the ongoing violations will be presented to the Commission for additional support of this request.

The Town, the building official and the Special Magistrate have been exceedingly patient in working with Mr. Lacho to bring the property into compliance, to no avail. The property remains an eyesore and unsafe, and the accruing fines have failed to incentivize Mr. Lacho to bring the property into compliance.

Pursuant to Section 16-9(e) of the Town's Code of Ordinances, "[a]fter three months from the filing of any such lien which remains unpaid, the special magistrate may authorize the town attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest . . ." Three months from the recording of the lien is August 18, 2015.

I am requesting authorization from the Commission to seek authorization from the Special Magistrate to sue Mr. Lacho on the claim of lien if the property has not come into compliance by August 18, 2015. While this may seem to be a cumbersome approach to seeking code compliance, it is one of the few weapons in the Town's arsenal where a property owner is willing to allow fines to accrue without taking the necessary action to bring the property into compliance.

STATUS REPORT FOR 87 ISLAND DRIVE

July 27, 2015

CONDITIONS

87 Island Drive remains a blight on the neighborhood and continues to fall deeper into the spiral of structures which are not maintained and pose a considerable nuisance to the community at large.

The Concrete Masonry Unit walls on the North and South sides of the property remain exposed to the elements. The exposed partial Tie-Beams have reinforcing steel which is open to the weather and have been for more than a year. This reinforcing steel is not protected and is being allowed to have moisture seep into the steel. This condition will eventually have the reinforcing steel expand rapidly and spall the concrete Tie-Beam.

The concrete slab has also been exposed to the elements for more than a year. Its load-bearing capacities are in doubt. Imposing any Live Load or Dead Load would not be advisable without having engineering analysis done first.

Further, it should be noted that electrical conduit and conductors are exposed to the weather, along with some sanitary piping.

A temporary fence surrounds the private swimming pool on the property.

RECOMMENDATIONS

It is recommended that the property be posted as Unsafe and all measures be taken to abate the partial structural items. If the property owner is unable or unwilling to clear the property completely, the Town of Ocean Ridge should have the property cleared.

It is further recommended that the private swimming pool be filled-in completely and the dock for the property be removed except for pilings.



D. McIntosh, M.C.P.
Ocean Ridge Building Official

Agenda: Aug. 3, 2015
Memo: Item #18

Town of Ocean Ridge, Florida
Agenda Memorandum
Office of the Town Clerk

Subject: Discuss Town Manager Selection Process

Mayor and Town Commissioners:

The Commission has been previously provided with copies of all of the Town Manager resumes to date and should be in the process of reviewing same. The Commission has also been provided with copies of minutes and memorandums, when a prior Town Manager was previously hired, in order to give an idea of how you may want to proceed.

Staff will need direction on how to proceed.

Agenda: Aug. 3 2015
Memo: Item # 19

Town of Ocean Ridge, Florida
Agenda Memorandum
Office of Town Clerk

Subject: Approve of a Budget Amendment through the Adoption of Resolution No. 2015-04

Mayor and Town Commissioners:

Attached please find Resolution No. 2015-04; Amending the 2014/15 Fiscal Year Budget to Include a Transfer from the Unassigned Fund Balance to the General Fund Operating Budget. The purpose of the amendment would be to reimburse Commissioner Lucibella for the legal fees incurred regarding his defense concerning the Municipal Recall Efforts.

See attached memorandum from Atty Spillias. He will also discuss the item further at the meeting.

THIS IS THE REVISED RESOLUTION THAT THE TOWN ATTORNEY WAS DIRECTED TO PREPARE.

RECOMMENDATION

Staff recommends adoption of Resolution No. 2015-04 amending the FY 2014/15 Budget.

RESOLUTION NO. 2015-04

A Resolution of the Town of Ocean Ridge Amending the 2014/2015 Budget to Include a Transfer from the Unassigned Fund Balance to the General Fund Operating Budget

Whereas, several residents initiated an effort pursuant to Section 100.361, Florida Statutes, to obtain sufficient signatures from registered voters to require an election to recall a sitting Town Commissioner; and

Whereas, the Commissioner was required to secure private counsel to seek a court declaration that the recall effort was insufficient as a matter of law; and

Whereas, the court did declare that the recall effort was insufficient as a matter of law; and

Whereas, the Commissioner is seeking reimbursement from the Town for his legal fees in successfully contesting the legality of the recall petition effort; and

Whereas, the Florida Supreme Court has ruled that in circumstances such as those presented, the municipality has an obligation to reimburse the Commissioner for his legal fees.

NOW, THEREFORE, BE IT RESOLVED that the Town Commission of Ocean Ridge, Florida, does hereby approve amending the 2014/2015 budget to include increasing the Fund Balance Unappropriated by \$83,000, and increasing the Legal "Other Current Charges Account" by \$83,000, to provide funding for the legal fees incurred by the Commissioner in successfully defending against the legally insufficient recall effort.

Section 1. This Resolution shall become effective immediately upon passage.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. Commissioner _____ seconded the motion.

The Mayor thereupon declared the resolution duly passed and adopted this 3rd day of August, 2015.

TOWN OF OCEAN RIDGE, FLORIDA

Attest:

Geoffrey A. Pugh, Mayor

Karen E. Hancsak, Town Clerk

Memorandum

Date: June 29, 2015
To: Mayor & Commissioners
From: Ken Spillias, Town Attorney
**Re: Comm. Lucibella Reimbursement for Recall
Petition.**

Commissioner Lucibella has requested reimbursement for his legal fees required to defend him against the recall petition. The court determined that the petition was legally insufficient. Additionally, the petitioners weren't able to obtain the necessary signatures under the relevant statute to call for a recall election.

As you know from copies I have sent you of my correspondence with our D&O insurer, I have researched the issue of the Commission's authority/obligation to reimburse Commissioner Lucibella in the circumstances presented. While I have found no statutory authority or requirement for such reimbursement, the Florida Supreme Court has spoken to this issue in a case virtually identical in all relevant aspects to the one before us. The name and citation of the case is *Thomber v. City of Fort Walton Beach*, 568 So.2d 914 (Fla. 1990). I previously made you aware of the *Thomber* case when I presented to you a request that the Town intervene in the recall lawsuit as a plaintiff/intervenor which you authorized me to do. The key points of the case for our purposes are that 1) a municipality has a public interest in intervening in a case where a recall petition is legally insufficient, and 2) the municipality is obligated to reimburse its elected officials for the cost of having to defend against an insufficient recall petition, even where the litigation to do so is initiated by the elected official sought to be recalled. I have provided you with a copy of the Supreme Court's opinion with relevant passages highlighted in yellow.

I have received from Commissioner Lucibella's counsel the invoices presented to him for their services through May, 2015, in defending him against the recall petition effort. Since the court's order was not received until early June, there will likely be another modest invoice that, hopefully, we

will have received by the time of the Commission meeting. Pending that final invoice, the amount Commissioner Lucibella has been billed for services through the end of May is \$82,081.22. I have closely reviewed the invoices and find that given the nature and complexity of the issues presented by the recall petition, the skill of the services rendered and the amount of time required, the fees that have been charged are reasonable.

While I find the invoices are, overall, reasonable, Commissioner Lucibella's counsel did bill for 6 hours which, in my view, do not directly address the defense against the recall petition. Subtracting the cost of these services reduces the amount presently being requested to \$79,171.22. I have spoken with Commissioner Lucibella regarding this issue and he is in agreement with the adjustment.

As of the date of this memo, the D&O insurer is claiming that an exclusion in the policy precludes our claim for reimbursement for the fees and costs paid by the Town to indemnify Commissioner Lucibella for his successful defense against the recall petition. I am vigorously contesting their interpretation of the policy in these circumstances and will continue to push forward in having it acknowledge its responsibility under the relevant (in my view) provision. If we are successful in "opening the eyes" of our insurer, it would be responsible for paying the monies paid to Commissioner Lucibella less a \$50,000 deductible. If not, I will bring the matter back to you for discussion and decision as to whether to file a legal action for breach of the policy.

As this was not a budgeted item the funds will have to be transferred from the reserve account.

Update for August 3, 2015 Commission Agenda Item

Since the July meeting, we received a copy of attorney Calloway's final invoice to Commissioner Lucibella in the amount of \$2908.88. With the prior invoices less sums not directly attributable to the defense of the recall action, the total amount that Commissioner Lucibella has paid or is obligated to pay to his counsel is \$82,080.10. It is recommended that the Commission agree to pay this amount to the Commissioner upon presentation of receipts reflecting payment in full.

This information has been provided to our insurance carrier. Given the \$50,000 deductible, we are seeking coverage and payment from the insurer in the amount of \$32,080.10.

SHUTTS & BOWEN LLP

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MIAMI, FLORIDA 33131-9767

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E-mail: billing@shutts.com

Richard J. Lucibella
5 Beachway North
Ocean Ridge, FL 33435

April 14, 2015

Atty No.: 6471
Invoice: 1042678

Client: 41739-0001

Re: *Ocean Ridge Recall*

For professional services rendered thru: *March 31, 2015*

Total Service	29,272.50
Total Expense	3,567.96
Courtesy Discount on Westlaw Research	(2,000.00)
Credits Applied	(0.00)
Current Balance Due	30,840.46
<i>Prior Balance Due</i>	0.00
Total Balance Due	\$30,840.46

Terms: DUE UPON RECEIPT.

A 1% per month late payment charge will apply on any unpaid balance over 30 days from date of invoice.
Federal I.D. No. 59-0447122

TO INSURE PROPER CREDIT, PLEASE RETURN ONE COPY OF THE COVER SHEET WHEN MAKING
PAYMENT. THANK YOU.

SHUTTS & BOWEN LLP

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E-mail: billing@shutts.com

Richard J. Lucibella
5 Beachway North
Ocean Ridge, FL 33435

May 13, 2015

Atty No.: 6471
Invoice: 1048106

Client: 41739-0001

Re: *Ocean Ridge Recall*

For professional services rendered thru: *April 30, 2015*

Total Service	28,022.50
Total Expense	2,297.58
Credits Applied	(0.00)
Current Balance Due	30,320.08
<i>Prior Balance Due</i>	0.00
Total Balance Due	\$30,320.08

Terms: DUE UPON RECEIPT.

A 1% per month late payment charge will apply on any unpaid balance over 30 days from date of invoice.
Federal I.D. No. 59-0447122

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E-mail: billing@shutts.com

Richard J. Lucibella
5 Beachway North
Ocean Ridge, FL 33435

June 19, 2015

Atty No.: 6471
Invoice: 1055802

Client: 41739-0001

Re: *Ocean Ridge Recall*

For professional services rendered thru: *May 31, 2015*

Total Service	19,775.50
Total Expense	1,145.18
Credits Applied	(0.00)
Current Balance Due	20,920.68
<i>Prior Balance Due</i>	30,320.08
Total Balance Due	\$51,240.76

Terms: DUE UPON RECEIPT.

A 1% per month late payment charge will apply on any unpaid balance over 30 days from date of invoice.
Federal I.D. No. 59-0447122

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SHUTTS & BOWEN LLP

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E-mail: billing@shutts.com

Richard J. Lucibella
5 Beachway North
Ocean Ridge, FL 33435

July 22, 2015

Atty No.: 6471
Invoice: 1062600

Client: 41739-0001

Re: *Ocean Ridge Recall*

For professional services rendered thru: *June 30, 2015*

Total Service	1,265.50
Total Expense	1,643.38
Credits Applied	(0.00)
Current Balance Due	2,908.88
<i>Prior Balance Due</i>	<i>20,920.68</i>
Total Balance Due	\$23,829.56

Terms: DUE UPON RECEIPT.

A 1% per month late payment charge will apply on any unpaid balance over 30 days from date of invoice.
Federal I.D. No. 59-0447122

TO ENSURE PROPER CREDIT, PLEASE RETURN ONE COPY OF THE COVER SHEET WHEN MAKING PAYMENT. THANK YOU.

RESOLUTION NO. 2015-05

A Resolution of the Town of Ocean Ridge Amending the 2014/2015 Budget to Include a Transfer from the Unassigned Fund Balance to the General Fund Operating Budget

Whereas, pursuant to Article VII, Division 2, of Chapter 67 of the Code of Ordinances and Section 197.3632 of the Florida Statutes, the Town can demolish or repair unsafe structures; and

Whereas, the Town may use the uniform method of collecting non-ad valorem assessments to reimburse the Town for costs and expenses incurred when the Town demolishes unsafe structures; and

Whereas, the Town has followed all of the provisions set out in Division 2 and intends to demolish the property located at 110 Bonito Drive, Ocean Ridge FL; and

Whereas, the Town will be required to fund such demolition and levy a special assessment on 110 Bonito Drive; and

NOW, THEREFORE, BE IT RESOLVED that the Town Commission of Ocean Ridge, Florida, does hereby approve amending the 2014/2015 budget to include increasing the Fund Balance Unappropriated by \$26,000, and increasing the Building Dept. "Other Current Charges Account" by \$26,000, to provide funding for the total cost of demolition and removal of the structures located on 110 Bonito Drive, Ocean Ridge FL 33435.

Section 1. This Resolution shall become effective immediately upon passage.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. Commissioner _____ seconded the motion.

The Mayor thereupon declared the resolution duly passed and adopted this 3rd day of August, 2015.

TOWN OF OCEAN RIDGE, FLORIDA

Attest:

Geoffrey A. Pugh, Mayor

Karen E. Hancsak, Town Clerk