

TOWN OF OCEAN RIDGE

AGENDA



February 1, 2016

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 James S. Titcomb

Town Attorney Kenneth G. Spillias

Town Clerk Tracey L. Stevens

Police Chief Hal Hutchins

RULES FOR PUBLIC PARTICIPATION

- I. 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 one time up to three minutes or less regarding any single item on the agenda. 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 January 4, 2016
2. Minutes of Special Town Commission Meeting of January 14, 2016

MOTION	SECOND	DISCUSSION	VOTE
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ANNOUNCEMENTS AND PROCLAMATIONS

3. The Administrative Offices will be closed on Monday, Feb. 15, 2016 for the Official Holiday (Presidents Day)
4. 2016 Municipal Election/Eleccion Municipal 2016
 - a. Proclamation for Election Held on March 15, 2016/Proclamacion para eleccion sostenida el 15 de marzo de 2016
 - b. One Commission Seat Open for a Three Year Term/Comision uno puesto para tres anos cada
 - c. Qualified Candidates are Lynn Allison and Steve Coz/Candidatos calificados son Lynn Allison y Steve Coz
5. Proclamation Declaring February 22 - 28, 2016 as "Eating Disorders Awareness Week"

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

PUBLIC HEARINGS

6. An application submitted by, Everlast Realty LLC, a Massachusetts Limited Liability Co., and John Luring, Mark Luring, James Luring, and Mayanue Seibold, as Successors Co-Trustees of the Sunshine Estate Trust, 23 Brigham Rd., Worcester MA 01609 and 94 Island Drive So., Ocean Ridge FL 33435, requesting a Public Hearing regarding the provisions of the Land Development Code at Chapter 64; Zoning, Article 5; Subdivisions; Sections 64-100 through 64-105 pertaining to replatting requirements. The applicants are req nesting to replat 3 single family lots into 3 new reconfigured single family lots. All 3 lots will meet the zoning requirements for the RSF - Residential Single Family District. The 3 properties are comprised of (a) Lot 92 and a portion of Lot 93 and (b) the remaining portion of Lot 93 and Lot 94 in the McCormick Mile Add No 1 Subdivision or 92-94 Island Drive South (exact legal description located at Town Hall). The req uest will also require a Release of Unity of Title and Release of a Recorded Easement/s. (Continued from the Nov. 2, 2015 Regular Meeting)

REGULAR AGENDA

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

REPORTS

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

ACTION ITEMS

None

RESOLUTIONS

11. Resolution No. 2016-02; Approving an Agreement with the Law Firm of Torcivia, Donlon, Goddean & Ansay, P.A. for the Provision of Town Attorney Services; Authorizing the Mayor or, in his Absence, the Vice Mayor, to Execute Said Agreement; and Providing for Effective Date By: Jamie Titcomb, Town Manager
12. Resolution No. 2016-03; Appoint Jennifer Ashton, Esq. as the Ex Officio Code Enforcement Special Magistrate for the Town of Ocean Ridge; Appoint all Other Attorney Members of the Law Firm of Corbett, White, Davis & Ashton, P.A., as Ex Officio Alternate Special Magistrates to Serve and Preside Over Code Enforcement Hearings in the Absence of Jennifer Ashton; Establishing the Term of Appointment and Fees to be Paid for the Special Magistrate Services Approved Herein; and Providing for an Effective Date By: Jamie Titcomb, Town Manager

FIRST READING OF ORDINANCES

None

SECOND READING AND ADOPTION OF ORDINANCES

13. Ordinance No. 614; An Emergency Ordinance of the Town of Ocean Ridge, Changing the Date of the Town's Election in 2016 from the Second Tuesday of March to March 15, 2016, the Date of the Presidential Preference Primary Election Date; Providing for Newspaper Publication of Notice; and Providing for an Effective Date

TOWN COMMISSION ITEMS

(Information Items Only - 3 minute limit per item)

14. Status Update on LPR Cameras By: Vice Mayor Allison

ADJOURNMENT

REGULAR TOWN COMMISSION MEETING HELD JANUARY 4, 2016

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, January 4, 2016, at 6:00PM in the Town Hall Meeting Chambers.

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

Commissioner Aaskov	Commissioner Bonfiglio
Commissioner Lucibella	Mayor Pugh

Pledge of Allegiance

Comm. Allison was absent with notice.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Clerk Hancsak requested to add Item 7b regarding Holiday Lights on Ocean Avenue. Mayor Pugh requested to switch Items #11 & #14.

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of December 7, 2015

Comm. Bonfiglio motioned to approve the Agenda and Consent Agenda as amended. Seconded by Comm. Lucibella.

Motion Carried -yea (4)

ANNOUNCEMENTS AND PROCLAMATIONS

2. The Administrative Offices will be closed on Monday, Jan 18, 2016 for the Official Holiday.
3. The Workshop Meeting to Discuss Possibly Converting Old Ocean Blvd. to a One Way Street is scheduled for Tuesday, Jan 26, 2016 at 6PM.
4. 2016 Municipal Election/Elección Municipal 2016
 - a. Proclamation for Election Held on March 15, 2016/Proclamación para elección sostenida el 15 de marzo de 2016
 - b. One Commission Seat Open for a Three Year Term/Comisión uno puesto para tres años cada
5. Presentation of Retirement Resolution from the Florida Association of City Clerks (FACC) to Retiring Town Clerk Karen Hancsak by Pamela Latimore, FACC SE Director and City Clerk of North Miami Beach.

Pamela Latamore, FACC SE Director, stated that the 450 Clerks of the FACC thanked Clerk Hancsak for her years of service to the Town of Ocean Ridge and that she would be missed by her fellow colleagues. Clerk Hancsak's reputation precedes her. Ms. Latamore read the Proclamation and presented it to Clerk Hancsak. Applause from the audience.

PUBLIC COMMENT

Ted Ritota, 4 Hudson Ave, stated that cameras were needed as crime was rising in Ocean Ridge. He thanked Clerk Hancsak for her years of loyalty and dedication to Ocean Ridge. She would be greatly missed.

Terry Brown, Harbour Drive So, thanked Clerk Hancsak for her professionalism and assistance over the years, she would be greatly missed. In regards to the Midlane closure, he was concerned with emergency vehicles having access. He was also concerned with the rise of the sea level in Ocean Ridge. He requested that the Commission schedule a future meeting regarding the impact on the Town's infrastructure. We can't wait for Grants or State funding.

REGULAR TOWN COMMISSION MEETING HELD JANUARY 4, 2016

Bob Carlson, 30 Ixora Way, stated his concern that the closing off of Midlane had increased traffic and caused a hardship to the 34 families that have to extend their driving to reach their homes. He felt that the crime rate in his neighborhood was the same as other areas in Ocean Ridge. He requested that the barricades be removed, he felt the barricades weren't working.

Nancy Hogan, 37 Hibiscus Way, questioned the purpose of the speed radar equipment in her neighborhood. The left hand turn on A1A from their area was dangerous for viewing oncoming traffic. She also questioned why there was no Garbage trash service on Christmas Day, and she felt they should have provided an additional day of service for the holidays. Both she and her husband had observed 2 times that the garbage truck was picking up their recycling instead of the recycling truck. Manager Titcomb stated that he would notify Republic Service of her recycling complaint.

Stella Kolb, 204 Beachway, extended a Happy New Year to the Commission and staff. She requested that there be a Civility Month.

PUBLIC HEARINGS

6. An application submitted by, Everlast Realty LLC, a Massachusetts Limited Liability Co., and John Luring, Mark Luring, James Luring, and Mayanne Seibold, as Successors Co-Trustees of the Sunshine Estate Trust, 23 Brigham Rd., Worcester MA 01609 and 94 Island Drive So., Ocean Ridge FL 33435, requesting a Public Hearing regarding the provisions of the Land Development Code at Chapter 64; Zoning, Article 5; Subdivisions; Sections 64-100 through 64-105 pertaining to replatting requirements. The applicants are requesting to replat 3 single family lots into 3 new reconfigured single family lots. All 3 lots will meet the zoning requirements for the RSF – Residential Single Family District. The 3 properties are comprised of (a) Lot 92 and a portion of Lot 93 and (b) the remaining portion of Lot 93 and Lot 94 in the McCormick Mile Add No 1 Subdivision or 92-94 Island Drive South (exact legal description located at Town Hall). The request will also require a Release of Unity of Title and Release of a Recorded Easement/s. (Continued from the Nov. 2, 2015 Regular Meeting)

Clerk Hancsak read the application submitted by, Everlast Realty LLC, a Massachusetts Limited Liability Co., and John Luring, Mark Luring, James Luring, and Mayanne Seibold, as Successors Co-Trustees of the Sunshine Estate Trust, 23 Brigham Rd., Worcester MA 01609 and 94 Island Drive So., Ocean Ridge FL 33435, requesting a Public Hearing regarding the provisions of the Land Development Code at Chapter 64; Zoning, Article 5; Subdivisions; Sections 64-100 through 64-105 pertaining to replatting requirements. The applicants are requesting to replat 3 single family lots into 3 new reconfigured single family lots. All 3 lots will meet the zoning requirements for the RSF – Residential Single Family District. The 3 properties are comprised of (a) Lot 92 and a portion of Lot 93 and (b) the remaining portion of Lot 93 and Lot 94 in the McCormick Mile Add No 1 Subdivision or 92-94 Island Drive South (exact legal description located at Town Hall). The request will also require a Release of Unity of Title and Release of a Recorded Easement/s

Atty. Spillias stated that the representatives for this project have requested that this item be continued to the February 1st, 2016 meeting.

Comm. Bonfiglio motioned to continue this item to the February 1st, 2016 meeting. Seconded by Comm. Aaskov.

Motion Carried -yea (4).

REGULAR TOWN COMMISSION MEETING HELD JANUARY 4, 2016

REPORTS

7. Town Manager

Manager Titcomb reported the following: 1) Midlane Road Closure – The installed temporary barrier pylons at Midlane and Woolbright Rd are working as intended to restrict ingress/egress. The Town staff is working cooperatively to mitigate any negative impacts the closure may create. 2) Town Drainage – Isolated pockets of water retention areas continue to challenge us. We deployed our vacuum truck vendor to service to all drainage ports on Inlet Cay Island this past month as a part of a preventative maintenance sweep. It has improved the efficient operation of the system there. 3) Landscaping Maintenance – he would be convening meetings with various community stakeholders to mediate longstanding landscape agreements and disagreements. We have communities in the town in need of more regular maintenance schedules to work together for an effective long term fix. 4) New Staff – We welcome new police employees and a new Town Clerk who will be trained by Clerk Hancsak this month. As the Town transitions through long time employees retiring and moving on, we strive toward making this a small town to be proud of.

Comm. Bonfiglio asked if the temporary closure of Midlane Rd triggered our obligation for Ridge Blvd road standards to be brought into compliance. Atty. Spillias advised that it did not require FOOT approval for a temporary closure; however any necessary permitting would be completed prior to a permanent closure.

Clerk Hancsak stated that she had received an email requesting that the holiday lights on Ocean Ave stay lit through April. Traditionally they are taken down after New Year's. There was a consensus by the Commission to not extend the lights. Clerk Hancsak stated that the audio of the Commission Meetings could be accessed through You-Tube. A \$22,730 Special Assessment had been placed on 110 Bonito for their demo back in September and the funds for this Special Assessment had been received. The Town Clerk had performed a preliminary year end closing and it showed a \$500,000 surplus. This was a result of open positions in the Law Enforcement Department and associated costs and the receipt of several large satisfied liens.

8. Town Attorney

a. William Swaim's Request.

Atty Spillias stated that Mr. Swaim is still requesting an easement from Ocean Ridge to demonstrate to other permitting agencies that he has access to his property. At the September 10, 2015 meeting it was the consensus of the Commission to delay consideration of the approval of any easement until Mr. Swaim could demonstrate that he had obtained easements from other affected property owners. On Dec 22, 2015 Mr. Swaim's attorney requested to renew Mr. Swaim's request for immediate action by the Commission. The underlying purpose for the timing is that they are in the process of preparing a complaint(s) to file in the Circuit Court to seek the easement(s) Mr. Swaim would need by judicial action since he was having no success in obtaining them. The Town has 3 options: 1) Grant the requested easement immediately. 2) Agree to be bound by the results of the lawsuit against other property owners and provide the requested easement if the results of that lawsuit provide him with the remaining easement necessary for access. 3) Be named a defendant in the lawsuit. Atty. Spillias recommended the third option and for the Commission to take no action at this time.

Comm. Bonfiglio motioned to take no action at this time. Seconded by Comm. Aaskov.

Motion Carried -yea (4).

9. Police Chief

Chief Hutchins advised that his report was distributed. He cautioned residents to secure their cars and homes as there had been several auto burglaries in Town. Of the 10 cars stolen, 9 had been recovered.

REGULAR TOWN COMMISSION MEETING HELD JANUARY 4, 2016

Ocean Ridge is working with the Palm Beach County task force and it seemed that there are 3 gangs working in the area. It was discussed that cameras could be used as a tool/resource to tag any stolen cars coming in/out of town.

10. Town Engineer
Engineer Tropepe was absent with notice.

ACTION ITEMS

14. Confirm the Hiring of One Police Officer, Katherine Berish and One Police Dispatcher, Kelly Conte and also Request Authorization to Hire Upon Completion of Successful Background an Additional Police Dispatcher to Fill Budgeted Vacancies.

Chief Hutchins introduced Officer Katherine Berish and Dispatcher Kelly Conte to the Commission. Another dispatcher, Tomas Storey, was also being processed. He requested that the Commission approve Officer Berish and Dispatcher Conte and a pending applicant for another police dispatcher.

Comm. Aaskov motioned to approve the hiring of Officer Berish and Dispatcher Conte, and a pending applicant for the additional police dispatcher. Seconded by Comm. Lucibella.

Motion Carried -yea (4).

11. Discuss Shortlist and Schedule Special Meeting Date for Interview for the Legal Representation Selection.

Manager Titcomb stated that a shortlist had been received from the Commission for the top 4 firms: Torcivia, Donlon, Goddeau & Ansay, P.A.; Weiss, Serota, Helfman, Cole & Bierman; Lohman Law Group. P.A.;

Corbett, White, Davis & Ashton, P.A. Representatives from 3 of the law firms were present and introduced themselves to the Commission and thanked the Commission for their consideration.

It was discussed and a consensus was made for a Special Meeting to be held on Thursday, January 14th at 8:30 am allowing 30 minutes for each firm to present, and a half hour for discussion and action.

12. Discuss Proposed Format for Old Ocean Blvd, Workshop Meeting

Mayor Pugh stated his concern of a possible lengthy meeting and suggested that a timeframe for the meeting last no more than 2 hours.

Terry Brown, Harbour Dr. So, requested further information of the Town's presentation at the Workshop regarding traffic and legal consequences. Mayor Pugh stated that there was no actual presentation at this time and that the purpose of the workshop was to obtain public input only and then decide the options or proceeding with anything further.

13. Authorize the Longevity Retirement Bonus for the Retiring Town Clerk Based on Adopted Resolution No. 201 1-22

Manager Titcomb stated that per Resolution No. 201 1-22, it allows for a maximum of up to \$100/year of service. Manager Titcomb recommended a \$3500 payout of a longevity retirement bonus to Clerk Hancsak.

REGULAR TOWN COMMISSION MEETING HELD JANUARY 4, 2016

Comm. Bonfiglio motioned that per Resolution No. 2011-22, a \$3500 payout of a longevity retirement bonus to retiring Clerk Hancsak as specified in the Town Manager's memo. Seconded by Comm. Aaskov.

Motion Carried -yea (4).

Manager Titcomb announced that staff is finalizing farewell activities for Clerk Hancsak. A private luncheon in Karen's honor would be on Friday the 29th for staff, elected officials and selected invited guests and family. Also on Karen's last day, the Town will host an Open House here at Town Hall from 3-5pm for members of the public including residents, vendors and other friends to share memories and say goodbye. Light refreshments would be served. It would be open to the public, no RSVP required.

Meeting Adjourned at 7:30pm.

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Bonfiglio.

Commissioner Lucibella

SPECIAL MEETING HELD BY THE TOWN COMMISSION FOR THE TOWN OF OCEAN RIDGE, FLORIDA, IN THE TOWN HALL ON THURSDAY, JANUARY 14, 2016, AT 9:15 A.M.

The meeting was called to order at 9:18 a.m. and roll call was answered by the following:

Commissioner Aaskov
Commissioner Lucibella

Commissioner Bonfiglio
Mayor Pugh

Let the record show that Commissioner Allison is running late.

I. INTERVIEWS AND POSSIBLE SELECTION FOR LEGAL REPRESENTATION FOR THE TOWN OF OCEAN RIDGE

The Commission had a brief discussion regarding the interview process and possible questions to be asked to each firm. Attorney Spillias suggested that each Commissioner ask a question and then allow the firm to follow up. Commissioner Bonfiglio noted that he would like each firm to discuss the following, to which the Commission agreed:

1. What is the firm's presence in Tallahassee? How does the firm keep track of bills that affect municipalities?
2. Discuss cost per hour, costs for paralegal service, administrative costs, and pass through costs such as telephone calls, photocopying fees, etc.
3. What kind of trial experience does the firm have?
4. How many years of experience does the lead Attorney have, and what is the combined experience of other Attorneys in the firm?
5. Does the firm have labor contract negotiators?
6. What is the firm's litigation experience for municipal issues?
7. Who will attend Town Commission and other Board meetings?

Commissioner Allison arrived at 9:22 a.m.

The Commission discussed whether a firm would be selected today or not, and Town Manager Titcomb mentioned that this meeting is a special meeting as opposed to a workshop so the Commission could pick a firm today if it wishes to do so.

Anthony Soroka from Weiss, Serota, Helfman, Cole & Bierman began his presentation at 9:30 a.m. Commissioner Bonfiglio went over the questions that the Commission would like answered, and Mr. Soroka responded. He mentioned the firm employs 60 attorneys with experience in different areas, but he would take the lead role if the firm is selected. The firm charges a \$7,000 monthly retainer and \$205 per hour. The firm does not charge for paralegal or administrative costs.

The Commission briefly discussed the firm, and then took a five-minute recess at 9:55 a.m. The meeting reconvened at 10:00 a.m.

SPECIAL MEETING OF TOWN COMMISSION ON JANUARY 14, 2016

Public comment: Ken Kaleel, 86 Island Drive South, asked that backup material be posted with the agenda for the public on the Town's website in the future.

Glen Torcivia from Torcivia, Donlon, Goddeau & Ansay, PA began his presentation at 10:01 a.m. Commissioner Bonfiglio went over the questions that the Commission would like answered, and Mr. Torcivia responded. He mentioned that there are seven attorneys employed by the firm, but he would take the lead role if the firm is selected. He noted that the firm does not charge a monthly retainer. The firm does not charge a monthly retainer, but charges \$210 per hour, \$100 per hour for a certified paralegal, and pass through costs such as \$0.25 for photocopies and charges for postage and mileage. When asked, Mr. Torcivia stated he is amenable to using a fixed cost for pass through costs.

Max Lohman from Lohman Law Group, PA began his presentation at 10:33 a.m. Commissioner Bonfiglio went over the questions that the Commission would like answered, and Mr. Lohman responded. He noted that the firm charges \$195 per hour for general work and \$225 per hour for litigation. The firm does not charge for pass through costs such as photocopies, paralegal costs, etc., but does charge for hard costs such as filing fees, etc. The firm employs two attorneys and has a reciprocal agreement with Bradley Biggs to cover in emergency situations. Mr. Lohman noted that the firm does not provide labor negotiation services.

Jennifer Ashton of Corbett, White, Davis & Ashton began her presentation at 11:02 a.m. Commissioner Bonfiglio went over the questions that the Commission would like answered, and Ms. Ashton responded. She noted that the firm employs four attorneys on a full time basis, and two attorneys who are semi-retired but still offer their expertise. The firm charges \$190 per hour for general matters and \$225 per hour for litigation. The firm charges 4% each month for administrative costs. The firm also charges for recording costs, filing fees, etc. which are itemized on the monthly bill. Ms. Ashton noted that the firm does not provide labor negotiation services.

Once the last interview was conducted, Mayor Pugh asked if there was any public comment. No comments were offered.

The Commission discussed the pros and cons of each firm.

Commissioner Bonfiglio moved to authorize the Town Manager to negotiate with Glen Torcivia for legal representation for the Town of Ocean Ridge at an hourly rate not to exceed \$190 for all general attorney matters for the town, for litigation issues not to exceed \$225 per hour, with all soft costs to be included in the hourly rate, with no automatic increase, and the contract is to be re-negotiated on a yearly basis. If the terms of the agreement are not accepted by Mr. Torcivia, the Town Manager is authorized to offer the same terms to Corbett, White, Davis & Ashton; seconded by Commissioner Aaskov. Motion carried 3-2 (Commissioners Allison and Lucibella in dissent).

SPECIAL MEETING OF TOWN COMMISSION ON JANUARY 14, 2016

ADJOURNMENT

The meeting was adjourned at 12:00 p.m.

Minutes adopted by a vote of the Town Commission on February 1, 2016.

Geoffrey Pugh, Mayor

ATTEST:

Tracey L. Stevens, Town Clerk

TOWN OF OCEAN RIDGE

6450 NORTHOCEAN BOULEVARD
OCEAN RIDGE, FLORIDA 33435

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GEOFFREY A. PUGH
MAYOR, CHAIRMAN OF COMMISSION

JAMES S. TITCOMB
TOWN MANAGER



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

PROCLAMATION EATING DISORDERS AWARENESS WEEK

WHEREAS, in the United States as many as 30 million Americans are currently battling eating disorders, and more than 600,000 individuals in the State of Florida suffer daily with their eating disorder; and

WHEREAS, eating disorders are not choices, but serious biologically influenced illnesses; and

WHEREAS, eating disorders are associated with serious physical health consequences, including irregular heartbeats, heart disease and heart failure, kidney failure, osteoporosis, gastric rupture, tooth decay, obesity, gall bladder disease, diabetes, and death; and

WHEREAS, at least once every 62 minutes, someone dies due to their struggle with an eating disorder, and anorexia nervosa has the highest mortality rate of any mental illness; and

WHEREAS, eating disorders know no boundaries with respect to genders, ages, races, ethnicities, body shapes and weights, sexual orientations, and socioeconomic statuses; and

WHEREAS, with early detection and intervention, full recovery from an eating disorder is possible; and

WHEREAS, The Alliance for Eating Disorders Awareness, a 501(c)(3) non-profit organization, is the premier eating disorders organization in Palm Beach County dedicated to providing programs and activities aimed at outreach, education, and early intervention for all eating disorders

NOW THEREFORE, I, Geoffrey Pugh, do hereby proclaim February 22, 2016 - February 28, 2016 as:

EATING DISORDERS AWARENESS WEEK

Passed and adopted this 15th day of February, 2016.

Attest:

Geoffrey A. Pugh, Mayor

Tracey Stevens, Town Clerk

Agenda: Feb. 1, 2016
Memo: Item #6

Town of Ocean Ridge, Florida
P & Z Commission Agenda Memorandum
Office of the Town Clerk

Subject: 92 - 94 Island Drive South Replat Request

Request:

The applicants, Everlast Realty LLC and Sunshine Estate Trust, request approval of a replat to reconfigure Lots 92, 93 and 94, McCormick Mile Add No 1 (92-94 Island Drive South) into three new configured lots. The applicant appeared before the P & Z Commission on Aug. 10, 2015. (see attached P & Z Commission Minutes from Aug. 12, 2015).

Background/ Discussion of Proposal:

The applicants have owned 92 Island Dr So since 2006 and 94 Island Dr So since 1996. Each of these parcels also include 1/2 of Lot 93. They would like to replat the original platted lots into three new lots in order to eventually build on Lot 93. However; the driveway and septic system currently encroach onto Lot 93. Staff had recommended to the P & Z that the plat not be recorded until the encroachments have been relocated because a similar request was made for Hudson Ave. In that case the home was not demolished until a couple of years after that plat was recorded. The applicant requested that the plat be approved and recorded with a contingency that the encroachments be removed prior to the submittal of any building permits. Staff then in turn suggested, based on Town Attorney approval, that the plat could be approved contingent on the encroachments being removed prior to the sale of any of the parcels.

Since the P & Z meeting the applicants have submitted a revised plat containing the requested minor changes by our Town Engineer, Engenuity Group. In addition to those changes the applicant added on the General Utility Easement that "the private on-site sewage treatment and disposal system and related components may be included in the General Utility Easement". It was discovered that Lot 92's drainfield would definitely encroach into this easement as this is already existing. However; the Town should be cautious to any future encroachment for Lot 93 or Lot 94 because this could definitely present an issue if the Town wanted to utilize this proposed easement at the end of a cul-de-sac. Obviously the septic/drainfield is a necessity to a home and if located in the easement may hinder the use of a general utility easement in the future. Just as an example, this would be similar to constructing a retaining wall within an easement, which may be required to stabilize a structure, and then could never be moved once constructed.

The application also includes a Release of Unity of Title request for Lot 94 and 1/2 of Lot 93. Lot 92 and 1/2 of Lot 93 do not have a recorded Unity of Title. They are also requesting a release of the 2.5' easements that run on each side of the center of Lot 93 for the proposed 10' General Utility Easement adjacent to the Island Dr So ROW for all 3 properties, already explained above.

Prior to any actual permitting it will be necessary for the applicant to submit any and all required documents for zoning/building review and each property must meet all zoning regulations.

Legal Issues:

The attorney will be present at the meeting.

Fiscal Impact:

Such a project would not negatively impact the Town as the original plat reflected 3 lots.

Staff Recommendation:

Staff recommends approval of the replat, contingent on Town Engineer approval and also the removal and relocation of the encroachments on Lot 93 to Lot 94, with passed final inspections, or possibly contingent on the removal and relocation of the encroachments on Lot 93 to Lot 94 prior to the sale of any of the properties prior to recordation. Staff also recommends that there be no on-site sewage treatment and disposal system or related components permitted within the new proposed dedicated easement on Lot 93 or Lot 94 (Lot 92 would be grandfathered since it is already existing)

PLEASE REMEMBER TO BRING YOUR PACKETS WITH YOU.

UPDATE FOR FEB. 1, 2016 MEETING

The applicant has requested this meeting be continued in Oct., Nov, Dec., Jan., and now February while they continue to address the concerns raised by the staff. They have now received the appropriate variances from the Health Department. In order to continue the Public Hearing it will be necessary to continue it to time certain.

Staff recommends continuing this application request until the March 7, 2016 Regular Commission Meeting at 6 PM. If the applicant fails to appear at this meeting staff recommends that the entire application be resubmitted and process begin again.

Karen E. Hancsak

From: Joe Pike <jpike@envdesign.com>
Sent: Tuesday, January 19, 2016 3:09 PM
To: Jamie Titcomb
Cc: 'Lisa Tropepe'; Kenneth Spillias; Karen E. Hancsak;jmussman@chapin -
Subject: law.com; 'Paul' Bland Drive Plat for the Lauring Family
Attachments: EAB-08-15 Amended Order (Corrected).pdf

Dear, Jamie, Ken and Lisa:

It took a little longer than expected, but we have finally received the official Health Department Order for the septic variances, and I have attached this document for your reference.

Since October 27th was the last time we all convened in person to discuss the plat application for this project, we believe that it would be worth one last coordination meeting in order to make sure that we have addressed all technical plat and engineering items discussed at that last meeting. Accordingly, we would ask to please schedule a final plat coordination meeting for the first or second week in February. I know that Lisa is typically in Town on Tuesdays, so we can make ourselves available at your convenience on either Tuesday, February 2nd or February 9th, whichever works best for the Town.

Additionally, since we feel this coordination meeting with Staff should occur before we go to the Commission for their final consideration of the plat, we would also respectfully request one last continuance of the Public Hearing for a Commission meeting either in February or March – whichever date allows us sufficient time to first meet with Staff.

Please let me know if you have any questions and whether the requested Staff meeting and Public Hearing continuance are feasible.

Thanks so much for your continued assistance on this plat application.

Sincerely, Joe Pike

Joseph Pike, P.E., President

EnviroDesign Associates, Inc.

298 Pineapple Grove Way
Delray Beach, FL 33444
PH: 561-274-6500 x 105
FX: 561-274-8558

Jpike@EnvDesign.com | www.EnvDesign.com

From: Jamie Titcomb [mailto:jtitcomb@oceanridgeflorida.com]
Sent: Tuesday, January 12, 2016 11:43 AM
To: Joe Pike
Cc: Lisa Tropepe
Subject: RE: Villas of Ocean Ridge



Town of Ocean Ridge

Memorandum

Date: January 25, 2016
 To: Honorable Mayor and Commissioners
 From: Jamie Titcomb, Town Manager
 Re: Town Manager Update Report - February Commission Meeting

Old Ocean Boulevard

We will have just completed the Old Ocean Boulevard Town Meeting (workshop) discussions by the time you are receiving this report. Hopefully a productive conversation with some consensus outcome.

Town Drainage

I'm scheduling more frequent preventative drain maintenance , outfall systems inspection and related services as needed. Town Code requires capture and treatment of stormwater runoff on one's property to certain calculation standards. Many properties continue to have issues of compliance and as a result may experience negative impacts with tide, fresh spring water and general water table rise. Town Sponsorship of League of Cities "Small Town" Joint meeting

The League of Cities asked us to co-sponsor the February monthly meeting along with the other small communities unable to host a monthly League meeting individually. Communities to co-sponsor this meeting include: Atlantis, Village of Golf, Gulf Stream, Haverhill, Hypoluxo, Manalapan, Ocean Ridge and South Palm Beach. In addition to the League meeting, the managers association monthly meeting (PBCCMA) is included in this sponsorship to be held on the following day. \$500 is the total cost to the Town, which is contained within the budget approved for Town Events and related items under "GL 519.106.504.900 : Other Current Charges."

Staff Change

Today (Feb. 1) marks the beginning of a new era of administrative leadership for Ocean Ridge following significant changes such as retirement of long-time Town Clerk Hancsak , appointing me as the new TM, selecting the new Police Chief and other personnel changes of late, including the Town Attorney changes, which occur at next month 's meeting. Town Administration is now represented by a new generation talent team . We'll strive to empower employees in their positions, take collaborative approaches to issue resolution and advocate best practices for best outcomes. We look forward to delivering exemplary customer service to the Town and its citizens.

County Seeks Consensus on Sales Tax Increase

I attended County Commissioner Abrams' Mayor/Manager Roundtable meeting last week in Delray. The main topics discussed were PBC Impact Fees distribution formulas, seeking change for more local utilization (our area is considered a "donor" region) . The County is also considering both a halfpenny, or possibly one-penny sales tax increase referendum for the November ballot, dependent on whether the School District, Cultural Council and Municipal groups opt in for the infrastructure and related funding criteria. Note the PBC Professional Firefighters are also

potentially pushing for a halfpenny during the August primaries. The county commission should make decisions during this month.

They seek supportive resolutions from municipalities and other agencies involved.

FLC Legislative Advocacy Day in Tallahassee

Tuesday and Wednesday (Feb 2nd & 3rd) I am scheduled to be out of the office in Tallahassee for the Florida League of Cities Legislative Action Days during this 2016 Legislative Session. Municipal officials from across the State are convening upon the Capital and advocating for our "Home Rule" legislative priority issues. Here is a link to FLC information on the event.

<http://www.floridaleagueofcities.com/EventsAndTrainingCalendar.aspx?CNID=15660>

Recognition

I would like to thank everyone involved for honoring Karen Hancsak for her years of service and naming a day (Jan. 29th 2016) in her honor here in the Town of Ocean Ridge. Thank you for recognizing the importance of long-term employees, their efforts, loyalty and contributions made to the Town and showing the workforce the care our Town has for them.

Internship Program

I am exploring internship opportunity offered through a program at FAU (Florida Atlantic University) that can give the Town a few hours a week of "free" back-office records and organization assistance in return for "time sheets" the student receives for course credit. Using these programs in the past, I've found them to be "win/win" for both the organization and the undergrad students involved.

Town Manager

It is official, January 26th I passed my contractual 90-day probation period as your new Town Manager. I strive to provide the Town with excellent leadership, skills and care and hope to for a long time to come. Please don't hesitate to communicate with me on any issue large or small, together we will meet and exceed expectations for customer service and problem solving for the betterment of all.

4-

Best Regards,

Agenda: Feb. 1, 2016
Memo: Item #9

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of Police Chief

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

Mayor and Town Commissioners:

Attached you will find the December 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.

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



Agenda: February 1, 2016
Memo: Item # 11

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

Subject: RESOLUTION NO. 2016-02 Appointing Town Attorney/Firm

Resolution No. 2015-02; Approving an Agreement with the Law Firm of Torcivia, Donlon, Goddeau & Ansay, P.A. for the Provision of Town Attorney Services; Authorizing the Mayor or, in his Absence, the Vice Mayor, to Execute Said Agreement; and Providing for Effective Date By: Jamie Titcomb, Town Manager

The Town Commission selected Torcivia, Donlon, Goddeau & Ansay, P.A. at their January 14, 2016 Special meeting to serve as the next Town Counsel and other roles assigned by contract. The Resolution enables the execution of the contract and duties for the new Town Law Firm.

Recommendation:

The Commission should pass Resolution No. 2016-02 to appoint the next Town Attorney.

RESOLUTION NO. 2016-02

A RESOLUTION OF THE TOWN COMMISSION OF OCEAN RIDGE, FLORIDA, APPROVING AN AGREEMENT WITH THE LAW FIRM OF TORCIVIA, DONLON, GODDEAU & ANSAY, P.A. FOR THE PROVISION OF TOWN ATTORNEY SERVICES; AUTHORIZING THE MAYOR OR, IN HIS ABSENCE, THE VICE MAYOR, TO EXECUTE SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, Town Attorney Kenneth G. Spillias is retiring and has given the Town notice that his last day as Town Attorney will be March 7, 2016; and

Whereas, the Town Commission has determined that it is in the best interests of the Town to contract with a law firm to provide Town Attorney services as an independent contractor; and

Whereas, the Town solicited law firms interested in providing Town Attorney services to the Town; and

Whereas, after reviewing the credentials of the several firms that responded to the solicitation and interviewing four (4) of the firms at an open public meeting, the Town Commission selected the law firm of Torcivia, Donlon, Goddeau & Ansay, P.A. (the "Firm") as its first choice to provide Town Attorney services to the Town subject to terms acceptable to the Town; and

Whereas, the Firm accepted the terms proposed by the Town Commission regarding services to be provided, fees and costs and the corresponding duties and obligations of the parties ; and

Whereas, a formal written Agreement (the "Agreement"), attached hereto as Exhibit A, has been negotiated and developed for Town Commission approval by the Town Attorney, Town Manager and the Firm.

NOW, THEREFORE, BE IT RESOLVED that the Town Commission of Ocean Ridge, Florida, as follows:

Section 1. The foregoing recitals constitute findings of fact and are incorporated as if fully set forth herein.

Section 2. The Agreement attached hereto as Exhibit A is hereby approved and the Mayor, or in his absence the Vice-Mayor is authorized to execute same on behalf of the Town.

Section 3. The Agreement shall become effective on the date when both parties have fully executed it.

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

Upon majority vote of the Town Commission, the Mayor thereupon declared the resolution duly passed and adopted this _____ day of February, 2016.

TOWN OF OCEAN RIDGE, FLORIDA

Attest:

Geoffrey A. Pugh, Mayor

Tracey Stevens, Town Clerk

AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2016 between the **TOWN OF OCEAN RIDGE** hereinafter referred to as "Town", and the law firm of **TORCIVIA, DONLON, GODDEAU & ANSAY, P.A.**, hereinafter referred to as "Firm", pursuant to these terms and conditions.

WHEREAS, the Town seeks to Contract for the provision of legal services as Town Attorney by the Firm;
and

WHEREAS, the Town and the Firm desire to provide for certain duties and responsibilities regarding the legal services provided for the Town; and

WHEREAS, the Firm wishes to serve as Town Attorney of the Town under the terms and conditions recited herein.

NOW THEREFORE, THE TOWN AND THE FIRM AGREE TO THE FOLLOWING:

1. **APPOINTMENT:** The Town hereby appoints the Firm as TOWN ATTORNEY, to perform all the duties specified herein, and to perform such other proper duties as assigned by the Town Commission and Town Manager in accordance with the Town of Ocean Ridge Charter, Code of Ordinances and Law. The term of this appointment is effective on March 1, 2016 until September 30, 2017, but may be renewed and extended by the parties.
2. **SCOPE OF SERVICES:** The responsibilities and duties of the Firm are as follows:
 - a. To attend all regularly scheduled meetings of the Town Commission, Code Enforcement Magistrate, Town Boards, and any specially called meetings of the Town Commission or Town Boards as requested by the Mayor, Town Commission, or Town Manager; and
 - b. To meet with the Town Manager and Department Directors and Staff members upon authorization by the Town Manager on a regular basis regarding legal matters; and
 - c. To be available upon call, at all reasonable times, to communicate with the Mayor, Commissioners, Town Manager, Department Directors, and Staff regarding legal matters; and
 - d. To prepare or review all Resolutions, Ordinances, Charter amendments, Referenda, and Contracts, and review all Commission Agenda Items for legal form and sufficiency; and

e. To prepare legal opinions and interpretations as requested. All requests for legal opinions, preparation of Resolutions, Ordinances, and other items shall be directed to the Firm from the Mayor, Town Commission, Town Manager, or Department Directors (by authorization of the Town Manager); and

f. To represent the Town in litigation including at Administrative and Judicial hearings, at depositions, mediations, and settlement conferences.

3. **COMPENSATION:** The Firm shall present the Town with an itemized monthly statement for services rendered, which shall be billed to the Town at the rate of \$190.00 per hour for attorneys, except for litigation, which shall be billed at \$225.00 per hour for attorneys and \$95.00 per hour for paralegals. By June 30, 2017, the Firm shall submit any requested adjustments to said compensation to the Town for consideration during the Budget Process.

4. **EXPENSES:** The Town shall not be billed for routine expenses such as postage, copies, mileage, facsimiles, etc. The Town will pay for non-routine expenses such as those incurred in litigation (ie deposition transcripts, subpoena fees, witness fees, court reporter fees, copying of exhibits discovery, etc.) and mileage for out of County travel (as requested by the Town).

5. **ADDITIONAL TERMS:** Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of either party to terminate this agreement at any time by providing 30 days advance written notice to the other party stating the date of termination of this Agreement.

6. **COMPLETE DOCUMENT:** This document contains all the terms and conditions of this Agreement and no alteration or amendment of the same shall be valid unless made in writing and with mutual consent of the parties.

IN WITNESS WHEREOF, the Town of Ocean Ridge has caused this Agreement to be signed and executed on its behalf by its Mayor, and the Firm has signed and executed this Agreement, both in duplicate as of, the date and year first written above.

GEOFFREY A. PUGH, Mayor
TOWN OF OCEAN RIDGE

GLEN J. TORCIVIA, ESQ.
TORCIVIA, DONLON, GODDEAU & ANSAY, P.A.

ATTEST:

TRACEY STEVENS, Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

KENNETH SPILLIAS



Agenda: February 1, 2016
Memo: Item # 12

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

Subject: Resolution No. 2016-03 Appointing Town Magistrate Attorney

Resolution No. 2015-03; Authorize the Hiring of Corbett, White, Davis and Ashton, P.A. as Special Magistrate for Code Enforcement Hearings
By: Jamie Titcomb, Town Manager

Whereas the Town Commission ranked the Firm Corbett, White, Davis & Ashton, P.A. as runner-up firm at their January 14, 2016 Special meeting contemplating selection of the next Town Attorney and for other roles assigned by contract. This Resolution enables the execution of the contract and duties for the new Town Ex-Officio Magistrate to be appointed. The Town's current Magistrate Attorney (firm) has been selected to become the Town Attorney, therefore to avoid conflict of interest representation this Resolution is requiring selection of a new Magistrate Attorney to be appointed (Ex Officio).

Recommendation:

The Commission should pass Resolution No. 2016-03 to engage the next Town Magistrate for Code Enforcement and related purposes.

RESOLUTION NO. 2016-03

A RESOLUTION OF THE TOWN COMMISSION OF OCEAN RIDGE, FLORIDA, APPOINTING JENNIFER ASHTON, ESQ. AS THE EX OFFICIO CODE ENFORCEMENT SPECIAL MAGISTRATE FOR THE TOWN OF OCEAN RIDGE; APPOINTING ALL OTHER ATTORNEY MEMBERS OF THE LAW FIRM OF CORBETT, WHITE, DAVIS & ASHTON, P.A., AS EX OFFICIO ALTERNATE SPECIAL MAGISTRATES TO SERVE AND PRESIDE OVER CODE ENFORCEMENT HEARINGS IN THE ABSENCE OF JENNIFER ASHTON; ESTABLISHING THE TERM OF APPOINTMENT AND FEES TO BE PAID FOR THE SPECIAL MAGISTRATE SERVICES APPROVED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the law firm of Torcivia, Donlon, Goddeau & Ansay, P.A. has been selected to provide Town Attorney services to the Town; and

Whereas, the attorney Glen Torcivia has been serving as the Town's code enforcement Special Magistrate; and

Whereas, it would constitute an unacceptable conflict of interest for Glen Torcivia to continue to serve as Special Magistrate while his law firm represents the Town as Town Attorney; and

Whereas, the Town Commission seeks to appoint a new ex officio code enforcement Special Magistrate pursuant to Section 16-1 of the Town's Code of Ordinances; and

Whereas, Jennifer Ashton, Esq., of the law firm of Corbett, White, Davis & Ashton, P.A., ("Corbett Law Firm") has experience in serving municipalities in Palm Beach County as a code enforcement special magistrate and is capable and willing to serve in that capacity on an ex officio basis for the Town of Ocean Ridge; and

Whereas, the other attorneys in the Corbett Law Firm have extensive municipal law experience including in the area of code enforcement and are capable and willing to serve in the capacity of ex officio Special Magistrate for the Town of Ocean Ridge should attorney Ashton be unavailable to preside over any particular code enforcement hearing; and

WHEREAS, attorney Ashton has agreed to provide special magistrate services to the Town during the term of this appointment, being two years, at the rate of \$190 per hour.

NOW, THEREFORE, BE IT RESOLVED that the Town Commission of Ocean Ridge, Florida, as follows:

Section 1. The foregoing recitals constitute findings of fact and are incorporated as if fully set forth herein.

Section 2. Attorney Jennifer Ashton, Esq., is hereby appointed ex officio Code Enforcement Special Magistrate for the Town of Ocean Ridge for a term of two (2) years and will provide the

services described in Section 16-1 of the Town's Code of Ordinances at a compensation rate of \$190.00 per hour. In her unavoidable absence, the other attorneys in the law firm of Corbett, White, Davis & Ashton, P.A., are appointed as ex officio Alternate Code Enforcement Special Magistrates on the same terms and conditions as Ms. Ashton.

Section 3. Nothing contained within this Resolution shall be deemed to create an employer/employee relationship between the Town and attorney Ashton or the other members of the Corbett law firm.

Section 4. This Resolution shall become effective upon its adoption.

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

Upon majority vote of the Town Commission, the Mayor thereupon declared the resolution duly passed and adopted this _____ day of February, 2016.

TOWN OF OCEAN RIDGE, FLORIDA

Attest:

Geoffrey A. Pugh, Mayor

Tracey Stevens, Town Clerk

Agenda: Feb . 1, 2016
Memo: Item # 13

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Clerk

Subject: Approval of Emergency Ordinance No. 614 - Changing the Date of the Town's Election in 2016 from the Second Tuesday of March to March 15, 2016, the Date of the Presidential Preference Primary Election Date; Providing for Newspaper Publication of Notice; and Providing for an Effective Date

Mayor and Town Commissioners:

Section 2-199 provides for an exception to the general election (usually the second Tuesday of March) for those years in which a presidential preference primary is being held allowing the Town Commission, in its discretion, to change the annual town election date to the date of the presidential preference primary date. The PBC Supervisor of Elections (SOE) has informed all municipalities in PBC that the election must be held on March 15, 2016.

Pursuant to Section 166-041(3)(b), Florida Statutes (2015), the Town Commission is authorized, by majority vote, to declare the need for and enact an emergency ordinance without requiring two readings and the other general ordinance procedural requirements set forth in Section 166.041(3)(a), FSS (2015). There exists an urgent need to formalize the Town Commission's decision to move the election date as required by Section 2-199, and also the contract with the SOE.

Attached please find Ordinance 614.

RECOMMENDATION

Staff recommends adopting Ordinance 614.

ORDINANCE NO. 614

AN EMERGENCY ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, CHANGING THE DATE OF THE TOWN'S ELECTION IN 2016 FROM THE SECOND TUESDAY OF MARCH TO MARCH 6, 2016, THE DATE OF THE PRESIDENTIAL PREFERENCE PRIMARY ELECTION DATE; PROVIDING FOR NEWSPAPER PUBLICATION OF NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 584, as codified in Town Code Section 2-199, the annual elections for Town Commission are to be held generally on the second Tuesday of March; and

WHEREAS, Section 2-199 provides for an exception to the general election date for those years in which a presidential preference primary is being held allowing the Town Commission, in its discretion, to change the annual town election date to the date of the presidential preference primary date; and

WHEREAS, the presidential preference primary date being held in Florida in 2016 has been scheduled for March 15, 2016; and

WHEREAS, the Palm Beach County Supervisor of Elections informed all municipalities in Palm Beach County, including Ocean Ridge, that it would not be able to accommodate any local elections in February or March, 2016, unless those elections are held on the same date as the presidential preference primary election; and

WHEREAS, pursuant to its contract for election services with the Palm Beach County Supervisor of Elections and the direction of the Supervisor, the Town Commission decided to move its annual town election for 2016 to March 15, 2016; and

WHEREAS, the Town Commission has, to date, inadvertently not made the election date change by ordinance as provided for in Section 2-199; and

WHEREAS, the qualified candidates have paid their filing fees and taken all other actions necessary to and attendant to their candidacies for the Town Commission and continue to move forward accordingly; and

WHEREAS, there exist only two more regular Town Commission meetings before the March 15 election date, the second of which is only eight days before the election; and

WHEREAS, there exists an urgent need to formalize the Town Commission's decision to move the election date as required by Section 2-199 and the contract with the Supervisor of Elections and remove any procedural deficiencies and barriers to the holding of the town's election on the presidential preference primary date; and

WHEREAS, pursuant to Section 166.041(3)(b), Florida Statutes (2015), the Town Commission is authorized to, by a two-thirds majority vote, declare the need for and enact an emergency ordinance without requiring two readings and the other general ordinance procedural requirements set forth in Section 166.041(3)(a), Florida Statutes (2015); and

WHEREAS, the Town Commission declares that an emergency exists requiring the enactment of an emergency ordinance to allow the annual town election to proceed properly and within the requirements of the Town Charter, Town Code and contract with the Palm Beach County Supervisor of Elections.

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

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

Section 2. Election Date Change. It is hereby declared that the annual town election date for its election of 2016 is hereby changed from the second Tuesday in March to the date of the presidential preference primary election date of March 15, 2016.

Section 3. Effective Date. This Ordinance shall become effective immediately upon adoption.

FINAL READING this 1st day of February, 2016.

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