

**TOWN OF LOXAHATCHEE GROVES
RESOLUTION NO. 2024-39**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE RE-CREATING OF THE UNIFIED LAND DEVELOPMENT CODE REVIEW COMMITTEE; PROVIDING FOR DUTIES OF THE COMMITTEE; PROVIDING FOR METHOD OF APPOINTMENT OF COMMITTEE MEMBERS; PROVIDING FOR COMPLIANCE WITH FLORIDA’S SUNSHINE LAW AND PUBLIC RECORDS LAW; PROVIDING FOR PROCEDURAL MATTERS OF THE COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, from time to time the Town Council has adopted Resolutions establishing the “Unified Land Development Code Review Committee” to review the Town’s Unified Land Development Code (ULDC) and advise the Town Council as to suggested revisions to the ULDC; and

WHEREAS, each time the Unified Land Development Code Review Committee has been established as an ad hoc committee and has sunset; and

WHEREAS, it is the desire of the Town Council of the Town of Loxahatchee Groves, Florida to re-establish the Unified Land Development Code Review Committee as a standing committee to review the Town’s ULDC and advise the Town Council as to suggested revisions to the ULDC, as set forth in detail herein; and

WHEREAS, the Town Council determines that the re-establishment of the Unified Land Development Code Review Committee serves a valid public purpose.

NOW, THEREFORE, BE IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, as follows:

Section 1. That the foregoing “WHEREAS” clauses are confirmed and ratified as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Council hereby re-establishes the Town’s “Unified Land Development Code Review Committee” as follows:

I. Re-establishment of the “Unified Land Development Code Review Committee.” There is re-established the Unified Land Development Code Review Committee (“Committee”) to act as a standing advisory board to the Town Council, as follows:

(A) **Membership.** The Committee shall be comprised of five (5) voting members.

- (B) **Qualifications.** Each member of the Committee shall meet the following qualifications:
 - (1) Be a resident of the Town;
 - (2) Not have an unresolved finding of violation or lien ordered by the Town's Special Magistrate against the member or a business entity in which the member either directly or indirectly owns an equitable or beneficial interest of more than five percent (5%) of the total assets or capital stock. Business entity means any corporation, partnership, LLC, limited partnership, proprietorship, joint venture, trust, firm, or similar entity; and
 - (3) Not be a member of any other Town advisory board, other than an ad hoc committee.
- (C) **Appointment.** Each member of Town Council shall nominate a qualified individual and notify the Town Clerk of the nomination. The Town Clerk will send each nominee the Town's advisory board member application form and upon return of the completed application shall confirm the qualifications of each nominee. Following qualification, staff shall prepare a resolution for adoption by Town Council to appoint the qualified nominees as members of the Committee.
- (D) **Term.** Each member shall serve at the pleasure of the appointing member of Town Council and the Town Council. The term for each member shall be no longer than concurrent with the term of the appointing member of Town Council.
- (E) **Duty.** The Committee's duty is to review and provide recommendations on sections of the Town's currently adopted Unified Land Development Code, and pertinent sections of the Town's Comprehensive Plan, as directed by the Town Council, or the Town Manager.

II. Advisory Only. The actions, decisions, and recommendations of the Committee shall be advisory only.

III. Meetings, Dates, Procedures, Records, Quorum, and Compensation.

- (A) The Committee shall hold an organizational meeting within thirty (30) days of the appointment of a number of Committee members to have a quorum, at which the members of the Committee shall elect by a majority vote of its membership a chair and vice-chair.
- (B) The Committee shall meet on an as-needed basis, as determined by the Town Council or the Town Manager.
- (C) All meetings, records and files of the Committee shall be open and available to the public, consistent with Chapter 119, Florida Statutes (the Public Records Law) and Chapter 286, Florida Statutes (the "Sunshine Law"). In addition,

members of the Committee shall ensure that their actions are in compliance with the Public Records Law and the Sunshine Law.

(D) Notice for any meeting of the Committee shall be posted in accordance with the Sunshine Law and on the Town's website and at the Town Office no later than 72 hours prior to the scheduled meeting.

(E) Three (3) members in attendance shall constitute a quorum of the Committee, and official action shall be taken by the Committee by a majority vote of the members present at the meeting. If a quorum is not present, the Committee members may continue to meet and discuss issues; however, no official action may be taken.

(F) The Town Manager or his\her designee shall act as secretary to the Committee, and be responsible for attending all meetings, on an as-needed basis, and providing the items necessary for conducting meetings and for recording and preparation of meeting minutes. The Town Attorney or his\her designee shall act as attorney for the Committee, on an as-needed basis.

(H) Members of the Committee shall serve without compensation for the performance of their duties.

Section 3. Severability. If any clause, section, or other part or application of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated, and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 4. Conflicts. All Resolutions or parts of Resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 5. Effective Date. This Resolution shall take effective immediately upon its adoption.

Councilmember _____ offered the foregoing resolution. Councilmember _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
ANITA KANE, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE
GROVES, FLORIDA, THIS ____ DAY OF _____ 2024.**

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

Town Clerk

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Mayor Anita Kane

Vice Mayor Margaret Herzog

Councilmember Laura Danowski

Councilmember Phillis Maniglia

Councilmember Robert Shorr