

RESOLUTION NO. 2024-36

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE RE-CREATION OF THE "LOXAHATCHEE GROVES AGRITOURISM COMMITTEE" TO IDENTIFY POTENTIAL SUBSTANTIAL OFFSITE IMPACTS FROM AGRITOURISM ACTIVITIES AND DEVELOP MITIGATION METHODS FOR SUBSTANTIAL OFFSITE IMPACTS; PROVIDING FOR DUTIES OF THE COMMITTEE; PROVIDING FOR COMPLIANCE WITH FLORIDA'S SUNSHINE LAW AND PUBLIC RECORDS LAW; PROVIDING FOR PROCEDURAL MATTERS OF THE COMMITTEE; PROVIDING FOR SUNSETTING OF THE COMMITTEE; PROVIDING FOR SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.

WHEREAS, in 2023, Town Council established the Loxahatchee Groves Agritourism Committee by Resolution No. 2023-86 as an ad hoc committee for the specific purpose of identifying potential substantial offsite impacts from agritourism activities and developing mitigation methods for substantial offsite impacts; and

WHEREAS, Town Council, by Resolution No. 2024-22 extended the term of the Loxahatchee Groves Agritourism Committee to enable the Committee to make its report and recommendations to Town Council; and

WHEREAS, the Loxahatchee Groves Agritourism Committee sunset on April 10, 2024; and

WHEREAS, it is the desire of the Town Council to re-establish the Loxahatchee Groves Agritourism Committee to review the report and recommendations from the previous Committee and advise the Town Council on potential substantial offsite impacts from agritourism activities, as set forth in more detail herein; and

WHEREAS, the Town Council determines that the re-establishment of the Committee serves a valid public purpose.

NOW, THEREFORE, be it 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 "Loxahatchee Groves Agritourism Committee" as follows:

- I. Re-creation of the "Loxahatchee Groves Agritourism Committee."** There is re-created the Loxahatchee Groves Agritourism Committee (Committee) to act as an advisory board to the Town Council, as follows:
- (A) **Membership.** The Committee shall be comprised of five (5) voting members.
 - 1. **Qualifications.** Each member shall be a resident or landowner within the Town and shall be active in the agritourism industry within the Town.
 - 2. **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. The members shall serve at the pleasure of the appointing member of Town Council and of Town Council.
 - (B) **Duty.** The Committee's duties are to review the report and recommendation from the previous Loxahatchee Groves Agritourism Committee and recommend to Town Council potential substantial offsite impacts of agritourism activities and to develop recommendations regarding mitigation of substantial offsite impacts to balance the needs of the agritourism operation with the health, safety, and welfare of the public and the peace and tranquility of the surrounding residential communities. Such recommendations shall include identification of potential substantial offsite impacts and how to identify any additional potential substantial offsite impacts; how such impacts should be measured to establish whether the impact is substantial; and how such impacts should be mitigated to become less than substantial.
- II. Advisory Only.** The actions, decisions, and recommendations of the Committee shall be advisory only. All final decisions are solely at the discretion of the Town Council.
- 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 Chair 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) voting members 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 and providing the items necessary for conducting meetings, as requested by the Chair, 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.
- (G) Town staff will reasonably provide adequate support to the Committee to discharge their responsibilities.
- (H) Members of the Committee shall serve without compensation for the performance of their duties.

Section 3. Sunset of the Committee. Unless extended by the adoption of a Resolution by the Town Council, the Committee shall sunset on December 31, 2024.

Section 4. 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 5. Conflicts. All Resolutions or parts of Resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 6. 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

Mayor Anita Kane

Vice Mayor Margaret Herzog

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Councilmember Laura Danowski

Councilmember Phillis Maniglia

Councilmember Robert Shorr