

RESOLUTION NO. 2023-86

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE 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; APPOINTING THE MEMBERS OF THE COMMITTEE; PROVIDING FOR SUNSETTING OF THE COMMITTEE; PROVIDING FOR SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.

WHEREAS, in 2016, the Legislature amended Section 570.85, Florida Statutes, regarding agritourism to add its intent to promote agritourism as a way to support bona fide agricultural production and specifically state that the limitations on local governments “does not limit the powers and duties of a local government to address substantial offsite impacts of agritourism activities”; and

WHEREAS, since 2016, the Town of Loxahatchee Groves (Town) has become the home to many agritourism activities; and

WHEREAS, the Town Council desires to encourage agritourism activities within the Town and to mitigate the substantial offsite impacts of agritourism activities to balance the interests of the health, safety, and welfare of the public and maintain the peace and tranquility of surrounding residential communities; and

WHEREAS, it is the desire of the Town Council to create a Committee to 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 creation of the Committee serves a valid public purpose.

- (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 24 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 ~~board~~^{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. The following persons are appointed to be members of the Committee:

Darrin Swank	Mayor Laura Danowski
Simon Fernandez	Vice Mayor Robert Shorr
Liza Holman	Councilmember Margaret Herzog
Joseph Chammas	Councilmember Phillis Maniglia
Martin Holman	Councilmember Marianne Miles

Section 4. Sunset of the Committee. Unless extended by the adoption of a Resolution by the Town Council, the Committee shall sunset on ~~March 31~~^{April 30}, 2024.

Section 5. 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,