MINUTES
TOWN OF JUNO BEACH

TOWN COUNCIL REGULAR MEETING

July 21, 2016
Council Chambers
340 Ocean Drive

PRESENT:
JASON HASELKORN, MAYOR
JIM LYONS, VICE MAYOR
FRANK FAHY, VICE MAYOR PRO TEM
BILL GREENE, COUNCILMEMBER
ELLEN ANDEL, COUNCILMEMBER

ALSO PRESENT:
JOSEPH LO BELLO, TOWN MANAGER
VANESSA M. MUTCHNIK, TOWN CLERK
LEONARD RUBIN, TOWN ATTORNEY
MATTHEW PAZANSKI, FINANCE DIRECTOR
ANTHONY MERIANO, DIRECTOR OF PUBLIC WORKS
PAUL FERTIG, MAJOR
FRANK DAVILA, PRINCIPAL PLANNER
ANDREA DOBBINS, PROJECT COORDINATOR

Mayor Haselkorn called the Town Council regular meeting to order at 5:30 pm.

Audience: 20

~ CALL TO ORDER
~ PLEDGE OF ALLEGIANCE TO THE FLAG
~ ADDITIONS, DELETIONS, SUBSTIUTIONS TO THE AGENDA

1. **PRESENTATION OF DONATION CHECKS TO LOGGERHEAD MARINELIFE CENTER (Mayor Mort Turtle and Annual Donation)**
Mayor Haselkorn presented a $2,500 donation check for the Town's annual donation and a $500 check for the "Mayor Mort" turtle to Jack Lighton, President & CEO of the Loggerhead Marinelife Center.

Mr. Lighton thanked the Town for its continued support of center. He stated that they are in the process of identifying the "Mayor Mort" sea turtle patient.

2. **COMMENTS FROM THE PUBLIC**
Public Comments Opened at 5:43 PM.

Anne Bosso, 765 Hibiscus Avenue, requested that the survey that was emailed out last week by staff on behalf of the Planning and Zoning Board be delayed until people are back from their summer vacations. She stated that a majority of residents are not in Town right now and did think it fair to send a survey at this time. She also stated that the survey should be mailed and not emailed.

Jim Ferguson, 50 Celestial Way, #206, stated that he agreed with Ms. Bosso and

requested this survey be delayed until the majority of residents are back in Town.

Mayor Haselkorn requested staff forward these comments to the Planning and Zoning Board.

Public Comments Closed at 5:45 PM.

3. **CONSENT AGENDA**

All matters listed under Item 1, Consent Agenda, are considered to be routine by the Town Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Consider approving the June 22, 2016 Town Council Meeting minutes.

MOTION: *Lyons/Fahy made motion to approve the consent agenda.*

COUNCIL ACTION: *The motion passed 5-0.*

4. **2016 – 2017 AD VALOREM MILLAGE TAX RATE AND PUBLIC HEARING DATE**

Mayor Haselkorn stated that staff's memorandum, presentation and all back-up materials would be placed into the record.

Finance Director Pazanski stated the purpose of this item is to set the proposed millage rate and the date for the first public hearing for the 2016-2017 Annual Budget. He recommended Wednesday, September 14th as the first public hearing date and Wednesday, September 28th as the second public hearing date. Finance Director Pazanski also recommended setting the proposed millage rate at 2.33 mills. Finance Director Pazanski stated that the proposed millage rate set by the Council tonight could not be increased without mailing a notification to every taxpayer within the Town, but could be decreased.

Finance Director Pazanski noted that the 2016-2017 Budget would be discussed in detail during the upcoming budget meeting on August 10th.

Vice Mayor Pro Tem Fahy stated that staff should keep those residents that are not homesteaded in mind during the budget process and setting the proposed millage rate.

Finance Director Pazanski stated that the purpose of tonight's presentation is just to set the proposed rate. Council can always choose to lower the millage rate at the next meeting and at either of the two budget public hearings.

Councilmember Greene commended staff on the budget and added that the Town should always be striving to do better. He stated that he would be in favor of using some of the funds from reserves to lower to the millage rate.

Vice Mayor Pro Tem Fahy questioned how staff came up with the figure for building permits.

Finance Director Pazanski stated that he met with the Planning and Zoning Department and this is what they project for the upcoming year.

Vice Mayor Lyons stated that he would not be in favoring of using reserves, if it lowers the reserve amount to below 50%.

MOTION: *Lyons/Greene made motion to set the General Fund Budget proposed ad valorem millage tax rate for fiscal year 2016 – 2017 at 2.33 mills and set the date of the First Budget Public Hearing for Wednesday, September 14, 2016 at 5:30 p.m.*

COUNCIL ACTION: *The motion passed 5-0.*

5. **SPECIAL EVENT REQUEST – REEF LIONFISH DERBY FESTIVAL 2016**

Mayor Haselkorn stated that staff's memorandum, presentation and all back-up materials would be placed into the record.

Principal Planner Davila stated that Bill Parker, Loggerhead Marinelife Center Campus Operation Manager, is requesting to hold a festival consisting of a chef competition, music, award presentations and Lionfish preparation demonstrations. He stated that the special event request is a contest festival with a purpose of educating the public about the Lionfish invasion on Florida's ocean ecosystem. Mr. Davila stated that the event would take place at Loggerhead Park and would utilize the Gail F. Nelson Pavilion and two other smaller pavilions. The applicant anticipates attendance of under 1,000 attendees and 30 employees/volunteers working the event. Mr. Davila stated that the applicant is requesting to hold this event on Sunday, August 14th from 5 AM – 8 PM, this includes setup and teardown time.

Vice Mayor Pro Tem Fahy questioned if there would be special security and police services used at this event.

Principle Planner Davila stated that he and Mr. Cruz spoke with Lieutenant Shaver regarding police services for this event. He added that the applicant would be charged for any police services.

Vice Mayor Lyons questioned if Ocean Drive would be closed.

Principal Planner Davila stated that the applicant has submitted an application to Palm Beach County to close Ocean Drive.

MOTION: *Lyons/Greene made motion to approve the Reef Lionfish Derby Festival Special Event Request by Loggerhead Marinelife Center proposed in Juno Beach for Sunday, August 14th. This approval is subject to the applicant being responsible for the application process for special events and all conditions and requirements following said application, including any additional agency, and department reviews/approvals/fees.*

COUNCIL ACTION: *The motion passed 5-0.*

6. **PUBLIC HEARING AND FIRST READING: ORDINANCE 686**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING DIVISION 1, "GENERALLY," AND DIVISION 2, "ZONING BOARD OF ADJUSTMENT AND APPEALS," OF CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 34-28, "PLANNING AND ZONING BOARD DUTIES," SECTION 34-64, "POWERS, DUTIES, AND FUNCTIONS," AND SECTION 34-66, "PROCEDURES," TO PROVIDE FOR PLANNING AND ZONING BOARD REVIEW OF VARIANCE REQUESTS AND ADMINISTRATIVE APPEALS PRIOR TO FINAL CONSIDERATION BY THE ZONING BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Town Attorney Rubin read Ordinance No. 686 by title only.

A. Staff Presentation and Recommendations
Town Attorney Rubin stated that the Town Council directed staff to expand the duties of the Planning and Zoning Board and recommended all variance applications go before the Planning and Zoning Board prior to final consideration by the Town Council sitting as the Zoning Board of Adjustment and Appeals. Because the Zoning Board of Adjustment and Appeals also hears administrative appeals, the Ordinance provides from a recommendation from the Planning Zoning Board on those matters as well. He stated that Ordinance 686 would amend Chapter 34, Section 34-28, Section 34-64 and Section 34-66 outlining the Planning and Zoning Board's duties as well as outlining the Zoning Board of Adjustments powers, duties, functions and procedures. Town Attorney Rubin stated the Town Code requires Planning and Zoning Board review of any ordinance amending Chapter 34. He stated that this ordinance was reviewed by the Board at their June 27th meeting and the Board recommended approval by the Town Council.

Vice Mayor Pro Tem Fahy questioned how many variance applications are received each year.

Town Manager Lo Bello stated that typically the Town does not get a lot of variance applications

B. Public Hearing
Public Comments Opened at 6:03 PM.

No public comments.

Public Comments Closed at 6:03 PM.

C. Council Discussion

D. Council Motion/Second
MOTION: *Lyons/Greene made motion to approve first reading of Ordinance No. 686.*

E. Council Action
The motion passed 5-0.

7. **PUBLIC HEARING AND FIRST READING: ORDINANCE 687**
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY REPEALING ARTICLE III, "FLOOD DAMAGE PROTECTION," OF CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," AND SIMULTANEOUSLY ADOPTING A NEW CHAPTER 7, "FLOODPLAIN REGULATIONS;" ADOPTING FLOOD HAZARD MAPS; DESIGNATING A FLOODPLAIN ADMINISTRATOR; ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE PERTAINING TO THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES IN FLOOD HAZARD AREAS; PROVIDING FOR APPLICABILITY, CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Town Attorney Rubin read Ordinance No. 687 by title only.

A. Staff Presentation and Recommendations
Town Attorney Rubin stated that commencing with the 2010 edition, the Florida Building Code retained flood provisions from the model International Codes that form the basis of the Florida Building Code. He stated that local governments throughout the state are required to amend their local floodplain management regulations and local administrative amendments to properly coordinate with the Florida Building Code.

Town Attorney Rubin stated that rather than amend the prior model floodplain management ordinance, the Florida Division of Emergency Management developed a completely new model ordinance to coordinate with the Florida Building Code and to satisfy the requirements of the National Flood Insurance Program (NFIP) administered by FEMA. He stated that this ordinance repeals the Town's existing floodplain management regulations and adopts the new model ordinance, including amendments to the administrative provisions of the Florida Building Code. Additionally, the ordinance would adopt "higher standards" to satisfy the requirements of the NFIP, thereby ensuring that the Town's residents continue to receive insurance discounts through the Community Rating System. These higher standards include freeboard, repetitive loss and cumulative substantial improvement, which were already required and tracked by the Town.

Town Attorney Rubin stated that the Planning and Zoning Board reviewed this ordinance at their June 27th meeting and the Board recommended approval by the Town Council.

B. Public Hearing
Public Comments Opened at 6:06 PM.

No public comments.

Public Comments Closed at 6:06 PM.

C. Council Discussion
No Discussion.

D. Council Motion/Second
MOTION: *Lyons/Fahy made motion to approve first reading of Ordinance No. 687.*

E. Council Action
The motion passed 5-0.

8. **ORGANIZATIONS FOR COUNCIL TO PARTICIPATE**

Town Clerk Mutchnik discussed the organization list with Council and assigned a point person from Council to each organization and alternate if necessary (*list attached*).

Vice Mayor Pro Tem Fahy stated that several years ago, the Mayor served on the Board for Loggerhead Marinelife Center. He requested staff look into that.

Town Manager Lo Bello stated that staff would look into this item.

9. **INFORMATION TECHNOLOGY (IT) CONSULTING CONTRACT**

Project Coordinator Dobbins stated that the current contract for IT Consulting Services with Essential Net Solutions (ENS) would be expiring on September 30, 2016. She stated that in 2012, staff issued a Request for Proposals (RFP) for IT Consulting Services and although seven consultants request the proposal package, only one consultant, ENS, submitted a proposal package. Ms. Dobbins stated the ENS has been with the Town since 2008.

Project Coordinator Dobbins stated that since the current contract will be expiring soon, staff would like to present the Town Council with options on how to proceed with procuring IT services. She stated that the Town's Purchasing Policy provides the following options: prepare an RFP and solicit sealed bid responses or determine that an RFP is not practical or advantageous to the Town, based on past experience and the Town's established relationship with ENS, and negotiate a new contract with ENS. Ms. Dobbins stated that staff would recommend forgoing the bid process and authorize the Town Manager and staff to negotiate a new contract with ENS.

Councilmember Greene questioned the turnover rate for ENS.

Project Coordinator Dobbins stated that a few employees have left and new employees have been hired, but the key employees remained the same.

MOTION: *Greene/Fahy made motion to forgo the bid process, as it is not practical or advantageous to the Town, and authorize the Town Manager and staff to negotiate and complete a new contract with Essential Net Solutions.*

COUNCIL ACTION: *The motion passed 5-0.*

10. **BUILDING DEPARTMENT SERVICES**

Finance Director Pazanski stated that the Town's contract for Building Official, Plan Review and Inspection Services with M.T. Causley will be expiring on September 30, 2016. He stated that this is the end of a four-year agreement. Mr. Pazanski stated that the current contract was established as a two-year contract with the option to renew for one additional two-year period. The compensation for the services provided was equal to 50% revenue share of permit fees collected. Finance Director Pazanski stated that staff issued a Request for Proposals (RFP) in 2012 and five proposals were evaluated in a public meeting by two staff members and the Building Official from Palm Beach Gardens. He stated that M.T. Causley received the highest evaluation score. Mr. Pazanski added that M.T. Causley has provided these services to the Town since October 2006.

Finance Director Pazanski stated that Mr. Buck Evans is the Town's current Lead Building Official for M.T. Causley. He has been working for the Town since 2007 and has been the Lead Building Official since October 2010. Mr. Pazanski stated that Mr. Evans is the owner of Diversified Building Department Management Corp. (Diversified). He stated that Diversified has worked with the Martin County School Board since 2014 and the Town of Jupiter Island since 2012. He stated that Mr. Evans currently holds State of Florida Licensing for all Inspection Services and Plans Examination requirements.

Finance Director Pazanski stated that staff was recently informed that M.T. Causley was acquired by SAFEbuilt, a Colorado based company. According to the company website, SAFEbuilt is actively growing through the acquisition of various companies throughout several states. Mr. Pazanski stated that M.T. Causley's current management team is proposed to remain intact for the foreseeable future.

Mr. Pazanski stated that staff would recommend forgoing the bid process for the Building Official services and negotiate a contract with Diversified Building Department Management Corp. Mr. Pazanski stated that the Town has a long standing relationship with Mr. Evans and is confident that Mr. Evans and the Diversified team possess the right qualities, expertise and professionalism to meet the necessary demands and services required for Building Official, Plan Review and Inspection Service needs.

Vice Mayor Pro Tem Fahy questioned if staff discussed hiring Mr. Evans as an employee instead of contracting for his services.

Town Manager Lo Bello stated that they did look at that option but believed right now contracting out for building services is the best option for the Town.

Vice Mayor Lyons asked about the number of people that Mr. Evans employs with Diversified.

Finance Director Pazanski stated that he believes Mr. Evans has a few subcontractors.

Councilmember Greene questioned if revenue share was a common practice when contracting out for building official services.

Finance Director Pazanski and Town Attorney Rubin both stated that revenue sharing was typical for this type of industry.

Councilmember Greene requested staff check on the contracts that Mr. Evans has with Martin County School Board and Town of Jupiter Island and see how they pay him for his services. Councilmember Greene also requested staff check with other municipalities and see what they are doing for building official services.

Mayor Haselkorn requested staff check on the other contracts that Mr. Evans has with Martin County School Board and Town of Jupiter Island and see when they expire.

Councilmember Greene stated that if we move forward with contracting with Mr. Evans, he would request a call back time be put in the contract. He stated that he had received complaints from residents regarding the responsiveness of Mr. Evans.

Town Attorney Rubin stated that could be done.

MOTION: *Lyons/Greene made motion to forgo the bid process, as it is not practical or advantageous to the Town, and authorize the Town Manager and staff to negotiate a contract with Diversified Building Department Management Corp. and have the agreement begin on October 1, 2016.*

COUNCIL ACTION: *The motion passed 5-0.*

11. **COMMENTS FROM TOWN MANAGER**

Town Manager Lo Bello stated that the next Council meeting will be Wednesday, August 10th. He stated that staff believes only one meeting in August is necessary.

Town Manager Lo Bello stated that the next Mayor's Hour with Mayor Haselkorn will be Friday, August 5th from 4 PM – 5 PM.

12. **COMMENTS FROM TOWN ATTORNEY**

No Comments

13. **COMMENTS FROM STAFF**

Finance Director Pazanski stated that the Town a few years back approved a state contract for fuel services. He stated that staff was recently notified that the company providing the Town with fuel services is being investigated. He stated that the state provided staff with two other companies to use. Of the two companies, one would not provide the Town with fuel services as it would be too small of a contract for them and the other had fuel services charges much higher than expected.

Finance Director Pazanski stated that the company currently providing fuel for the Town will continue to provide fuel to the Town until the investigation issue is resolved. He stated that the current contract will expire September 30th.

Finance Director Pazanski stated that staff would keep Council updated on this issue.

Director of Public Works Meriano stated that the storm drainage repair work on Universe Boulevard was completed about two weeks ago and everything went as planned. He stated that he was satisfied with the results of the repair work.

14. **COMMENTS FROM COUNCIL**

Councilmember Andel stated that yesterday she attended the Palm Beach North Chamber of Commerce Legislative Update. She stated that the Town's two current local representatives for the Senate and House were not in attendance as they both are not running again for their seats. Councilmember Andel also stated that in the upcoming election nearly all seats are being contested. She urged everyone to get out and vote.

Councilmember Greene stated that when he was driving home yesterday, he noticed a few royal palm lights were out.

Director of Public Works Meriano stated that he would check on that.

Vice Mayor Pro Tem Fahy requested from staff an expense and revenue sheet on all Town events. He stated that he had received complaints that some events were too expensive.

Town Manager Lo Bello stated that staff was planning to do that for the next meeting when the budget is discussed.

Vice Mayor Lyons stated that he had requested a representative from Florida Power and Light attend the next council meeting to discuss the policy and safety procedures for the power lines in Juno Beach

15. **ADJOURNMENT – 6:52 PM**

Mayor Haselkorn adjourned the meeting at 6:52 PM

Jason Haselkorn, Mayor

Vanessa M. Mutchnik, Town Clerk

Town of Juno Beach
Organizations for Council Participation

Organization Name	Primary Persons	Alternates	Comments
Busch Wildlife Sanctuary	Mayor Haselkorn	Vice Mayor Lyons	Board Meetings, will notify Town staff of meetings
Businsss Development Board	Councilmember Greene	Councilmember Andel	Hold Quarterly Lunch Meeting and Annual Gala
Florida League of Cities Annual Conference	Entire Council		In August of each year, FLC holds a conference in Orlando and the entire Council is invited to attend
Florida League of Cities Voting Delegate	Mayor Haselkorn	Vice Mayor Lyons	
Florida League of Mayors	Mayor Haselkorn		
Florida Shore and Beaches	Vice Mayor Pro Tem Fahy	Vice Mayor Lyons	
Florida League of Cities - Legislative Conferences	Entire Council		FLC will email Town staff of upcoming conferences
Loggerhead Marinelife Center	Vice Mayor Lyons	Mayor Haselkorn	Go Blue Awards Luncheon held in October of each year ; Jan/Feb Annual Meetings ; will notify Town staff of other events
North Palm Beach Cultural Alliance	Vice Mayor Pro Tem Fahy	Mayor Haselkorn	Monthly meetings held the 2nd Friday of the month
Palm Beach North Chamber of Commerce - Branding			Branding Initiative - *** Initiative Complete***
Palm Beach North Chamber of Commerce - Business After Hours	Entire Council		Chamber will notfiy Town staff of events
Palm Beach North Chamber of Commerce - Business Before Hours	Entire Council		Chamber will notfiy Town staff of events

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Town of Juno Beach
Organizations for Council Participation

Palm Beach North Chamber of Commerce - Economic Development Board			Chamber will notfiy Town staff of events - ***attendance at these meetings are not necessary at this time***
Palm Beach North Chamber of Commerce- Government Affairs	Councilmember Andel		2nd Friday of the Month Morning Meetings
Palm Beach County League of Cities Voting Delegate	Mayor Haselkorn	Vice Mayor Lyons	
Palm Beach County League of Cities Monthy Meetings and Workshops	Councilmember Andel	Mayor Haselkorn	Monthly Lunch Meetings and Workshops
Town of Lantana - Intergovernmental Clearinghouse	Vice Mayor Lyons		Meet Quaterly - ***Staff will notify Council if attending a meeting is necessary***

Updated 7/27/2016