



TOWN OF LOXAHATCHEE GROVES

Town Council Meeting

Tuesday, August 18, 2015 - 7:00 p.m. to 10:30 p.m. *(Times established by Resolution No. 2014-08... commencing at 7:00 p.m., and ending no later than 10:30 p.m., which can be extended by motion of the Council.)*

TOWN HALL

155 F Road, Loxahatchee Groves, Florida 33470

Mayor David Browning (Seat 4)

Vice-Mayor Ronald D. Jarriel (Seat 1) –

Councilman Tom Goltzené (Seat 5)

Councilman Ryan Liang (Seat 3)

Councilman Jim Rockett (Seat 2)

Town Manager William F. Underwood, II

Town Clerk, Vacant

Town Planning Consultant Jim Fleishcman

Town Attorney Michael D. Cirullo, Jr.

MINUTES

1. OPENING

a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:00 pm. Present were Mayor David Browning, Vice Mayor Ronald D. Jarriel, and Councilmen Tom Goltzene, Ryan Liang, and Jim Rockett. Also present were Town Manager Bill Underwood, Town Attorney Michael D. Cirullo, Jr., and Acting City Clerk Perla D. Underwood.

b. P l e d g e of Allegiance & Invocation – Mayor Browning

c. Approval of Agenda

Councilman Ryan Liang Moved, and Seconded by Councilman Jim Rockett to approve the Agenda. The vote on the motion was unanimous, 5/0.

2. CONSENT AGENDA - None

3. PUBLIC COMMENTS

The following individuals addressed the Town Council on regarding Town management services, resignation or Town Attorney:

Phyllis Magnila – West D Road; Doreen Baxter – North Road; Bill Louda – E Road; Karen Piesley – D Road; Keith Harris – C Road; Virginia Standish – North Road; Ken Johnson, Collecting Canal Road; Thais Gonzalez – Raymond Drive; and Joyce Batcheler – E Road.

Marge Herzog – A Road.

Reminded Town Council that next week is Loxahatchee Groves Landowners Meeting, and discussion will be the nuts and bolts of team work.

Clete Keaton – D Road

Provided the Town Council a letter with respect to specific Ag property on C Road that was allowed to construct a building without following setback requirements of the Town's ULDC, and request that his letter be read into the record during the meeting.

Pat Johnson – Collecting Canal Road

Questioned if any meeting has been scheduled for discussion of 24 hour/stores being allowed to operate within the Town.

Greg Tindall – A Road

Explained his statements with respect to the Town's finances.

4. PRESENTATIONS

- a. Quasi Modo – 1st Place
2015 World's Ugliest Dog Contest

Mayor Browning congratulated Quasi Modo on winning 1st Place in the 2015 World's Ugliest Dog Contest. On behalf of the Town Council and its residents, Mayor Browning presented the Quasi Modo owners, Mike Carroll and Jennie Sayer with several gifts honoring Quasi Modo as the winner of the 2015 World's Ugliest Dog Contest.

5. COMMITTEE REPORTS - NONE

6. ORDINANCES - NONE

7. RESOLUTIONS

- a. Resolution No. 2015-25 (Directing Improvements to B Road)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHE GROVES, FLORIDA, CONFIRMING AND DIRECTING THE IMPROVEMENTS TO B ROAD CONSISTENT WITH THE ENGINEERING AND CONSTRUCTION SCHEDULE FOR B ROAD IMPROVEMENTS PREPARED BY KESHAVARZ & ASSOCIATES, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN, SUBJECT TO ALL STATE AND TOWN PROCUREMENT REQUIREMENTS AND OTHER APPLICABLE LAWS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Councilman Goltzene announced he was unable to participate in discussion and voting on this matter as he had a business relation with the developers of the B Road Improvements.

Councilmen Rockett Moved, and Seconded by Councilmen Liang to adopt Resolution 2015-25 directing improvements to B Road. The vote on the Resolution was approved, 4/0, with Councilman Tom Goltzene abstains from voting.

8. MANAGER'S REPORT – *Town Manager Underwood*

- a. **Agenda Item Report (AIR)** - Updates on various activities and issues concerning the Town.
- b. Palm Beach County Sheriff's Office (PBSO), District 15 Loxahatchee Groves Monthly Report: July 2015 (*on file*)
- c. Palm Beach County Fire Rescue July Response Time. (*on file*)

Town Manager Underwood provided a brief overview and status of various ongoing projects.

9. OLD BUSINESS – *NONE*

10. NEW BUSINESS

- a. Town Management Services Presentations
Town Attorney Cirullo reviewed the process and instructions on the presentations.
Councilman Goltzene made a Moved to reject all presentations. Motion died for lack of a second.
 1. Severn Trent Services provided a presentation to the Town Council about the background of their Company in Florida. Stressed the following:
 - Many years of providing municipal services.
 - Four (4) Florida managers on staff.
 - Provide services several cities in Florida and Georgia and Municipal Service Districts.
 - Coral Springs District offices staff includes 9 accountants, 5 a/p, 10 in record keeping, and 5 managers.

Upon question from Vice Mayor Jarriel about the Town Manager, Severn Trent advised that one would be assigned to the project and another has a home in this area. Vice Mayor Jarriel asked that Town Manager and Clerk be named and any other employees that will be attached to the Town. Also inquired how the company would handle the replacement of the Town Manager if the Town Council was not satisfied.

Town Attorney advised that the individual designated for the Town Manager will need to be made before the Town Council approves a contract.

Severn Trent advised that in other towns there is a clause in the contract in the event that a client is not satisfied with the individual appointed by them. Additionally, they advised that they have not selected a Town Clerk yet for this position.

Mayor Browning inquired about the four (4) in house managers overseeing the 85 service districts they contract with. He also inquired if do work with Seminole Improvement District, Indian Trails, and Silver Lakes. He felt that there could be a conflict, but feels that the Town would not get the needed services.

Severn Trent advised that the Town would be not a small client. They advised that the Manager would be present at all Town meetings for Council and Committees. Also three (3) Full time employees would be on site. Under our normal operation there would be 11 individuals that

would work on the Town's projects.

Finance, Accounts Payable, Receivables, Records Managements would operate from the Coral Springs office, and they would be able to implement the Town's new software.

Upon further questions, Severn Trent advised that a Planning Tech, a Town Manager, and a Town Clerk will be on site in the Town's offices, and support staff will be located in Coral Springs.

Councilman Goltzene questioned to insure that the required certifications are in place by the next team.

Councilman Jim Rockett advised that the Town in the past has not held previous managers to the same standard that the Town is using today with Severn Trent.

He would also make sure that the Attorney addresses some of those questions that were raised by Severn Trent as follows:

- In the fees section, termination for convenience and for cause language, and indemnification relief.
 - Planning Tech will be in office full time.
2. Larry Tibbs provided his presentation to Town Council, and introduced Mike Aricola. Advised that he has been in South Florida since 1994, and
- Has served in Palm Beach County, and two special districts.
 - Is a resident of the area.
 - Very familiar with the area.
 - Previously in the USAF for 20 years in finance.
 - Recently works for Special Fire Rescue District.
 - Familiar with emergency management and been through Hurricane Jean and Wilma.
 - Does not operate in other locations.
 - Tibbs would be here full time and
 - Mr. Aricola would do back up to other duties.

Mr. Aricola is familiar with

- Planning, Comp Plan, FEMA, and Finance.
- Has over 50 year's municipal government.
- Mike has been City Manager, and Finance Director.
- Small city focus throughout his career.
- Daughter in law in Lighthouse Point and can easily use her for any Planning & Zoning.

Councilman Goltzene asked Mr. Tibbs the following:

- Has the FEMA certifications, and ICMA certification.
 - If he though FEMA would pay the Town for cleanup for Roads owned by the District or Town roads not owned by the Town.
 - About the Fire District grant process on the loss of jobs by firefighters,
 - If Mr. Tibbs worked previously in Broward County.
 - About implementation of Blackbaud financial software system
 - If Mr. Aricola would be part time as finance director/City Manager
-
- Planning staff to include,
 - And, envision on staffing levels and who they would be.

Mr. Tibbs advised that has an individual for Town Clerk with 15 years of experience, but is not certified. Mr. Aricola was a City Manager in City of South Bay for 1 year, and then worked in Opalusa County. Does have experience in grant functions/contract monitoring, with roads and trails grants, expenditure of maintaining dirt roads, and was successful in receiving grants to improve dirt roads..

Several individuals made public comments with respect to the two applicants:

Dennis Lipp – North Road; Doreen Baxter – North Road; Jo Siciliano, B Road; John Ryan – A Road; Phyllis Magnila – West D Road; Virginia Standish – North Road; Thais Gonzalez, Raymond Drive; Tim Harts-Wood – Timberland Place; Keith Harris, C Road, Bill Louda, E Road; Ken Johnson, Collecting Canal Road; Todd McClendon – D Road.

Councilman Goltene Moved, Seconded by Vice Mayor Jarriel to request applicants consent to disclose proposed fees included as part of their proposals. Motion passed unanimously, 5/0. Upon inquiry from Town Councilman Goltzene, both proposers agreed to disclose the fees included as part of the RFP proposals submitted as follows

Larry Tibbs - \$26,250/mth
Severn Trent - \$ 30,875/mth

Councilman Rockett stated that the RFP was to find out what else was out there. He advised that he believes that Severn Trent has tremendous resources, and he would like to see a large corporation come in as he feels they will be able to do a lot for the Town. He thanked both applicants for presenting to the Town, but stated that he feels that Severn Trent can provide the Town the services it needs.

Councilman Liang stated that he also feels Severn Trent has the resources and staff levels. He also stated that he liked Tibbs experience in small towns and his work with grants; however, he stated that Tibbs does not have the proper certification and Town Manager experience. He also requested that Severn Trent discuss the issues raised about Oklahoma, and Tibbs discuss issue in Lauderdale Lakes. Ryan feels ST has the resources and staffing levels, and liked Tibbs experience in small towns and grants.

Mayor Browning reminded the Council about his concern with going out for the RFP and what was out there. Additionally, he reminded everyone that the RFP was identical to the RFP issued in 2011 and is identical to the contract the Town currently has with Underwood. He concluded by stated that it is position that the Town should exercise the renewal option under the Underwood contract for the additional year.

b. Selection of Town Management Services

Councilman Rockett made a Motion to accept the proposal submitted by Severn Trent for management services. The motion was seconded by Vice Mayor Jarriel.

In response to Councilman Liang's request, Mr. Tibbs responded to the Broward County OIG Report, and Severn Trent advised that they work for the management part of the company the issue in Oklahoma was from the Public Works part of the company.

The vote on the motion was 3/2, with Mayor Browning and Councilman Goltzene voting no.

Town Attorney Cirullo requested that Severn Trent contact him in order to finalize the contract as quickly possible.

11. COUNCIL REPORTS

12. CLOSING COMMENTS

a. Public

The following individuals made public comments in regards to actions taken by Council with respect to management services for the Town:

Phyllis Magnila – West D Road; Keith Harris – C Road; Virginia Standish – North Road, Thais Gonzalez – Raymond Drive.

Bill Louda - Resigned from the RETGAC Committee
Jo Sciliano – Resigned from the RETGAC Committee

b. Town Attorney –

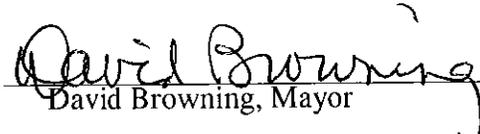
Town Attorney Cirullo announced the law firm Goren, Cherof, Doody & Ezrols' 30 day notice of termination of their contract for legal services to the Town, and requested Town Council ask Town Management to put out an RFP out for legal services as soon as possible.

c. Town Council Members

13. ADJOURNMENT

There being no further business to come before the Town Council, Mayor Browning adjourned the meeting at 10:05 PM.


Perla D. Underwood,
Acting Town Clerk


David Browning, Mayor