

AGENDA
TOWN OF HYPOLUXO
REGULAR COUNCIL MEETING
Al Merion Council Chambers

Wednesday, June 19, 2024 at 7:00 PM

FOR COUNCILMEMBERS AND THOSE INDIVIDUALS WHO WISH TO SPEAK AT THE MEETING PLEASE SPEAK DIRECTLY INTO THE MICROPHONES. FOR THOSE MEMBERS IN THE AUDIENCE PLEASE COME TO THE PODIUM TO ADDRESS COUNCIL IN AN AUDIBLE VOICE FOR THE RECORD AND SHALL LIMIT THEIR ADDRESS TO THREE (3) MINUTES.

A. Opening

- 1. Call to Order.**
- 2. Moment of Silent Prayer & Pledge of Allegiance to the Flag**
- 3. Roll Call**
- 4. Agenda Approval – Additions/Deletions/Modifications and Adoption**
- 5. Announcements –**

July 17, 2024 - 6:00 – 7:00 PM – PBC Library Card Drive at Town Hall

September 5, 2024 at 5:01 PM - First Budget Hearing

September 18, 2024 at 7:00 PM – Final Budget Hearing

B. Comments from Members of the Public -

Action/Discussion Items

1. Consent Agenda

- a. Regular Meeting Minutes from May 15, 2024 meeting and Workshop Meeting Minutes from May 15, 2024.

2. Ordinances and Resolutions - None

3. Public Hearings –

Discussion/Action Items –

Request to approve Agreement for Consultant Planning Services with Land Research Management, Inc. for EAR updates.

Selection of Voting Delegate FLC Annual Conference August 15-17, 2024, Diplomat Hotel, Hollywood, Florida

4. Information Items & Reports

Budget – Comparison of Actual Expenditures and Income to Budget and Statement on Reserves

Audit Report – David Caplivski, CPA, Audit Partner, Grau and Associates

5. Comments

Council Members

Town Attorney

Town Building Official

Town Clerk

Mayor

Comments from the Public

D. Adjournment

Please advised that should any interested person seek to appeal any decisions made by the Town Council with respect to any matter considered at this hearing, such person will need to insure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act; and person requiring special accommodations to participate in this meeting, please advise the Town at least three (3) calendar days before the hearing by contacting Town Hall at (561) 582-0155.

Any citizen is entitled to be heard on an official agenda item when the Town Council calls for public comment OR any matter not on the agenda under the "Public Comments" section. Citizens desiring to address the Town Council shall step up to the microphone at the podium, state their name and address in an audible voice for the record and shall limit their address to three (3) minutes.

AGENDA ITEM C. 1.a

Subject: *Minutes of the Regular Town Council Meeting held May 15, 2024*

RECOMMENDATION: Approve the minutes of the Regular Council Meeting held May 15, 2024.

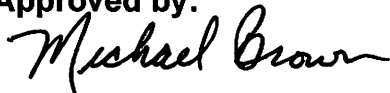
EXPLANATION: The minutes reflect the council deliberations and decisions.

PROGRAM IMPACT: A record keeping of Town business.

FISCAL IMPACT: None

ALTERNATIVES: To approve the minutes of the Regular Town Council Meeting as printed, to approve with changes, to deny or to table.

Approved by:



Town of Hypoluxo

June 19, 2024

TOWN OF HYPOLUXO
MINUTES
REGULAR TOWN COUNCIL MEETING
Al Merion Council Chamber
Wednesday, May 15, 2024

CALL TO ORDER - Mayor Michael Brown called the meeting to order at 7:00 PM

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

ROLL CALL - ELECTED OFFICIALS: Mayor Michael Brown and Vice Mayor Dick Roney and Town Council Members Linda Allen, Stephanie Kahlert, Doug Besecker and John Sochacki were present. There was a quorum.

AGENDA APPROVAL – Addition/Deletions/ Modifications and Adoption –

There were no changes to the agenda.

GUEST SPEAKER – Lizabeth Martin, Palm Beach County Commission on Ethics, presented an overview of Palm Beach County’s Ethics Commission. She noted the purpose of the commission is to consider ethics, oversight and transparency for elected officials, advisory board members and employees. She highlighted educational opportunities and information outreach opportunities.

QUARTERLY CRIME REPORT - Officer Shawn Johnson reviewed the crime statistics for the previous quarter, January through April 2024. He encouraged residents, “if you see something - say something” and he reminded everyone to lock their automobiles and not keep valuables in your vehicle.

ANNOUNCEMENTS –

- July 17, 2024 – 6:00 – 7:00 PM PBC Library Card Drive at Town Hall.
- September 5, 2024 at 5:01 PM – First Budget Hearing
- September 18, 2024 at 7:00 PM – Final Budget Hearing.

COMMENTS FROM PUBLIC –

Hans Kahlert expressed his disappointment for the personnel change in the Town’s Building Official. In response to his inquiry, Mayor Brown advised he is in the process of contacting a consultant who assisted in other local assessments.

1. Action/Discussion –

- a. Consent Agenda – The regular minutes from April 17, 2024 meeting.

Vice Mayor Roney moved to approve the consent agenda as presented. Seconded by Councilmember Allen. Vote: Unanimous.

2. Ordinances and Resolutions –

Public Hearings

a. Resolution 24-528

Resolution 24-528 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HYPOLUXO, FLORIDA ADOPTING AN ECONOMIC RELIEF PERFORMANCE PAYMENT PROGRAM FOR TOWN EMPLOYEES, PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Rubin read Resolution 24-528 by title.

Mayor Brown provided an overview of the staff report. He noted the cost of living for employees has risen significantly. This is designed to help employees keep up with the cost of living that is making it difficult to work in Palm Beach County. He explained the difficulty is if merit increases compound yearly, it affects the Town's ability to remain competitive.

There was no motion for Resolution 24-528. No action was taken.

3. Discussion/Action Items – None

4. Information Items & Reports – Budget

Mayor Brown presented a brief overview of the financial report for FY 2024.

Vice Mayor Roney moved to approve the financial reports as presented. Seconded by Councilmember Sochacki Vote: Unanimous.

5. Comments –

The Palm Beach League of Cities Annual Installation Banquet is Tuesday, May 21, 2024, at 11:30 AM at the Kravis Center.

The anticipated closing date is May 26, 2024, for the 7200 S. Federal Highway property. The next step will be for the County to go through a conditional use process for the library project.

Mayor Brown announced the Town will be requesting proposals for Building Official services. In addition, the contractor is working on the septic to sewer project along Coral Street and East Coast Avenue.

Town Attorney Rubin discussed the legislative update. A copy of the legislative update is attached to the minutes.

The Deputy Town Clerk announced Council will be attending an Ethics Training October 31, 2024 at the Lake Worth Casino. She requested Councilmembers advise if they will be signing up for Committees for the Florida League of Cities.

* * * * *

ADJOURNMENT – Mayor Brown adjourned the meeting at 7:30 pm.

APPROVED THIS _____ DAY OF _____, 2024.

ATTEST:

ATTEST:

Michael C. Brown, Mayor

Dixie Gualtieri, Deputy Town Clerk

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

701 Northpoint Parkway, Suite 209
West Palm Beach, Florida 33407-1950
561-686-8700 Telephone / 561-686-8764 Facsimile
www.torcivialaw.com

Glen J. Torcivia
Lara Donlon
Christy L. Goddeau*
Leonard G. Rubin*

*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

Jennifer H.R. Hunecke
Susan M. Garrett
Elizabeth V. Lenihan*
Ruth A. Holmes
Ben Saver
Tanya M. Earley
Daniel Harrell, Of Counsel

May 15, 2024

To: Mayor and Members of the Town Council
From: Leonard G. Rubin, Town Attorney
Re: 2024 Legislative Update

Below please find a brief update on bills passed during the 2024 legislative session that could impact the Town.

BILLS ENACTED INTO LAW

HB 1365 – Unauthorized Public Camping and Public Sleeping

This bill prohibits local governments from authorizing or allowing persons to regularly engage in public camping or sleeping on public property. The phrase “public camping or sleeping” is defined as: (1) lodging or residing overnight in a temporary outdoor habitation used as a dwelling or living space and evidenced by the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal belongings; or (2) lodging or residing overnight in an outdoor space without a tent or other temporary shelter.

Further, it allows counties to establish and operate designated sleeping areas for persons experiencing homelessness. Such areas would have to meet basic health and safety requirements and would be overseen by the Department of Children and Families. If a county elects to designate such an area within the boundaries of a municipality, it can only do so with a majority vote of the municipality’s governing body. This bill does not require a municipality to establish or operate a designated sleeping area.

Beginning January 1, 2025, municipalities and counties can be sued by their residents, local business owners, or the Attorney General for authorizing or otherwise allowing public camping or sleeping. Before initiating a lawsuit, a plaintiff must give written notice of the alleged violation and five business days to cure it. If a resident or business owner prevails in a civil action, the court may award them court costs, attorneys' fees, investigative costs, witness fees, and deposition costs.

This bill is codified at section 125.0231, Florida Statutes, and has an effective date of October 1, 2024.

SB 1526 – Local Regulation of Nonconforming and Unsafe Structures

This bill, also known as the “Resiliency and Safe Structures Act,” restricts, with limited exceptions, local governments from prohibiting the demolition of nonconforming or unsafe structures, including historical structures, that are seaward of the coastal construction control line. The bill also authorizes the automatic replacement of the structure without requiring the new structure to have historical features or characteristics and prohibits local governments from imposing additional redevelopment restrictions that depart from existing requirements for a similarly situated parcel.

This bill is codified at section 553.8991, Florida Statutes, and took effect upon being signed into law on March 22, 2024.

HB 377 – License or Permit to Operate a Vehicle for Hire

This bill provides that a person who holds a valid, active license or permit issued by a county or municipality to operate a vehicle for hire may operate a vehicle for hire in any other county or municipality without being subject to additional licensing or permitting requirements and without paying additional license or permit fees so long as certain requirements are met.

This bill is codified at section 320.0603, Florida Statutes and has an effective date of July 1, 2024.

SB 676 – Food Delivery Platforms

This bill concerns the regulation of food delivery platforms, defined as a business that acts as a third-party intermediary for the consumer by taking and arranging for the delivery or pickup of orders from multiple food service establishments. This bill expressly preempts the regulation of food delivery platforms to the state.

This bill is codified at section 509.103, Florida Statutes, and took effect upon being signed into law on April 2, 2024.

HB 1451 – Identification Documents

This bill prohibits counties and municipalities from accepting as identification any identification card or document issued by any person, entity, or organization that knowingly issues such identification cards or documents to individuals who are not lawfully present in the United States, except when the documentation is issued by or on behalf of the federal government.

This bill is codified at sections 125.0156 and 166.246, Florida Statutes, and has an effective date of July 1, 2024.

HB 271 – Motor Vehicle Parking on Private Property

This bill makes several changes to the regulation of private parking lot operations and explicitly allows private parking lot signage to be regulated by the municipality in which the property is located.

This bill is codified at section 715.075, Florida Statutes and has an effective date of July 1, 2024.

HB 463 – Lights Displayed on Fire Department Vehicles

This bill authorizes certain government-owned fire department vehicles to show or display blue lights if authorized in writing by the fire chief of the government agency and if shown or displayed only on the rear of such vehicles.

This bill is codified at section 316.2397, Florida Statutes, and has an effective date of July 1, 2024.

SB 1628 – Local Government Actions

This bill provides that if a bond issue amount is greater than \$500 million, the bond referendum must be held at a general election. Further, it eliminates the exception from the requirement to complete a business impact estimate for ordinances concerning a comprehensive plan amendment or land development regulation, including zoning, initiated by a county or municipality. Comprehensive plan amendments and land development amendments initiated by a private party remain exempt.

This bill is codified at sections 100.261 and 166.041, Florida Statutes, and has an effective date of October 1, 2024.

HB 433 – Employment Regulations

This bill prohibits municipalities from establishing, mandating, or otherwise requiring an employer (other than the municipality itself) to meet or provide heat exposure requirements not otherwise required under state or federal law. Further, this bill provides that a municipality may not, through its purchasing or contracting procedures, seek to control or affect the wages of employee benefits provided by its vendors or use wage or employment benefits as an evaluation factor. It also

preempts local governments from regulating scheduling, including predictive scheduling, by a private employer except as required by state or federal law, or pursuant to federal grant requirements.

This bill is codified at sections 448.106, 448.077, and 218.077, Florida Statutes, and has an effective date of July 1, 2024.

HB 1557 – Department of Environmental Protection

This bill would allow municipalities to use the Resilient Florida Grants Program to update their inventory of critical assets and for the cost of permitting projects designed to achieve reductions in the risks or impacts of flooding and sea level rise using nature-based solutions. It further requires a vulnerability assessment to make use of the best available information through the Florida Flood Hub as certified by the Chief Science Officer. This bill also expands the types of projects that can be submitted for inclusion in the Statewide Flooding and Sea Level Rise Resilience Plan.

This bill is codified at section 380.093, Florida Statutes, and has an effective date of July 1, 2024.

HB 601 – Law Enforcement and Correctional Officers

This bill prohibits municipalities from adopting or attempting to enforce any ordinance relating to the investigation of complaints of misconduct by law enforcement or correction officers, or authorizing civilian oversight of law enforcement agencies' investigation of complaints of misconduct by law enforcement or correctional officers.

This bill is codified at section 112.533, Florida Statutes, and has an effective date of July 1, 2024.

PROPOSED CONSTITUTIONAL AMENDMENTS

HJR 7017 – Annual Adjustment to Homestead Exemption Value

This bill proposes a constitutional amendment to require an annual adjustment to the value of certain homestead exemptions (applicable to all taxes, except school taxes) each year for inflation using the percent change in the Consumer Price Index, if such percent change is positive. The constitutional amendment must be approved by at least 60% of voters during the November 2024 election.

If approved, this constitutional amendment would take effect on January 1, 2025.

BILLS THAT HAVE PASSED THE HOUSE AND SENATE

HB 7019 – Exemption of Homesteads

This bill would implement HJR 7017 if it is approved by the voters by requiring an annual adjustment to the value of certain homestead exemptions each year for inflation using the percentage change in the Consumer Price Index, if such percent change is positive. The bill would

also require the Legislature to appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties.

This bill would be codified at sections 196.031 and 218.136, Florida Statutes, and would take effect on January 1, 2025.

HB 479 – Alternative Mobility Funding Systems

This bill revises and provides additional guidance concerning the use of mobility plans and the collection of mobility fees. It provides that if a county and municipality charge the developer of a new development or redevelopment a fee for transportation capacity impacts, the county and municipality must enter into an interlocal agreement to coordinate the mitigation of their respective transportation capacity impacts. The interlocal agreement must ensure that the developer is not charged twice for the same transportation capacity impacts, establish a plan-based methodology for determining the legally permissible fee to be charged, and provide a method for the proportionate distribution of the revenue collected or provide a method of assigning responsibility for the mitigation of the transportation capacity impacts belonging to the county and the municipality. The county or municipality issuing the building permit must collect the fee unless agreed to otherwise. This bill also provides that if by October 1, 2025, the interlocal agreement is not executed, the developer shall receive a 10 percent reduction in the total fee calculated and additional administrative requirements shall be imposed on the local government.

This bill further provides that when increasing an impact fee based on a study, a local government can only use available data within the past four years and the new study must be adopted within twelve months of its initiation.

This bill would be codified at sections 163.3164, 163.3180, and 163.31801, Florida Statutes, and has an effective date of October 1, 2024

HB 267 – Building Regulations

This bill would amend regulations relating to building permits in numerous ways, including,

- Amending the Florida Building Code to state that sealed drawings by a design professional are not required for the replacement of windows, doors, or garage doors in an existing one-family or two-family dwelling or townhouse if certain conditions are met.
- Providing that a local government must approve, approve with conditions, or deny a complete and sufficient building permit application within the following time frames, unless the applicant waives such timeframes in writing:
 - 30 business days for residential units less than 7,500 square feet,
 - 60 business days for residential units 7,500 square feet or more,
 - 60 business days for signs on nonresidential buildings that are less than 25,000 square feet,

- 60 business days for multifamily residential, not exceeding 50 units; site plan approvals and subdivision plats not requiring public hearing or public notice; and lot grading and site alteration,
 - 12 business days for an applicant using a master building permit consistent with section 553.794, Florida Statutes, to obtain a site-specific building permit, and
 - 10 business days for an applicant for a single-family residential dwelling applied for by a contractor licensed in this state on behalf of a property owner who participates in a Community Development Block Grant-Disaster Recovery program administered by the Department of Commerce.
- Requiring a local government to provide written notice to the applicant within 5 business days after receipt of the application of what additional information is needed or the application is automatically deemed to be properly completed and accepted.
 - Providing an applicant has 10 business days for submitting revisions when an application fails to meet applicable regulations, and providing the local enforcement agency has 10 business days after receiving the revisions to approve or deny the building permit, unless the applicant agrees to a longer period in writing.
 - Allowing local governments to use certain fees to upgrade technology hardware and software systems to enhance service delivery.
 - Adopting a new section concerning thermal efficiency standards for unvented attic and unvented enclosed rafter assemblies.
 - Providing that when an applicant utilizes the alternative plans review and inspection procedures in section 553.791, Florida Statutes, by utilizing a private provider who is licensed as an engineer or architect, the local building official must issue a permit or provide written notice regarding plan deficiencies within 10 business days, otherwise, the permit application is deemed approved as a matter of law.
 - Prohibiting local code enforcement agencies from auditing the performance of building code inspection services by private providers operating within the local jurisdiction until the agency has created standard audit procedures for the agency's internal inspection and review staff. The audit procedures must be publicly available online and in print versions, and the audit results for the prior two quarters must also be publicly available.

This bill would be codified at numerous sections of Florida Statutes and has an effective date of January 1, 2025.

SB 812 – Expedited Approval of Residential Building Permits

This bill requires municipalities that have 10,000 residents or more and 25 acres or more of contiguous land that the municipality has designated in its comprehensive plan and future land use map as land that is agricultural or to be developed for residential purposes to create a program to expedite approval of residential building permits. The program must include a two-step application process for the adoption of a preliminary plat and allows the applicant to identify the percentage of planned homes or the number of building permits that the governing body must issue. At an applicant's request, the municipality must issue no less than 50% of the permits for dwellings to

be built if certain conditions have been met. It also requires the municipality to establish a registry with at least three qualified contractors who may be used for processing and expediting the review of an application for a preliminary plat. To avail itself of this program, an applicant must indemnify the municipality from liability or damages resulting from the issuance of a building permit.

This bill would be codified at section 177.073, Florida Statutes, and would be effective upon enactment.

SB 328 – Affordable Housing

This bill amends various provisions of the Live Local Act including:

- Clarifies that the phrase “currently allowed” density, height, and floor ratio does not include any bonus, variance, or other special exemption provided for in the local government’s regulations.
- Provides that a municipality may not restrict the floor area ratio of a proposed development below 150 percent of the highest currently allowed floor area ratio on any land in the municipality where development is allowed.
- Provides that if the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150% of the tallest building on any property adjacent to the proposed development, the highest currently allowed height in the municipality’s regulations, or 3 stories, whichever is higher.
- Modifies parking reduction requirements for developments near a major transportation hub or within a transit-oriented development or area.
- Requires municipalities to maintain on their websites a policy containing procedures and expectations for certain administrative approvals.

This bill would be codified at section 166.04151, Florida Statutes, and would be effective upon becoming law.

SB 1420 – Department of Commerce

This bill would amend requirements related to comprehensive plan amendments and requires local governments to adopt comprehensive plan amendments within 180 days after the receipt of agency comments, otherwise, the amendments are deemed withdrawn. Additionally, within 10 working days after adoption, a local government must transmit all comprehensive plan amendments to the state land planning agency and any other agency or local government that provided timely comments, otherwise, the amendments are deemed withdrawn.

This bill would be codified at section 163.3184, Florida Statutes, and has an effective date of July 1, 2024.

HB 1645 – Energy Resources

This bill defines “resiliency facility” to mean a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster; and mandates that a resiliency facility is a permitted use in all commercial, industrial, and manufacturing land use categories in a local government’s comprehensive plan. It also prohibits local governments, after July 1, 2024, from amending their comprehensive plans, land use map, zoning districts, or land development regulations in a manner that would conflict with a resiliency facility’s classification as a permitted and allowable use.

This bill would be codified at section 163.3210, Florida Statutes, and has an effective date of July 1, 2024

SB 280 – Vacation Rentals

This bill amends laws concerning vacation rentals. While regulation of vacation rentals is generally preempted to the state, it allows local governments to require the registration of vacation rentals with a local vacation rental registration program. In order to register a property under the local vacation rental registration program, local governments may require the operator of a vacation rental to, among other things, pay in full all recorded municipal liens against the subject vacation rental premises; designate and maintain at all times a responsible party who is capable of responding to complaints or emergencies related to the vacation rental; and comply with maximum overnight occupancy standards (no more than two people per room plus two, or at a minimum of 50 sq ft. per person).

Local governments may impose a fine of up to \$500 per day for failure to register under the local program or for failure to continue to meet registration requirements. Before issuing a fine, the local government must issue a written notice of violation and provide the vacation rental operator 15 days to cure the violation. A certified copy of an order imposing a fine may be recorded in the public records and thereafter constitute a lien against the real property on which the violation occurred. This bill further provides standards for when a local government may suspend or revoke a vacation rental registration.

This bill also includes new requirements for advertising platforms of vacation rentals including a requirement that the advertising platforms collect and remit all required taxes; require persons listing a vacation rental to include state and local registration numbers; and adopt anti-discrimination policies. The regulation of advertising platforms is preempted to the State.

This bill would be codified at numerous sections of Florida Statutes and has an effective date of July 1, 2024.

HB 473 – Cybersecurity Incident Liability

This bill exempts municipalities from liability in connection with a cybersecurity incident if the municipality substantially complies with the current training and cybersecurity standards

requirements under Section 282.3185, Florida Statutes. It further provides that failure of a municipality to substantially implement a cybersecurity program that complies with the standards of section 768.401 is not evidence of negligence and does not constitute negligence per se. If a municipality is named as a defendant in an action relating to a cybersecurity incident, the municipality has the burden of proof to establish substantial compliance.

This bill would be codified at section 768.401, Florida Statutes, and would be effective upon becoming law.

SB 1084 – Department of Agriculture and Consumer Services

This bill, among other things, preempts the regulation of electric vehicle charging stations to the state and prohibits municipalities from enacting or enforcing any regulation relating to electric vehicle charging stations.

This bill would be codified at section 366.94, Florida Statutes, and has an effective date of July 1, 2024.

SB 674 – United States-produced Iron and Steel in Public Works Projects

This bill provides that when a governmental entity enters into a contract for a public works project or for the purchase of materials for a public works project, they must include a contract requirement that any iron or steel product permanently incorporated in the project be produced in the United States, except in limited circumstances. A “public works project” means an activity paid for with any state-appropriated funds or state funds administered by a governmental entity which consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof owned in whole or in part by any governmental entity.

This bill would be codified at section 255.0993, Florida Statutes, and has an effective date of July 1, 2024.

Should you have any questions or be in need any additional information any of the bills referenced above, please do not hesitate to contact me.

TOWN OF HYPOLUXO
MINUTES
WORKSHOP TOWN COUNCIL MEETING
Al Merion Council Chamber
Wednesday, May 15, 2024

CALL TO ORDER - Mayor Michael Brown called the meeting to order at 7:30 PM

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

ROLL CALL - ELECTED OFFICIALS: Mayor Michael Brown and Vice Mayor Dick Roney and Town Council Members Linda Allen, Stephanie Kahlert, Doug Besecker and John Sochacki were present. There was a quorum.

AGENDA APPROVAL –

There were no changes.

COMMENTS FROM PUBLIC – None.

- 1. Public Hearings**
Discussion/Action Items.

Review of instructions and information to complete Form 6 for elected officials.

Mayor Brown provided an overview of the instructions. He noted that the forms must be filed electronically, and the deadline is July 1, 2024. A copy of the instructions to file Form 6 is attached to the set of minutes.

Mayor Brown opened the discussion to the general public. There being none, this section of the meeting was closed.

- 2. Comments –** None.

* * * * *

ADJOURNMENT – Mayor Brown adjourned the meeting at 7:55 pm.

APPROVED THIS _____ DAY OF _____, 2024.

ATTEST:

ATTEST:

Michael C. Brown, Mayor

Dixie Gualtieri, Deputy Town Clerk

2023 Form 6-Full and Public Disclosure of Financial Interests

IMPORTANT!

Your form, including any attachments will be published. By law, filers are responsible for making sure account numbers, Social Security numbers (SSN), Taxpayer Identification Numbers (TIN), personal identification numbers (PIN); bank account, debit, charge, or credit card numbers; mortgage or brokerage account numbers; or any personal or account information that is legally protected from disclosure under state or federal law, are not provided as a part of your disclosure, including uploaded documents submitted through the e-filing system. Such information is not required to be disclosed and should not be provided. Filers must redact any such information from any documents prior to uploading them to the system.

Disclosures submitted by confidential filers will be reviewed for confidential/exempt information pursuant to Chapter 119 and redactions will be applied by the Commission, as permitted by law, prior to publication. "additional information"

A FEW THINGS BEFORE YOU BEGIN

You have five options for completing your disclosure:

1. Type the information directly into the form fields for each section, just as you would complete a written form.

2. Import data from last year's form by clicking the "Load Prior Year Data" button. Any imported entries must be reviewed and updated for the current form year. Any documents uploaded in prior form year cannot be imported into the new form.

3. Have your CPA or Attorney complete the form for you. The option is offered via the "Share with CPA or Attorney" button at the top of the form. Note that once you turn control of your form over to your CPA/Attorney the form will be read-only on your end.

4. Import a .csv spreadsheet for any section of the form using the attached template.

5. Upload a PDF for any section of the form.

You are not required to use the same input method throughout the form. You may use any combination of the four methods when completing the form. Access video tutorials and instructions for more information.

AGENDA ITEM 3A

Subject: Consider Approval of an Agreement for Consultant Planning Services with Land Research Management, Inc. for the preparation of Evaluation and Appraisal Report Updates to the Town's Comprehensive Plan and a waiver of the Town's purchasing requirements as not practicable or advantageous.

RECOMMENDATION: Approval of Agreement with Land Research Management, Inc.

EXPLANATION:

Florida law requires that the Town perform an Evaluation and Appraisal Report (EAR) and update its Comprehensive Plan on a periodic basis. Jim Fleischmann of Land Research Management, Inc. has performed planning services for the Town on a consulting basis for almost twenty (20) years and has prepared the Town's last two statutorily-required EAR updates. He also prepared the Town's EAR Notification Letter that was submitted to the State Department of Economic Opportunity last year. The Notification Letter outlines the required updates to the Comprehensive Plan.

Town Staff is recommending retaining Mr. Fleischmann to prepare the supporting documentation necessary to justify the required Comprehensive Plan Amendments, as well as prepare and submit the Amendments to the State as required by law. Mr. Fleischmann will bill the Town on an hourly basis at a rate of \$150.00 per hour up to a maximum of \$15,000.00.

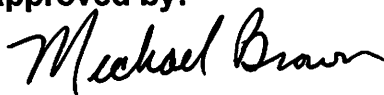
The Town's purchasing procedures generally require written quotes for purchases in excess of \$5,000.00 but less than \$20,000.00. However, due to Mr. Fleischmann's prior planning work on behalf of the Town and his preparation of the previous updates to the Town's Comprehensive Plan, Town Staff is requesting that the Town Council waive the purchasing requirements as not practicable or advantageous to the Town in accordance with Section 2-86 of the Town Code.

PROGRAM IMPACT: Comply with the statutorily-mandated requirement to periodically update the Town's Comprehensive Plan.

FISCAL IMPACT: \$15,000

ALTERNATIVES: To approve, deny or table.

Approved by:



Town of Hypoluxo

June 19, 2024

AGREEMENT FOR CONSULTANT PLANNING SERVICES

THIS AGREEMENT is made as of the ____ day of _____, 2024, by and between the Town of Hypoluxo, Florida, a Florida municipal corporation (“TOWN”) and Land Research Management, Inc., a Florida corporation (“CONSULTANT”).

RECITALS

WHEREAS, the TOWN wishes to retain CONSULTANT to prepare the state mandated Evaluation and Appraisal Report (EAR) update to the Town’s Comprehensive Plan; and

WHEREAS, CONSULTANT has established itself as a qualified planning firm capable of providing such services and has provided such services to the TOWN on a recurring basis; and

WHEREAS, CONSULTANT prepared the 2023 Town of Hypoluxo EAR Notification Letter, which provides direction for updating the Comprehensive Plan; and

WHEREAS, CONSULTANT desires to perform such services on behalf of the TOWN in accordance with the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

SECTION 1: CONSULTANT’S SERVICES.

- a. The TOWN hereby engages CONSULTANT to perform the EAR-Based Comprehensive Plan Update as set forth in the Scope of Services attached hereto as Exhibit “A” and incorporated herein by reference.
- b. The TOWN shall provide CONSULTANT with all TOWN data, records, and information necessary to update the Comprehensive Plan.
- c. The TOWN shall be responsible for reproduction of the necessary copies of the documents prepared by CONSULTANT and shall submit for publication all required notices related to legal advertising prepared by CONSULTANT pursuant to the Scope of Services.

SECTION 2: TERM OF SERVICES AND COMPENSATION.

- a. This Agreement shall be for a period of one (1) year from the date of execution or until the services contemplated hereunder are complete, whichever first occurs, unless earlier terminated in accordance with the terms and conditions set forth herein.

- b. The TOWN shall compensate CONSULTANT at a rate of one hundred and fifty (\$150.00) per hour up to maximum of Fifteen Thousand Dollars (\$15,000.00).

SECTION 3: METHOD OF PAYMENT.

- a. CONSULTANT shall invoice the TOWN monthly in accordance with the amount of work completed. TOWN shall pay CONSULTANT within twenty (20) days of receipt of CONSULTANT's written invoice.
- b. In order for both parties herein to close their books and records, CONSULTANT will clearly state "final invoice" on CONSULTANT's final billing to the TOWN. This certifies that all services have been properly performed and all charges have been invoiced to the TOWN. Since this account will thereupon be closed, any and other further charges if not properly included in this final invoice are waived by CONSULTANT.

SECTION 4: INDEMNIFICATION.

- a. CONSULTANT shall indemnify and hold harmless the TOWN, and its officers and employees, from liabilities, damages, losses, and costs, including but not limited to, reasonable attorney's fees (at the trial and appellate levels), to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of CONSULTANT and other persons employed or utilized by CONSULTANT in the performance of services under this Agreement.
- b. If, consistent with the foregoing indemnification, the CONSULTANT is responsible for indemnifying the TOWN for a liability, damage, loss and/or cost to the TOWN, any sums due CONSULTANT under this Agreement may be offset, reduced, or withheld by the TOWN until that claim for indemnification by the TOWN has been resolved or settled, and any amount offset, reduced, or withheld by the TOWN under this Section shall not be subject to payment of interest by the TOWN.
- c. Nothing contained in this Agreement shall be construed a waiver of sovereign immunity beyond the limited waiver as provided in Section 768.28, Florida Statutes.

SECTION 5: TERMINATION.

- a. This Agreement may be terminated by CONSULTANT upon thirty (30) days' prior written notice to the TOWN in the event of the TOWN's failure to perform in accordance with the terms of this Agreement through no fault of CONSULTANT.
- b. This Agreement may be terminated by the TOWN with or without cause upon ten (10) days' written notice to CONSULTANT. In addition, the TOWN may terminate this Agreement immediately if funds are not available to compensate CONSULTANT or CONSULTANT is in breach of this Agreement. Unless

CONSULTANT is in breach of this Agreement, the CONSULTANT shall be paid for services rendered through the date of termination.

SECTION 6: INSURANCE.

- a. CONSULTANT shall maintain, during the life of this Agreement, comprehensive automobile liability insurance in the minimum amount of \$500,000 combined single limit for bodily injury and property damages liability to protect CONSULTANT from claims for damages for bodily and personal injury, including death, as well as from claims for property damage, which may arise from the ownership, use, or maintenance of owned and non-owned automobiles, including rented automobiles.
- b. The parties to this Agreement shall carry Workers' Compensation Insurance and Employer's Liability Insurance for all employees as required by Florida Statutes.

SECTION 7: GOVERNING LAW AND VENUE

This Agreement shall be governed by the laws of the State of Florida. All legal action necessary to enforce the Agreement will be held in Palm Beach County.

SECTION 8: INDEPENDENT CONTRACTOR RELATIONSHIP.

CONSULTANT is, and shall be, in the performance of all Services under this Agreement, an independent contractor, and not an employee, agent, or servant of the TOWN. All persons engaged in any of the Services performed pursuant to this Agreement shall at all times, and in all places, be subject to CONSULTANT's sole direction, supervision, and control. The CONSULTANT shall exercise control over the means and manner in which it and its employees perform the Services. CONSULTANT is authorized to subcontract professional services when and if deemed necessary to complete the Scope of Services provided however, that the cost of any such subcontracted work shall be included in the compensation payable to CONSULTANT.

SECTION 9: ENFORCEMENT COSTS.

If any legal action or other proceeding is brought for the enforcement of this Agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any provisions of this Agreement, the successful or prevailing party or parties shall be entitled to recover reasonable attorney's fees, court costs and all expenses (including taxes) even if not taxable as court awarded costs (including, without limitation, all such fees, costs and expenses incident to appeals), incurred in that action or proceeding, in addition to any other relief to which such party or parties may be entitled.

SECTION 10: SEVERABILITY.

If any term or provision of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, to remainder of this

Agreement, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

SECTION 11: NOTICE.

All notices required in this Agreement shall be sent by certified mail, return receipt requested, and if sent to the TOWN shall be mailed to:

TOWN OF HYPOLUXO
Attn: Michael C. Bown, Mayor
7580 South Federal Highway
Hypoluxo, FL 33426

and if sent to CONSULTANT shall be mailed to:

LAND RESEARCH MANAGEMENT, INC.
Attn: James P. Fleischmann
2240 Palm Beach Lakes Boulevard, Suite 103
West Palm Beach, FL 33409

SECTION 12: ENTIRETY OF CONTRACTUAL AGREEMENT.

The TOWN and CONSULTANT agree that this Agreement sets forth the entire agreement between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in this Agreement may be added to, modified, superseded, or otherwise altered, except by written instrument executed by the parties hereto.

SECTION 13: WAIVER.

Failure of a party to enforce or exercise any of its right(s) under this Agreement shall not be deemed a waiver of that parties' right to enforce or exercise said right(s) at any time thereafter.

SECTION 14: SURVIVABILITY. Any provision of this Agreement which is of a continuing nature or imposes an obligation which extends beyond the term of this Agreement shall survive its expiration or earlier termination.

SECTION 15: INSPECTOR GENERAL

CONSULTANT is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this Agreement and in furtherance thereof, may demand and obtain records and testimony from the CONSULTANT and its subconsultants. CONSULTANT understands

and agrees that in addition to all other remedies and consequences provided by law, the failure of consultant or its subconsultants to fully cooperate with the Inspector General when requested may be deemed by the TOWN to be a material breach of the Agreement justifying termination.

SECTION 16: PUBLIC RECORDS

IF CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT DEPUTY TOWN CLERK DIXIE GUALTIERI, THE CUSTODIAN OF RECORDS, AT (561) 582-0155 OR DGUALTIERI@HYPOLUXO.ORG, 7580 SOUTH FEDERAL HIGHWAY, HYPOLUXO, FL 33462

CONSULTANT shall comply with the provisions of Section 119.0701, Florida Statutes, and specifically agrees to:

- a. Keep and maintain public records required by the TOWN to perform the service.
- b. Upon request from the TOWN's custodian of public records, provide the TOWN with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Agreement term and following completion of the Agreement if CONSULTANT does not transfer the records to the public agency.
- d. Upon completion of the Agreement, transfer, at no cost, to the TOWN all public records in possession of CONSULTANT or keep and maintain public records required by the TOWN to perform the service. If CONSULTANT transfers all public records to the TOWN upon completion of the Agreement, CONSULTANT shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If CONSULTANT keeps and maintains public records upon completion of the Agreement, CONSULTANT shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the TOWN, upon request from the TOWN's custodian of public records, in a format that is compatible with the information technology systems of the TOWN.

ARTICLE 31. E-VERIFY

CONSULTANT warrants and represents that CONSULTANT and all subconsultants are in compliance with Section 448.095, Florida Statutes, as may be

amended. CONSULTANT has registered to use, and shall continue to use, the E-Verify System (E-Verify.gov) to electronically verify the employment eligibility of newly hired employees and has received an affidavit from each subconsultant stating that the subconsultant does not employ, contract with or subcontract with an unauthorized alien. If the Town has a good faith belief that CONSULTANT has knowingly violated Section 448.09(1), Florida Statutes, the TOWN shall terminate this Agreement pursuant to Section 448.095(2), Florida Statutes, as may be amended. If the TOWN has a good faith belief that a subconsultant has knowingly violated Section 448.09(1), Florida Statutes, but CONSULTANT has otherwise complied, it shall notify CONSULTANT, and CONSULTANT shall immediately terminate its contract with the subconsultant.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement for Planning Services as of the day and year first above written.

LAND RESEARCH MANAGEMENT, INC.

BY: _____
JAMES P. FLEISCHMANN
VICE PRESIDENT

TOWN OF HYPOLUXO

BY: _____
MICHAEL C. BROWN, MAYOR

ATTEST:

BY: _____
DIXIE GUALTIERI
DEPUTY TOWN CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
LEONARD G. RUBIN
TOWN ATTORNEY

Hypoluxo Planning Services Scope Preparation of Evaluation and Appraisal Report (E.A.R.) Comprehensive Plan Amendments

Introduction

Pursuant to Florida law, the Town of Hypoluxo needs to update its Comprehensive Plan pursuant to the required periodic Evaluation and Appraisal process. The following Work Scope is related to providing professional planning assistance to the Town to update the Comprehensive Plan pursuant to current statutory comprehensive planning requirements.

To complete the necessary update, the following two-phase approach is proposed: (1) preparation of the support documentation necessary to justify required Comprehensive Plan amendments; and (2) preparation, processing and approval of the Comprehensive Plan amendments, including updating of the Comprehensive Plan document.

In summary, the following Work Scope is proposed to address to complete the E.A.R. Comprehensive Plan amendment update process:

Work Scope

A. Evaluation and Appraisal Report (EAR)

Task 1: Prepare background reports and justification statements for each of the following requirements: Editing statutory and administrative references; updating the planning period and related impacts projections; coordination with the Boynton Beach, and the Lower East Coast, if necessary 10-Year Water Supply Plans; incorporation of a Private Property Rights Element; and additional issues that arise during the preparation of the EAR Amendments.

Task 2: Prepare the EAR document, including background statements and proposed Comprehensive Plan amendments for each of the above issues.

Task 3: Attend Town Staff and Council meetings to discuss adoption and/or revision of the E.A.R.

Task 4: Finalize the E.A.R document, as necessary based upon Task 3.

B. E.A.R. Comprehensive Plan Amendments

Task 5. Draft Comprehensive Plan amendments, including text and maps based upon the approved EAR.

- Task 6:* Draft necessary legal ads for the Local Planning Agency (LPA) and Town Council.
- Task 7:* Present Comprehensive Plan amendments to the Local Planning Agency (LPA) at a public hearing on the matter. Present to Town Council for adoption (first reading).
- Task 8:* Transmit EAR and proposed (i.e. adopted on first reading) Comprehensive Plan amendments to FDEO and required local and state agencies. After transmittal, monitor the State review process.
- Task 9:* Review the State ORC Report and any agency objections and prepare necessary revisions to the Comprehensive Plan amendments.
- Task 10:* Present the final Comprehensive Plan amendments to Town Council for adoption (second reading). Submit adopted Comprehensive Plan to FDEO.
- Task 11:* Update Comprehensive Plan document to incorporate amendments following an FDEO Finding of Compliance.

C. Additional Amendments

- Task 12:* The Town, at its discretion, may request additional Comprehensive Plan amendments during the completion of Tasks 1 – 11.

Time Frame

1. Estimated Timeframe: Tasks 1 to 5 – 3 months.
2. Estimated Timeframe: Tasks 6 to 11 – 5 months.

Budget

Time and materials basis for Tasks 1 - 11 not to exceed a total of \$15,000, based upon an average hourly rate of one hundred-fifty dollars (\$150.00) per hour. The Town shall be billed monthly based upon the hours accrued during the previous month.

Any additional work under Task 12, if necessary, shall be negotiated under a separate Work Scope, Time Frame and Budget.



Jim Fleischmann

Date: June 11, 2024

AGENDA ITEM 3B

Subject: Select Voting Delegate to the Florida League of Cities

RECOMMENDATION: Town's council selects one of its own to be the voting delegate at the Florida League of Cities (FLC) conference which will be held August 15-17, 2024 at the Hollywood Diplomat.

EXPLANATION:

The FLC business session is held on Saturday afternoon of the conference. Each City or Town has voting delegates based upon population. One person from council should be selected as our voting delegate.

PROGRAM IMPACT: Business of the FLC will be handled.

FISCAL IMPACT: None

ALTERNATIVES: To approve, deny or table.

Approved by:



Town of Hypoluxo

June 19, 2024

AGENDA ITEM C. 5

Subject: Finance (1) Budget vs. Actual for the General Fund and (2) Balance Sheet for Reserves and also the State Surtax funds.

RECOMMENDATION: None

EXPLANATION: The Budget report is as of May 2024 or 68% of the 2024 fiscal year. The statement of reserves is as of May 2024.

PROGRAM IMPACT: None

FISCAL IMPACT: None

ALTERNATIVES: None

Approved by:


Town of Hypoluxo

June 19, 2024

Hypoluxo General Fund
Balance Sheet
As of May 31, 2024

	<u>May 31, 24</u>
ASSETS	
Current Assets	
Checking/Savings	
Cash in Bank	
Checking Account Seacoast	43,821.32
Investment Account Seacoast	1,540,784.20
Money Market Account Seacoa...	897,422.20
Total Cash in Bank	<u>2,482,027.72</u>
Total Checking/Savings	2,482,027.72
Accounts Receivable	
Accounts Receivables	
Accounts Receivable Other	1,641.83
Total Accounts Receivables	1,641.83
Assessment Receivable	
Hypoluxo Shores Assessment ...	34,712.26
Total Assessment Receivable	34,712.26
Due from Other Fund	
Due from Capital Fund	-27,333.03
Total Due from Other Fund	-27,333.03
Due From Other Govt Units	
Grants Receivable	13,269.64
Total Due From Other Govt Units	<u>13,269.64</u>
Total Accounts Receivable	<u>22,290.70</u>
Total Current Assets	<u>2,504,318.42</u>
TOTAL ASSETS	<u><u>2,504,318.42</u></u>

Hypoluxo General Fund
Balance Sheet
As of May 31, 2024

	<u>May 31, 24</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	
Acct Payables	17,218.31
Total Accounts Payable	<u>17,218.31</u>
Total Accounts Payable	17,218.31
Other Current Liabilities	
Accrued Salaries Payable	
Accrued Salaries	8,028.00
Total Accrued Salaries Payable	8,028.00
Deferred Rev	
Deferred Rev Spec Assessment	34,712.26
Total Deferred Rev	<u>34,712.26</u>
Total Other Current Liabilities	<u>42,740.26</u>
Total Current Liabilities	<u>59,958.57</u>
Total Liabilities	59,958.57
Equity	
Fund Balance Unassigned	
Opening Bal Equity	898,504.90
Total Fund Balance Unassigned	898,504.90
Retained Earnings	1,453,002.81
Net Income	<u>92,852.14</u>
Total Equity	<u>2,444,359.85</u>
TOTAL LIABILITIES & EQUITY	<u><u>2,504,318.42</u></u>

Hypoluxo General Fund
Profit & Loss Budget vs. Actual
 October 2023 through May 2024

	<u>Oct '23 - Ma...</u>	<u>Budget</u>	<u>\$ Over Bud...</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Communication Services Taxes				
Communication Service Tax Local	49,889.02	0.00	49,889.02	100.0%
Total Communication Services Tax...	49,889.02	0.00	49,889.02	100.0%
Franchise Fees				
Franchise Fee Electricity FPL	8,842.40	0.00	8,842.40	100.0%
Franchise Fee Solid Waste Mgmt	18,087.87	0.00	18,087.87	100.0%
Total Franchise Fees	26,930.27	0.00	26,930.27	100.0%
Interest and Other Earnings				
Interest Income	25,874.11	0.00	25,874.11	100.0%
Unrealized Gain/Loss Investment	19,903.80			
Total Interest and Other Earnings	45,777.91	0.00	45,777.91	100.0%
Interfund Group Transfers In				
Transfer In Capital or Oth Fund	1,615,270.03			
Total Interfund Group Transfers In	1,615,270.03			
Local Business Taxes				
Contractor Registration Fee	144.00	0.00	144.00	100.0%
Local Business Tax	10,092.50	0.00	10,092.50	100.0%
Total Local Business Taxes	10,236.50	0.00	10,236.50	100.0%
Oth Judgements, Fines, Forfeits				
County Fines Forfeitures	127.05			
Fines F Alarm, Park, Code Viol	125.00			
Total Oth Judgements, Fines, Forf...	252.05			
Other Miscellaneous Revenues				
Miscellaneous Income Other	-1,000,235.27			
Other Miscellaneous Revenues	2,848.56	0.00	2,848.56	100.0%
Total Other Miscellaneous Revenues	-997,386.71	0.00	-997,386.71	100.0%
Other Permit/Spec Assessments				
Election Filing Fees	12.00	0.00	12.00	100.0%
Total Other Permit/Spec Assessme...	12.00	0.00	12.00	100.0%
Permits				
Bldg Permit Surcharge Fees	3,449.67	0.00	3,449.67	100.0%
Building Permit Fees	158,590.11	0.00	158,590.11	100.0%
Permits - Other	3,709.00			
Total Permits	165,748.78	0.00	165,748.78	100.0%
Shared Rev from Oth Local Units				
County Business Tax	1,457.32	0.00	1,457.32	100.0%
Local Option Fuel Tax	5,556.12	0.00	5,556.12	100.0%
Total Shared Rev from Oth Local U...	7,013.44	0.00	7,013.44	100.0%
Special Assessments				
Spec Assessmt Hypo Shore Sewer	6,883.32	0.00	6,883.32	100.0%
Total Special Assessments	6,883.32	0.00	6,883.32	100.0%
State Revenue Sharing				
St Alcoholic Beverage License	97.89	0.00	97.89	100.0%
St Rev Share Garbage/S Waste	0.00	0.00	0.00	0.0%
St Rev Sharing Mobile Home Lic	36.00	0.00	36.00	100.0%
ST Sales 1/2 Surtax Cap Income	95,746.60	0.00	95,746.60	100.0%
State Revenue Sharing	42,371.25	0.00	42,371.25	100.0%

Hypoluxo General Fund
Profit & Loss Budget vs. Actual
 October 2023 through May 2024

	<u>Oct '23 - Ma...</u>	<u>Budget</u>	<u>\$ Over Bud...</u>	<u>% of Budget</u>
State Revenue Sharing Sales Tax	93,534.77	0.00	93,534.77	100.0%
Total State Revenue Sharing	231,786.51	0.00	231,786.51	100.0%
Taxes and Franchise Fees				
Ad Valorem Tax	1,408,308.23	0.00	1,408,308.23	100.0%
Total Taxes and Franchise Fees	1,408,308.23	0.00	1,408,308.23	100.0%
Utility Services Taxes				
Florida Power & Light Tax	71,836.86	0.00	71,836.86	100.0%
Utility Services Taxes - Other	0.00	0.00	0.00	0.0%
Total Utility Services Taxes	71,836.86	0.00	71,836.86	100.0%
Total Income	2,642,558.21	0.00	2,642,558.21	100.0%
Gross Profit	2,642,558.21	0.00	2,642,558.21	100.0%

Hypoluxo General Fund
Profit & Loss Budget vs. Actual
 October 2023 through May 2024

	Oct '23 - Ma...	Budget	\$ Over Bud...	% of Budget
Expense				
Gen Govt Services Executive				
Advertising	2,600.65	0.00	2,600.65	100.0%
Auditing	7,500.00	0.00	7,500.00	100.0%
Comprehensive Planning	0.00	0.00	0.00	0.0%
Consulting Expenses	8,222.40	0.00	8,222.40	100.0%
Donations	0.00	0.00	0.00	0.0%
Election Expenses	2,692.64	0.00	2,692.64	100.0%
Electricity Library	1,155.70	0.00	1,155.70	100.0%
Electricity Office	2,197.91	0.00	2,197.91	100.0%
Legal Counsel (Attorney Fees)	29,104.00	0.00	29,104.00	100.0%
Liability Insurance	82,608.50	0.00	82,608.50	100.0%
Meetings, Seminars, Training	4,283.39	0.00	4,283.39	100.0%
Office Equipment	0.00	0.00	0.00	0.0%
Office Equipment Maint.	27,211.57	0.00	27,211.57	100.0%
Office Expenses	30,835.89	0.00	30,835.89	100.0%
Operating Expenses	9,715.35			
Organizational Dues	2,340.00	0.00	2,340.00	100.0%
Property Maintenance	457,858.26	0.00	457,858.26	100.0%
Special Events	22,411.56	0.00	22,411.56	100.0%
Telephone	3,464.46	0.00	3,464.46	100.0%
Total Gen Govt Services Executive	694,202.28	0.00	694,202.28	100.0%
General Governmental Services				
Gen Govt Services Legislative				
Insurance Life/Health	51,932.04	0.00	51,932.04	100.0%
Payroll Expenses	189,318.64	0.00	189,318.64	100.0%
Planning and Zoning Expenses	0.00	0.00	0.00	0.0%
Town Council Monthly Stipends	20,000.00	0.00	20,000.00	100.0%
Total Gen Govt Services Legislat...	261,250.68	0.00	261,250.68	100.0%
Total General Governmental Servic...	261,250.68	0.00	261,250.68	100.0%
Other Gen Gov Services (Misc)				
Miscellaneous Expenses	1,700.00	0.00	1,700.00	100.0%
Total Other Gen Gov Services (Misc)	1,700.00	0.00	1,700.00	100.0%
Pension Benefits				
Administrative Clerk Pension	3,669.28	0.00	3,669.28	100.0%
Deputy Clerk Pension	5,415.76	0.00	5,415.76	100.0%
Receptionists Pension	2,880.00	0.00	2,880.00	100.0%
Total Pension Benefits	11,965.04	0.00	11,965.04	100.0%
Physical Environment				
Enhancement by Council	0.00	0.00	0.00	0.0%
Landscape Maintenance	65,138.45	0.00	65,138.45	100.0%
Sales Surtax Capital Expenses	0.00	0.00	0.00	0.0%
Total Physical Environment	65,138.45	0.00	65,138.45	100.0%
Public Safety				
Building Permit and Inspect Fee	111,154.25	0.00	111,154.25	100.0%
Building Surcharge Fees	163.04	0.00	163.04	100.0%
FDLE Grant Expenditures	0.00	0.00	0.00	0.0%
Fire and Medical Rescue Expense	530,633.28	0.00	530,633.28	100.0%
Police	868,376.23	0.00	868,376.23	100.0%
Total Public Safety	1,510,326.80	0.00	1,510,326.80	100.0%
Transportation				
Electricity - Street Lights	5,122.82	0.00	5,122.82	100.0%
Street Signs	0.00	0.00	0.00	0.0%
Total Transportation	5,122.82	0.00	5,122.82	100.0%

10:08 AM
06/14/24
Accrual Basis

Hypoluxo General Fund
Profit & Loss Budget vs. Actual
October 2023 through May 2024

	<u>Oct '23 - Ma...</u>	<u>Budget</u>	<u>\$ Over Bud...</u>	<u>% of Budget</u>
Total Expense	<u>2,549,706.07</u>	<u>0.00</u>	<u>2,549,706.07</u>	<u>100.0%</u>
Net Ordinary Income	<u>92,852.14</u>	<u>0.00</u>	<u>92,852.14</u>	<u>100.0%</u>
Net Income	<u><u>92,852.14</u></u>	<u><u>0.00</u></u>	<u><u>92,852.14</u></u>	<u><u>100.0%</u></u>

Hypoluxo Capital Construction Fund
Balance Sheet
As of May 31, 2024

	<u>May 31, 24</u>
ASSETS	
Current Assets	
Checking/Savings	
Cash	<u>486,095.94</u>
Total Checking/Savings	<u>486,095.94</u>
Total Current Assets	<u>486,095.94</u>
TOTAL ASSETS	<u><u>486,095.94</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to Other Funds	<u>-27,333.03</u>
Total Other Current Liabilities	<u>-27,333.03</u>
Total Current Liabilities	<u>-27,333.03</u>
Total Liabilities	<u>-27,333.03</u>
Equity	
Fund Balances Unassigned	17,915.20
Retained Earnings	474,903.68
Net Income	<u>20,610.09</u>
Total Equity	<u>513,428.97</u>
TOTAL LIABILITIES & EQUITY	<u><u>486,095.94</u></u>

10:14 AM
06/14/24
Accrual Basis

Hypoluxo Capital Construction Fund
Profit & Loss
October 2023 through May 2024

	<u>Oct '23 - May 24</u>
Ordinary Income/Expense	
Income	
Interest and Other Earnings	4,106.72
State Revenue Sharing	<u>16,503.37</u>
Total Income	<u>20,610.09</u>
Gross Profit	<u>20,610.09</u>
Net Ordinary Income	<u>20,610.09</u>
Net Income	<u><u>20,610.09</u></u>

AGENDA ITEM C. 5b

Subject: Fiscal year 2022-2023 Audit Report for the Town of Hypoluxo

RECOMMENDATION: Council approves, accepts and recommends forwarding the Fiscal Year 2023 Town of Hypoluxo audit report to the State of Florida.

EXPLANATION: Grau & Associates conducted the financial audit for the Town of Hypoluxo. A representative from Grau & Associates will be present at this meeting to explain and answer questions about the audit.

PROGRAM IMPACT: Ensures the financial expenditures and receipts for Fiscal Year 2023 are consistent with the Town's Budget.

FISCAL IMPACT: None.

ALTERNATIVES: To accept the Fiscal Year 2023 Audit and recommend forward to the State.

Approved by:


Town of Hypoluxo

June 19, 2024

AGENDA ITEM C. 5b

Subject: *Fiscal year 2022-2023 Audit Report for the Town of Hypoluxo*

RECOMMENDATION: Council approves, accepts and recommends forwarding the Fiscal Year 2023 Town of Hypoluxo audit report to the State of Florida.

EXPLANATION: Grau & Associates conducted the financial audit for the Town of Hypoluxo. A representative from Grau & Associates will be present at this meeting to explain and answer questions about the audit.

PROGRAM IMPACT: Ensures the financial expenditures and receipts for Fiscal Year 2023 are consistent with the Town's Budget.

FISCAL IMPACT: None.

ALTERNATIVES: To accept the Fiscal Year 2023 Audit and recommend forward to the State.

Approved by:



Town of Hypoluxo

June 19, 2024