

Council Members

Roger Manning-Mayor
Katrina Long Robinson-Vice Mayor
John Stanavitch-Seat 1
Kara Crump-Seat 2
Phillip Everett-Seat 3



City of Westlake

4001 Seminole Pratt Whitney Rd.
Westlake, Florida 33470
Phone: 561-530-5880
Fax: 561-790-5466

Regular Meeting and Public Hearing

Monday, April 9, 2018

Meeting Location

Westlake Council Chambers

4005 Seminole Pratt-Whitney Road

Westlake, FL 33470

7:00 PM

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing may be continued to another date and time as may be found necessary during the aforesaid meeting. In accordance with the provisions of the Americans with Disabilities Act (ADA), any person requiring special accommodations at these meetings because of disability or physical impairment should contact the Interim City Manager at (954)753-5841 at least two (2) calendar days prior to the meeting.

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City of Westlake

4001 Seminole Pratt Whitney Rd.
Westlake, Florida 33470
Phone: 561-530-5880
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April 4, 2018

City Council
City of Westlake

Dear Mayor and Council:

The City Council of the City of Westlake will hold a regular meeting and public hearing on Monday, April 9, 2018 at 7:00 p.m. at the Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, Westlake, Florida. Following is the advance agenda for the meeting.

1. Call to Order/ Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Audience Comments on Agenda Items (3) Minute Time Limit
5. Approval of the Minutes of the March 26, 2018 Meetings
6. Approval of Financial Statements for February 2018
7. Appointment of Vice Mayor

PUBLIC HEARING

8. Resolution 2018-12, Approving the Final Plat for Town Center Parkway South, Phase II
9. PBSO Monthly Report – Informational Only
10. City Manager
11. City Attorney
12. Council Comments
13. Audience Comments on Other Items (3) Minute Time Limit
14. Adjournment

Any additional supporting material for the items listed above, not included in the agenda package, will be distributed at the meeting. Staff will present their reports at the meeting. I look forward to seeing you, but in the meantime if you have any questions, please contact me.

Sincerely,

Kenneth Cassel

Kenneth G. Cassel
City Manager

cc: Pam E. Booker, Esq.
John Carter
Terry Lewis
Kelley Burke

Fifth Order of Business

FIFTH ORDER OF BUSINESS

Approval of the Minutes of the March 12, 2018 Meeting

On MOTION by Councilwoman Crump seconded by Councilman Everett with all in favor the minutes of the March 12, 2018 meeting were approved.

SIXTH ORDER OF BUSINESS

Resolution 2018-8, Approving Amended Site Plan for POD K Phase 1 Medical Office

Ms. Zacarias provided an overview of the amended site plan for POD H, Phase 1 Medical Office.

Mr. Hearing briefly addressed the Council on behalf of UHS.

Mr. Cassel read Resolution 2018-8 by title only.

On MOTION by Councilman Stanavitch seconded by Councilman Everett with all in favor Resolution 2018-8, approving amended site plan for POD K, Phase 1 Medical Office, was adopted.

SEVENTH ORDER OF BUSINESS

Resolution 2018-9, Approving the Final Plat for FP&L Solar Energy

Mr. Hearing addressed the Board on behalf of FP&L regarding the plat for solar energy.

Mr. Cassel read Resolution 2018-9 by title only.

On MOTION by Councilman Everett seconded by Vice Mayor Long Robinson with all in favor Resolution 2018-9, approving the final plat for FP&L Solar Energy, was adopted.

EIGHTH ORDER OF BUSINESS

Resolution 2018-10, Approving the Final Site Plan for FP&L Solar Energy

Ms. Booker stated this resolution does not need to be adopted. A presentation was provided during the Planning and Zoning meeting.

NINTH ORDER OF BUSINESS

City Manager

Mr. Cassel stated traffic on Seminole Pratt Whitney Road is scheduled to be switched to the east side on April 3, 2018, contingent upon AT&T completing their work on 60th Street. The entire project is expected to be completed in June.

March 26, 2018

TENTH ORDER OF BUSINESS

City Attorney

Ms. Booker distributed a letter from DEO, which was received today. The letter states they have received the City's Comprehensive Plan. It is under review and they will issue a Notice of Intent by May 4, 2018.

ELEVENTH ORDER OF BUSINESS

Council Comments

Vice Mayor Long Robinson reported she was at Seminole Ridge Community High School. They have several homeless students and they are looking for donated prom attire. They also need donations for these students' cap and gowns.

TWELFTH ORDER OF BUSINESS

**Audience Comments on Other Items (3)
Minute Time Limit**

The following comments were made:

- Mr. Carter provided an update on development by Minto PBLH. Approximately 115 homes have been sold. Construction on the Amenity Center will begin soon.
- Ms. Jaqueline Emmerson, of Earthcare Properties Specialist, addressed the Council and expressed her enthusiasm in the City's growth.

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being no further business, the meeting adjourned at 7:26 p.m.

Kenneth Cassel
City Manager

Roger Manning
Mayor

Sixth Order of Business



MEMORANDUM

TO: Members of the City Council, City of Westlake
FROM: Jennifer Ramdin, Accountant II, Alan Baldwin, Accounting Manager
CC: Ken Cassel, City Manager
DATE: March 27, 2018
SUBJECT: February Financial Report

Please find attached the February 2018 financial report. During your review, please keep in mind that the goal is for revenue to meet or exceed the year-to-date budget and for expenditures to be at or below the year-to-date budget. An overview of the City is provided below. Should you have any questions or require additional information, please contact me at jennifer.ramdin@inframark.com.

General Fund

- Total Revenue is approximately 56% of the annual budget which includes funding agreement with Minto Community LLC. (Developer) and Building Permits. Ad Valorem Tax Collection is currently at 100%.
- Total expenditures through February are favorable at approximately 33% of the annual budget.

Special Revenue Fund – Housing Assistance Program

- Budget amendment was approved in January.

City of Westlake

Financial Report

February 28, 2018



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City of Westlake

Financial Statements

February 28, 2018

Balance Sheet
February 28, 2018

| ACCOUNT DESCRIPTION | GENERAL FUND | SPECIAL REVENUE FUND - HOUSING ASSISTANCE PROGRAM | TOTAL |
|--|-------------------|---|---------------------|
| <u>ASSETS</u> | | | |
| Cash - Checking Account | \$ 739,499 | \$ - | \$ 739,499 |
| Accounts Receivable | 13,471 | - | 13,471 |
| Investments: | | | |
| Money Market Account | 86,772 | 317,056 | 403,828 |
| Prepaid Credit Card | 2,452 | - | 2,452 |
| TOTAL ASSETS | \$ 842,194 | \$ 317,056 | \$ 1,159,250 |
| <u>LIABILITIES</u> | | | |
| Accrued Expenses | 35,616 | - | 35,616 |
| Solid Waste fees | 624 | - | 624 |
| TOTAL LIABILITIES | 36,240 | - | 36,240 |
| <u>FUND BALANCES</u> | | | |
| Restricted for: | | | |
| Special Revenue | - | 317,056 | 317,056 |
| Unassigned: | 805,954 | - | 805,954 |
| TOTAL FUND BALANCES | \$ 805,954 | \$ 317,056 | \$ 1,123,010 |
| TOTAL LIABILITIES & FUND BALANCES | \$ 842,194 | \$ 317,056 | \$ 1,159,250 |

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending February 28, 2018

| ACCOUNT DESCRIPTION | AMENDED BUDGET | YEAR TO DATE BUDGET | YEAR TO DATE ACTUAL | VARIANCE (\$) FAV(UNFAV) |
|--------------------------------|-------------------|------------------------|------------------------|-----------------------------|
| REVENUES | | | | |
| Interest - Investments | \$ 2,000 | \$ 833 | \$ 439 | \$ (394) |
| Ad Valorem Taxes | 138,030 | 92,020 | 138,164 | 46,144 |
| Ad Valorem Taxes - Discounts | (5,521) | (3,681) | (5,424) | (1,743) |
| Occupational Licenses | 5,000 | 2,083 | 15,727 | 13,644 |
| Building Permits | 160,000 | 66,667 | 376,105 | 309,438 |
| Local Govt .05c Sales Tax | 1,000 | 417 | 33 | (384) |
| Administrative Fees | - | - | 495 | 495 |
| Other Impact Fees | 1,500 | 375 | - | (375) |
| Developer Contribution | 1,580,967 | 1,053,978 | 519,568 | (534,410) |
| Inspection Fees | 1,000 | 417 | 500 | 83 |
| TOTAL REVENUES | 1,883,976 | 1,213,109 | 1,045,607 | (167,502) |
| EXPENDITURES | | | | |
| Administration | | | | |
| Mayor/Council Stipend | 204,000 | 85,000 | 85,000 | - |
| FICA Taxes | 15,606 | 6,503 | 6,503 | - |
| ProfServ-Engineering | 100,000 | 41,667 | 82,142 | (40,475) |
| ProfServ-Legal Services | 284,280 | 118,450 | 121,411 | (2,961) |
| ProfServ-Legislative Expense | 18,000 | 7,500 | - | 7,500 |
| ProfServ-Planning/Zoning Board | 170,000 | 70,833 | 73,868 | (3,035) |
| ProfServ-Consultants | 40,000 | 16,667 | 7,625 | 9,042 |
| ProfServ-Building Permits | 160,000 | 66,667 | 66,950 | (283) |
| Management Services | 283,830 | 118,263 | 131,771 | (13,508) |
| ProfServ-Web Site Maintenance | 5,900 | 2,458 | 2,308 | 150 |
| Auditing Services | 7,000 | - | - | - |
| Communication - Telephone | 7,500 | 3,125 | 1,106 | 2,019 |
| Postage and Freight | 1,500 | 625 | 213 | 412 |
| Lease - Building | 500 | 500 | 500 | - |
| Insurance - General Liability | 15,000 | 15,000 | 6,000 | 9,000 |
| Printing and Binding | 1,000 | 417 | - | 417 |
| Legal Advertising | 10,000 | 4,167 | 11,839 | (7,672) |
| General Government | 33,360 | 13,900 | 1,341 | 12,559 |
| Council Expenses | 10,000 | 4,167 | - | 4,167 |
| Misc-Contingency | 90,000 | 37,500 | 15,801 | 21,699 |
| Office Supplies | 2,500 | 1,042 | 2,598 | (1,556) |
| Dues, Licenses, Subscriptions | 9,000 | 3,750 | 1,174 | 2,576 |
| Cap Outlay - Office Computers | 20,000 | 8,333 | - | 8,333 |
| Cap Outlay - Software | 120,000 | 50,000 | - | 50,000 |
| Total Administration | 1,608,976 | 676,534 | 618,150 | 58,384 |

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending February 28, 2018

| ACCOUNT DESCRIPTION | AMENDED BUDGET | YEAR TO DATE BUDGET | YEAR TO DATE ACTUAL | VARIANCE (\$) FAV(UNFAV) |
|--|-------------------|------------------------|------------------------|-----------------------------|
| <u>Other Public Safety</u> | | | | |
| Contracts-Sheriff | 275,000 | 114,583 | 12,763 | 101,820 |
| Total Other Public Safety | 275,000 | 114,583 | 12,763 | 101,820 |
| TOTAL EXPENDITURES | 1,883,976 | 791,117 | 630,913 | 160,204 |
| Excess (deficiency) of revenues | | | | |
| Over (under) expenditures | - | 421,992 | 414,694 | (7,298) |
| Net change in fund balance | \$ - | \$ 421,992 | \$ 414,694 | \$ (7,298) |
| FUND BALANCE, BEGINNING (OCT 1, 2017) | 391,260 | 391,260 | 391,260 | |
| FUND BALANCE, ENDING | \$ 391,260 | \$ 813,252 | \$ 805,954 | |

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending February 28, 2018

| ACCOUNT DESCRIPTION | AMENDED BUDGET | YEAR TO DATE BUDGET | YEAR TO DATE ACTUAL | VARIANCE (\$) FAV(UNFAV) |
|--|-------------------|------------------------|------------------------|--------------------------|
| REVENUES | | | | |
| Interest - Investments | \$ - | \$ - | \$ 556 | \$ 556 |
| Developer Contribution | 316,500 | 316,500 | 316,500 | - |
| TOTAL REVENUES | 316,500 | 316,500 | 317,056 | 556 |
| EXPENDITURES | | | | |
| Administration | | | | |
| Misc-Admin Fee (%) | 22,155 | 9,231 | - | 9,231 |
| Assistance Program | 294,345 | 122,644 | - | 122,644 |
| Total Administration | 316,500 | 131,875 | - | 131,875 |
| TOTAL EXPENDITURES | 316,500 | 131,875 | - | 131,875 |
| Excess (deficiency) of revenues Over (under) expenditures | - | 184,625 | 317,056 | 132,431 |
| Net change in fund balance | \$ - | \$ 184,625 | \$ 317,056 | \$ 132,431 |
| FUND BALANCE, BEGINNING (OCT 1, 2017) | - | - | - | |
| FUND BALANCE, ENDING | \$ - | \$ 184,625 | \$ 317,056 | |

City of Westlake

Supporting Schedules

February 28, 2018

Cash and Investment Report

February 28, 2018

GENERAL FUND

| <u>Account Name</u> | <u>Bank Name</u> | <u>Investment Type</u> | <u>Maturity</u> | <u>Yield</u> | <u>Balance</u> |
|------------------------------|------------------|------------------------|-----------------|-----------------|------------------|
| Checking Account - Operating | BankUnited | Checking Account | n/a | n/a | \$739,499 |
| Money Market | BankUnited | MMA | n/a | 1.00% | \$86,772 |
| | | | | Subtotal | <u>\$826,271</u> |

SPECIAL REVENUE FUND

| | | | | | |
|--------------|------------|-----|-----|-----------------|---------------------------|
| Money Market | BankUnited | MMA | n/a | 1.00% | \$317,056 |
| | | | | Subtotal | <u>\$317,256</u> |
| | | | | Total | <u><u>\$1,143,528</u></u> |

City of Westlake

Bank Reconciliation

Bank Account No. 0300 Bank United - GF
 Statement No. 02-18
 Statement Date 2/28/2018

| | | | |
|-----------------------------|------------|-----------------------------|------------|
| G/L Balance (LCY) | 739,498.97 | Statement Balance | 775,134.75 |
| G/L Balance | 739,498.97 | Outstanding Deposits | 25.54 |
| Positive Adjustments | 0.00 | | |
| | <hr/> | | |
| Subtotal | 739,498.97 | Subtotal | 775,160.29 |
| Negative Adjustments | 0.00 | Outstanding Checks | 35,661.32 |
| | <hr/> | Differences | 0.00 |
| Ending G/L Balance | 739,498.97 | Ending Balance | 739,498.97 |
| Difference | 0.00 | | |

| Posting Date | Document Type | Document No. | Description | Amount | Cleared Amount | Difference | |
|--|---------------|--------------|----------------------|------------------|----------------|------------------|-------|
| Outstanding Checks | | | | | | | |
| 2/13/2018 | Payment | 7391 | KATRINA L. LONG | 0.00 | 0.00 | 0.00 | |
| 2/13/2018 | Payment | 7392 | JOHN A. STANAVITCH | 0.00 | 0.00 | 0.00 | |
| 2/21/2018 | Payment | 7400 | ROGER B MANNING | 2,826.27 | 0.00 | 2,826.27 | |
| 2/22/2018 | Payment | 7402 | NZ CONSULTANTS, INC. | 32,591.25 | 0.00 | 32,591.25 | |
| 2/22/2018 | Payment | 7404 | CARD SERVICES CENTER | 243.80 | 0.00 | 243.80 | |
| Total Outstanding Checks..... | | | | 35,661.32 | | 35,661.32 | |
| Outstanding Deposits | | | | | | | |
| 2/28/2018 | | DEP00251 | REGISTRATION | G/L Ac | 25.54 | 0.00 | 25.54 |
| Total Outstanding Deposits..... | | | | 25.54 | | 25.54 | |

City of Westlake

Check register

February 1 - 28, 2018

CITY OF WESTLAKE

**Payment Register by Fund
For the Period from 02/1/2018 to 02/28/2018
(Sorted by Check / ACH No.)**

| Fund No. | Check / ACH No. | Date | Payee | Invoice No. | Payment Description | Invoice / GL Description | G/L Account # | Amount Paid |
|---------------------------|-----------------|----------|-----------------------------------|--------------------|---------------------------|--------------------------------|---------------|--------------|
| GENERAL FUND - 001 | | | | | | | | |
| 001 | 7388 | 02/07/18 | T-MOBILE USA, INC. | 012218-3851 | SERVICE THRU 012217 | Communication - Telephone | 541003-51301 | \$220.54 |
| 001 | 7389 | 02/07/18 | OFFICE DEPOT | 999008809001 | UPS ECO- BATTERY BACKUP | Office Supplies | 551002-51301 | \$86.44 |
| 001 | 7393 | 02/16/18 | DAKIM, INC | 110218 | STAMP FOR BUILDING | Office Supplies | 551002-51301 | \$50.90 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | 100301590-02012018 | NOTICE-RESOLUTION 2018-02 | Legal Advertising | 548002-51301 | \$700.00 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301551-02012018 | NOTICE-ORDINANCE 2018-5 | Legal Advertising | 548002-51301 | \$144.48 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301541-02012018 | NOTICE-ORDINANCE 2018-4 | Legal Advertising | 548002-51301 | \$147.92 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301535-02012018 | NOTICE-ORDINANCE 2018-3 | Legal Advertising | 548002-51301 | \$130.72 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301529-02012018 | NOTICE-ORDINANCE 2018-2 | Legal Advertising | 548002-51301 | \$137.60 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301524-02012018 | ONOTICE-RDINANCE 2018-1 | Legal Advertising | 548002-51301 | \$127.28 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301559-02012018 | NOTICE-ORDINANCE 2018-6 | Legal Advertising | 548002-51301 | \$130.72 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301674-02012018 | NOTICE-RESOLUTION 2018-2 | Legal Advertising | 548002-51301 | \$700.00 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | 100301672-02012018 | NOTICE-RESOLUTION 2018-5 | Legal Advertising | 548002-51301 | \$700.00 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301613-02012018 | NOTICE-RESOLUTION 2018-4 | Legal Advertising | 548002-51301 | \$700.00 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301627-02012018 | NOTICE-RESOLUTION 2018-3 | Legal Advertising | 548002-51301 | \$700.00 |
| 001 | 7395 | 02/16/18 | CMG-PB REMITTANCE ADDRESS | I00301594-02012018 | NOTICE-RESOLUTION 2018-5 | Legal Advertising | 548002-51301 | \$700.00 |
| 001 | 7396 | 02/16/18 | OFFICE DEPOT | 103865097001 | POCKET,LGL,EXP 5/1/4 | Office Supplies | 551002-51301 | \$99.99 |
| 001 | 7396 | 02/16/18 | OFFICE DEPOT | 103865098001 | HOLDER/BUSINESS CARD | Office Supplies | 551002-51301 | \$6.79 |
| 001 | 7396 | 02/16/18 | OFFICE DEPOT | 102659920001 | COPY PAPER/RUBBERBANDS | Office Supplies | 551002-51301 | \$87.69 |
| 001 | 7396 | 02/16/18 | OFFICE DEPOT | 103864967001 | TONER,REMAN,REPL.HP | Office Supplies | 551002-51301 | \$90.79 |
| 001 | 7397 | 02/16/18 | PBC SHERIFF'S OFFICE | 59012 | OFF DUTY-1/2/18-1/30/18 | Contracts-Sheriff | 534100-52901 | \$3,036.00 |
| 001 | 7398 | 02/16/18 | PBC FINANCE DEPARTMENT | JAN 2018 | IMPACT FEES-JAN-2018 | Other Current Liabilities | 229000 | \$107,847.90 |
| 001 | 7399 | 02/16/18 | FED EX | 6-079-57629 | SHIPPING-01/29/18 | Postage and Freight | 541006-51301 | \$24.17 |
| 001 | 7401 | 02/22/18 | LAW OFFICES OF PAM E. BOOKER, ESQ | 120 | LEGAL SERVICES-FEB 2018 | ProfServ-Legal Services | 531023-51401 | \$24,282.25 |
| 001 | 7402 | 02/22/18 | NZ CONSULTANTS, INC. | WES-16 | P&Z SERVICES-THRU 1/31/18 | ProfServ-Planning/Zoning Board | 531032-51501 | \$32,591.25 |
| 001 | 7403 | 02/22/18 | NOVA ENGINEERING AND | 156420 | SERVICES FOR JAN 2018 | ProfServ-Engineering | 531013-51501 | \$42,080.00 |
| 001 | 7404 | 02/22/18 | CARD SERVICES CENTER | 0943-020718 | K.CASSEL-JAN 2018 | General Government | 549109-51301 | \$23.13 |
| 001 | 7404 | 02/22/18 | CARD SERVICES CENTER | 0968-020718 | L.LOBRUTTO-JAN 2018 | PUBLIX | 551002-51301 | \$35.24 |
| 001 | 7404 | 02/22/18 | CARD SERVICES CENTER | 0968-020718 | L.LOBRUTTO-JAN 2018 | AMAZON | 551002-51301 | \$60.96 |
| 001 | 7404 | 02/22/18 | CARD SERVICES CENTER | 0968-020718 | L.LOBRUTTO-JAN 2018 | AMAZON | 551002-51301 | \$98.48 |
| 001 | 7404 | 02/22/18 | CARD SERVICES CENTER | 0968-020718 | L.LOBRUTTO-JAN 2018 | AMAZON | 551002-51301 | \$25.99 |

CITY OF WESTLAKE

**Payment Register by Fund
For the Period from 02/1/2018 to 02/28/2018
(Sorted by Check / ACH No.)**


| Fund No. | Check / ACH No. | Date | Payee | Invoice No. | Payment Description | Invoice / GL Description | G/L Account # | Amount Paid |
|----------|-----------------|----------|--------------------|-------------|-----------------------------------|--------------------------|-------------------|----------------------------|
| 001 | DD112 | 02/14/18 | KARA S. CRUMP | PAYROLL | February 14, 2018 Payroll Posting | | | \$2,784.77 |
| 001 | 7390 | 02/13/18 | PHILLIP D EVERETT | PAYROLL | February 13, 2018 Payroll Posting | | | \$2,909.27 |
| 001 | 7391 | 02/13/18 | KATRINA L. LONG | PAYROLL | February 13, 2018 Payroll Posting | | | \$2,784.77 |
| 001 | 7392 | 02/13/18 | JOHN A. STANAVITCH | PAYROLL | February 13, 2018 Payroll Posting | | | \$2,867.77 |
| 001 | 7400 | 02/21/18 | ROGER B MANNING | PAYROLL | February 21, 2018 Payroll Posting | | | \$2,826.27 |
| | | | | | | | Fund Total | <u>\$229,940.08</u> |

| | |
|--------------------------|---------------------|
| Total Checks Paid | \$229,940.08 |
|--------------------------|---------------------|

Seventh Order of Business

MEMORANDUM

To: Mayor Roger Manning
City Council Members
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: April 2, 2018

Subject: Appointment of Vice Mayor

Pursuant to the City Charter, Section 8(D), entitled Vice-Mayor, which reads as follows:

“1. The City council, at its first regular meeting after the fourth Tuesday of each March, shall elect from its membership a vice-mayor who shall serve at the pleasure of the City council and who shall have the same legislative powers and duties as the mayor or any other councilmember.

2. The vice-mayor shall serve as action mayor during the absence or disability of the mayor. In the absence of the mayor and the vice-mayor, the remaining councilmembers shall select a councilmember to serve as action mayor.”

The council must elect a vice-mayor to serve for the upcoming year. A copy of the charter is attached for your review.

Section 1. - Short title

This, together with any future amendments thereto, shall be known and may be cited as the "City of Westlake Charter," hereinafter referred to as "the Charter."

Section 2. - Legislative intent

The electors of the City of Westlake hereby find and declare that:

- A. The Westlake area in Palm Beach County includes a compact and contiguous community of interest susceptible to urban services, and constitutes a community amenable to separate municipal government.
- B. It is in the best interests of the public health, safety, and welfare of the residents of the Westlake area to form a separate municipality for the Westlake area with all the powers and authority necessary to provide adequate and efficient municipal services to its residents.
- C. It is intended that this Charter and the incorporation of the Westlake area will provide residents with greater control over the theme, design and ambiance of the overall community.
- D. It is the intent of this Charter and the incorporation of the Westlake area that innovative public-private partnerships be set as the guiding principal for implementation of infrastructure improvements and economic development within the City.

Section 3. - Incorporation of municipality; corporate limits

There is hereby created, effective _____, in Palm Beach County, a new municipality to be known as the City of Westlake, which shall have a council-manager form of government. The corporate boundaries of the City of Westlake, hereinafter referred to as "City," are described as follows:

All of Sections 1 and 2, that part of Section 3 situated Southerly and Eastwardly of the Canal "M" right of way, and Section 12 except the East Half (E ½) of the Southeast Quarter (SE ¼) thereof, all in Township 43 South, Range 40 East.

All of Sections 5 and 6, the North Half (N ½) of Section 7 and the North Half (N ½) of Section 8, Township 43 South, Range 41 East.

All in the County of Palm Beach, State of Florida.

Section 4. - Municipal powers

The City shall be a body corporate and politic and shall have all the powers of a municipality under the Constitution and laws of the State of Florida, as fully and completely as though such powers were specifically enumerated in this Charter, unless otherwise prohibited by or contrary to the provisions of this Charter. The City shall have all governmental, corporate, and proprietary powers necessary to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal services unless expressly prohibited by law. The powers of the City shall be liberally construed in favor of the City.

Section 5. - Transitional Council

At least two (2) members of the City Council shall be residents of Palm Beach County. Until the first elections shall be held under the provisions of this Charter, and until their successors shall be elected and qualified

| | |
|--------|-----------------|
| Mayor | Roger Manning |
| Seat 1 | John Stanavitch |
| Seat 2 | Kara Crump |
| Seat 3 | Philip Everett |
| Seat 4 | Anthony Fritz |

are hereby appointed as and to be Mayor and members of the City Council and shall constitute the first City Council thereof.

Section 6. – First Elections

The selection of members of the City Council shall be by groups to be known as Seats 1, 2, 3 and 4. At the first annual election to be held in March, 2020, Councilmen in Seats 1 and 3 shall be elected to a four-year term, and every four years thereafter Councilmen shall be elected in said seats for a 4-year term. At the election to be held in March, 2022 the Mayor and Councilmen in Groups 2 and 4 shall be elected to a 4-year term every four years thereafter the Mayor and Councilmen in said groups shall be elected to four year terms.

Section 7. – Oath of Office

Each person appointed or elected as a member of the City Council of said municipality, before entering upon the discharge of the duties of the office, shall take and subscribe the following oath before some officer authorized to administer oaths under the laws of the State of Florida: “I do solemnly swear (or affirm) that I will support and protect and defend the Constitution and government of the United States and of the State of Florida against all enemies, domestic or foreign, and that I will bear true faith, loyalty

and allegiance to the same; and that I am entitled to hold office under the Constitution of the United States and the Constitution and Laws of the State of Florida, and that I will faithfully perform all the duties of the office of [Mayor] [Councilman] of City of Westlake, Florida, upon which I am about to enter, so help me God.” This oath may be spread upon the minutes of the City Council.

Section 8. - City Council

A. *City council; composition; qualifications of councilmembers.*

1. There shall be a five-member City council, consisting of a mayor and four councilmembers each elected from and representing the City at large.
2. There shall be five separate seats to be designated as mayor, seat 1, seat 2, seat 3, and seat 4. Candidates must qualify for mayor and council elections by seat, and the councilmembers elected to those seats shall hold the seat of mayor and seats 1 through 4, respectively.
3. To qualify for office:
 - a. Each candidate for the office of City council shall be a registered voter in the State of Florida and a resident of the City.
 - b. At the time of qualification, each candidate for mayor or a council seat shall have maintained his or her domicile within the boundaries of the City for a period of one year before qualifying and, if elected, shall maintain such residency throughout his or her term of office. Candidates for office shall qualify as provided in section 8.C.

B. *Term of office.* The term of office for mayor and councilmembers shall be four years. The mayor and each councilmember, including any member of the Transitional Council, shall remain in office until a successor is elected and assumes the duties of the position, except as otherwise provided herein. The office of mayor and the office of council member shall be considered separate offices for purposes of this section.

C. *The mayor; powers and duties*

1. One member of the council shall be the mayor, who shall be elected to the office in the manner provided in section 8.A of this Charter, except as provided in this article for the filling of a vacancy in the office of mayor. The mayor shall have the same legislative powers and duties as any other councilmember, except as provided in section 8.C.2.
2. In addition to carrying out the regular duties under section 8.C.1., the mayor shall preside at the meetings of the council and shall be

recognized as the head of City government for service of process, ceremonial matters, and the signature or execution of ordinances, contracts, deeds, bonds, and other instruments and documents. The mayor shall have no administrative duties other than those necessary to accomplish these actions, or such other actions as may be authorized by the City council, consistent with general or special law.

D. *The vice-mayor.*

1. The City council, at its first regular meeting after the fourth Tuesday of each March, shall elect from its membership a vice-mayor who shall serve at the pleasure of the City council and who shall have the same legislative powers and duties as the mayor or any other councilmember.
2. The vice-mayor shall serve as acting mayor during the absence or disability of the mayor. In the absence of the mayor and the vice-mayor, the remaining councilmembers shall select a councilmember to serve as acting mayor.

E. *Compensation and expenses.*

1. The Transitional Council as elected pursuant to section 5 shall be compensated at the rate of \$3,400 per month for as long as they remain in office including any holdover terms, and shall be entitled to receive reimbursement in accordance with Florida Statutes for authorized travel and per-diem expenses incurred in the performance of their official duties. The Transitional Council may not elect to provide for an increase in compensation by ordinance.
2. The Mayor and City councilmembers appointed in Section 6 or any election thereafter shall be compensated at the rate of \$1,000 per month, and shall be entitled to receive reimbursement in accordance with Florida Statutes for authorized travel and per-diem expenses incurred in the performance of their official duties. The City council may not elect to provide for an increase in compensation by ordinance.

F. *General powers and duties of council.* Except as otherwise prescribed herein or provided by law, legislative and police powers of the City shall be vested in the council. The council shall provide for the exercise of its powers and for the performance of all duties and obligations imposed on the City by law.

G. *Vacancies; forfeiture of office; suspension; filling of vacancies.*

1. *Vacancies.* A vacancy in the office of mayor or any councilmember shall occur upon the death of the incumbent, removal from office as authorized by law, resignation, appointment to other public office

which creates dual office holding, judicially determined incompetency, or forfeiture of office as described in section 8.G.2.?

2. *Forfeiture of office.* The mayor or any councilmember shall forfeit his or her office upon determination by the council, acting as a body, at a duly noticed public meeting that he or she:

- a. Lacks at any time, or fails to maintain during his or her term of office, any qualification for the office prescribed by this Charter or otherwise required by law;
- b. Is convicted of a felony, or enters a plea of guilty or nolo contendere to a crime punishable as a felony, even if adjudication is withheld;
- c. Is convicted of a first-degree misdemeanor arising directly out of his or her official conduct or duties, or enters a plea of guilty or nolo contendere thereto, even if adjudication of guilt has been withheld;
- d. Is found to have violated any standard of conduct or code of ethics established by law for public officials and has been suspended from office by the Governor, unless subsequently reinstated as provided by law; or
- e. Is absent from three consecutive regular council meetings without justifiable reason, or for any other reason established in this Charter.

3. *Suspension from office.* The mayor or any councilmember shall be suspended from office upon return of an indictment or issuance of any information charging the mayor or any councilmember with any crime which is punishable as a felony or with any crime arising out of his or her official duties which is punishable as a first degree misdemeanor. Pursuant thereto:

- a. During the period of suspension, the mayor or any councilmember shall not perform any official act, duty, or function, or receive any pay, allowance, emolument, or privilege of office.
- b. If the mayor or any councilmember is subsequently found not guilty of the charge, or if the charge is otherwise dismissed, reduced, or altered in such a manner that suspension would no longer be required as provided herein, the suspension shall be lifted and the mayor or any councilmember shall be entitled to receive full back pay and such other emoluments or allowances

as he or she would have been entitled to had the suspension not occurred.

4. *Filling of vacancies.*

- a. If a vacancy occurs in the office of mayor, and less than 180 days remain in the term of the mayor, then the vice-mayor shall serve as mayor until a new mayor is elected and assumes the duties of his or her office. If a vacancy occurs in the office of mayor and 180 days or more remain in the term of the mayor, then the remaining councilmembers shall, within 30 days following the occurrence of such vacancy, by majority vote, appoint a person to fill the vacancy for the remainder of the unexpired term.
- b. If any vacancy occurs in the office of any councilmember and the remainder of the unexpired term is less than 2 years and 81 days, the remaining councilmembers shall, within 30 days following the occurrence of such vacancy, by majority vote, appoint a person to fill the vacancy for the remainder of the unexpired term. If, however, the remainder of the unexpired term exceeds 2 years and 81 days, the remaining councilmembers shall, within 30 days following the occurrence of such vacancy, by majority vote, appoint a person to fill the vacancy until the next regularly scheduled City election.
- c. Other than for a vacancy occurring in the Transitional Council, any person appointed to fill a vacant seat on the council shall be required to meet the qualifications of the seat to which he or she is appointed.

H. *City council meetings.* The council shall conduct regular meetings at such times and places as the council shall prescribe by resolution. Such meetings shall be public meetings within the meaning of F.S. § 286.011 and shall be subject to notice and other requirements of law applicable to public meetings. Pursuant thereto:

1. Special meetings may be held at the call of the mayor, or in his or her absence, at the call of the vice-mayor. Special meetings may also be called upon the request of a majority of the council members. Unless of an emergency nature, the person or persons calling such a meeting shall provide not less than 72 hours' prior notice of the meeting to the public.

2. The elected or re-elected mayor and councilmembers shall be inducted into office at the first regularly scheduled meeting following certification of their election.
 3. A majority of the council shall constitute a quorum. No action of the council shall be valid unless adopted by an affirmative vote of the majority of the councilmembers in attendance, unless otherwise provided by law. All actions of the City council shall be by ordinance, resolution, or motion.
- I. *City records.* The council shall, in a properly indexed book kept for the purpose, provide for the authentication and recording in full of all minutes of meetings, and all ordinances and resolutions adopted by the council, and the same shall at all times be a public record. The council shall further maintain a current codification of all ordinances. Such codification shall be printed and shall be made available for distribution to the public on a continuing basis. All ordinances or resolutions of the council shall be signed by the mayor, or vice-mayor in the absence or disability of the mayor, or by the acting mayor in the absence or disability of both the mayor and the vice-mayor, and attested to by the City clerk.
 - J. *Adoption of codes.* The council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance and may amend the code in the adopting ordinance or later amendatory ordinance. The procedures and requirements governing such an adopting ordinance shall be as prescribed for ordinances generally, except that:
 1. Requirements regarding distribution and filing of copies of the ordinance shall not be construed to require distribution and filing of copies of the adopted code of technical regulations, except as provided in Section 8.J.2.
 2. A copy of each adopted code of technical regulations, as well as of the adopting ordinance, shall be authenticated and recorded by the City clerk.
 - K. *Limitation of employment of councilmembers.* Neither the mayor nor any councilmember shall be in the employment of the City while in office, nor shall any former mayor or councilmember be employed by the City until after the expiration of one year from the time of leaving office.
 - L. *Noninterference by City council.* Except for the purposes of inquiry and information, the mayor and councilmembers are expressly prohibited from interfering with the performance of the duties of any employee of the City government who is under the direct or indirect supervision of the City manager or City attorney. Such action shall be malfeasance within the meaning of Sections 112.317 and 112.51, Florida Statutes.

Section 9. - Budget and Appropriations

- A. *Fiscal year.* The City shall have a fiscal year which shall begin on October 1 of each year and end on September 30 of the succeeding year.
- B. *Budget adoption.* The council shall by resolution adopt a budget on or before the 30th day of September of each year, following a minimum of two public hearings on the proposed budget. A resolution adopting the annual budget *shall* constitute appropriation of the amounts specified therein as expenditures from funds indicated.
- C. *Appropriation amendments during the fiscal year.*
 - 1. *Supplemental appropriations.* If, during the fiscal year, revenues in excess of those estimated in the budget are available for appropriation, the council by resolution may make supplemental appropriations for the year in an amount not to exceed such excess.
 - 2. *Reduction of appropriations.* If, at any time during the fiscal year, it appears probable to the City manager that the revenues available will be insufficient to meet the amount appropriated, the City manager shall report same to the council without delay, indicating the estimated amount of the deficit, any remedial action taken, and recommendations as to any other steps that should be taken. The council shall then take such further action as it deems necessary to prevent or minimize any deficit and, for that purpose, the council may by resolution reduce one or more appropriations accordingly.
 - 3. *Limitations; effective date.* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated, or by more than the unencumbered balance thereof. Other provisions of law to the contrary notwithstanding, the supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Section 10. - Charter Officers

- A. *Designation.* The City manager and the City attorney are designated as Charter officers; the offices of City manager or City attorney shall be contracted to a qualified individual or firm as to the former or an attorney or law firm as to the latter and shall not be City employees.
- B. *Appointment; removal; compensation; filling of vacancies.*
 - 1. The Charter officers shall be appointed by a majority vote of the full council and shall serve at the pleasure of the council.
 - 2. The Charter officers shall be removed from office only by a majority vote of the full council. Upon demand by a Charter officer, a public hearing shall be held prior to such removal.

3. The compensation of the Charter officers shall be fixed by the City council.
 4. The City council shall begin the process to fill a vacancy in a Charter office within 90 days of the vacancy. An acting City manager or an acting City attorney may be appointed by the council during a vacancy in such Charter office.
 5. The Charter officers shall not be a candidate for City council while holding their Charter officer position.
- C. *City manager.* The City manager shall be the chief administrative officer of the City.
1. *Qualifications.* The City manager shall be selected on the basis of experience, expertise, and management ability as it pertains to running municipal government.
 2. *Powers and duties.* The City manager shall:
 - a. As the chief administrative officer of the City, direct and supervise the administration of all departments, offices, and agencies of the City, except the offices of City attorney, and except as otherwise provided by this Charter or by law.
 - b. Appoint, suspend, or remove any employee of the City or appointive administrative officer provided for, by, or under this Charter, except the office of City attorney, and except as may otherwise be provided by law, this Charter, or personnel rules adopted pursuant to the Charter. The City manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency.
 - c. Ensure that all laws, provisions of this Charter, and acts of the council are faithfully executed.
 - d. Prepare and submit the annual budget, and capital program to the council in the form prescribed by ordinance.
 - e. Attend meetings of the City council.
 - f. Draw and sign vouchers upon depositories as provided by ordinance, and keep, or cause to be kept, a true and accurate account of same.

- g. Sign all licenses issued by the City, and issue receipts for all moneys paid to the City, and deposit said moneys in the proper depositories on the first banking day after receipt. The City manager may delegate the responsibilities of this subparagraph to an appropriate City employee who shall be bonded.
 - h. Provide administrative services in support of the official duties of the mayor and the council.
 - i. Keep the council advised as to the financial condition and future needs of the City and make recommendations to the council concerning the affairs of the City.
 - j. Submit to the council, and make available to the public, a complete report on finances and administrative activities of the City as of the end of each fiscal year.
 - k. Sign contracts on behalf of the City to the extent authorized by ordinance.
 - l. I. Perform such other duties as are specified in this Charter or as may be required by the council.
- D. *City attorney.* The City attorney shall be the chief legal officer of the City.
- 1. *Qualifications.* The City attorney shall be a member of The Florida Bar in good standing.
 - 2. *Powers and duties.* The City attorney:
 - a. Shall serve as chief legal advisor to the City council, the Charter officers, and all City departments, offices and agencies.
 - b. May hire such assistants as may be required, when approved by the City council.
 - c. Shall attend City council meetings unless excused by the City council, and shall perform such professional duties as may be required by law or by the council in furtherance of the law.
 - d. Shall prepare an annual budget for the operation of the office of the City attorney and shall submit this budget to the City manager for inclusion in the annual City budget, in accordance with uniform City procedures.

Section 11. - Elections

- A. *Electors.* Any person who is a resident of the City, who has qualified as an elector of this state, and who registers in the manner prescribed by law shall be an elector of the City.
- B. *Nonpartisan elections.* All elections for the City councilmembers shall be conducted on a nonpartisan basis without any designation of political party affiliation.
- C. *Qualifying for office.* Any resident of the City who wishes to become a candidate for a City elective office shall qualify with the City clerk no sooner than noon on the last Tuesday in January nor later than noon on the second Tuesday in February of the year in which the election is to be held.
- D. *Schedule for general elections.* The regular City election shall be the second Tuesday in March of each election year. Such City elections shall be general City elections. In the event no candidate for an office receives a minimum of Fifty (50%) percent of the votes cast for said office, then a second election shall be held on the fourth Tuesday in March.
- E. *Schedule for other elections.*
1. An election to fill the remainder of an unexpired term shall be held as provided in section 11.D.
 2. Special municipal elections shall be held in the same manner as regular elections, except that the City council, by ordinance, shall fix the time for holding of such elections.
- F. *Determination of election to office.* If only one candidate qualifies for an office, said candidate shall be deemed to be elected. If two or more candidates qualify for an office, the names of those candidates shall be placed on the ballot at the general election. In every election to any office the candidate receiving the highest percentage of the vote equal to or in excess of fifty (50%) percent of the votes validly cast for that office shall be declared elected. If in any election no candidate receives a minimum of fifty (50%) percent of the votes validly cast for that office, then the two candidates for the office receiving the highest vote in the general election shall run again in election, provided that:
1. If more than two candidates for an office receive an equal and highest number of votes, the name of each candidate shall be placed on the second election ballot.
 2. In any contest in which there is a tie for second place, the name of the candidate placing first and the name of each candidate tying for second shall be placed upon the second election ballot. The candidate

receiving the highest number of votes cast for the office in the second election shall be elected to such office. If the vote at the second election results in a tie, the outcome shall be determined by lot.

- G. *City canvassing board.* The City canvassing board shall be composed of those members of the City council who are not candidates for reelection and the City clerk, who shall act as chairperson. At the close of the polls of any City election, or as soon thereafter as practicable, the canvassing board shall meet at a time and place designated by the chairperson and shall proceed to publicly canvass the vote as shown by the returns then on file in the office of the City clerk, and then shall publicly canvass the absentee elector ballots. The canvassing board shall prepare and sign a certificate containing the total number of votes cast for each candidate or other measure voted upon. The certificate shall be placed on file with the City clerk.
- H. *Recall of City councilmembers.* Any member of the City council may be removed from office by the electors of the City following the procedures for recall established by general law.

Section 12. - Transition Schedule

- A. *Creation and establishment of City.* For the purpose of compliance with F.S. § 200.066, relating to assessment and collection of ad valorem taxes, the City is hereby created and established effective _____.
- B. *First year expenses.* The City council, in order to provide moneys for the expenses and support of the City, shall have the power to borrow money necessary for the operation of City government until such time as a budget is adopted and revenues are raised in accordance with the provisions of this Charter.
- C. *Transitional ordinances and resolutions.* The City council shall adopt ordinances and resolutions required to effect the transition. Ordinances adopted within 60 days after the first council meeting may be passed as emergency ordinances. These transitional ordinances, passed as emergency ordinances, shall be effective for no longer than 90 days after adoption, and thereafter may be readopted, renewed, or otherwise continued only in the manner normally prescribed for ordinances.
- D. *Transitional comprehensive plan and land development regulations.*
1. Until such time as the City adopts a comprehensive plan, the applicable provisions of the Comprehensive Plan of Palm Beach County, as the same exists on the day the City commences corporate existence, shall remain in effect as the City's transitional comprehensive plan. However, all planning functions, duties, and authority to administer shall thereafter be vested in the City Council of Westlake which shall be deemed the local planning agency until the council establishes a separate local

planning agency. Nothing in this Charter will divest any landowner in the City of development rights under existing zoning and land use approvals

2. All powers and duties of the planning commission, zoning authority, any boards of adjustment, and the County Commission of Palm Beach County, as set forth in these transitional zoning and land use regulations, shall be vested in the City Council until such time as the City council delegates all or a portion thereof to another entity.
3. Subsequent to the commencement of the City's corporate existence, no amendment of the comprehensive plan or land development regulations enacted by the Palm Beach County Commission shall be deemed as an amendment of the City's transitional comprehensive plan or land development regulations or otherwise take effect within the City's corporate limits unless approved by the City council.

E. *State shared revenues.* The City of Westlake shall be entitled to participate in all shared revenue programs of the State of Florida effective immediately on the date of incorporation. Initial population estimates for calculating eligibility for shared revenues shall be determined by the University of Florida Bureau of Economic and Business Research. Should the bureau be unable to provide an appropriate population estimate, the Palm Beach County Planning Division estimate should be utilized.

F. *Gas tax revenues.* The City of Westlake shall be entitled to receive local option gas tax revenues beginning as provided by law. The amount of said revenues distributed to the City of Westlake shall be determined pursuant to Ordinance [No.] 86-23 of Palm Beach County.

Section 13. - Continuation, Merger, and Dissolution of Existing Districts

- A. *Palm Beach County Fire Rescue Municipal Service Taxing Unit; continuation.* Notwithstanding the incorporation of the City, that portion of the Palm Beach County Fire Rescue Municipal Service Taxing Unit, a special taxing district created by the Palm Beach County Commission that lies within the boundaries of the City, is authorized to continue in existence, until the City adopts an ordinance to the contrary. However the City shall not establish a City fire department without a referendum.
- B. *Law enforcement.* Law enforcement services will be provided by contract with the Palm Beach County Sheriff's Office, or contracted with other law enforcement agencies, until the City adopts an ordinance to the contrary. The City shall not establish a City police department without a referendum.
- C. *Palm Beach County Library Taxing District; continuation.* Notwithstanding the incorporation of the City, that portion of the Palm Beach County Library Taxing District, a dependent district of Palm Beach County created by Laws of Fla., ch.

67-1869, as amended, that lies within the boundaries of the City, is authorized but not required to continue in existence.

- D. *Palm Beach County Municipal Service Taxing Unit B.* That portion of Palm Beach County Municipal Service Taxing Unit B, a dependent district of Palm Beach County created by the Palm Beach Commission that lies within the boundaries of the City, shall cease to exist within the municipal boundaries of the City on the effective date of incorporation.
- E. *Palm Beach County Municipal Service Taxing Unit C.* [check applicability] That portion of Palm Beach County Municipal Service Taxing Unit C, a dependent district of Palm Beach County created by the Palm Beach County Commission that lies within the boundaries of the City of Westlake, shall cease to exist within the municipal boundaries of the City on the effective date of incorporation.
- F. *Palm Beach County Municipal Service Taxing Unit F.* [check applicability] That portion of Palm Beach County Municipal Service Taxing Unit F, a dependent district of Palm Beach County created by the Palm Beach County Commission that lies within the boundaries of the City, shall cease to exist within the municipal boundaries of the City on the effective date of incorporation.
- G. *Seminole Improvement District continuation and transfer.* The Seminole Improvement District, an independent special district created by a special act of the Legislature, shall become a dependent district of the City of Westlake on the earlier to occur of thirty (30) years after the effective date of this Charter, or the date mutually agreed to by the City and the District (the "Transition Date"). All special acts of the Seminole Improvement District shall become Ordinances of the City of Westlake on the Transition Date.
 - 1. Effective on the Transition Date, the assets, liabilities, and written contracts of the Seminole Improvement District, including all rights, obligations, duties and relationships now existing by law or agreement, shall be unaffected and shall remain in full force and effect and shall be those of the district as a dependent district of the City of Westlake. All rights, obligations, duties, and relationships now existing by law or agreement shall remain in full force and effect and shall be those of the district as a dependent district of the City. All rights, claims, actions, orders, and all contracts of the special district and all legal or administrative proceedings involving the district shall continue in full force and effect under the jurisdiction of the district as a dependent district of the City.
 - 2. Effective on the Transition Date, at 7 p.m., the terms of office of the Board of Supervisors of the Seminole Improvement District shall terminate, and the City councilmembers of the City of Westlake shall assume the duties and responsibilities of the Board of Supervisors.

3. To the extent not inconsistent with this Charter, all resolutions and policies of the Seminole Improvement District shall remain in effect until amended, revised, or repealed by the City council.
 4. Additional provisions which are necessary to effect this transition and to provide for the operation of the Seminole Improvement District as a dependent district of the City shall be adopted by ordinance.
- H. *Non-Duplication of Services.* The City shall not exercise any function or provide any service being performed by or provided by Seminole Improvement District at any time prior to the Transition Date. This provision does not impair the ability of the City to contract for fire rescue or law enforcement services as provided in Sections 13.A and 13.B, above.
- I. *Non-Duplication of Regulatory Programs.* The City shall not adopt any ordinance governing an activity which is subject to review or permitting by a state or federal regulatory program.

Section 14. - General Provisions

- A. *Charter amendments.* This Charter may be amended in accordance with the provisions for Charter amendments as specified in the Municipal Home Rule Powers Act, F.S. ch. 166, as the same may be amended from time to time, or its successor, or as may otherwise be provided by general law. The form, content, and certification of any petition to amend shall be established by ordinance.
- B. *Standards of conduct.* All elected officials and employees of the City shall be subject to the standards of conduct for public officers and employees set by general law. In addition, the City council shall, no later than 6 months from the effective date of incorporation, establish by ordinance a code of ethics for officials and employees of the City which may be supplemental to general law, but in no case may such an ordinance diminish the provisions of general law. The intent of this provision of the Charter is to require more stringent standards than those provided under general law.

Section 15. - Severability

If any provisions of this Charter, or the application thereof to any person or circumstance, is held invalid, the invalidity shall not affect other provisions or applications of this which can be given effect without the invalid provision or application, and to this end the provisions of this Charter are declared severable.

Section 16. - Effective Dates

This Charter shall take effect only upon its approval by a majority vote of those qualified electors residing within the proposed corporate limits of the proposed City of Westlake voting in a referendum election to be held on _____, in accordance with the provisions of law relating to elections currently in force.

Eighth Order of Business

April 9, 2018

RESOLUTION 2018-12

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT OF TOWN CENTER PARKWAY SOUTH, PHASE II, BEING DESCRIBED AS A PORTION LAND DESCRIBED BY METES AND BOUNDS AS A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for the Town Center Parkway South, Phase II, Final Plat, described by metes and bounds as a parcel of land lying in Section 1, Township 43 South, Range 40 East, in the City of Westlake, Palm Beach County, Florida, as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat and the boundary survey, and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the Palm Beach County Unified Land Development Codes and Florida law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: The above recitals are true and correct and are incorporated herein by this reference.

Section 2: The City Council for the City of Westlake hereby approves the final plat and boundary survey for Town Center Parkway South, Phase II, as described in the attached Exhibit "A", containing approximately 5.704 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.

Section 3. The applicant shall provide a certified copy of the recorded plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.

Section 4: This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this 9th day
of April, 2018.

City of Westlake
Roger Manning, Mayor

Sandra Demarco, City Clerk

Approved as to Form and Sufficiency
Pam E. Booker, City Attorney

EXHIBIT "A"
TOWN CENTER PARKWAY SOUTH-PHASE II
LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

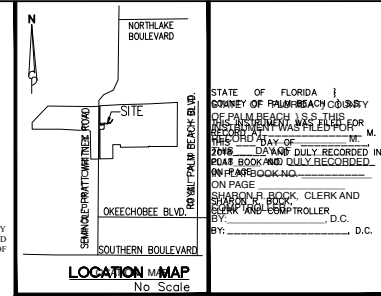
COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.01°33'05"W. ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 250.33 FEET TO A POINT ON THE NORTH LINE OF THE 80 FOOT M-CANAL EASEMENT AS RECORDED IN DEED BOOK 1156, PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND AS SHOWN IN ROAD PLAT BOOK 6, PAGE 136 OF SAID RECORDS, AND AS MONUMENTED; THENCE S.88°36'57"W. ALONG SAID NORTH LINE OF THE 80 FOOT M-CANAL EASEMENT, A DISTANCE OF 3776.52 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 1544, PAGE 378 AND OFFICIAL RECORD BOOK 1640, PAGE 1626 BOTH OF SAID PUBLIC RECORDS; THENCE S.01°42'52"W. ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 3143.37 FEET TO THE NORTHERLY CORNER OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822 OF SAID PUBLIC RECORDS; THENCE CONTINUE S.01°42'52"W ALONG THE ORIGINAL EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 50.93 FEET; THENCE N.90°00'00"E., A DISTANCE OF 795.87 FEET TO **POINT OF BEGINNING**; THENCE N.45°00'00"E., A DISTANCE OF 35.36 FEET; THENCE N.00°00'00"E., A DISTANCE OF 25.00 FEET; THENCE N.90°00'00"E., A DISTANCE OF 74.00 FEET; THENCE S.00°00'00"E., A DISTANCE OF 25.00 FEET; THENCE S.45°00'00"E., A DISTANCE OF 35.36 FEET; THENCE N.90°00'00"E., A DISTANCE OF 590.49 FEET; THENCE EASTERLY, 376.80 FEET ALONG THE ARC OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 950.00 FEET AND A CENTRAL ANGLE OF 22°43'32"; THENCE N.20°12'31"E., A DISTANCE OF 34.54 FEET; THENCE N.26°06'12"W., A DISTANCE OF 3.69 FEET; THENCE N.63°53'48"E., A DISTANCE OF 61.99 FEET; THENCE S.26°12'12"E., A DISTANCE OF 3.71 FEET; THENCE S.72°24'54"E., A DISTANCE OF 34.52 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 950.00 FEET AND A RADIAL BEARING OF N.29°28'49"W. AT SAID INTERSECTION; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°21'49", A DISTANCE OF 785.32 FEET TO THE POINT OF TANGENCY; THENCE S.76°50'39"E., A DISTANCE OF 110.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 1060.00 FEET AND A RADIAL BEARING OF N.76°50'38"W. AT SAID INTERSECTION; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°42'39", A DISTANCE OF 845.67 FEET TO THE POINT OF TANGENCY; THENCE S.39°32'27"W., A DISTANCE OF 57.39 FEET; THENCE S.25°53'21"E., A DISTANCE OF 7.77 FEET; THENCE S.64°06'39"W., A DISTANCE OF 82.00 FEET; THENCE N.25°53'21"W., A DISTANCE OF 8.52 FEET; THENCE N.69°48'24"W., A DISTANCE OF 28.04 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 1052.86 FEET AND A RADIAL BEARING OF N.22°49'46" W. AT SAID INTERSECTION; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°41'22", A DISTANCE OF 12.67 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 74.77 FEET ALONG THE ARC OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 440.00 FEET AND A CENTRAL ANGLE OF 09°44'13"; THENCE WESTERLY, 162.84 FEET ALONG THE ARC OF A REVERSE CURVE CONCAVE NORTHERLY HAVING

A RADIUS OF 257.73 FEET AND A CENTRAL ANGLE OF $36^{\circ}12'01''$; THENCE WESTERLY, 78.73 FEET ALONG THE ARC OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 440.00 FEET AND A CENTRAL ANGLE OF $10^{\circ}15'07''$; THENCE WESTERLY, 98.91 FEET ALONG THE ARC OF A REVERSE CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 930.03 FEET AND A CENTRAL ANGLE OF $06^{\circ}05'36''$; THENCE $S.90^{\circ}00'00''W.$, A DISTANCE OF 509.25 FEET; THENCE $S.56^{\circ}24'09''W.$, A DISTANCE OF 85.80 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 760.00 FEET AND A RADIAL BEARING OF $N.84^{\circ}00'58''E.$ AT SAID INTERSECTION; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ}53'23''$, A DISTANCE OF 11.80 FEET TO THE POINT OF TANGENCY; THENCE $S.83^{\circ}07'35''W.$, A DISTANCE OF 107.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 867.00 FEET AND A RADIAL BEARING OF $N.83^{\circ}07'36''E.$ AT SAID INTERSECTION; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $03^{\circ}47'02''$, A DISTANCE OF 57.26 FEET TO THE POINT OF TANGENCY; THENCE $N.46^{\circ}07'34''W.$, A DISTANCE OF 36.05 FEET; THENCE $N.01^{\circ}12'59''E.$, A DISTANCE OF 100.02 FEET TO THE **POINT OF BEGINNING.**

CONTAINING: 5.704 ACRES, MORE OR LESS.

TOWN CENTER PARKWAY SOUTH - PHASE 2

BEING A PLAT OF A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA



DEDICATION AND DESCRIPTION

KNOW ALL MEN BY THESE PRESENTS THAT MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN AND DESCRIBED HEREON, AS TOWN CENTER PARKWAY SOUTH - PHASE 2, LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S 01°33'00"W, ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 294.53 FEET TO A POINT ON THE NORTH LINE OF THE 80 FOOT M-CANAL EASEMENT AS RECORDED IN DEED BOOK 1156, PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND AS SHOWN IN ROAD PLAT BOOK 6, PAGE 156 OF SAID RECORDS; AND AS MONUMENTED; THENCE S 88°36'57"W, ALONG SAID NORTH LINE OF THE 80 FOOT M-CANAL EASEMENT, A DISTANCE OF 376.52 FEET TO AN EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 154, PAGE 278 AND OFFICIAL RECORD BOOK 1646, PAGE 1058 BOTH OF SAID PUBLIC RECORDS; THENCE S 01°42'52"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1143.37 FEET TO THE NORTHERLY CORNER OF THE ADDITIONAL RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822 OF SAID PUBLIC RECORDS; THENCE CONTINUE S 01°42'52"W ALONG THE ORIGINAL EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 50.93 FEET; THENCE N 89°00'00"E, A DISTANCE OF 795.87 FEET TO POINT OF BEGINNING; THENCE S 45°00'00"E, A DISTANCE OF 35.36 FEET; THENCE N 00°00'00"E, A DISTANCE OF 25.00 FEET; THENCE N 90°00'00"E, A DISTANCE OF 74.00 FEET; THENCE S 04°00'00"E, A DISTANCE OF 25.00 FEET; THENCE S 45°00'00"E, A DISTANCE OF 35.36 FEET; THENCE N 90°00'00"E, A DISTANCE OF 59.04 FEET; THENCE EASTERLY, 374.80 FEET ALONG THE ARC OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 950.00 FEET AND A CENTRAL ANGLE OF 22°43'22"; THENCE N 20°12'11"E, A DISTANCE OF 34.54 FEET; THENCE S 26°50'12"W, A DISTANCE OF 3.69 FEET; THENCE S 63°59'48"E, A DISTANCE OF 61.99 FEET; THENCE S 26°12'12"E, A DISTANCE OF 3.71 FEET; THENCE S 72°24'54"E, A DISTANCE OF 34.52 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 950.00 FEET AND A RADIAL BEARING OF 7°29'29"W, AT SAID INTERSECTION; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°21'09", A DISTANCE OF 785.32 FEET TO THE POINT OF TANGENCY; THENCE S 76°59'59"E, A DISTANCE OF 1060.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 1060.00 FEET AND A RADIAL BEARING OF N 76°50'38"W, AT SAID INTERSECTION; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°42'29", A DISTANCE OF 87.12 FEET TO THE POINT OF TANGENCY; THENCE WESTERLY, A DISTANCE OF 29.28 FEET; THENCE S 25°52'12"E, A DISTANCE OF 177 FEET; THENCE S 64°06'39"W, A DISTANCE OF 82.00 FEET; THENCE S 25°52'12"E, A DISTANCE OF 177 FEET; THENCE N 69°24'24"W, A DISTANCE OF 20.04 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 1052.86 FEET AND A RADIAL BEARING OF N 22°49'46"W, AT SAID INTERSECTION; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°42'22", A DISTANCE OF 10.42 FEET TO THE POINT OF TANGENCY; THENCE WESTERLY, A DISTANCE OF 34.77 FEET ALONG THE ARC OF A REVERSE CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 440.00 FEET AND A CENTRAL ANGLE OF 04°42'22"; THENCE WESTERLY, 1624.84 FEET ALONG THE ARC OF A REVERSE CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 257.73 FEET AND A CENTRAL ANGLE OF 36°12'01"; THENCE WESTERLY, 78.73 FEET ALONG THE ARC OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 440.00 FEET AND A CENTRAL ANGLE OF 04°15'07"; THENCE WESTERLY, 862.00 FEET ALONG THE ARC OF A REVERSE CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 924.00 FEET AND A CENTRAL ANGLE OF 06°05'36"; THENCE S 90°00'00"W, A DISTANCE OF 509.25 FEET; THENCE S 56°24'09"W, A DISTANCE OF 45.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 760.00 FEET AND A RADIAL BEARING OF N 84°09'58"E, AT SAID INTERSECTION; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°52'23", A DISTANCE OF 11.80 FEET TO THE POINT OF TANGENCY; THENCE S 89°37'35"W, A DISTANCE OF 1070.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 867.00 FEET AND A RADIAL BEARING OF N 8°07'30"E, AT SAID INTERSECTION; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°47'02", A DISTANCE OF 57.26 FEET TO THE POINT OF TANGENCY; THENCE N 46°07'34"W, A DISTANCE OF 36.65 FEET; THENCE N 01°12'59"E, A DISTANCE OF 100.65 FEET TO THE POINT OF BEGINNING.

CONTAINING .5704 ACRES, MORE OR LESS.

HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

DEDICATION:

ROAD RIGHT-OF-WAY

TOWN CENTER PARKWAY SOUTH, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE CITY OF WESTLAKE, A FLORIDA MUNICIPAL CORPORATION. ITS SUCCESSORS AND ASSIGNS, IN THE WHOLE FOR ROAD RIGHT-OF-WAY PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE CITY OF WESTLAKE. THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, IS HEREBY GRANTED AND RESERVED AN EASEMENT OVER THE ROAD RIGHT-OF-WAY, FOR THE PURPOSES OF INSTALLATION, MAINTENANCE, OPERATIONS, REPAIR, AND/OR REPLACEMENT OF WATER, REUSE WATER, WASTE WATER AND DRAINAGE FACILITIES NOT INCONSISTENT WITH THE UTILIZATION FOR ROAD RIGHT-OF-WAY PURPOSES, SAID MAINTENANCE RESPONSIBILITY FOR THE WATER, REUSE WATER, WASTE WATER AND DRAINAGE FACILITIES SHALL REMAIN THE PERPETUAL OBLIGATION OF THE SEMINOLE IMPROVEMENT DISTRICT.

OPEN SPACE TRACTS

TRACTS 03.T. #1 AND 03.T. #2, AS SHOWN HEREON, ARE HEREBY RESERVED FOR MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS FOR OPEN SPACE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

UTILITY EASEMENTS

ALL UTILITY EASEMENTS DESCRIBED ON THE PLAT ARE PRIVATE NON-EXCLUSIVE EASEMENTS UNLESS EXPRESSLY STATED OTHERWISE THEREIN. ALL UTILITY RIGHTS AND EASEMENTS ESTABLISHED BY OR RESERVED BY THIS PLAT ARE HEREBY RESERVED TO THE SEMINOLE IMPROVEMENT DISTRICT (A LOCAL UNIT OF SPECIAL PURPOSE GOVERNMENT ESTABLISHED PURSUANT TO CHAPTERS 199 AND 299, FLORIDA STATUTES, AS A PUBLIC UTILITY PROVIDER OF WATER, SEWER AND RECLAIMED WATER), ITS SUCCESSORS AND ASSIGNS, SUBJECT TO THOSE CERTAIN RESTRICTIONS, COVENANTS AND DEDICATIONS AS MAY HEREAFTER BE IMPOSED BY GRANTOR. PROVIDED FURTHER SAID GRANTS OR ASSIGNMENTS SHALL NOT BE DEEMED A PUBLIC DEDICATION OF SAID RIGHTS OR EASEMENTS. THE SEMINOLE IMPROVEMENT DISTRICT SHALL HAVE THE RIGHT TO GRANT OTHER UTILITY PROVIDERS THE ABILITY TO USE THE EASEMENT IN ITS SOLE DISCRETION.

DRAINAGE EASEMENTS

THE DRAINAGE EASEMENTS (D.E.), AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, IN PERPETUITY FOR DRAINAGE FACILITIES. THE PERPETUAL MAINTENANCE OBLIGATION OF THE SEMINOLE IMPROVEMENT DISTRICT WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

CITY OF WESTLAKE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO CONSTRUCT AND MAINTAIN ANY PORTION OF THE DRAINAGE BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR DRAINAGE PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS, AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

IN WITNESS WHEREOF, MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER AND ITS COMPANY SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS MEMBERS THIS _____ DAY OF _____, 2018.

MINTO PBLH, LLC
A FLORIDA LIMITED LIABILITY COMPANY
WITNESS: _____ BY: JOHN F. CARTER, MANAGER
PRINT NAME: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH
PRINT NAME: _____

ACKNOWLEDGEMENT
STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED JOHN F. CARTER WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MANAGER OF MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID COMPANY, AND THAT THE SEAL AFFIXED TO SAID INSTRUMENT IS THE CORPORATE SEAL OF SAID COMPANY AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2018.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC STATE OF FLORIDA
PRINT NAME: _____
COMMISSION NO. _____
(SEAL)

MORTGAGEE'S JOINER AND CONSENT

STATE OF _____
COUNTY OF _____
THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF [A] MORTGAGE[S], UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE[S] WHICH [IS] [ARE] RECORDED IN OFFICIAL RECORD BOOK _____ AT PAGE[S] _____ OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF SUPERVISORS, THIS _____ DAY OF _____, 2018.

STATE OF FLORIDA
COUNTY OF PALM BEACH
PRINT NAME: _____ BY: _____
SIGNATURE OF PRESIDENT OR VICE PRESIDENT

WITNESS: _____ BY: _____
PRINT NAME: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH
PRINT NAME: _____

ACKNOWLEDGEMENT
STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED _____ (PRINTED NAME) WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS _____ (CORPORATION NAME), A CORPORATION, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT [HE] [SHE] EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL (IF AVAILABLE) OF SAID CORPORATION AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2018.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC STATE OF FLORIDA
PRINT NAME: _____
COMMISSION NO. _____
(SEAL)

ACCEPTANCE OF DEDICATIONS & RESERVATIONS

STATE OF FLORIDA
COUNTY OF PALM BEACH
SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, HEREBY ACCEPTS THE DEDICATIONS AND RESERVATIONS TO SAID DISTRICT AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS _____ DAY OF _____, 2018.

SEMINOLE IMPROVEMENT DISTRICT
AN INDEPENDENT SPECIAL DISTRICT
OF THE STATE OF FLORIDA
WITNESS: _____ BY: SCOTT MASSEY, PRESIDENT
PRINT NAME: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH
PRINT NAME: _____

ACKNOWLEDGEMENT
STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED SCOTT MASSEY WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF SEMINOLE IMPROVEMENT DISTRICT, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID DISTRICT, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE DISTRICT SEAL OF SAID DISTRICT AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR STATUTORY AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID DISTRICT.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2018.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC STATE OF FLORIDA
PRINT NAME: _____
COMMISSION NO. _____
(SEAL)

TITLE CERTIFICATION

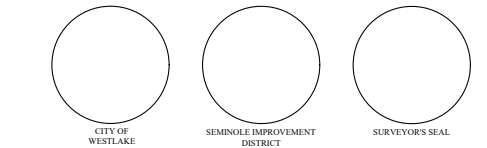
STATE OF FLORIDA
COUNTY OF PALM BEACH
WE, FOUNDERS TITLE, A TITLE INSURANCE COMPANY, AS DULY AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HERIN DESCRIBED PROPERTY. THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN MINTO PBLH, LLC, THAT THE CURRENT TAXES HAVE BEEN PAID; AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT ITEMS, AND ALL OTHER ITEMS HELD AGAINST SAID LANDS HAVE BEEN SATISFIED; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON, AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: _____ HARRY BINNIE, PRESIDENT
FOUNDERS TITLE

CITY OF WESTLAKE'S APPROVAL

THIS CERTIFIES THAT THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE BY A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____, 2018, IN ACCORDANCE WITH SEC. 177.01(2), F.S., AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY THE CITY OF WESTLAKE IN ACCORDANCE WITH SEC. 177.08(1)(f), F.S.

CITY MANAGER, KEN CASSEL CITY MAYOR, ROGER MANNING



| AREA TABLE | |
|-----------------------|--------------|
| 1. ROADWAY | = 5129 |
| 2. OPEN SPACE TRACT 1 | = 2 |
| 3. OPEN SPACE TRACT 2 | = 0.356 |
| TOTAL | = 5704 ACRES |

SURVEYORS NOTES

- PERMANENT REFERENCE MONUMENTS ARE SHOWN THIS "■" A 1 1/2" BRASS DISK STAMPED "PBM LB7768" SET IN A 4"x4" CONCRETE MONUMENT. PERMANENT CONTROL POINTS ARE SHOWN AS THIS "●" A MAGNETIC NAIL AND DISK STAMPED "PCP LB7768". MONUMENTS ARE SHOWN AS THIS "●" A 1/2" IRON ROD WITH CAP STAMPED "LB7768" (UNLESS OTHERWISE NOTED).
- BEARINGS SHOWN HEREON ARE BASED ON THE NORTH BOUNDARY OF SECTION 4, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S 89°48'57" BEARINGS SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83) WITH THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83).
- NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON AN EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE CITY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS. THERE WILL BE NO ABOVE GROUND ENCROACHMENTS WHERE LAKE MAINTENANCE EASEMENTS AND UTILITY EASEMENTS OVERLAP.
- THE BUILDING SETBACKS SHALL BE AS REQUIRED BY THE CITY OF WESTLAKE ZONING REGULATIONS.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- ALL LINES INTERSECTING CIRCULAR CURVES ARE RADIAL UNLESS OTHERWISE NOTED.
- COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID DATUM = NAD83 2007 ADJUSTMENT ZONE = FLORIDA EAST LINEAR UNITS = US SURVEY FEET COORDINATE SYSTEM = 1983 STATE PLANE PROJECTION = TRANSVERSE MERCATOR ALL DISTANCES ARE TO BE MEASURED ON SCALE FACTOR: 1.0000 GRID DISTANCE X SCALE FACTOR - GRID DISTANCE PLAT BEARING - GRID BEARING NOT ROTATION ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES

SURVEYOR & MAPPER CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.S") HAVE BEEN PLACED AS REQUIRED BY LAW, AND THAT PERMANENT CONTROL POINTS ("C.P.S") AND MONUMENTS ACCORDING TO SEC. 177.09(1), F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF WESTLAKE FOR THE REQUIRED IMPROVEMENT DISTRICT AND THAT ALL RESTRICTIONS AND EASEMENTS OF RECORD MEET THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF WESTLAKE, FLORIDA.

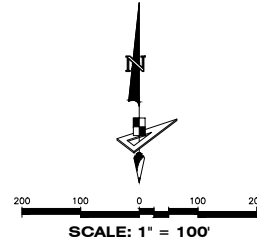
DATED: _____ LUIS J. ORTIZ, P.S.M.
LICENSE NO. 7006
STATE OF FLORIDA

THIS INSTRUMENT PREPARED BY
LUIS J. ORTIZ, P.S.M.
STATE OF FLORIDA
GEOPOINT SURVEYING, INC.
4152 WEST BLUE HERON BOULEVARD, SUITE 105,
PALM BEACH, FLORIDA 33404
CERTIFICATE OF AUTHORIZATION NO. LB7768

GeoPoint Surveying, Inc.
4152 W. Blue Heron Blvd. Phone: (561) 444-2720
www.geopointsurveying.com
Riviera Beach, FL 33404 Licensed Business Number LB 7768

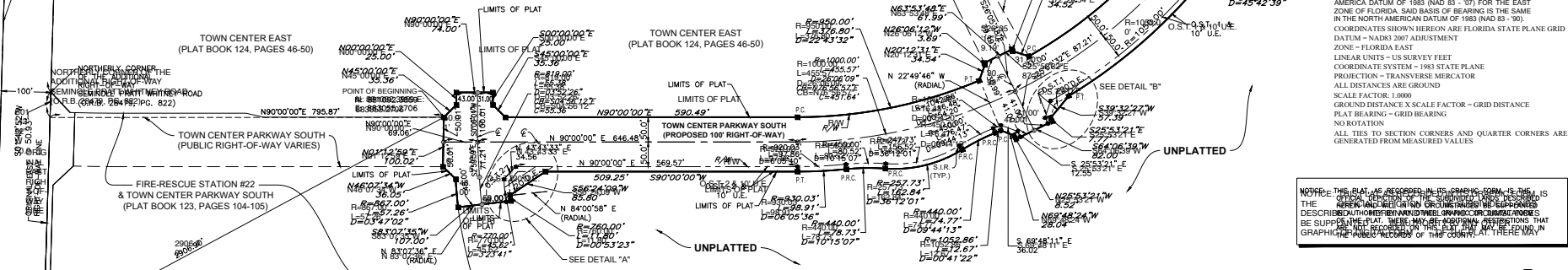
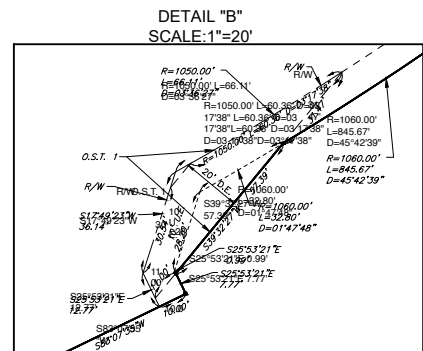
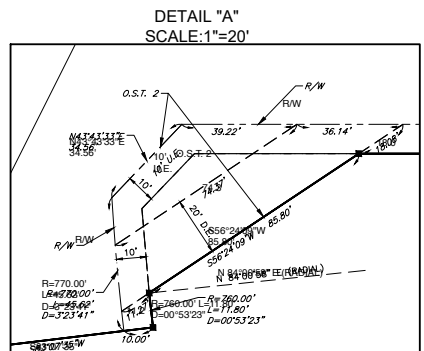
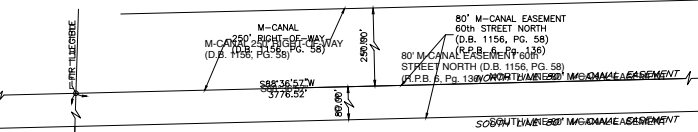
TOWN CENTER PARKWAY SOUTH - PHASE 2

BEING A PLAT OF A PORTION OF
SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA



POINT OF COMMENCEMENT
NORTHEAST CORNER OF
SECTION 1, TOWNSHIP 43 S., RANGE 40 E.
SET 3.5" IRON PIPE "PUBLIC LAND SURVEY
CORNER-TALLAHASSEE MERIDIAN"
BRASS DISK "10" EAST SET IN CONCRETE
FOUND 10' EAST ON SECTION LINE
N: 884626.7147 E: 886137.1629
NAD83 (2007 ADJUSTMENT)
CERTIFIED CORNER RECORD #107597

BASIS OF BEARING
NORTHEAST CORNER SECTION 6-43-40
BRASS DISK IN CONCRETE "P.B.C."
N: 884609.6818 E: 891407.3638
NAD83 (2007 ADJUSTMENT)
CERTIFIED CORNER RECORD #107591



BEARINGS SHOWN HEREON ARE BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S 89°48'53"E (MEASURED) BEARINGS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICA DATUM OF 1983 (NAD 83 - 07) FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 - 90).
COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID DATUM - NAD83 2007 ADJUSTMENT
ZONE - FLORIDA EAST
LINEAR UNITS - US SURVEY FEET
COORDINATE SYSTEM - 1983 STATE PLANE
PROJECTION - TRANSVERSE MERCATOR
ALL DISTANCES ARE GROUND
SCALE FACTOR: 1.0000
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
PLAT BEARING - GRID BEARING
NO ROTATION
ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES

NOTE: THIS PLAT WAS PREPARED IN ITS GRAPHIC FORM, AS THE BASIS OF THE RECORD. THE SURVEYOR'S ORIGINAL FIELD BOOKS, THE ORIGINAL BEARING AND DISTANCE RECORDS, AND THE ORIGINAL DESCRIPTIONS OF THE PROPERTY ARE THE ORIGINAL RECORDS. THESE RECORDS WILL BE SUPPLIED TO THE PUBLIC RECORDS OF THIS COUNTY AT THE TIME OF THE PUBLIC RECORDING OF THIS PLAT.

- | | | |
|---------------------------------------|---|-------------------------------|
| P.B.C. ----- PALM BEACH COUNTY | P.C. ----- POINT OF CURVATURE | R ----- RADIUS |
| P.B. ----- PLAT BOOK | P.T. ----- POINT OF TANGENCY | L ----- ARCH LENGTH |
| O.R./D.R. ----- OFFICIAL RECORDS BOOK | P.R.C. ----- POINT OF REVERSE CURVATURE | D ----- DELTA ANGLE |
| PG ----- PAGE | R.P.B. ----- ROAD PLAT BOOK | CB ----- CHORD BEARING |
| D.E. ----- DRAINAGE EASEMENT | R/W ----- RIGHT-OF-WAY | C ----- CHORD LENGTH |
| U.E. ----- UTILITY EASEMENT | NAD ----- NORTH AMERICAN DATUM | O.S.T. ----- OPEN SPACE TRACT |
| D.B. ----- DEED BOOK | P.S.M. ----- PROFESSIONAL SURVEYOR AND MAPPER | L.B. ----- LICENSED BUSINESS |
| FIR ----- FOUND IRON ROD | SIR ----- SET 1/2" IRON ROD LB7768 | € ----- CENTERLINE |

NORTHEAST CORNER OF SECTION 11, TOWNSHIP 43 S., RANGE 40 E.
SET 3.5" IRON PIPE "PUBLIC LAND SURVEY
CORNER-TALLAHASSEE MERIDIAN"
N: 879601.1504 E: 880453.0464
CERTIFIED CORNER RECORD #107586

GeoPoint
Surveying, Inc.

4132 W. Blue Heron Blvd. Phone: (561) 344-2720
Suite 105
Riviera Beach, FL 33404 Licensed Business Number LB 7768

Sheet No. 2 of 2 Sheets



CITY OF WESTLAKE

Engineering Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470

Phone: (561) 530-5880

www.westlakegov.com

1. **DATE:** 2/7/2018
2. **PETITION NUMBER:** ENG-2017-11
3. **DESCRIPTION:** TCP South Phase II
 - APPLICANT:** Cotleur & Hearing, Inc.
 - OWNER:** Minto PBLH, LLC
 - REQUEST:** Plat & Boundary Survey Review
 - LOCATION:** Westlake, Florida
4. **STAFF REVIEW:** Approval Letter

This approval is contingent upon permit fees being paid in full to the City of Westlake.

This is the second review of this Plat and Boundary Survey. This review is done for compliance with Chapters 177, 5J-17, Florida Statutes, and the City of Westlake's codes and ordinances. The following are our comments:

General Plat Comments

All of our previous comments have been adequately addressed. The plat is now in compliance with Chapter 177 F.S. We recommend that the City of Westlake accept the plat.

Boundary Survey Comments

All of our previous comments have been adequately addressed. The boundary survey meets the requirements of rule 5J-17 of the Florida Administrative Code pursuant to Chapter 472.027 F.S.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

Suzanne Dombrowski, P.E.

Chen Moore and Associates

Tel: 561.746.6900 x 1035

Email: sdombrowski@chenmoore.com

Ninth Order of Business

District 15 City of Westlake

Monthly Report: March 2018



| Calls for Service | Monthly |
|---|------------|
| Business/Residence Checks | 142 |
| Traffic Stops | 36 |
| Calls for Service (Excluding 1061's) | 82 |
| All CAD Calls – Total* | 224 |

| Traffic Summary | Monthly |
|----------------------------------|-----------|
| Warnings (Written and Verbal) | 26 |
| Citations | 10 |
| Total | 36 |

Data Source: CrimeView Dashboard
*Omit Miscellaneous Calls

Summary: During the month, there were 224 generated calls within the district. 79% of these calls were self-initiated.

| Crimes | Monthly |
|----------------------------------|----------|
| Murder | 0 |
| Sexual Assault | 0 |
| Robbery | 0 |
| Burglary - Residential | 0 |
| Burglary - Vehicle | 0 |
| Burglary - Business/Construction | 0 |
| Theft | 0 |
| Motor Vehicle Theft | 0 |
| Vandalism | 0 |
| Fire | 0 |
| Total | 0 |