

**AGENDA
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
WEDNESDAY, FEBRUARY 25, 2026, 9:00 AM
ISLAND ROOM – TOWN HALL – 2 BRIDGE ROAD**

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

AGENDA APPROVAL AND COMMENTS*

A. Mayor/Commissioner Comments*

- a. Commissioner/Town Manager/Town Attorney Comments
- b. Agenda Approval

NOTE:

The Town Commission meeting will **recess at 12:00pm to conduct a closed-door Attorney-Client Session** in the Town Manager's Conference Room to discuss pending litigation. The session is expected to last for approximately 1 hour. However, it may continue so long as the members of the Town Commission determine necessary. The Town Commission meeting will reconvene at the conclusion of the private Attorney-Client session.

Additionally, **Agenda Item #4, Appeal of 7 South Beach Road Development Review Board Decision**, will be heard at approximately **1:30pm**.

B. Public Comment (Non-Agenda Related)

Public Comment is an opportunity for the Mayor and Town Commissioners to listen to any issue(s) of importance to you. Public Comment is offered at the beginning of our meetings, in the event attendees cannot stay in chamber for the agenda item or meeting duration. If you elect to address an item on today's agenda during opening Public Comment, we ask that you please refrain from re-addressing the item during Public Comment at the agenda item.

PRIORITY MATTERS AND PRESENTATIONS

1. Legislative Update - Ken Pruitt, The P5 Group
2. Fiscal Year 2025 Financial Audit Review - Daniel Anderson, CPA, Mauldin & Jenkins
3. Comprehensive Plan, LPA Workshop and Resident Survey Update - Ali Palmer, Kimley Horn

COMMISSION ACTION ITEMS

4. Appeal of 7 South Beach Road Development Review Board Decision - Will be heard at approximately 1:30pm
5. Ordinance No. 415 - Authority of Town Commission re. Development Review Board - 2nd Reading

6. Ordinance No. 416 - Amending Town Code regarding Criteria for Variances - Fill - 2nd Reading
7. Ordinance No. 417 - Amending Town Code regarding Criteria for Variances - IMP - 2nd Reading
8. Ordinance No. 418 - Amending Land Development Regulations re. Variances - 1st Reading
9. Resolution No. 951 - Adopting Local Mitigation Strategy Plan
10. Public Works Vehicle Spending Authorization

ADDITIONAL COMMISSION MATTERS

11. Winter Construction Discussion
12. Contractor Parking Discussion

STANDING REPORTS

13. Town Manager's Report*
14. Town Attorney Report
15. Financial Report
16. Building Department Report
17. Public Works Department Report
18. Public Safety Department Report
 - a. Comprehensive Emergency Management Plan*
 - b. Activity Report

CONSENT ITEMS

19. Consent Agenda

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

- a. Minutes of January 6, 2026, Special Town Commission Meeting
- b. Minutes of January 16, 2026 - Town Commission Meeting

Category B- Other Informational Materials (No Action Required)

NOTE: Minutes are reviewed/approved by their respective Board/Committee/Agency at the next scheduled meeting. The Minutes in this section have been reviewed/approved on the date indicated.

- a. Minutes of February 27, 2025, Finance Advisory Committee Meeting - Feb. 6, 2026
- b. Minutes of November 10, 2025, Beautification Committee Meeting - Feb. 9, 2026

- c. Minutes of November 25, 2024, Local Planning Agency Meeting - January 7, 2026
- d. Minutes of December 4, 2025, Pension Plan Committee - February 19, 2026
- e. Minutes of December 4, 2025, Defined Contribution Plan Committee - February 19, 2026
- f. Minutes of January 8, 2026, Development Review Board Meeting - February 5, 2026
- g. Fixed Asset Disposals

OTHER ITEMS

20. Meeting Dates

- February 25, 2026 – Town Commission Meeting – 9am
- February 25, 2026 – Beach Protection – 3pm or Directly Following Town Commission
- March 24, 2026 – Town Coffee with Mayor Townsend – 9am
- March 24, 2026 – SMRU Board Meeting – 10am
- March 25, 2026 – Town Commission Meeting – 9am
- March 25, 2026 – Beach Protection District Meeting – 1pm or Directly Following Town Commission
- April 22, 2026 – Town Commission Meeting – 9am
- April 22, 2026 – Beach Protection District Meeting – 1pm or Directly Following Town Commission
- May 18, 2026 - SMRU Board Meeting – 9am
- May 19, 2026 – Town Commission Meeting – 9am
- May 19, 2026 – Beach Protection District Meeting – 11:30am or Directly Following Town Commission

21. Other Items*

** No advanced materials provided*

TOWN COMMISSION

- Penny Townsend, Mayor
- Anne Scott, Vice Mayor
- Marshall Field VI, Commissioner
- Patricia Warner, Commissioner
- Joseph Taddeo, Commissioner

ADMINISTRATIVE STAFF

- Town Manager, Robert Garlo
- Town Attorney, Kyle B. Teal
- Town Clerk, Kimberly Kogos

TOWN VISION

The Town of Jupiter Island is a barrier island community, between the Indian River Lagoon and the Atlantic Ocean, where the beauty of nature will always dominate the presence of man. Our vision for the future is illustrated by the traditions of the past, formed by a community of caring individuals who, with imagination and heart, have combined the island's beautiful gifts of nature with those of tradition and family. Inherent in the character of the Town are tranquility, seclusion and safety. The residents of Jupiter Island will faithfully endeavor to preserve and nurture their unique community for all future generations

STATE MANDATED STATEMENT

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he 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. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Town prior to the meeting. Please contact the Town Hall, 2 Bridge Road, Hobe Sound, FL 33455, telephone (772) 545-0103.

PUBLIC NOTICE OF PRIVATE ATTORNEY-CLIENT MEETING

TOWN OF JUPITER ISLAND, FLORIDA

TO THE CITIZENS OF THE TOWN OF JUPITER ISLAND, FLORIDA

Please be advised that the members of the Town of Jupiter Island Town Commission will hold a **private Attorney-Client session on WEDNESDAY, FEBRUARY 25, 2026 beginning at 12:00 P.M.** in the Town Manager's Conference Room, located in Town Hall, 2 Bridge Road, Hobe Sound, FL 33455. During the regularly scheduled Town Commission Meeting on this same day, the Commission will recess to a private Attorney-Client session at approximately **12:00 pm** in the Town Manager's Conference Room as authorized by §286.011(8), *Florida Statutes* to discuss pending litigation and the appeal in the case styled:

(1) *DAVID S. SLAN, JOANNA C SLAN, ARTHUR HANSEN AND ANTHONY HANSEN V. TOWN OF JUPITER ISLAND, 19th Circuit Court Case No.: 23-00-1607-CAAA.*

The members of the Town Commission expected to attend the private Attorney-Client session include: Mayor Penelope "Penny" Townsend, Vice-Mayor Anne Scott, Commissioners Marshall Field VI, Patricia "Patsy" Warner and Joseph "Joe" Taddeo, Town Attorney Kyle B. Teal, Special Counsel, Raquel "Rocky" Rodriguez, and Town Manager Robert Garlo and/or Assistant Town Manager John Duchock.

The Attorney-Client session is expected to begin at approximately 12:00 P.M., and is anticipated to last for approximately 1 hour, however, it may continue so long as the members of the Town Commission determine necessary. At the conclusion of the private Attorney-Client Session, the members of the Town Commission will re-convene their regular meeting in the Town Commission Chambers and take up any other items on the agenda.

For information, please contact Kimberly Kogos, Town Clerk at 772-545-0100.

Posted: 02/18/2026

LEGISLATION
GENERAL GOVERNMENT

HB 691: Agricultural Enclaves/ SB 686 Agricultural Enclaves

HOUSE SPONSOR(S): Botana

SENATE SPONSOR(S): McClain

SENATE *On 2/24/2026 Favorable with CS by Senate Rules. On 2/23/2026 Placed on Special Order Calendar, 02/26/26 - If Received.*

HOUSE *On 2/17/2026 Favorable with CS by State Affairs Committee; 17 Yeas, 6 Nays; On 2/20/2026 Placed on Calendar, on 2nd reading.*

SB 686 Agricultural Enclaves

Amendment 118996 by McClain Filed: 02/23/26 ADOPTED

Streamlines the certification and development of agricultural enclaves by establishing adjacency criteria, shortened approvals, and limited oversight.

- Requires local governments to certify eligible parcels within 90 days or certification is automatic.
- Allows owners to submit residential or commercial plans matching adjacent densities.
- Encourages wildlife corridor preservation and prohibits burdensome local restrictions.
- Refines the definition of “agricultural enclave,” including acreage, location, and adjacency requirements.
- Sunsets changes on January 1, 2028.

Amendment 193976 AA by Harrell Filed: 02/23/26 ADOPTED

Creates an exception for larger parcels exceeding 1,280 acres within counties covered by the water protection plan under s. 373.4595(4)(c).

LEGISLATION

GENERAL GOVERNMENT

SB 636 / HB 1297: Beach Management

HOUSE SPONSOR(S): Greco SENATE SPONSOR(S): Leek

On Thursday, February 12, House Intergovernmental Affairs Subcommittee heard HB 1297. It passed by a vote of 12 Yeas, 0 Nays. It's now in State Affairs, its last committee of reference.

On Thursday, February 12, Senate Fiscal Policy Committee heard SB 636. It passed by a vote of 18 Yeas, 0 Nays. It was placed on Senate Calendar, on 2nd reading.

SB 636


- CS/SB 636 provides that, in designating beaches as critically eroded, the Department of Environmental Protection (DEP) must review data related to beaches that have been preemptively and repeatedly repaired to avoid complete erosion and for which private funding, local government funding, and state and federal grants have been expended to stop or mitigate such erosion.
- The bill also provides that, if a local government with jurisdiction over a beach has a financial plan that ensures funding for inclusion in the state strategic beach management plan, such beach must be designated as critically eroded if: (1) there is a perpetual easement requiring the local government to maintain shoreline parcels and ensure high value inland developments are protected; and (2) the beach has geological features that result in repeated inland flooding or structural damage.
- The bill allows the DEP to require coastal local governments to develop local strategic beach management plans and specifies what must be included in such plans.
- In addition, the bill expands the types of areas that may be designated as an area of critical state concern to include low elevation sections immediately inland of the dune and beach which have been repeatedly breached or overtopped by seawater flowing into an interconnected stormwater system or which have been designated in a local emergency declaration for a prolonged period.

HB 1297

- The bill requires the Department of Environmental Protection (DEP) to review certain information when designating critically eroded beaches and requires beaches meeting certain criteria to be designated as critically eroded. The bill authorizes DEP to require coastal local governments to develop local strategic beach management plans and specifies what must be included in such plans.
- The bill also authorizes these local strategic beach management plans to be incorporated into the state strategic beach management plan.
- The bill includes coastal inland areas meeting certain requirements to the areas that may be designated as an area of critical state concern.



MEMORANDUM

TO: The Mayor and Town Commissioners
THRU: Robert Garlo, Town Manager
FROM: Matthew Pazanski, Finance/HR Director 
DATE: February 11, 2026
SUBJECT: Review of Fiscal Year 2025 Annual Financial Audit

Background

The Town has engaged the firm of Mauldin & Jenkins, LLC to conduct our annual financial audit as required by Section 218.39, Florida Statutes. In July 2023, after the Town's Auditor Selection Committee's solicitation, evaluation, and recommendation, the Town Commission approved a three-year contract with Mauldin & Jenkins to complete the required annual financial audit for Fiscal Years 2023, 2024, and 2025 with the option to continue their services for FY 2026 and 2027.

Discussion

Daniel Anderson, CPA of Mauldin & Jenkins, reviewed the Fiscal Year 2025 audit results with the Finance Advisory Committee on February 6, 2026. The Committee asked questions and discussed various topics with Mr. Anderson and staff including:

- Single Audit-required of the Beach Protection District
- Property Tax Reform
- Revenues and Expenditures - 5-Year Trend (Requested comparative analysis with other agencies at future meetings)
- Fund Balance
- SMRU Debt
- Investments

At the February 25, 2026, Town Commission meeting, Mr. Anderson will present an overview of the Fiscal Year 2025 Annual Financial Audit Report and its requirements and review any findings, observations, and recommendations from the audit.



Town of Jupiter Island, Florida

Auditor's Discussion and Analysis
Financial and Compliance Audit Summary
September 30, 2025

Presented by:
Daniel Anderson, CPA
danderson@mjcpa.com

mjcpa.com

941-747-4483



TOWN OF
JUPITER ISLAND
FLORIDA

TOWN OF JUPITER ISLAND, FLORIDA
AUDITOR'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2025

PURPOSE OF ANNUAL AUDITOR'S DISCUSSION AND ANALYSIS

- ◆ Engagement Team and Firm Information:
 - The Governmental Practice.
 - Additional Information Regarding Other Industries and Services.

- ◆ Overview of:
 - Independent Auditor's Report.
 - Financial Statements, Footnotes and Supplementary Information.
 - Compliance Reports (Internal Controls and Laws and Regulations).
 - Audit Scopes and Procedures.

- ◆ Required Communications under *Government Auditing Standards*.

- ◆ Accounting Recommendations and Related Matters:
 - Recommendations for Improvement.
 - Other Matters for Communication.

- ◆ Free Continuing Education and Newsletters.

- ◆ Answer Questions.



VISION

To be a trusted advisor, earning trust and building respect through our consistent commitment to sustainable excellence, leadership, and integrity.

TOWN OF JUPITER ISLAND, FLORIDA AUDITOR'S DISCUSSION AND ANALYSIS SEPTEMBER 30, 2025

MAULDIN & JENKINS – BY THE NUMBERS






CONSISTENTLY RANKED AS A TOP ACCOUNTING FIRM IN THE U.S.

100+ year
HISTORY
OF QUALITY SERVICE

Serve 750+
GOVERNMENT CLIENTS

GOVERNMENTAL PARTNERS & DIRECTORS **31**



190+ TEAM MEMBERS DEDICATED TO SERVING THE GOVERNMENTAL INDUSTRY



VISION
To be a trusted advisor, earning trust and building respect through our consistent commitment to sustainable excellence, leadership, and integrity.



350+ SINGLE AUDITS PERFORMED LAST YEAR COVERING ALMOST \$7 BILLION OF FEDERAL GRANTS



165,000+ HOURS ANNUALLY PROVIDED TO GOVERNMENTAL CLIENTS

180+

CURRENT CLIENTS AWARDED THE GFOA CERTIFICATE OF EXCELLENCE

8 STATES | **19** OFFICES



Engagement Team Leaders for the Town Include:

- Daniel Anderson, Engagement Lead Partner: 18 years of experience, 100% governmental
- Wade Sansbury, Quality Assurance Partner: 31 years of experience, 100% governmental

TOWN OF JUPITER ISLAND, FLORIDA
AUDITOR'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2025

MAULDIN & JENKINS – ADDITIONAL INFORMATION

Other Industries and Services by Mauldin & Jenkins:

Each of Mauldin & Jenkins' offices provides a wide variety of services to a broad range of clientele. We have partners and managers who are responsible for specialized practice areas of auditing and accounting, taxes and management advisory services. Their purpose, as leaders in the particular practice area, is to establish policies with respect to technical matters in these specific areas and ensure that the quality of the Firm's practice is maintained.

Industries Served: Over the years, our partners have developed expertise in certain industries representative of a cross section of the Florida economy, including:

- Governmental Entities (state entities, cities, counties, school systems, business type operations, libraries, and other special purpose entities)
- SEC Registrants
- Wholesale Distribution
- Agri-Businesses
- Manufacturing
- Professional Services
- Employee Benefit Plans
- Financial Institutions (community banks, savings and loans, thrifts, credit unions, mortgage companies, and finance companies)
- Non-Profit Organizations
- Retail Businesses
- Long-Term Healthcare
- Construction and Development
- Individuals, Estates and Trusts
- Real Estate Management

Services Provided: This diversity of practice enables our personnel to experience a wide variety of business, accounting and tax situations. We provide the traditional and non-traditional services such as:

- Financial Audit/Review/Compilation
- Compliance Audits and Single Audits
- Agreed-Upon Procedures
- Forensic Audits
- Bond Issuance Services
- Performance Audits
- State Sales Tax Matters
- International Tax Matters
- Business and Strategic Planning
- Profitability Consulting
- Budgeting
- Buy-Sell Agreements and Business Valuation Issues
- Income Tax Planning and Preparation
- Multi-State Income Tax Issues
- Information Systems Consulting
- Cost Accounting Analysis
- Healthcare Cost Reimbursement
- Outsourced Billing Services
- Fixed Asset Inventories
- Succession and Exit Strategy Consulting
- Estate Planning
- Management Information Systems
- Employee Benefit Plan Administration
- Merger/Acquisition and Expansion Financing

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GOVERNMENTAL ADVISORY SERVICES

Beyond traditional audit and accounting services and IT services, we provide advisory services that are wide-ranging in nature. Our experienced government advisory team helps governments, governmental agencies and special purpose governmental organizations balance fiscal responsibility with the latest business strategies to achieve targeted and overarching objectives. Our advisory services can be summarized via the following:



David Roberts
Partner, Governmental Advisory Services

David Roberts has more than 23 years of experience as a consultant and trusted advisor providing operational/organizational assessments and similar transformational projects for federal, state, and local governments across the country. David's experience includes leading numerous enterprise-wide/departmental/functional assessments and transformations over his career measuring the efficiency and effectiveness of organizational structures and culture, performance management, technology systems and strategies, staffing models, service delivery models, and customer satisfaction.

David helps his clients turn visions and goals into reality. He has helped multiple clients win national government industry awards for innovation, transformation, and cost savings.

David leads our Government Advisory practice, where he focuses on helping governments and individual agencies fulfill and exceed their financial, operational, and regulatory obligations to the public. David has completed hundreds of projects over his career. On the following page are sample management consulting projects demonstrating David's depth and breadth completed within the past 12 months.

TOWN OF JUPITER ISLAND, FLORIDA
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Operational and Performance Assessment – Walton County, Georgia

David led a multi-department Operational and Performance Assessment for Walton County. The scope included assessing organizational structure, operational efficiency, staffing levels and resource utilization, comparison to leading practices, and observations and recommendations to assist the County in achieving the desired future state. The final report included numerous observations with associated recommendations and a detailed Roadmap/Implementation Plan.

Outsourcing Feasibility Study – City of Rocky Mount, North Carolina

David led a feasibility study for the City of Rocky Mount to assess its current service delivery model for providing parks maintenance and landscaping services. City operations used of a hybrid model of both internal resources and third-party contractors to provide parks maintenance and landscaping. The project evaluated the pros and cons (both financial and non-financial) of: (1) maintaining the hybrid model, (2) performing all services in-house, and (3) performing all services externally.

Finance Functional Assessment – Richland County Library, South Carolina

David led a functional assessment of the Library's finance department. The project consisted of understanding the current state – current service provision, performance, workflow, business processes, internal controls, organizational structure, reporting, and communications. The current state was compared to leading practices and gaps were identified. An implementation roadmap was created that aligned recommendations to leaderships' vision to help the organization achieve its desired future state.

Grant Compliance Audit – Decide DeKalb (Georgia)

David led a Grant Compliance Assessment of various development projects for Decide DeKalb. The project reviewed the established grant and contractual criteria to be maintained by developers and compared with tenant information related to low-income occupants. The project identified areas of compliance, non-compliance, and recommendations for remediation.

Forensic Audit – Confidential City

David led a forensic investigation into questionable cash management activity for a City Parks and Recreation department. The project reviewed bank account activity, cancelled checks, cash withdrawals, and purchased item documentation as well as conducted interviews with account cardholders to determine the collection, handling, and use of several hundred thousand dollars collected in fees, sponsorships, and contributions made to the City. Numerous observations and corresponding recommendations were developed to enhance internal controls, written policies, and procedures to correct conflicts of interest, mishandling of funds, and misappropriation of funds.

TOWN OF JUPITER ISLAND, FLORIDA
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INDEPENDENT AUDITOR'S REPORT

The independent auditor's report has specific significance to readers of the financial report.

Opinion

We have issued an unmodified audit report, which is the highest form of assurance we can render with regard to the fairness of financial information on which we are opining. The financial statements are considered to present fairly the financial position and results of operations as of, and for the year ended September 30, 2025.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. We are required to be independent of the Town and to meet our ethical responsibilities.

Management's Responsibility for the Financial Statements

The financial statements are the responsibility of management. Management is also required to evaluate the Town's ability to continue as a going concern.

Auditor's Responsibility

Our responsibility, as external auditors, is to express opinions on these financial statements based on our audit. We planned and performed our audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

Other Reporting

Government Auditing Standards require auditors to issue a report on our consideration of internal control over financial reporting and on our tests of compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. We have issued such a report and reference to this report is included in the independent auditor's report.

TOWN OF JUPITER ISLAND, FLORIDA

AUDITOR'S DISCUSSION AND ANALYSIS

SEPTEMBER 30, 2025

OVERVIEW OF FINANCIAL STATEMENTS

The financial statements as presented to you today include the basic financial statements as well as Management's Discussion and Analysis as prepared by Town management. The Town's basic financial statements include three components: (1) government-wide financial statements; (2) fund financial statements; and (3) notes to the financial statements.

The **government-wide financial statements** provide a broad overview of all of the Town's activities. The *Statement of Net Position* presents information on all assets and liabilities of the Town, with the difference between the two reported as net position. The *Statement of Activities* presents information showing how the Town's net position changed during the most recent fiscal year. Revenues are categorized as program revenues or general revenues. Expenses are categorized by function.

The **fund financial statements** more closely resemble the financial statements as presented prior to the adoption of GASB Statement No. 34. All of the funds of the Town can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

COMPLIANCE REPORTS

The Financial Report Package Contains Three Compliance Reports:

Yellow Book Report: The first compliance report is a report on our tests of the Town's internal controls and compliance with laws, regulations, etc. The tests of internal controls were those we determined to be required as a basis for designing our financial statement auditing procedures. Such tests also considered the Town's compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. In accordance with the respective standards, the report is not intended to provide an opinion, but to provide a form of negative assurance as to the Town's internal controls and compliance with applicable rules and regulations.

Single Audit Report: The second compliance report is a report on our tests of the Town's internal controls and compliance with laws, regulations, etc. relative to certain federal grant programs and state projects and the respective expenditures. Our tests were performed on the Town's major programs and projects (as defined by the relevant federal and state guidelines) and were not applied to each and every federal or state grant expended by the Town. In accordance with the respective standards, we did provide an unmodified (or positive) opinion on the Town's compliance based on our audit. However, we were not required to provide an opinion on the relevant internal controls, but to provide a form of negative assurance on such controls.

Independent Auditor's Management Letter: The Independent Auditor's Management Letter is required to document the Town's Compliance with the requirements of the Rules of the Auditor General. In accordance with the respective rules, the report is not intended to provide an opinion, but to provide a form of negative assurance as to the Town's internal controls and compliance with applicable rules and regulations.

Independent Accountant's Report: The Independent Accountant's Report is required to provide the results of our examination procedures performed concerning the Town's investment of public funds in accordance with Florida Statutes.

TOWN OF JUPITER ISLAND, FLORIDA
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REQUIRED COMMUNICATIONS

**The Auditor's Responsibility Under Government Auditing Standards
and Auditing Standards Generally Accepted in the United States of America**

Our audit of the financial statements of the Town of Jupiter Island, Florida (the "Town") for the year ended September 30, 2025, was conducted in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether caused by error, fraudulent financial reporting or misappropriation of assets. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. Accordingly, the audit was designed to obtain reasonable, rather than absolute, assurance about the financial statements. We believe our audit accomplishes that objective.

In accordance with *Government Auditing Standards*, we have also performed tests of controls and compliance with laws and regulations that contribute to the evidence supporting our opinion on the financial statements. However, they do not provide a basis for opining on the Town's internal control or compliance with laws and regulations.

Accounting Policies

Management has the ultimate responsibility for the appropriateness of the accounting policies used by the Town. During the current year, the Town implemented Governmental Accounting Standards Board (GASB) Statement No. 101. In addition, there are several new accounting standards which will be required to be implemented in the coming years. These are discussed later in this document.

In considering the qualitative aspects of the Town's accounting policies, we did not identify any significant or unusual transactions or significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus. The Town's policies relative to the timing of recording of transactions are consistent with GAAP and typical government organizations.

Management Judgments and Accounting Estimates

Accounting estimates are an integral part of the preparation of financial statements and are based upon management's current judgment. The process used by management encompasses their knowledge and experience about past and current events and certain assumptions about future events. Management has informed us they used all the relevant facts available to them at the time to make the best judgments about accounting estimates and we considered this information in the scope of our audit. We considered this information and the qualitative aspects of management's calculations in evaluating the Town's significant accounting policies. Estimates significant to the financial statements include valuations of investments.

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Financial Statement Disclosures

The footnote disclosures to the financial statements are also an integral part of the financial statements. The process used by management to accumulate the information included in the disclosures was the same process used in accumulating the financial statements, and the accounting policies described above are included in those disclosures. The overall neutrality, consistency and clarity of the disclosures was considered as part our audit and in forming our opinion on the financial statements.

Significant Difficulties Encountered in Performing the Audit

We encountered no difficulties in dealing with management relating to the performance of the audit.

Audit Adjustments

During our audit of the Town's basic financial statements as of and for the year ended September 30, 2025, there were auditor adjustments proposed and posted to the Town's records.

Uncorrected Misstatements

We had no passed adjustments.

Disagreements with Management

We encountered no disagreements with management over the application of significant accounting principles, the basis for management's judgments on significant matters, the scope of the audit or significant disclosures to be included in the financial statements.

Representation from Management

We requested written representations from management relating to the accuracy of information included in the financial statements and the completeness and accuracy of various information requested by us, during the audit. Management provided those written representations without delay and in an organized manner.

Management's Consultations with Other Accountants

We are not aware of any consultations management had with other accountants about accounting or auditing matters.

Significant Issues Discussed with Management

There were no significant issues discussed with management related to business conditions, plans or strategies that may have affected the risk of material misstatement of the financial statements. We are not aware of any consultations management had with us or other accountants about accounting or auditing matters. No major issues were discussed with management prior to our retention to perform the aforementioned audit.

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Independence

We are independent of the Town and all related organizations, in accordance with auditing standards promulgated by the American Institute of Public Accountants and *Government Auditing Standards*, issued by the Comptroller General of the United States.

Other Information in Documents Containing Audited Financial Statements

We are not aware of any other documents that contain the audited basic financial statements. If such documents were to be published, we would have a responsibility to determine that such financial information was not materially inconsistent with the audited statements of the Town.

Required Supplementary Information

We applied certain limited procedures to the Town's RSI as identified in the table of contents, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

ADDITIONAL MATTERS

**New Governmental Accounting Standard
Board (GASB) Standards and Pronouncements**



As has been the case for the past ten years, GASB has issued several other new pronouncements which will be effective in future years. The following is a brief summary of the new standards:

- a) **Statement No. 102, *Certain Risk Disclosures*** was issued in December 2023 and is effective for fiscal years beginning after June 15, 2024 and all reporting periods thereafter.

State and local governments face a variety of risks that could negatively affect the level of service they provide or their ability to meet obligations as they come due. Although governments are required to disclose information about their exposure to some of those risks, essential information about other risks that are prevalent among state and local governments is not routinely disclosed because it is not explicitly required. The objective of this statement is to provide users of government financial statements with essential information about risks related to a government's vulnerabilities due to certain concentrations or constraints.

This statement defines a concentration as a lack of diversity related to an aspect of a significant inflow of resources or outflow of resources. A constraint is a limitation imposed on a government by an external party or by formal action of the government's highest level of decision-making authority. Concentrations and constraints may limit a government's ability to acquire resources or control spending.

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This statement requires a government to assess whether a concentration or constraint makes the primary government reporting unit or other reporting units that report a liability for revenue debt vulnerable to the risk of a substantial impact. Additionally, this statement requires a government to assess whether an event or events associated with a concentration or constraint that could cause the substantial impact have occurred, have begun to occur, or are more likely than not to begin to occur within 12 months of the date the financial statements are issued.

If a government determines that those criteria for disclosure have been met for a concentration or constraint, it should disclose information in notes to financial statements in sufficient detail to enable users of financial statements to understand the nature of the circumstances disclosed and the government's vulnerability to the risk of a substantial impact. The disclosure should include descriptions of the following:

- The concentration or constraint.
- Each event associated with the concentration or constraint that could cause a substantial impact if the event had occurred or had begun to occur prior to the issuance of the financial statements.
- Actions taken by the government prior to the issuance of the financial statements to mitigate the risk.

b) Statement No. 103, *Financial Reporting Model Improvements* was issued in April 2024 and is effective for fiscal years beginning after June 15, 2025 and all reporting periods thereafter.

The objective of this statement is to improve key components of the financial reporting model to enhance its effectiveness in providing information that is essential for decision making and assessing a government's accountability. This statement also addresses certain application issues.

Management's Discussion and Analysis

This statement continues the requirement that the basic financial statements be preceded by management's discussion and analysis (MD&A), which is presented as required supplementary information (RSI). MD&A provides an objective and easily readable analysis of the government's financial activities based on currently known facts, decisions, or conditions and presents comparisons between the current year and the prior year. This statement requires that the information presented in MD&A be limited to the related topics discussed in five sections: (1) Overview of the Financial Statements, (2) Financial Summary, (3) Detailed Analyses, (4) Significant Capital Asset and Long-Term Financing Activity, and (5) Currently Known Facts, Decisions, or Conditions. Furthermore, this statement stresses that the detailed analyses should explain why balances and results of operations changed rather than simply presenting the amounts or percentages by which they changed. This statement emphasizes that the analysis provided in MD&A should avoid unnecessary duplication by not repeating explanations that may be relevant to multiple sections and that "boilerplate" discussions should be avoided by presenting only the most relevant information, focused on the primary government. In addition, this statement continues the requirement that information included in MD&A distinguish between that of the primary government and its discretely presented component units.

TOWN OF JUPITER ISLAND, FLORIDA
AUDITOR'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2025

Unusual or Infrequent Items

This statement describes unusual or infrequent items as transactions and other events that are either unusual in nature or infrequent in occurrence. Furthermore, governments are required to display the inflows and outflows related to each unusual or infrequent item separately as the last presented flow(s) of resources prior to the net change in resource flows in the government-wide, governmental fund, and proprietary fund statements of resource flows.

Presentation of the Proprietary Fund Statement of Revenues, Expenses, and Changes in Net Position

This statement requires that the proprietary fund statement of revenues, expenses, and changes in fund net position continue to distinguish between operating and nonoperating revenues and expenses. Operating revenues and expenses are defined as revenues and expenses other than nonoperating revenues and expenses. Nonoperating revenues and expenses are defined as: (1) subsidies received and provided, (2) contributions to permanent and term endowments, (3) revenues and expenses related to financing, (4) resources from the disposal of capital assets and inventory, and (5) investment income and expenses.

In addition to the subtotals currently required in a proprietary fund statement of revenues, expenses, and changes in fund net position, this statement requires that a subtotal for *operating income (loss) and noncapital subsidies* be presented before reporting other nonoperating revenues and expenses. Subsidies are defined as: (1) resources received from another party or fund: (a) for which the proprietary fund does not provide goods and services to the other party or fund, and (b) that directly or indirectly keep the proprietary fund's current or future fees and charges lower than they would be otherwise, (2) resources provided to another party or fund: (a) for which the other party or fund does not provide goods and services to the proprietary fund, and (b) that are recoverable through the proprietary fund's current or future pricing policies, and (3) all other transfers.

Major Component Unit Information

This statement requires governments to present each major component unit separately in the reporting entity's statement of net position and statement of activities if it does not reduce the readability of the statements. If the readability of those statements would be reduced, combining statements of major component units should be presented after the fund financial statements.

Budgetary Comparison Schedule

This statement requires governments to present budgetary comparison information using a single method of communication—RSI. Governments also are required to present: (1) variances between original and final budget amounts, and (2) variances between final budget and actual amounts. An explanation of significant variances is required to be presented in notes to RSI.

TOWN OF JUPITER ISLAND, FLORIDA
AUDITOR'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2025

- c) **Statement No. 104, Disclosure of Certain Capital Assets** was issued in September 2024 and is effective for fiscal years beginning after June 15, 2025 and all reporting periods thereafter.

State and local governments are required to provide detailed information about capital assets in notes to financial statements. Statement No. 34, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments*, requires certain information regarding capital assets to be presented by major class. The objective of this statement is to provide users of government financial statements with essential information about certain types of capital assets.

This statement requires certain types of capital assets to be disclosed separately in the capital assets note disclosures required by Statement 34. Lease assets recognized in accordance with Statement No. 87, *Leases*, and intangible right-to-use assets recognized in accordance with Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*, should be disclosed separately by major class of underlying asset in the capital as-sets note disclosures. Subscription assets recognized in accordance with Statement No. 96, *Subscription-Based Information Technology Arrangements*, also should be separately disclosed. In addition, this statement requires intangible assets other than those three types to be disclosed separately by major class.

This statement also requires additional disclosures for capital assets held for sale. A capital asset is a capital asset held for sale if: (a) the government has decided to pursue the sale of the capital asset, and (b) it is probable that the sale will be finalized within one year of the financial statement date. Governments should consider relevant factors to evaluate the likelihood of the capital asset being sold within the established time frame. This statement requires that capital assets held for sale be evaluated each reporting period. Governments should disclose: (1) the ending balance of capital assets held for sale, with separate disclosure for historical cost and accumulated depreciation by major class of asset, and (2) the carrying amount of debt for which the capital assets held for sale are pledged as collateral for each major class of asset.

- d) **Other Pending or Current GASB Projects.** As noted by the numerous pronouncements issued by GASB over the past decade, the GASB continues to research various projects of interest to governmental units. Subjects of note include:

- **Revenue and Expense Recognition** is another long-term project where the GASB is working to develop a comprehensive application model for recognition of revenues and expenses from non-exchange, exchange, and exchange-like transactions. The final standard is expected in mid-2027.
- **Classification of Nonfinancial Assets.** The objective of this project would be to reconsider the existing classification of nonfinancial assets and other related sub-classifications (for example, capital assets or intangible assets) to ensure that: (1) assets are classified in a way that provides the most relevant financial information, and (2) the definitions of the classifications are understandable and appropriate to meeting financial reporting objectives. The project also will consider how any classification changes would affect financial statement presentation and disclosure of nonfinancial assets. The project will not, however, reexamine recognition or measurement of nonfinancial assets.

TOWN OF JUPITER ISLAND, FLORIDA
AUDITOR'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2025

- **Going Concern Uncertainties and Severe Financial Stress** is a major project where the goal is to address issues related to disclosures regarding going concern uncertainties and severe financial stress. The project will consider: (1) improvements to existing guidance for going concern considerations to address diversity in practice and clarify the circumstances under which disclosure is appropriate, (2) developing a definition of severe financial stress and criteria for identifying when governments should disclose their exposure to severe financial stress, and (3) what information about a town's exposure to severe financial stress is necessary to disclose. This technical topic is being examined by the GASB due to a wide diversity in practice regarding required presentation on the face of the financial statements, disclosures, etc. An exposure draft on this topic is expected by mid-2025.

**COMPLIMENTARY CONTINUING EDUCATION
AND NEWSLETTERS FOR GOVERNMENTAL CLIENTS**

Complimentary Continuing Education. We provide complimentary continuing education for all of our governmental clients. Each quarter, we pick a couple of significant topics tailored to be of interest to governmental entities. We have been providing these complimentary services virtually to allow for a wider array of clients to attend. We obtain the input and services of experienced outside speakers along with providing the instruction utilizing our in-house professionals. We hope the Town staff and officials can participate in this opportunity, and that it will be beneficial to them. Examples of subjects addressed in the past include:

- Accounting for Debt Issuances
- ACFR Preparation (several times including a two-day hands-on course)
- Achieving Excellence in Financial Reporting
- Best Budgeting Practices, Policies and Processes
- Capital Asset Accounting Processes and Controls
- Component Units
- Cybersecurity Risk Management
- Evaluating Financial and Non-Financial Health of a Local Government
- Financial Report Card – Where Does Your Government Stand?
- Financial Reporting Model Improvements
- GASB No. 84, Fiduciary Activities
- GASB No. 87, Leases
- GASB Projects & Updates (ongoing and several sessions)
- Grants (Accounting and Auditing)
- Human Capital Management
- Information Technology (IT) Risk Management
- Internal Controls Over Accounts Payable, Payroll and Cash Disbursements
- Internal Controls Over Receivables & the Revenue Cycle
- Internal Revenue Service (IRS) Compliance Issues, Primarily Payroll Matters
- Legal Considerations for Debt Issuances & Disclosure Requirements
- Policies and Procedures Manuals
- Presenting Financial Information to Non-Financial People
- Procurement Card Red Flags
- Risk, Efficiency, & Effectiveness in Governments

TOWN OF JUPITER ISLAND, FLORIDA
AUDITOR'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2025

- Segregation of Duties
- Single Audits for Auditees
- Uniform Grant Guidance

Governmental Newsletters. We periodically produce newsletters tailored to meet the needs of governments. The newsletters have addressed a variety of subjects and are intended to be timely in their subject matter. The newsletters are authored by Mauldin & Jenkins employees and are not purchased from an outside party. The newsletters are intended to keep you informed of current developments in the government finance environment.

In the past several years, the following topics have been addressed in our monthly newsletters:

- Are Your Government's Funds Secure?
- COVID-19 Updates (several)
- Cybersecurity Awareness
- Employee vs Independent Contractor
- Federal Funding and Accountability Transparency Act
- Forensic Audit or Financial Audit?
- GASB Invitation to Comment – the New Financial Reporting Model
- Grants Management
- OMB Compliance Supplements
- Property Tax Assessments
- Remote Auditing Best Practices
- Refunding Debt
- Rotating or Not Rotating Auditors
- Sales Tax Collections and Remittances by the State
- SAS Clarity Standards and Group Audits
- Single Audit, including Uniform Guidance (several)
- Various GASB statements

Communication. In an effort to better communicate our complimentary continuing education plans and newsletters, please email Paige Vercoe at pvercoe@mjcpa.com and provide to her individual names, mailing addresses, email addresses, and phone numbers of anyone you wish to participate and be included in our database.

CLOSING

If you have any questions regarding any items set forth in this memorandum, we will be pleased to discuss it with you at your convenience. This information is intended solely for the use of the Town of Jupiter Island's management, and others within the Town's organization and is not intended to be and should not be used by anyone other than these specified parties.

We appreciate the opportunity to serve the Town of Jupiter Island and look forward to serving the Town in the future. Thank you.

TOWN OF JUPITER ISLAND, FLORIDA
FINANCIAL STATEMENTS AND
SUPPLEMENTARY FINANCIAL INFORMATION
FOR THE YEAR ENDED
SEPTEMBER 30, 2025

GOING FURTHER

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FINANCIAL SECTION

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Independent Auditor's Report

**To the Honorable Mayor and
Members of the Town Commission
Town of Jupiter Island, Florida**

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Jupiter Island, Florida (the "Town"), as of and for the year ended September 30, 2025, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, and each major fund, and the aggregate remaining fund information of the Town as of September 30, 2025, and the respective changes in financial position, and, where applicable, cash flows, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Town and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information for the General Fund and Beach Protection Fund, schedule of changes in the net pension liability and related ratios – defined benefit pension plan, schedule of employer contributions and investment returns – defined benefit pension plan, schedule of changes in total pension liability, defined benefit pension plan, schedule of changes in the total OPEB liability and related ratios, and notes to required supplementary information on pages 4 through 11 and 67 through 74 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town's basic financial statements. The accompanying combining financial statements – nonmajor governmental funds, schedule of water and wastewater revenue refunding bond coverage – enterprise fund, and schedule of expenditures of federal awards and state financial assistance, as required by Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and Chapter 10.550, Rules of the Auditor General for Local Governmental Entity Audits, are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining financial statements-nonmajor governmental funds, the schedule of water and wastewater revenue refunding bond coverage – enterprise fund, and schedule of expenditures of federal awards and state financial assistance are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated February 10, 2026, on our consideration of the Town's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Town's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town's internal control over financial reporting and compliance.



Bradenton, Florida
February 10, 2026

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MANAGEMENT'S DISCUSSION AND ANALYSIS

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Management's Discussion and Analysis

INTRODUCTION

The Town of Jupiter Island, Florida's (the "Town") management discussion and analysis (MD&A) is designed to offer readers of the Town's financial statements an objective and easy-to-read analysis of the Town's financial activities based on currently available information. This narrative overview is only a component of the entire financial statement report. Readers should review and evaluate all sections of the report, including the footnotes and the other required supplementary information that is provided in addition to this MD&A for the fiscal year ended September 30, 2025.

FINANCIAL HIGHLIGHTS

- The assets and deferred outflows of the Town exceeded its liabilities and deferred inflows at the close of the most recent fiscal year by \$156,672,204. Of this amount, \$53,995,133 (unrestricted net position) may be used to meet the government's ongoing obligations to citizens and creditors.
 - Governmental net position was \$82,415,244.
 - Business-type net position was \$74,256,960.
- The total revenue from all sources was \$73,922,978 and the total cost of all Town programs was \$36,814,022.
- As of the close of the current fiscal year, the Town's governmental funds reported combined ending fund balances of \$25,697,081 which was a decrease of \$10,186,571 from the prior year balance of \$35,883,652. Approximately 71.4% of this fund balance is restricted or assigned for specific purposes; the remaining 28.6% is available for spending at the Town's discretion from the General Fund.
- At the end of the current fiscal year, the unassigned fund balance for the General Fund was \$7,188,068 or 52% of the total General Fund expenditures for the year ended September 30, 2025.
- The Town's outstanding long-term debt (excluding compensated absences, other post-employment benefits, and net pension liability) decreased from \$40,843,745 to \$39,184,330 during the current fiscal year, representing a net decrease of \$1,659,415 (4.1%).

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the Town's basic financial statements. The basic financial statements of the Town comprise three components: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements: The government-wide financial statements, which consist of the following two statements, are designed to provide readers with a broad overview of the Town's finances, in a manner similar to a private-sector business. The statement of net position and the statement of activities report information about the Town as a whole, and about its activities, in a way that helps determine if the year's activities contributed positively to its overall financial well-being. Both statements represent an overview of the Town as a whole, separating its operations between governmental activities and business-type activity.

The *statement of net position* presents information on all of the Town's assets and deferred outflows of resources, liabilities and deferred inflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Town is improving or deteriorating. Other factors should be considered, however, such as the condition of the Town's capital assets, to assess the overall health of the Town.

The *statement of activities* presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flow. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected revenues and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the Town that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activity). The governmental activities of the Town include general government, public safety, roads, sanitation, and building and land development. The business-type activity of the Town includes the water and wastewater utility.

The government-wide financial statements include only the Town itself (known as the primary government). The Jupiter Island Beach Protection District, although a legally separate entity, functions for all practical purposes as a department of the Town and, therefore, has been included as an integral part of the primary government. The government-wide financial statements can be found on pages 12 and 13 of this report.

Fund Financial Statements: Conventional users of governmental financial statements will find the fund financial statements presentation more familiar. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the Town can be divided into three categories: governmental funds, enterprise funds, and fiduciary funds.

Governmental Funds: Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the Town's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenue, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The Town maintains four individual governmental funds. Information is presented separately in the governmental fund balance sheet and statement of revenue, expenditures, and changes in fund balances for the General Fund, Beach Protection Fund (Jupiter Island Beach Protection District) and in total for the nonmajor governmental funds which include the Electric Underground Fund and the Special Law Enforcement Fund. The basic governmental fund financial statements can be found on pages 14 through 17 of this report.

Enterprise Funds: The Town maintains one enterprise fund, which is used to report the same functions presented as the business-type activity in the government-wide financial statements. The Town's enterprise fund accounts for the South Martin Regional Utility (SMRU) water, wastewater, and irrigation quality water utility operations. The basic enterprise fund financial statements can be found on pages 18 through 22 of this report. The schedule of water and wastewater revenue refunding bond coverage for the enterprise fund can be found on page 77 of this report.

Fiduciary Funds: Fiduciary funds, including the Town's defined benefit pension trust fund. Fiduciary funds are not reported in the government-wide financial statements because the resources of those funds are not available to support the Town's own programs. The accounting basis used for fiduciary funds is accrual, much like that used for enterprise funds. The basic fiduciary fund financial statements can be found on pages 23 and 24 of this report.

Notes to the Financial Statements: The notes to the financial statements provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 25 through 66 of this report.

Supplementary Information: In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information. A budgetary comparison schedule has been provided as required supplementary information for the General Fund and the Beach Protection Fund on pages 75 and 76 to demonstrate compliance with the adopted budget for these major governmental funds. Information concerning the Town's progress in funding its obligation to provide pension benefits and other post-employment benefits to its employees can be found on pages 69 through 74 of this report.

The combining and individual fund financial statements and schedules are presented as other supplementary information on pages 75 through 77 of this report immediately following the required supplementary information.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the Town, governmental activity assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$82,415,244. Business-type activity assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$74,256,960. The Town-wide total net position was \$156,672,204 at the close of the fiscal year ended September 30, 2025. The statement of net position is on page 12 of this report. At the end of the current fiscal year, the Town reported positive balances in net position for the government as a whole, as well as for its separate business-type activity. The governmental activities reported a balance in unrestricted net position at September 30, 2025 of \$21,485,640, compared to \$6,092,122 as of September 30, 2024.

The largest portion of the Town's net position is reflected in the net investment in capital assets (e.g., land, buildings, machinery and equipment; less any related debt used to acquire those assets that is still outstanding). Capital assets total \$112,872,985 or 55% of all assets, which total \$205,791,179. The Town uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the Town's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

A portion of the Town's net position (\$28,894,787 or 18%) represents resources that are subject to restrictions on how they may be used.

The following table reflects the condensed statement of net position as of the current year-end as compared to the prior year-end:

	Net Position					
	Governmental		Business-Type		Totals	
	Activities		Activities			
	2025	2024	2025	2024	2025	2024
Assets						
Current and other assets	\$ 41,832,038	\$ 37,185,029	\$ 51,086,156	\$ 45,826,507	\$ 92,918,194	\$ 83,011,536
Capital assets	47,169,414	22,424,910	65,703,571	65,786,768	112,872,985	88,211,678
Total assets	89,001,452	59,609,939	116,789,727	111,613,275	205,791,179	171,223,214
Total deferred outflows of resources	100,660	156,865	169,873	322,004	270,533	478,869
Liabilities						
Long-term liabilities	4,272,543	5,898,242	36,149,941	37,135,342	40,422,484	43,033,584
Other liabilities	1,325,136	1,408,208	2,148,423	2,333,018	3,473,559	3,741,226
Total liabilities	5,597,679	7,306,450	38,298,364	39,468,360	43,896,043	46,774,810
Total deferred inflows of resources	1,089,189	1,137,873	4,404,276	4,226,172	5,493,465	5,364,045
Net position						
Net investment on capital assets	44,324,051	18,839,088	29,458,233	28,754,300	73,782,284	47,593,388
Restricted	16,605,553	26,391,271	12,289,234	8,490,511	28,894,787	34,881,782
Unrestricted	21,485,640	6,092,122	32,509,493	30,995,936	53,995,133	37,088,058
Total net position	\$ 82,415,244	\$ 51,322,481	\$ 74,256,960	\$ 68,240,747	\$ 156,672,204	\$ 119,563,228

The following table reflects the condensed statement of changes in net position for the current year as compared to the prior year:

	Changes in Net Position					
	Governmental		Business-Type		Totals	
	Activities		Activities			
	2025	2024	2025	2024	2025	2024
Revenues						
Program revenues						
Charges for services	\$ 2,076,737	\$ 2,526,376	\$ 16,959,204	\$ 14,316,074	\$ 19,035,941	\$ 16,842,450
Operating contributions and grants	25,521,845	320,261	-	-	25,521,845	320,261
Capital contributions and grants	11,120,750	1,376,174	633,570	259,020	11,754,320	1,635,194
General revenues						
Taxes	14,533,869	13,295,588	-	-	14,533,869	13,295,588
Intergovernmental	177,037	174,416	-	-	177,037	174,416
Investment earnings	1,183,351	1,807,324	1,716,615	1,648,022	2,899,966	3,455,346
Total revenues	\$ 54,613,589	\$ 19,500,139	\$ 19,309,389	\$ 16,223,116	\$ 73,922,978	\$ 35,723,255
Expenses						
General government	\$ 3,500,014	\$ 4,059,744	\$ -	\$ -	\$ 3,500,014	\$ 4,059,744
Public safety	6,781,239	5,632,086	-	-	6,781,239	5,632,086
Building	2,091,341	1,932,441	-	-	2,091,341	1,932,441
Public works	2,350,176	1,863,693	-	-	2,350,176	1,863,693
Environmental	8,674,274	3,078,261	-	-	8,674,274	3,078,261
Interest on long-term debt	123,802	132,433	1,074,159	1,097,090	1,197,961	1,229,523
Water and wastewater	-	-	12,219,017	11,101,709	12,219,017	11,101,709
Total expenses	23,520,846	16,698,658	13,293,176	12,198,799	36,814,022	28,897,457
Change in net position	31,092,743	2,801,481	6,016,213	4,024,317	37,108,956	6,825,798
Beginning net position, restated	51,322,501	48,521,000	68,240,747	64,216,430	119,563,248	112,737,430
Ending net position	\$ 82,415,244	\$ 51,322,481	\$ 74,256,960	\$ 68,240,747	\$ 156,672,204	\$ 119,563,228

Governmental Activities: Governmental activities increased the Town's net position by \$31,092,743. The largest sources of governmental revenue received for 2025 was \$25,521,845 from Operating contributions and grants, representing 47% of total governmental revenue.

Expenses in the governmental activities increased by approximately \$6,822,188 from the prior year.

Business-Type Activity: The Town's business-type activity increased net position by \$6,016,213 for 2025. Charges for services for the business-type activity increased from the previous fiscal year by approximately \$2,643,130 or 18%. This was primarily a result of a decrease in accrued guaranteed revenue fees collected in previous year. Developer capital contributions in 2025 increased approximately \$374,550.

FINANCIAL ANALYSIS OF THE TOWN'S FUNDS

As noted earlier, the Town uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds: The governmental funds report on the same functions as the governmental activities in the government-wide statements but the focus of the Town's governmental funds is to provide information on near-term inflows, outflows and balances of spendable resources. Such information is useful in evaluating the Town's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the Town's governmental funds reported combined ending fund balances of \$25,697,081, a decrease of \$10,186,571 from the prior year balance of \$35,883,652. Of this amount, \$18,400,553 is restricted or assigned for specific purposes as follows:

- \$12,658,450 restricted for beach protection district.
- \$3,732,426 restricted for building code enforcement.
- \$1,000,000 assigned for emergencies.
- \$364,587 assigned for conservation projects.
- \$170,746 assigned for beautification and maintenance projects.
- \$136,540 restricted for debt repayment.
- \$115,000 assigned for compensated absences.
- \$80,000 assigned for uninsured losses.
- \$78,137 restricted for LGIS conservation surtax.
- \$63,059 assigned for scholarships.
- \$1,608 assigned employees.

The General Fund is the chief operating fund of the Town. At the end of the current fiscal year, in accordance with GASB Statement No. 54, the unassigned fund balance of the General Fund was \$7,188,068, while the total General Fund balance was \$12,900,844. As a measure of the General Fund's liquidity, it may be useful to compare both the unassigned fund balance and total fund balance to total fund expenditures of \$13,924,454. Unassigned fund balance represents 52% of total General Fund expenditures, while total fund balance represents 93% of that same amount.

The fund balance of the Town's General Fund decreased by approximately \$264,105 during the current fiscal year compared to a decrease of \$126,424 in the prior fiscal year.

Enterprise Fund: Enterprise funds present the same functions as presented for business-type activity in the government-wide financial statements. The Town uses an enterprise fund to account for its water and wastewater operations, doing business as South Martin Regional Utility (SMRU). The enterprise fund provides the same type of information found in the government-wide financial statements, but in more detail.

Unrestricted net position of the water and wastewater utility at the end of the year amounted to \$32,509,493, representing an increase of \$1,419,540 from the prior year balance of \$31,089,953.

Budgetary Highlights

General Fund

Overall, actual revenues were more than the anticipated amounts by \$606,239 and expenditures were \$1,161,293 less than the appropriated budget. However, the Town had a deficiency in revenues under expenses for 2025 of \$394,622. The largest budget variance for revenue was building permits revenue, which exceeded the budgeted amount by \$383,221 and investment income of \$170,922. Expenditures were under budget, with the largest variances of \$659,811 in the Building department.

Beach Protection Fund

Actual revenues were less than the anticipated amounts by \$5,584,903, and expenditures were \$697,971 less than the appropriated budget.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

The Town's investment in capital assets for its governmental and business-type activity at September 30, 2025 amounted to \$112,872,985 (net of accumulated depreciation). Depreciation on capital assets is recognized in the government-wide financial statements. This investment in capital assets includes land, buildings and improvements, water distribution system, wastewater collection system, wells, machinery and equipment, beach renourishment, roads and construction in progress.

The Town's investment in capital assets is summarized as follows:

	Capital Assets (Net of Accumulated Depreciation)					
	Governmental Activities		Business-Type Activities		Totals	
	2025	2024	2025	2024	2025	2024
Land	\$ 12,001,009	\$ 12,001,009	\$ 14,390,177	\$ 14,390,177	\$ 26,391,186	\$ 26,391,186
Building and improvements	2,275,170	2,327,391	6,034,076	6,273,460	8,309,246	8,600,851
Water distribution system	-	-	20,985,449	21,780,950	20,985,449	21,780,950
Wastewater collection system	-	-	14,237,000	13,846,830	14,237,000	13,846,830
Wells	-	-	3,427,562	3,537,182	3,427,562	3,537,182
Equipment	1,795,540	1,756,596	4,419,342	2,625,750	6,214,882	4,382,346
Beach re-nourishment	29,302,596	4,392,661	-	-	29,302,596	4,392,661
Roads	1,795,099	1,944,802	-	-	1,795,099	1,944,802
Construction in progress	-	2,451	2,209,965	3,332,419	2,209,965	3,334,870
Total capital assets	\$ 47,169,414	\$ 22,424,910	\$ 65,703,571	\$ 65,786,768	\$ 112,872,985	\$ 88,211,678

The Town's total investment in capital assets decreased for the current fiscal year by approximately \$1,594,652. The decrease was mainly due to depreciation.

Additional information on the Town's capital assets can be found in Note 6 on pages 42 and 43 of this report.

Long-Term Debt: The Town's total outstanding debt (excluding compensated absences, other post-employment benefits, and net pension liability with no fixed maturity dates) decreased by approximately \$1,659,415 (4.1%) during the current fiscal year. The Town's outstanding debt is summarized as follows:

	Outstanding Debt					
	Governmental Activities		Business-Type Activities		Totals	
	2025	2024	2025	2024	2025	2024
Note payable	\$ 2,617,559	\$ 3,291,565	\$ 10,194,898	\$ 10,525,169	\$ 12,812,457	\$ 13,816,734
Financed purchase	227,804	294,257	-	-	227,804	294,257
Revenue bonds	-	-	26,144,069	26,732,754	26,144,069	26,732,754
Total outstanding debt	<u>\$ 2,845,363</u>	<u>\$ 3,585,822</u>	<u>\$ 36,338,967</u>	<u>\$ 37,257,923</u>	<u>\$ 39,184,330</u>	<u>\$ 40,843,745</u>

The revenue bonds of the utility system have been rated "AA" by S&P and "Aa2" by Moody's Investor Services. The remaining debt has not been rated.

Governmental Activities Debt: In 2008, the Town issued two promissory notes to a financial institution with a total principal amount of \$11.0 million to finance the electric underground project. A portion of the new borrowing was used to repay an outstanding balance of \$400,000 on the note obtained in 2006 to finance the pilot project for the electric underground project. The notes issued in 2008 were approved by the Town's voters in November 2007.

Business-Type Activity Debt: In July 2020, the Town, on behalf of South Martin Regional Utility (SMRU) issued \$27,515,000 Utility System Refunding Bonds, Series 2020 for the principal purpose of refunding all of the outstanding Series 2010 Bonds. Net proceeds of \$27,515,000 from the Series 2020 Bonds plus \$3,075,364 of sinking fund monies from the Series 2010 Bonds were deposited in an irrevocable trust with an escrow agent and all of the Series 2010 Bonds (\$29,725,000) were called on October 1, 2020.

At the end of the current fiscal year, the SMRU had bonded debt outstanding of \$26,144,069 and notes payable outstanding of \$10,194,898 in the utility system for a total of \$36,338,967. The notes payable are secured by all non-ad valorem revenues of the governmental activities. The remaining outstanding debt of the utility system is secured solely by specified revenue sources of the water and wastewater utility system.

Additional information on the Town's long-term debt can be found in Note 9 on pages 46 through 53 of this report.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The following economic factors were considered in establishing the Town's budgets and charges for services for the 2025-2026 fiscal year:

- Ad valorem taxes (property taxes) are the single most significant governmental revenue source for the Town. These revenues are generated by a millage rate set annually by the Town Commission. When creating the budget, the primary objective was to provide Town services while at the same time keeping the projected tax levy the same. The General Fund millage rate adopted for 2025-2026 is 2.8259 mills. This millage rate results in a total projected tax levy of \$10,800,744.
- General Fund revenues and expenditures for the 2025-2026 budget year increased \$546,446 from the 2024-2025 budget.
- The Beach Protection District millage rate adopted for 2025-2026 is .9593 mills. This millage rate results in a total projected tax levy of \$3,655,318.
- The Town will continue the voted debt millage in 2025-2026 in order to pay the promissory notes issued for the electric undergrounding project. The millage rate adopted for 2025-2026 decreased from 0.2273 mills to 0.2100 mills. This millage rate results in a total projected tax levy of \$802,512.
- Many other factors, with less significant impacts, other than those above, were also considered in preparing the Town's budget for the 2025-2026 fiscal year.

South Martin Regional Utility operations are primarily supported by user fees. In 2025-2026, an increase of 2.23% (\$443,674) in utility operating revenue was budgeted based on increases in the utility price index and customer usage. An increase of 10% (\$995,062) in personnel and operating expenses was budgeted.

REQUESTS FOR INFORMATION

This financial report is designed to provide a general overview of the Town's finances for all those with an interest. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Finance Director, 2 Bridge Road, Hobe Sound, Florida 33455.

BASIC FINANCIAL STATEMENTS

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Town of Jupiter Island, Florida

STATEMENT OF NET POSITION

SEPTEMBER 30, 2025

	Governmental Activities	Business-Type Activities	Total
Assets			
Cash and cash equivalents	\$ 22,398,322	\$ 2,174,132	\$ 24,572,454
Investments	6,225,095	28,583,298	34,808,393
Accounts receivable, net	14,609	1,601,874	1,616,483
Interest receivable	-	3,451	3,451
Prepaid items	108,460	146,789	255,249
Due from other governments	12,978,781	-	12,978,781
Intertfund balances, net	106,771	(106,771)	-
Restricted assets			
Cash and cash equivalents	-	3,023,115	3,023,115
Investments	-	10,688,726	10,688,726
Notes receivable	-	284,790	284,790
Inventory	-	410,696	410,696
Derivative instruments - interest rate swap	-	4,276,056	4,276,056
Capital assets			
Non-depreciable	12,001,009	16,600,142	28,601,151
Depreciable, net	35,168,405	49,103,429	84,271,834
Total assets	89,001,452	116,789,727	205,791,179
Deferred outflows of resources			
Deferred amounts on refunding	-	93,629	93,629
Deferred outflows - OPEB	100,660	76,244	176,904
Total deferred outflows of resources	<u>100,660</u>	<u>169,873</u>	<u>270,533</u>
Liabilities			
Accounts payable	847,603	584,202	1,431,805
Accrued liabilities	360,900	141,614	502,514
Accrued interest payable	102,127	-	102,127
Due to other governments	14,506	-	14,506
Liabilities payable from restricted assets	-	1,422,607	1,422,607
Noncurrent liabilities			
Due within one year	913,081	422,484	1,335,565
Due in more than one year	3,359,462	35,727,457	39,086,919
Total liabilities	<u>5,597,679</u>	<u>38,298,364</u>	<u>43,896,043</u>
Deferred inflows of resources			
Accumulated increase in fair value of derivative instruments	-	4,276,056	4,276,056
Deferred inflows - pensions	909,903	-	909,903
Deferred inflows - OPEB	179,286	128,220	307,506
Total deferred inflows of resources	<u>1,089,189</u>	<u>4,404,276</u>	<u>5,493,465</u>
Net position			
Net investment in capital assets	44,324,051	29,458,233	73,782,284
Restricted	16,605,553	12,289,234	28,894,787
Unrestricted	21,485,640	32,509,493	53,995,133
Total net position	<u>\$ 82,415,244</u>	<u>\$ 74,256,960</u>	<u>\$ 156,672,204</u>

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2025

Functions/programs	Expenses	Program Revenues			Net Revenue (Expense) and Changes in Net Position		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Governmental activities							
General government	\$ 3,500,014	\$ 753,766	\$ 259,940	\$ 11,120,750	\$ 8,634,442	\$ -	\$ 8,634,442
Public safety	6,781,239	18,147	-	-	(6,763,092)	-	(6,763,092)
Building	2,091,341	1,234,074	-	-	(857,267)	-	(857,267)
Public works	2,350,176	70,750	-	-	(2,279,426)	-	(2,279,426)
Physical environment	8,674,274	-	25,261,905	-	16,587,631	-	16,587,631
Interest on long-term debt	123,802	-	-	-	(123,802)	-	(123,802)
Total governmental activities	<u>23,520,846</u>	<u>2,076,737</u>	<u>25,521,845</u>	<u>11,120,750</u>	<u>15,198,486</u>	<u>-</u>	<u>15,198,486</u>
Business-type activities							
Water and wastewater	13,293,176	16,959,204	-	633,570	-	4,299,598	4,299,598
Total business-type activities	13,293,176	16,959,204	-	633,570	-	4,299,598	4,299,598
Total primary government	<u>\$ 36,814,022</u>	<u>\$ 19,035,941</u>	<u>\$ 25,521,845</u>	<u>\$ 11,754,320</u>	<u>15,198,486</u>	<u>4,299,598</u>	<u>19,498,084</u>
General revenues							
Taxes:							
					9,921,902	-	9,921,902
					3,378,493	-	3,378,493
					802,980	-	802,980
					220,249	-	220,249
					132,108	-	132,108
					78,137	-	78,137
					177,037	-	177,037
					1,183,351	1,716,615	2,899,966
					-	-	-
					15,894,257	1,716,615	17,610,872
					31,092,743	6,016,213	37,108,956
					51,485,280	68,334,764	119,820,044
					(162,779)	(94,017)	(256,796)
					51,322,501	68,240,747	119,563,248
					<u>\$ 82,415,244</u>	<u>\$ 74,256,960</u>	<u>\$ 156,672,204</u>

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

BALANCE SHEET - GOVERNMENTAL FUNDS SEPTEMBER 30, 2025

	Major Governmental Funds		Nonmajor Governmental Funds	Total Governmental Funds
	General Fund	Beach Protection Fund		
Assets				
Cash and cash equivalents	\$ 9,891,886	\$ 12,369,896	\$ 136,540	\$ 22,398,322
Investments	6,085,866	139,229	-	6,225,095
Accounts receivable	14,609	-	-	14,609
Due from other governments	57,782	12,920,999	-	12,978,781
Due from other funds	168,822	-	-	168,822
Prepaid items	107,213	1,247	-	108,460
Total assets	<u>\$ 16,326,178</u>	<u>\$ 25,431,371</u>	<u>\$ 136,540</u>	<u>\$ 41,894,089</u>
Liabilities, deferred inflows of resources, and fund balances				
Liabilities				
Accounts payable	\$ 735,820	\$ 111,783	\$ -	\$ 847,603
Accrued liabilities	352,008	8,892	-	360,900
Due to other governments	14,506	-	-	14,506
Due to other funds	-	62,051	-	62,051
Total liabilities	<u>1,102,334</u>	<u>182,726</u>	<u>-</u>	<u>1,285,060</u>
Deferred inflows of resources				
Unavailable revenue	<u>2,323,000</u>	<u>12,588,948</u>	<u>-</u>	<u>14,911,948</u>
Total liabilities	<u>2,323,000</u>	<u>12,588,948</u>	<u>-</u>	<u>14,911,948</u>
Fund balances				
Nonspendable	107,213	1,247	-	108,460
Restricted	3,810,563	12,658,450	136,540	16,605,553
Assigned	1,795,000	-	-	1,795,000
Unassigned	7,188,068	-	-	7,188,068
Total fund balances	<u>12,900,844</u>	<u>12,659,697</u>	<u>136,540</u>	<u>25,697,081</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 16,326,178</u>	<u>\$ 25,431,371</u>	<u>\$ 136,540</u>	<u>\$ 41,894,089</u>

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION SEPTEMBER 30, 2025

Total fund balances for governmental funds		\$ 25,697,081
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the governmental funds.		
Cost of assets	\$ 113,205,846	
Accumulated depreciation	<u>(66,036,432)</u>	47,169,414
Certain long-term assets are not available to pay for current period expenditures and, therefore, are deferred in the funds.		
		14,911,948
Deferred outflows and inflows of resources related to pension expenses are not recognized in the governmental funds; however, they are recorded in the statement of net position under full accrual accounting.		
Deferred inflows - pension	<u>(909,903)</u>	(909,903)
Deferred outflows and inflows of resources related to other post-employment benefits are not recognized in the governmental funds; however, they are recorded in the statement of net position under full accrual accounting.		
Deferred outflows - OPEB	100,660	
Deferred inflows - OPEB	<u>(179,286)</u>	(78,626)
Accrued interest on long-term debt is not due and payable in the current period and is not reported in the governmental funds.		
		(102,127)
Long-term liabilities, including notes, other post-employment benefits and compensated absences payable are not due and payable in the current period and therefore are not reported in governmental funds. Long-term liabilities at year-end consist of:		
Notes payable	(2,617,559)	
Financed purchase payable	(227,804)	
Other post-employment benefits	(274,825)	
Net pension liability	(605,985)	
Compensated absence	<u>(546,370)</u>	<u>(4,272,543)</u>
Net position of governmental activities		<u>\$ 82,415,244</u>

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS FOR THE YEAR ENDED SEPTEMBER 30, 2025

	Major Governmental Funds		Nonmajor Governmental Funds	Total Governmental Funds
	General Fund	Beach Protection Fund		
Revenues				
Taxes	\$ 9,921,902	\$ 3,378,493	\$ 802,980	\$ 14,103,375
Other taxes	430,494	-	-	430,494
Licenses and permits	1,235,221	-	-	1,235,221
Intergovernmental revenues	233,935	21,427,707	-	21,661,642
Charges for services	111,697	-	-	111,697
Fines and forfeitures	3,863	-	200	4,063
Investment earnings	645,903	537,321	127	1,183,351
Donations	246,042	-	-	246,042
Miscellaneous revenues	725,756	-	-	725,756
Total revenues	<u>13,554,813</u>	<u>25,343,521</u>	<u>803,307</u>	<u>39,701,641</u>
Expenditures				
Current				
General government	3,595,282	472,674	-	4,067,956
Public safety	5,811,053	-	-	5,811,053
Building	2,036,630	-	-	2,036,630
Public works	1,559,847	-	-	1,559,847
Physical environment	239,729	47,076	-	286,805
Debt service				
Principal retirement	93,943	-	674,006	767,949
Interest	-	-	128,506	128,506
Capital outlay	587,970	34,668,986	-	35,256,956
Total expenditures	<u>13,924,454</u>	<u>35,188,736</u>	<u>802,512</u>	<u>49,915,702</u>
Excess (deficiency) of revenues over (under) expenditures	(369,641)	(9,845,215)	795	(10,214,061)
Other financing sources (uses)				
Issuance of financed purchase	27,490	-	-	27,490
Transfer in	78,046	-	-	78,046
Transfer out	-	(75,000)	(3,046)	(78,046)
Total other financing sources (uses)	<u>105,536</u>	<u>(75,000)</u>	<u>(3,046)</u>	<u>27,490</u>
Change in fund balance	(264,105)	(9,920,215)	(2,251)	(10,186,571)
Fund balances, beginning of year	<u>13,164,949</u>	<u>22,579,912</u>	<u>138,791</u>	<u>35,883,652</u>
Fund balances, end of year	<u>\$ 12,900,844</u>	<u>\$ 12,659,697</u>	<u>\$ 136,540</u>	<u>\$ 25,697,081</u>

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES FOR THE YEAR ENDED SEPTEMBER 30, 2025

Net change in fund balances – total governmental funds \$ (10,186,571)

Amounts reported for governmental activities in the statement of activities are different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of these assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capital outlays exceeded depreciable expense in the current period.

Expenditures for capital assets	\$ 35,265,703	
Less current year depreciation	(10,506,384)	24,759,319

In the statement of activities, the gain or loss on disposal of capital assets is reported, whereas in governmental funds, the proceeds from the disposal increases financial resources. The difference is the depreciated cost of the capital asset dispositions. (14,815)

Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds. 14,911,948

Repayment of debt principal is an expenditure in governmental funds, but the repayment reduces the long-term liabilities in the statement of net assets.

Principal retirement on notes payable	674,006	
Principal retirement on financed purchases	93,943	740,459

In the statement of activities, interest is accrued on outstanding debt, whereas in governmental funds, an interest expenditure is reported when the payment is due. This is the change in accrued interest payable. 4,704

Some revenues, expenses and gains reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.

Change in compensated absences	(13,667)	
Other post-employment benefit expense	907,557	
Pension expense	(16,191)	877,699

Change in net position of governmental activities **\$ 31,092,743**

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

STATEMENT OF NET POSITION - ENTERPRISE FUND (SOUTH MARTIN REGIONAL UTILITY) SEPTEMBER 30, 2025

ASSETS AND DEFERRED OUTFLOWS OF RESOURCES

Current assets

Cash and cash equivalents	\$ 2,174,132
Investments	28,583,298
Accounts receivable, net of allowance for doubtful accounts of \$74,550	1,601,874
Notes receivable - current	18,359
Interest receivable	3,451
Inventory	410,696
Prepaid items	146,789
Total current assets	<u>32,938,599</u>

Noncurrent assets

Restricted assets	
Cash and cash equivalents	3,023,115
Investments	10,688,726
Total restricted assets	<u>13,711,841</u>

Other assets

Notes receivable, long-term	266,431
Derivative instruments, interest rate swap	4,276,056
Total other assets	<u>4,542,487</u>

Capital assets

Land and improvements	14,390,177
Buildings and improvements	12,278,297
Water distribution systems	36,461,577
Wastewater distribution systems	28,208,367
Wells	6,158,866
Equipment	11,691,516
Construction in progress	2,209,965
Total capital assets	<u>111,398,765</u>
Less accumulated depreciation	45,695,194
Total capital assets, net	<u>65,703,571</u>

Total assets

\$ 116,896,498

Deferred outflows of resources

Deferred amounts on refunding	\$ 93,629
Deferred outflows - OPEB	76,244
Total deferred outflows of resources	<u>\$ 169,873</u>

(Continued)

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

STATEMENT OF NET POSITION - ENTERPRISE FUND (SOUTH MARTIN REGIONAL UTILITY) SEPTEMBER 30, 2024

LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION

Current liabilities

Accounts payable	\$ 584,202
Accrued liabilities	141,614
Due to other funds	106,771
Current portion of compensated absences payable	97,435
Current portion of notes payable	325,049
Total current liabilities	<u>1,255,071</u>

Current liabilities payable from restricted assets

Accounts payable	228,706
Accrued interest payable	470,234
Current portion of notes payable	723,667
Total current liabilities payable from restricted assets	<u>1,422,607</u>

Noncurrent liabilities

Compensated absences payable	227,347
Other post-employment benefits payable	209,859
Notes payable	9,146,182
Revenue bonds payable, net of unamortized premium	26,144,069
Total noncurrent liabilities	<u>35,727,457</u>

Total liabilities

\$ 38,405,135

Deferred inflows of resources

Accumulated decrease in fair value of derivative instruments	\$ 4,276,056
Deferred inflows - OPEB	128,220
Total deferred inflows of resources	<u>4,404,276</u>

Net position

Net investment in capital assets	29,458,233
Restricted	12,289,234
Unrestricted	<u>32,509,493</u>

Total net position

\$ 74,256,960

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION – ENTERPRISE FUND (SOUTH MARTIN REGIONAL UTILITY) FOR THE YEAR ENDED SEPTEMBER 30, 2025

Operating revenues	
Water	\$ 10,531,317
Wastewater	4,212,382
Irrigation quality water	458,964
Accrued guaranteed revenue fees	421,274
Other	103,312
Total operating revenues	<u>15,727,249</u>
Operating expenses	
Personnel services	4,384,955
Operating expenses	5,150,410
Depreciation	2,451,057
Total operating expenses	<u>11,986,422</u>
Operating income	<u>3,740,827</u>
Nonoperating revenues (expenses)	
Interest income	1,716,615
Other revenues	1,231,955
Loss on disposal of assets	(232,595)
Interest expense	(1,074,159)
Total nonoperating revenues (expenses)	<u>1,641,816</u>
Income before capital contributions	5,382,643
Capital contributions	633,570
Change in net position	<u>6,016,213</u>
Net position, beginning, as previously reported	68,334,764
Change in accounting principle	(94,017)
Net position, beginning, restated	<u>68,240,747</u>
Net position, ending	<u>\$ 74,256,960</u>

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

STATEMENT OF CASH FLOWS – ENTERPRISE FUND (SOUTH MARTIN REGIONAL UTILITY) FOR THE YEAR ENDED SEPTEMBER 30, 2025

Cash flows from operating activities

Cash received from customers	\$ 15,516,103
Cash received from others	1,231,955
Cash paid to suppliers and contractors	(5,717,464)
Cash paid to employees	(4,190,162)
Cash paid for interfund services	104,040
Net cash provided by operating activities	<u>6,944,472</u>

Cash flows from capital and related financing activities

Capital contributions	633,570
Principal received on notes receivable	
Principal paid on revenue bonds payable	(590,000)
Principal paid on notes payable	(330,271)
Acquisition and construction of capital assets	(2,600,475)
Payment of interest	(1,086,084)
Net cash used in by capital and related financing activities	<u>(3,973,260)</u>

Cash flows from investing activities

Interest received	1,717,130
Purchase of investments	(25,032,606)
Net cash used in investing activities	<u>(23,315,476)</u>

Net change in cash and cash equivalents

(20,344,264)

Cash and cash equivalents, beginning of year

25,541,511

Cash and cash equivalents, end of year

\$ 5,197,247

Reconciliation cash and cash equivalents to the statement of net position

Unrestricted cash and cash equivalents	\$ 2,174,132
Restricted cash and cash equivalents	3,023,115
Total cash and cash equivalents	<u>\$ 5,197,247</u>

(Continued)

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

STATEMENT OF CASH FLOWS – ENTERPRISE FUND (SOUTH MARTIN REGIONAL UTILITY) FOR THE YEAR ENDED SEPTEMBER 30, 2025

Reconciliation of operating income to net cash provided by operating activities

Operating income	\$	3,740,827
Adjustment to reconcile operating income to net cash provided by operating activities:		
Provision for uncollectible accounts		
Depreciation		2,451,057
Amortization		133,161
Other income		1,231,955
Change in operating assets and liabilities:		
Accounts receivable		(211,146)
Inventory		(133,368)
Prepaid items		(133,250)
Accounts payable		(301,771)
Accrued liabilities		12,264
Due to other funds		104,040
Compensated absences payable		39,313
Other post-employment benefits		11,390
Net cash provided by operating activities	\$	<u>6,944,472</u>

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

**STATEMENT OF FIDUCIARY NET POSITION -
FIDUCIARY FUND
SEPTEMBER 30, 2025**

	Pension Trust Fund
ASSETS	
Cash and cash equivalents	\$ 664,132
Investments	10,572,837
Accrued income	1,527
Total assets	<u>\$ 11,238,496</u>
 NET POSITION	
Net position restricted for pension	<u>\$ 11,238,496</u>

The accompanying notes to financial statements are an integral part of this statement.

Town of Jupiter Island, Florida

STATEMENT OF CHANGES IN FIDUCIARY NET POSITION – FIDUCIARY FUND FOR THE YEAR ENDED SEPTEMBER 30, 2025

	<u>Pension Trust Fund</u>
ADDITIONS	
Contributions	
Employer	\$ 443,444
Investment income	
Interest and dividends	522,137
Net appreciation in fair value of investments	372,548
Total investment earnings	<u>894,685</u>
Less investment expense	(7,362)
Net investment earnings	<u>887,323</u>
Total additions	<u>1,330,767</u>
DEDUCTIONS	
Payments to retirees and employees	1,097,294
Administrative expenses	<u>9,500</u>
Total deductions	<u>1,106,794</u>
Change in net position	223,973
Net position, beginning of year	<u>11,014,523</u>
Net position, end of year	<u><u>\$ 11,238,496</u></u>

The accompanying notes to financial statements are an integral part of this statement.

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Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Town of Jupiter Island, Florida, (the "Town") is a political subdivision incorporated under the authority of Chapter 165, Florida Statutes, and was established by House Bill 582, Laws of Florida, 1953. The Town is governed by five Commissioners elected by residents of the Town. The Town's major governmental activities include general government, public safety, roads, sanitation, and building and land development. The business-type activity of the Town includes the water and wastewater utility.

The financial statements of the Town have been prepared in conformity with accounting principles generally accepted in the United States of America as applied to governmental units, hereinafter referred to as GAAP. The accepted standard-setting body for establishing governmental accounting and financial reporting principles is the Governmental Accounting Standards Board ("GASB").

The more significant of the Town's accounting policies are described below.

Financial Reporting Entity

As defined by U.S. generally accepted accounting principles, the financial reporting entity consists of: (a) the primary government, (b) organizations for which the primary government is financially accountable, and (c) other organizations for which the primary government is not accountable, but for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete. Component units are legally separate organizations for which the elected officials of the primary government are financially accountable. In addition, component units can be other organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

Based on the application of the criteria set forth by GASB, Jupiter Island Beach Protection District (the "District") is included in the Town's financial reporting entity as a blended component unit reported in a governmental (special revenue) fund, the Beach Protection Fund. The District is a special taxing district created on April 9, 1982, by the Laws of Florida, Chapter 82-331, to protect and maintain the Town's beaches. The governing body of the District is the Town Commission and the Town handles the management and administration of the District's financial matters. Separate financial statements of the District are not prepared.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Financial Reporting Entity (Continued)

The Town contributes to a defined benefit pension plan for employees of the Town of Jupiter Island (the "Plan"). The Plan is administered by the Committee for the Plan that act as the administrator of the Plan. The Committee consists of five individuals appointed by the Town Commission. The Plan is reported as a fiduciary component unit in accordance with Governmental Accounting Standards Board Statement Number 84.

Furthermore, the Town is not aware of any entity that would consider the Town to be a component unit.

Government-Wide Financial Statements

The government-wide financial statements consist of the statement of net position and the statement of activities and report information on all non-fiduciary activities of the Town and its component unit. These statements include separate columns for the governmental activities, which are normally supported by taxes and intergovernmental revenue, and the business-type activity which relies primarily on fees and charges for support.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are charges between the Town's enterprise fund operations and various other functions of the Town. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned. All internal balances in the statement of net position have been eliminated except those representing balances between the governmental activities and business-type activity, which are presented as internal balances and eliminated in the total column. In the statement of activities, all interfund transactions have been eliminated except for the charges between the Town's governmental activities and business-type activity.

The statement of activities demonstrates the degree to which the direct expenses of a given function or identifiable activity is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or identifiable activity. Program revenue includes three categories of transactions: (1) charges to customers or applicants who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment; (2) operating grants and contributions; and (3) capital grants and contributions. Taxes and other items not meeting the definition of program revenue are reported as general revenue. The Town does not allocate indirect costs, however, an administrative service fee is charged by the General Fund to other operating funds that is eliminated like a reimbursement (reducing revenue and expense in the General Fund) to recover the direct costs of general fund services provided (such as finance, legal, human resources, information systems, etc.).

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Fund Financial Statements

The underlying accounting system of the Town is organized and operated on the basis of separate funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures or expenses, as appropriate.

Governmental resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. The funds used by the Town are classified into three categories: governmental, enterprise and fiduciary. Separate financial statements are provided for governmental funds, enterprise funds and fiduciary funds, even though the latter are excluded from the government-wide financial statements. The Town's major governmental funds and enterprise fund are reported as separate columns in the fund financial statements.

Governmental Fund Financial Statements – Governmental fund financial statements include a balance sheet and a statement of revenue, expenditures and changes in fund balance for all major governmental funds and nonmajor funds in the aggregate. An accompanying schedule is presented to reconcile and explain the differences in fund balance and changes in fund balance as presented in these statements, to the net position and changes in net position presented in the government-wide financial statements. The Town's major governmental funds are:

The *General Fund* is the Town's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The *Beach Protection Fund* accounts for the operations of the Jupiter Island Beach Protection District, which is included as a blended component unit within the Town's financial statements.

Additionally, the Town reports the following nonmajor funds:

The *Electric Underground Fund* accounts for the proceeds of property tax revenue designated for the repayment of principal and interest on general obligation debt reported in governmental activities in the statement of net position.

The *Special Law Enforcement Fund* accounts for the proceeds from law enforcement forfeitures. Expenditures from this fund are made only for public safety purposes.

Enterprise Fund Financial Statements – Enterprise fund reporting focuses on the determination of operating income, changes in net position, and cash flows. The Town's sole enterprise fund is described below:

The *Water and Wastewater Fund* is used to account for operations of South Martin Regional Utilities (SMRU), the Town's water, wastewater, and irrigation quality water utility system.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Fund Financial Statements (Continued)

Fiduciary Fund Financial Statements – Fiduciary fund financial statements include a statement of fiduciary net position and a statement of changes in fiduciary net position. Since, by definition, these assets are being held for the benefit of third parties (pension participants and Town employees) and cannot be used to finance activities or obligations of the government, these funds are not included in the government-wide financial statements.

The *Pension Trust Funds* are used to account for assets held in a trustee capacity for the retirement pensions of Town employees.

Measurement Focus and Basis of Accounting

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the enterprise fund and fiduciary fund financial statements. Revenue is recognized when earned and expenses are recognized when incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenue in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met. The agency fund does not have a measurement focus.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenue is recognized in the period in which it becomes both measurable and available. Revenue is considered to be available when it is collectible within the current period or soon enough thereafter to pay liabilities of the current period. The Town considers revenue to be available if it is collected within 60-days of the end of the current fiscal year. Expenditures are generally recognized in the accounting period in which the fund liability is incurred, except for principal and interest on general long-term debt, which is recognized when due. Charges for services and investment income are all considered susceptible to accrual and have been recognized as revenue of the current fiscal year. All other revenue items are considered to be measurable and available only when received in cash by the Town.

Enterprise fund financial statements distinguish operating revenue and expenses from nonoperating items. Operating revenue and expenses generally result from providing services and producing and delivering goods in connection with the enterprise fund's principal ongoing operations. The principal operating revenue of the water and wastewater enterprise fund is charges to customers for sales and services. The enterprise fund also recognizes as operating revenue the portion of connection fees intended to recover the cost of connecting new customers to the system. Operating expenses for the water and wastewater enterprise fund include the cost of sales and services, administrative expenses and depreciation on capital assets. All revenue and expenses not meeting this definition are reported as nonoperating revenue and expenses.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Cash and Cash Equivalents

The Town's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition.

Investments

The Town's investments include Florida Prime (an investment pool administered by the Florida State Board of Administration). Florida Prime currently meets all of the necessary criteria to measure all of the investments in Florida Prime at amortized cost. The amortized cost account balance should also be considered the fair value of the investment. The principal, and any part thereof, is subject to payment at any time from the moneys in the trust fund. However, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, a maximum 15-day limit may be imposed on contributions and withdrawals. The State Board of Administration administers the Florida Prime investments pursuant to Chapter 19-7 of the Florida Administrative Code. These rules provide guidance and establish the general operating procedures for the administration of Florida Prime.

Investments with Florida Cooperative Liquid Assets Securities System ("FLCLASS") (2a7-like external investment pools) are measure at net asset value. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Investments are measured at fair value on a recurring basis.

Investments with Florida Public Assets for Liquidity Management ("FLPALM"), an external investment pool, is reported at amortized cost. As of September 30, 2025, there were no redemption fees or maximum transaction amounts, or any other requirements that serve to limit a participant's daily access to 100% of their account value. However, the Trustees of the fund can suspend the right of withdrawal or postpone the date of payment if the Trustees determine that there is an emergency that makes the sale of a Portfolio's securities or determination of its net asset value not reasonably practical.

Investments in the Town's pension funds consist of mutual funds. All investments are reported at fair value using quoted market prices or the best estimate available. The difference between cost and fair value of investments held is recorded as net unrealized gains or losses and is included in net investment earnings.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Accounts Receivable

General government accounts receivable include amounts due from other governments and charges for miscellaneous services. Accounts receivable reported in the enterprise fund represent amounts due for water and wastewater services to utility customers, who are local businesses and residents. The Town does not require collateral for accounts receivable. Accounts receivable are reported net of an allowance for doubtful accounts determined based on the age of the individual receivable, with age categories ranging from 30-days past due to several years past due. Generally, the allowance includes accounts over 90-days past due. Accounts receivable are written off on an individual basis in the year the Town deems them uncollectible.

Unbilled Accounts Receivable

The enterprise fund recognizes revenue on the basis of monthly cycle billings to customers for services provided. As a result of this cycle billing method, there are unbilled receivables at the end of each fiscal year with respect to services provided, but not billed at such date. The estimated value of services provided but unbilled at year-end has been included in the accompanying financial statements.

Prepaid Items

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items.

Restricted Assets

Certain assets of the enterprise fund are restricted by bond and loan covenants for construction, and other amounts legally required to be set aside for debt service, operations renewal and replacement and capital improvements. Restricted resources are used first to fund expenses incurred for restricted purposes.

Inventory

Inventory consists of materials and supplies which are carried at cost in the governmental funds and at the lower of cost (first-in, first-out) or market in the enterprise fund. The Town uses the consumption method, wherein all inventories are maintained by perpetual records, expensed when used, and adjusted by an annual physical count.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Capital Assets

The Town has reported all capital assets, including infrastructure assets (roads, sidewalks and similar items), in the government-wide statement of net position. Capital assets are defined by the Town as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of two years. Capital assets are recorded at cost or, if donated, at acquisition value at the date of donation. Expenses which materially extend the useful life of existing assets are capitalized. Certain costs for professional services and interest associated with the acquisition and construction of enterprise fund capital assets have been capitalized. The cost of capital assets sold or retired is removed from the appropriate accounts and any resulting gain or loss is included in the change in net position.

Depreciation is computed using the straight-line method over the estimated useful lives of all reported capital assets, except land. Estimated useful lives assigned to the various categories of assets are as follows:

Buildings and improvements	15-65 years
Water distribution system	40-75 years
Wastewater collection systems	40-75 years
Wells	50-75 years
Equipment	2-15 years
Roads	10-20 years
Beach renourishment	5 years

Debt Premiums, Discounts and Issuance Costs

On the government-wide statement of net position and the enterprise fund type statement of net position, debt premiums and discounts are netted against debt payable and debt issuance costs are recognized as an outflow of resources in the period incurred.

At the governmental fund reporting level, debt premiums and discounts are reported as other financing sources and uses, separately from the face amount of the debt issued. Debt issuance costs are reported as debt service expenditures.

Internal Balances

Amounts reported in the fund financial statements as interfund receivables and payables are eliminated in the government-wide governmental and business-type activity columns of the statement of net position.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Compensated Absences

The Town records vacation pay as an expenditure in the year it is earned, including accruals for related payroll taxes. Employees may accumulate up to two years of vacation leave beyond the end of the fiscal year in which it is earned. Employees accrue sick leave at the rate of eight hours per month until retirement or termination, at which time they are paid for a percentage of the unused sick leave, which are subject to certain maximums and years of service requirements. Accordingly, the Town accrues 50% of eligible, unused employee sick leave and related payroll taxes and benefits in the year it is earned. In addition, to comply with GASB 101, the Town accrues 50% of all other employee accrued sick leave balances and related payroll taxes and benefits at year end. The liability for compensated absences attributable to the Town's governmental fund is recorded in the government-wide financial statements and is generally liquidated by the General Fund. The amount attributable to the business-type activity is charged to expense with a corresponding liability established in the government-wide financial statements as well as the enterprise fund.

Other Post-Employment Benefits

The Town is required by Florida Statute 112.0801 to allow retirees to buy healthcare coverage at the same group insurance rates that current employees are charged. Retirees pay the full cost of the insurance. The Town provides no other post-employment benefits to employees.

Deferred Outflows and Inflows of Resources

In addition to assets and liabilities, the government-wide statement of net position, the governmental funds balance sheet, and the enterprise fund statement of net position will sometimes report a separate section for deferred outflows or deferred inflows of resources. The separate financial statement element, deferred inflows of resources, represents an acquisition of net assets that applies to a future period(s) and so will not be recognized as an inflow of resources (revenues) until that time. The separate financial statement element, deferred outflows of resources, represents a consumption of net assets that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until that time.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Deferred Outflows and Inflows of Resources (Continued)

The Town has a refunding loss on bonds payable, pension resources, and other post-employment benefits which qualify for reporting as deferred outflow of resources. The Town also has an accumulated increase in fair value of derivative instruments, pension resources, and other post-employment benefits as deferred inflows on the government-wide statement of net position and enterprise fund statement of net position. The accumulated increase in fair value of derivative instruments was the fair value of the Town's interest rate swap agreements at September 30, 2025. The refunding loss on bonds payable was a loss resulting from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt. The deferred outflow and deferred inflow of pension resources is reported for governmental activities. See Note 14 for more information on this line item. See Note 16 for more information on the deferred outflow and deferred inflow of other post-employment benefits.

Fund Balances

GASB issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which establishes accounting and financial reporting requirements for all governmental funds and establishes criteria for classifying fund balances. Generally, governmental fund balances represent the difference between the current assets and deferred outflows of resources, and current liabilities and deferred inflows of resources. Governmental funds report fund balance classifications that comprise a hierarchy based primarily on the extent to which the Town is bound to honor constraints on the specific purposes for which amounts in those resources can be spent. Fund balances are classified as follows:

Nonspendable – Nonspendable fund balances are amounts that cannot be spent because they are either: (a) not in spendable form – such as inventory or prepaid insurance, or (b) legally or contractually required to be maintained intact – such as a trust that must be retained in perpetuity.

Restricted Fund Balance – Restricted fund balances are restricted when constraints placed on the use of the resources are: (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation.

Restrictions are placed on fund balances when legally enforceable legislation establishes the Town's right to assess, levy, or charge fees to be used for a specific purpose. Legal enforceability means that the Town can be compelled by an external party (e.g., citizens, public interest groups, the judiciary) to use resources created by enabling legislation only for the purposes specified by the legislation.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Fund Balances (Continued)

Committed Fund Balance – Committed fund balances are amounts that can be used for specific purposes as a result of constraints imposed by the Commission of the Town. Committed amounts cannot be used for any other purpose unless the Commission removes those constraints by taking the same type of action (e.g., legislation, resolution, and ordinance). Amounts in the committed fund balance classification may be used for other purposes with appropriate due process by the Commission.

Committed fund balances differ from restricted balances because the constraints on their use do not come from outside parties, constitutional provisions, or enabling legislation.

Assigned Fund Balance – Assigned fund balances are amounts that are constrained by the Town's intent to be used for specific purposes, but are neither restricted nor committed.

Assigned fund balance includes: (a) all remaining amounts that are reported in governmental funds (other than the General Fund) that are not classified as nonspendable, restricted, or committed, and (b) amounts in the General Fund that are intended to be used for a specific purpose. Specific amounts that are not restricted or committed in a special revenue, capital projects, debt service, or permanent fund, are assigned for purposes in accordance with the nature of their fund type. Assignment within the General Fund conveys that the intended use of those amounts is for a specific purpose that is narrower than the general purposes of the Town itself.

Unassigned Fund Balance – Unassigned fund balance is the residual classification of the General Fund. This classification represents the General Fund balance that has not been assigned to other funds, and that has not been restricted, committed, or assigned to specific purposes within the General Fund.

When an expenditure is incurred for purposes for which both the restricted and unrestricted fund balance is available, the Town considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the Town considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless the Town Commission has provided otherwise.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Net Position

Net position represents the difference between assets and deferred outflows of resources, and liabilities and deferred inflows of resources. The categories of net position are as follows:

Net Investment in Capital Assets – This component of net position consists of the cost of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvement of those assets.

Restricted – This component of net position consists of constraints placed on the use of net position by external restrictions imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.

Unrestricted – This component of net position consists of net position that does not meet the definition of net investment in capital assets or restricted.

Risk Management

The Town is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Town purchases commercial insurance for the risks of losses to which it is exposed. Policy limits and deductibles are reviewed annually by management and established at amounts to provide reasonable protection from significant financial loss. The Town is also covered by Florida Statutes under the Doctrine of Sovereign Immunity which effectively limits the amount of liability of municipalities to individual claims of \$200,000/\$300,000 for all claims relating to the same accident. There have been no significant reductions in insurance coverage from the prior year. In addition, there have been no settlements that exceeded insurance coverage for any of the prior three fiscal years.

Interfund Transactions

Transactions between funds during the year consisted of loans, services provided, reimbursements or transfers. Loans are reported as Due from Other Funds and Due to Other Funds as appropriate and are subject to elimination in the government-wide financial statements. Services, deemed to be reasonably equivalent in value, are treated as revenue and expenditures/expenses. Reimbursements are when one fund incurs a cost, charges the appropriate benefiting fund and reduces its related cost as a reimbursement.

All other interfund transactions are presented as transfers. Transfers within the governmental and business-type activity are eliminated in the government-wide financial statements.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Property Tax Revenue

Ad valorem property taxes are assessed on property valuations as of January 1st and levied the following October 1st. Taxes are due by March 31st and become delinquent on April 1st when liens are filed against the subject property. Ad valorem taxes are assessed by the Martin County Property Appraiser and collected by the Martin County Tax Collector, which remits the taxes to the Town.

For the fiscal year ended September 30, 2025, the maximum tax levy allowed by a majority vote of the governing body was generally based on a percentage reduction applied to the prior year (2023/2024) property tax revenue. The percentage reduction is calculated based on the compound annual growth rate in the per capita property taxes levied for five preceding fiscal years. State law allows local governments to adopt a higher millage rate based on the following approval of the governing body: (1) a two-thirds vote to adopt a rate equal to the adjusted current year rolled-back millage rate plus an adjustment for growth in per capita Florida personal income; (2) a two-thirds vote to adopt a rate equal to the adjusted current year rolled-back millage rate plus 10%; or (3) any millage rate approved by unanimous vote or referendum. For the fiscal year ended September 30, 2025, the Town adopted a millage rate permitted by a majority vote of the Town Commission under this formula, which was 2.8086 for the General Fund, 0.9593 for the Jupiter Island Beach Protection District (the "District"), and 0.2273 for the electric underground fund debt service.

Grant Revenue

In the government-wide financial statements, federal, state and local reimbursement-type grants are recorded as intergovernmental receivables and revenue when the related expenditures/expenses are incurred. In the fund financial statements, these revenues are considered unavailable if receivables are not collected within 60 days of year-end.

Other Governmental Revenue

Revenue that is susceptible to accrual includes state shared revenues, charges for Town services and interest income. Revenue which is not both available and measurable, and thus not susceptible to accrual, includes licenses and permits and fines and forfeitures.

Use of Estimates

Management uses estimates and assumptions in preparing financial statements in accordance with U.S. generally accepted accounting principles. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenditures. Actual results could vary from the estimates that were used.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 2. CASH, CASH EQUIVALENTS AND INVESTMENTS

At September 30, 2025, the fair value of the Town's cash, cash equivalents and investments, excluding fiduciary funds, included the following:

	<u>Unrestricted</u>	<u>Restricted</u>	<u>Total</u>
Cash and cash equivalents			
Deposits with financial institutions	\$ 24,572,454	\$ 3,023,115	\$ 27,595,569
Investments			
Florida Prime Fund	11,806,231	10,688,726	22,494,957
FL Palm	614,153	-	614,153
FL Class	22,388,009	-	22,388,009
	<u>34,808,393</u>	<u>10,688,726</u>	<u>45,497,119</u>
Total cash, cash equivalents and investments	<u>\$ 59,380,847</u>	<u>\$ 13,711,841</u>	<u>\$ 73,092,688</u>

Cash and Cash Equivalents

At September 30, 2025, the bank balances of the Town's cash and cash equivalents included \$27,897,892 of deposits on demand that were held by financial institutions that comply with the requirements of Florida Statutes and have been designated as a qualified public depository by the State Treasurer of Florida. Qualified public depositories are required to pledge collateral to the State Treasurer with a fair value equal to a percentage of the average daily balance of all government deposits in excess of any federal deposit insurance. In the event of a default by a qualified public depository, all claims for government deposits would be satisfied by the state treasurer from the proceeds of federal deposit insurance, pledged collateral of the public depository in default and, if necessary, a pro rata assessment to the other qualified public depositories in the collateral pool. Accordingly, the Town's deposits at year-end are considered to be fully insured.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 2. CASH, CASH EQUIVALENTS AND INVESTMENTS (CONTINUED)

Investments

The Town's investment policy allows funds to be invested pursuant to the "Alternative Investment Guidelines" of Florida Statutes Section 218.415 (16), which permits the following investments: The Local Government Surplus Funds Trust Fund (SBA), or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act, as provided in Florida Statutes Section 163.01; Securities and Exchange Commission registered money market funds with investments in the highest credit quality ratings from a nationally recognized rating agency; Savings accounts in state-certified qualified public depositories, as defined in Florida Statutes Section 280.02; Certificates of deposit in state-certified qualified public depositories, as defined in Florida Statutes Section 280.02; Direct obligations of the U. S. Treasury. Pension trust funds are authorized by Town resolution to also invest in insurance company group annuity contracts and self-directed participant accounts holding investments in money market funds, mutual funds, stocks and debt securities of U.S. corporations.

At September 30, 2025, the fair value of cash, cash equivalents and investments of the Town's fiduciary funds included the following:

Pension trust funds	
Cash and cash equivalents	\$ 664,132
Investments - mutual funds	<u>10,572,837</u>
Total cash, cash equivalents and investments	<u>\$ 11,236,969</u>

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Generally, the longer the time to maturity, the greater the exposure to interest rate risk. Cash equivalents and U.S. Treasury Bills have a weighted average maturity of less than one year, resulting in minimal interest rate risk. The Town's investment policy prohibits the purchase of securities maturing more than three years from the date of purchase.

The Florida Prime Investment Pool had a weighted-average days to maturity of 47-days, and the weighted average life was 73-days at September 30, 2025. The FL Class Investment Pool had a weighted-average days to maturity of 43-days, and the weighted-average life was 85-days at September 30, 2025. The FL Palm Investment Pool had a weighted-average days to maturity of 42-days, and the weighted-average life was 81-days at September 30, 2025.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 2. CASH, CASH EQUIVALENTS AND INVESTMENTS (CONTINUED)

Credit Risk

Credit risk is the risk that an issuer will not fulfill its obligations. The Town's investment policy addresses credit risk by limiting allowable investments to the Florida Prime Investment Pool deposits with a financial institution meeting the requirements of a Florida qualified public depository, securities guaranteed by the U.S. government, or investments that are otherwise fully collateralized or secured. The security rating by a Nationally Recognized Statistical Rating Organization (NRSRO) is also an indication of credit risk.

The NRSRO ratings for the Town's rated investments at September 30, 2025, are summarized as follows:

<u>Investment Type</u>	<u>NRSRO Rating</u>	<u>Fair Value</u>
Florida Prime Investment Pool	AAAm	\$ 22,494,957
FL PALM Investment Pool	AAAm	614,153
FL CLASS Investment Pool	AAAm	22,388,009

Custodial Credit Risk

Custodial credit risk is defined as the risk that the Town may not recover the securities held by another party in the event of a financial failure. The Town's investment policy for custodial credit risk requires all investment securities to be held in the Town's name by a third-party safekeeping institution. The pension fund investments in mutual funds are considered unclassified pursuant to the custodial credit risk categories of GASB Statement No. 3. All deposits with financial institutions are with qualified public depositories and are considered fully insured or collateralized pursuant to the custodial credit risk categories of GASB Statement No. 3.

Concentration of Credit Risk

Concentration of credit risk is defined as the risk of loss attributed to the magnitude of an investment in a single issuer. The Town's investment policy does not address the concentration of credit risk. Pension mutual fund investments generally limit the securities of a single issuer to no more than 5% of the portfolio fair value.

Foreign Currency Risk

Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of an investment. There was no exposure to foreign currency risk in the Town's investments at September 30, 2025.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 2. CASH, CASH EQUIVALENTS AND INVESTMENTS (CONTINUED)

Limitations or Restrictions on Withdrawals

Florida Prime Investment Pool – With regard to redemption gates, Chapter 218.409(8)(a), Florida Statutes, states that "The principal, and any part thereof, of each account constituting the trust fund is subject to payment at any time from the moneys in the trust fund. However, the Executive Director may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48-hours limit contributions to or withdrawals from the trust fund to ensure that the Board can invest moneys entrusted to it in exercising its fiduciary responsibility. Such action must be immediately disclosed to all participants, the Trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Advisory Council. The Trustees shall convene an emergency meeting as soon as practicable from the time the Executive Director has instituted such measures and review the necessity of those measures. If the Trustees are unable to convene an emergency meeting before the expiration of the 48-hour moratorium on contributions and withdrawals, the moratorium may be extended by the Executive Director until the Trustees are able to meet to review the necessity for the moratorium. If the Trustees agree with such measures, the Trustees shall vote to continue the measures for up to an additional 15-days. The Trustees must convene and vote to continue any such measures before the expiration of the time limit set, but in no case may the time limit set by the Trustees exceed 15-days."

With regard to liquidity fees, Florida Statute 218.409(4) provides authority for the State Board of Administration to impose penalties for early withdrawal, subject to disclosure in the enrollment materials of the amount and purpose of such fees.

As of September 30, 2025, there were no redemption fees or maximum transaction amounts, or any other requirements that serve to limit a participant's daily access to 100% of their account value.

Risks and Uncertainties

The Town's investments include securities and mutual funds which are exposed to various risks, as outlined above. Due to the level of risk associated with certain investments, it is at least reasonably possible that changes in the values of investments will occur in the near-term and that such changes could materially affect the amounts reported in the accompanying financial statements.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 3. FAIR VALUE MEASUREMENT

Investments are measured at fair value on a recurring basis. Recurring fair value measurements are those that Governmental Accounting Standards Board (GASB) statements require or permit in the statement of net position at the end of each reporting period. Fair value measurements are categorized based on the valuation inputs used to measure an asset's fair value: Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. The fair value measurements of the Town's investments are as follows at September 30, 2025:

Investments by Fair Value Level	September 30, 2025	Fair Value Measurements Using		
		Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Pension trust fund investment				
Mutual funds	\$ 10,572,837	\$ 10,572,837	\$ -	\$ -
Total investments at fair value	\$ 10,572,837	\$ 10,572,837	\$ -	\$ -

Debt and equity securities classified in Level 1 of the fair value hierarchy are valued using prices quoted in active markets for those securities.

NOTE 4. ACCOUNTS RECEIVABLE

Accounts receivable and the related allowance for doubtful accounts at September 30, 2025 are summarized as follows:

	Gross Accounts Receivable	Allowance for Doubtful Accounts	Net Accounts Receivable
Governmental activities			
Due from other governments	\$ 12,978,781	\$ -	\$ 12,978,781
Other accounts receivables	14,609	-	14,609
Total accounts receivables	12,993,390	-	12,993,390
Business-type activities			
Customer receivables	1,675,699	(74,550)	1,601,149
Other accounts receivable	725	-	725
Accrued interest receivable	3,451	-	3,451
Total business-type activities	1,679,875	(74,550)	1,605,325
Total accounts receivable	\$ 14,673,265	\$ (74,550)	\$ 14,598,715

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 5. NOTES RECEIVABLE

The Town has established a program to finance water, wastewater, and irrigation quality water connection charges and administrative costs for customers connecting to the utility system. The Town has financed approximately \$400,000 of connection charges and related expenses that are payable to the utility system in monthly installments over terms of 20 to 30 years, with interest at rates ranging from 5.25% to 10.50%. The notes receivable are secured by a lien on the benefited properties. At September 30, 2025, the notes receivable totaled \$284,790, of which \$18,359 was current.

NOTE 6. CAPITAL ASSETS

Capital assets activity for the year ended September 30, 2025 is summarized as follows:

	Balance at Beginning of Year	Increases	Decreases	Balance at End of Year
Governmental activities				
Capital assets, non-depreciable:				
Land and improvements	\$ 12,001,009	\$ -	\$ -	\$ 12,001,009
Construction in progress	2,451	-	(2,451)	-
Total capital assets, non-depreciable	<u>12,003,460</u>	<u>-</u>	<u>(2,451)</u>	<u>12,001,009</u>
Capital assets, depreciable:				
Buildings and improvements	4,754,938	40,450	-	4,795,388
Equipment	4,763,262	550,707	(238,943)	5,075,026
Beach renourishment	64,827,740	34,674,546	(11,339,688)	88,162,598
Roads	3,171,825	-	-	3,171,825
Total capital assets, depreciable	<u>77,517,765</u>	<u>35,265,703</u>	<u>(11,578,631)</u>	<u>101,204,837</u>
Less accumulated depreciation for:				
Buildings and improvements	(2,427,547)	(92,671)	-	(2,520,218)
Equipment	(3,006,666)	(499,399)	226,579	(3,279,486)
Beach renourishment	(60,435,079)	(9,764,611)	11,339,688	(58,860,002)
Roads	(1,227,023)	(149,703)	-	(1,376,726)
Total accumulated depreciation	<u>(67,096,315)</u>	<u>(10,506,384)</u>	<u>11,566,267</u>	<u>(66,036,432)</u>
Total capital assets, depreciable, net	<u>10,421,450</u>	<u>24,759,319</u>	<u>(12,364)</u>	<u>35,168,405</u>
Governmental activities capital assets, net	<u>\$ 22,424,910</u>	<u>\$ 24,759,319</u>	<u>\$ (14,815)</u>	<u>\$ 47,169,414</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 6. CAPITAL ASSETS (CONTINUED)

	<u>Balance at Beginning of Year</u>	<u>Increases</u>	<u>Decreases</u>	<u>Balance at End of Year</u>
Business-type activities				
Capital assets, non-depreciable:				
Land and improvements	\$ 14,390,177	\$ -	\$ -	\$ 14,390,177
Construction in progress	3,332,419	1,003,305	(2,125,759)	2,209,965
Total capital assets, non-depreciable	<u>17,722,596</u>	<u>1,003,305</u>	<u>(2,125,759)</u>	<u>16,600,142</u>
Capital assets, depreciable:				
Buildings and improvements	12,481,459	57,049	(260,211)	12,278,297
Water distribution system	36,920,000	-	(458,423)	36,461,577
Wastewater collection systems	27,380,229	1,084,381	(256,243)	28,208,367
Wells	6,691,477	62,017	(594,628)	6,158,866
Equipment	10,374,904	2,519,472	(1,202,860)	11,691,516
Total capital assets, depreciable	<u>93,848,069</u>	<u>3,722,919</u>	<u>(2,772,365)</u>	<u>94,798,623</u>
Less accumulated depreciation for:				
Buildings and improvements	(6,207,999)	(249,633)	213,411	(6,244,221)
Water distribution system	(15,139,050)	(722,643)	385,565	(15,476,128)
Wastewater collection systems	(13,533,399)	(661,645)	223,677	(13,971,367)
Wells	(3,154,295)	(162,479)	585,470	(2,731,304)
Equipment	(7,749,154)	(654,657)	1,131,637	(7,272,174)
Total accumulated depreciation	<u>(45,783,897)</u>	<u>(2,451,057)</u>	<u>2,539,760</u>	<u>(45,695,194)</u>
Total capital assets, depreciable, net	<u>48,064,172</u>	<u>1,271,862</u>	<u>(232,605)</u>	<u>49,103,429</u>
Business-type activities capital assets, net	<u>\$ 65,786,768</u>	<u>\$ 2,275,167</u>	<u>\$ (2,358,364)</u>	<u>\$ 65,703,571</u>

Depreciation expense was charged to governmental activities functions as follows:

General government	\$ 303,689
Public safety	970,186
Building	54,711
Public works	790,329
Environmental	8,387,469
Total governmental activities	<u>10,506,384</u>
depreciation expense	<u>\$ 10,506,384</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 7. DERIVATIVE INSTRUMENTS

The Town (on behalf of SMRU) has interest rate swap agreements in effect at September 30, 2025, for the \$9,600,000 Utility System Note Payable, Series 2006 and the Utility System Revenue Refunding Bonds, Series 2020. The fair value balance and notional amount of the derivative instruments outstanding at September 30, 2025, classified by type, and the changes in fair value of such derivative instruments for the year then ended as reported in the 2025 financial statements are as follows:

	Changes in Fair Value		Fair Value at September 30, 2025		
	Classification	Amount	Classification	Amount	Notional Amount
Business-type activities					
Cash flow hedge					
Pay fixed interest rate swap - Series 2006	Deferred Inflow	\$ 92,033	Debt	\$ (252,161)	\$ 9,361,468
Pay fixed interest rate swap - Series 2020	Deferred Inflow	\$ (106,066)	Debt	\$ 4,528,217	\$ 25,440,000

Objectives

As a means to lower their borrowing costs and increase savings, when compared against fixed rate refunding bonds at the time of issuance in December 2006 and July 2020, the Town entered into interest rate swaps in connection with the Series 2006 Note and Series 2020 Bonds. The intention of the swap agreements was to effectively change the variable interest rate on the Series 2006 Note to a synthetic rate of 4.26% and the variable interest rate on the Series 2020 Bonds to a synthetic rate of 1.98%.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 7. DERIVATIVE INSTRUMENTS (CONTINUED)

Terms, Fair Values and Credit Risk

The following table displays the terms, fair values and credit ratings of the swap as of September 30, 2025:

Series 2006 Note

Type:	Receive-variable/pay-fixed interest rate swap.
Objective:	Hedge of changes in cash flows on the Utility System Note Payable, Series 2006.
Notional amount:	Equivalent to the outstanding principal balance of the Series 2006 Note.
Effective date:	January 12, 2007
Maturity date:	October 1, 2028
Terms:	Pay 4.26%; receive 63.702% of Secured Overnight Financing Rate (SOFR) plus 0.75%.
Fair value:	\$ (252,161)
Counterparty credit rating:	Aa2 by Moody's Investors Services, A- by Standard and Poor's, and AA- by Fitch Ratings.

Series 2020 Bonds

Type:	Receive-variable/pay-fixed interest rate swap.
Objective:	Hedge of changes in cash flows on the Utility System Refunding Bonds, Series 2020.
Notional amount:	Equivalent to the outstanding principal balance of the Series 2020 Bonds.
Effective date:	July 7, 2020
Maturity date:	October 1, 2040
Terms:	Pay 1.98%; receive 79% of one month SOFR plus 1.10%.
Fair value:	\$ 4,528,217
Counterparty credit rating:	Baa3 by Moody's Investors Services and BBB+ by Kroll Bond Rating Agency.

The Town is exposed to credit risk on hedging derivative instruments that are in asset positions. A potential net asset position for the rate swap agreements will be unsecured and uncollateralized.

Interest Rate Risk

The Town is exposed to interest rate risk on its receive-variable/pay-fixed interest rate swaps. As SOFR decreases, the Town's net payment on the swaps increases, and conversely, as SOFR increases, the net payment on the swaps decreases.

Termination Risk

The Town or its counterparty may terminate the derivative instruments if the other party fails to perform under the terms of the contract. If at the time of termination, a derivative instrument is in a liability position, the Town would be liable to the counterparty for a payment equal to the liability.

Rollover Risk

The Town is not exposed to rollover risk on its hedging derivative instruments. The hedging derivative instruments' term extends to the maturity of the hedgeable debt.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 8. LIABILITIES PAYABLE FROM RESTRICTED ASSETS

Liabilities payable from restricted assets in the Water and Wastewater Enterprise Fund (SMRU) at September 30, 2025 are summarized as follows:

Accounts payable	
Renewal and replacement account	\$ 228,706
Accrued interest payable and current principal maturities	
Debt service account	1,193,901
Total liabilities payable from restricted assets	<u>\$ 1,422,607</u>

NOTE 9. LONG-TERM DEBT

Governmental Activities Debt

On March 20, 2007, the residents of the Town approved a referendum authorizing the issuance of up to \$15 million of general obligation debt to finance the costs of undergrounding the electric distribution system serving the Town. The debt service for the outstanding Series 2007 and 2008 Notes were authorized by the referendum and are payable from ad valorem taxes.

Changes in governmental activities long-term debt for the year ended September 30, 2025 are summarized as follows:

	Balance at Beginning of Year	Additions	Retirements	Balance at End of Year	Amounts Due Within One Year
Compensated absences	\$ 532,703	\$ 13,667	* \$ -	\$ 546,370	\$ 130,816
Note payable, Series 2007	1,296,163	-	(306,876)	989,287	318,246
Note payable, Series 2008	1,995,402	-	(367,130)	1,628,272	382,219
Financed purchases	294,257	27,490	(93,943)	227,804	81,800
Total OPEB liability	259,099	41,866	(26,140)	274,825	-
Net pension liability	1,520,598	690,178	(1,604,791)	605,985	-
Governmental activity					
long-term liabilities	<u>\$ 5,898,222</u>	<u>\$ 773,201</u>	<u>\$ (2,398,880)</u>	<u>\$ 4,272,543</u>	<u>\$ 913,081</u>

* Presented net in accordance with GASB 101, *Compensated Absences*

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 9. LONG-TERM DEBT (CONTINUED)

Note Payable, Series 2007

On December 12, 2007, the Town issued a \$5.0 million promissory note payable to a financial institution to finance the electric underground project within the Town and to currently refund the outstanding balance of the Series 2006 Note. Principal and interest at 3.56% are payable in annual installments of \$353,450, commencing December 1, 2008, and due on each December 1st through maturity on December 1, 2027. The Series 2007 Note is payable from, and secured by, a pledge of voter approved property taxes, sufficient to pay all principal and interest on the promissory note.

The principal and interest requirements to maturity for the Note Payable, Series 2007, are as follows:

Year Ending September 30	Principal	Interest	Total
2026	\$ 318,246	\$ 35,204	\$ 353,450
2027	329,575	23,875	353,450
2028	341,466	12,142	353,608
	<u>\$ 989,287</u>	<u>\$ 71,221</u>	<u>\$ 1,060,508</u>

Note Payable, Series 2008

On September 24, 2008, the Town issued a \$6.0 million promissory note payable to a financial institution to finance the electric underground project within the Town. Principal and interest at 4.11% are payable in annual installments of \$449,061, commencing December 1, 2009, and due on each December 1st through maturity on December 1, 2028. The Series 2008 Note is payable from, and secured by, a pledge of voter approved property taxes, sufficient to pay all principal and interest on the promissory note.

The principal and interest requirements to maturity for the Note Payable, Series 2008, are as follows:

Year Ending September 30	Principal	Interest	Total
2026	\$ 382,219	\$ 66,842	\$ 449,061
2027	397,928	51,133	449,061
2028	414,284	34,777	449,061
2029	433,841	17,751	451,592
	<u>\$ 1,628,272</u>	<u>\$ 170,503</u>	<u>\$ 1,798,775</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 9. LONG-TERM DEBT (CONTINUED)

Pledged Tax Revenues

The Town has pledged its future ad valorem tax revenues to repay the outstanding Series 2007 and 2008 Notes issued to finance the electric underground project in the Town. The Series 2007 and 2008 Notes are payable solely from the ad valorem tax revenues received by the Town and are payable through December 1, 2028. Annual principal and interest payments on the notes are expected to require less than 9% of ad valorem tax revenues. Total principal and interest remaining to be paid on the Series 2007 and 2008 Notes at September 30, 2025 is \$2,858,898. Principal and interest paid, and ad valorem tax revenues received for the current year were \$802,512 and \$10,724,882, respectively.

Financed Purchases

The Town has entered into agreements for equipment that are considered financed purchases in accordance with GASB 87. Annual principal payments are required until the end of the respective agreements, where the Town takes over ownership of the equipment.

The principal requirements to maturity for the Financed Purchases are as follows:

Year Ending September 30	Principal
2026	\$ 81,800
2027	70,140
2028	72,698
2029	3,166
	<u>\$ 227,804</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 9. LONG-TERM DEBT (CONTINUED)

Business-Type Activity Debt

	Balance at Beginning of Year	Additions	Retirements	Balance at End of Year	Amounts Due Within One Year
Bonds payable					
Revenue refunding bonds					
Series 2020	\$ 26,030,000	\$ -	\$ (590,000)	\$ 25,440,000	\$ -
Unamortized premium	702,754	1,315	-	704,069	-
Total bonds payable	<u>26,732,754</u>	<u>1,315</u>	<u>(590,000)</u>	<u>26,144,069</u>	<u>-</u>
Notes payable					
Note payable, Series 2006	9,378,298	-	(16,830)	9,361,468	723,667
Note payable, Series 2007	1,146,871	-	(313,441)	833,430	325,049
Total notes payable	<u>10,525,169</u>	<u>-</u>	<u>(330,271)</u>	<u>10,194,898</u>	<u>1,048,716</u>
Compensated absences	285,469	39,313 *	-	324,782	97,435
Total OPEB liability	<u>198,780</u>	<u>31,584</u>	<u>(20,505)</u>	<u>209,859</u>	<u>-</u>
Business-type activity					
long-term liabilities	<u>\$ 37,742,172</u>	<u>\$ 72,212</u>	<u>\$ (940,776)</u>	<u>\$ 36,873,608</u>	<u>\$ 1,146,151</u>

* Presented net in accordance with GASB 101, *Compensated Absences*

Utility System Revenue Refunding Bonds Payable, Series 2020

In July 2020, the Town (on behalf of SMRU) issued \$27,515,000 Utility System Revenue Refunding Bonds, Series 2020 (the Series 2020 bonds) for the principal purpose of refunding all of the Town's Series 2010 Bonds. The Series 2020 bonds were dated July 7, 2020, with a variable interest rate of 79% of the 1-month SOFR plus 110 basis points until maturity on October 1, 2040.

Net proceeds of \$27,515,000 from the Series 2020 Bonds plus \$3,075,364 of sinking fund monies from the Series 2010 Bonds were deposited in an irrevocable trust with an escrow agent on July 7, 2020, and used to purchase U.S. government securities. Those securities and the interest earnings thereon provided sufficient funds to call and retire \$29,725,000 Series 2010 Bonds on October 1, 2020. As a result, these bonds were considered to be defeased and the liability was removed from the statement of net position.

In connection with the Series 2020 Bonds, the Town entered into a rate conversion agreement with a commercial bank which has the effect of synthetically converting the variable rate borne by the bonds to a fixed rate of 1.98% for the entire term of the bonds.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 9. LONG-TERM DEBT (CONTINUED)

Utility System Revenue Refunding Bonds Payable, Series 2020 (Continued)

The future principal and interest requirements for the Series 2020 bonds to maturity are as follows:

Year Ending September 30	Principal	Interest	Total
2026	\$ -	\$ 503,712	\$ 503,712
2027	165,000	503,712	668,712
2028	210,000	500,445	710,445
2029	610,000	496,287	1,106,287
2030	1,590,000	484,209	2,074,209
2031-2035	9,105,000	1,918,719	11,023,719
2036-2040	11,230,000	807,543	12,037,543
2041	2,530,000	50,094	2,580,094
	\$ 25,440,000	\$ 5,264,721	\$ 30,704,721

Utility System Note Payable, Series 2006

On December 29, 2006, the Town (on behalf of SMRU) issued a \$9.6 million Utility System Note Payable, Series 2006 (the "Series 2006 Note"), to a local financial institution for the purpose of advance refunding \$9,355,000 of the Utility System Revenue Bonds, Series 1998, and to pay certain costs of issuance with respect to the Series 2006 Note and certain costs of issuance with respect to the refunding on January 12, 2007. Principal on the Series 2006 Note is due annually on October 1 and interest is payable monthly at a rate equivalent to 63.7% of the one-month Secured Overnight Financing Rate (SOFR) plus .75% (3.67% at September 30, 2025). The Series 2006 Note is secured by a pledge of the Town to budget non-ad valorem revenues for repayment of the Series 2006 Note.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 9. LONG-TERM DEBT (CONTINUED)

Utility System Note Payable, Series 2006 (Continued)

The future principal and interest requirements for the Series 2006 Note to maturity assume that current interest rates on the variable rate note and the current reference rate of the hedging derivative instrument will remain the same for their term.

Variable-Rate Note				
Year Ending September 30	Principal	Interest	Interest Rate Swap, Net	Total
2026	\$ 723,667	\$ 52,990	\$ 335,762	\$ 1,112,419
2027	2,759,674	33,221	280,426	3,073,321
2028	2,876,619	15,008	177,281	3,068,908
2029	3,001,508	13,076	51,922	3,066,506
	<u>\$ 9,361,468</u>	<u>\$ 114,295</u>	<u>\$ 845,391</u>	<u>\$ 10,321,154</u>

Utility System Note Payable, Series 2007

On December 12, 2007, the Town (on behalf of SMRU) issued a \$5.0 million Utility System Promissory Note, Series 2007 (the "Series 2007 Note"), to a local financial institution to finance the cost of improvements to the utility system. Principal and interest at 3.67% are payable in semi-annual installments of \$176,345 on April 1 and October 1 through maturity on October 1, 2027. The Series 2007 Note is secured by a pledge of the Town's non-ad valorem revenue and a pledge of the Town to budget non-ad valorem revenues for repayment of the Series 2007 Note. The future principal and interest requirements for the Series 2007 Note to maturity are as follows:

Year Ending September 30	Principal	Interest	Total
2026	\$ 325,049	\$ 27,641	\$ 352,690
2027	337,087	15,603	352,690
2028	171,294	3,152	174,446
	<u>\$ 833,430</u>	<u>\$ 46,396</u>	<u>\$ 879,826</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 9. LONG-TERM DEBT (CONTINUED)

Legal Requirements

The Utility System Revenue Refunding Bonds, Series 2020 were authorized by Town Resolution No. 843, adopted on March 20, 2020, and generally provide for the following covenants:

1. Annual debt service funding by monthly transfers of cash to a debt service account.
2. Maintain a renewal and replacement cash reserve set at 5% of the previous year's gross revenue, or such amount as determined by a certified engineer.
3. Investing of cash reserves in time deposits, direct obligations of the U.S. government or other authorized investments with varying maturity restrictions.
4. Establishment of rates and charges sufficient to provide net revenues of at least 120% of the annual debt service on the outstanding bonds and any subordinated indebtedness.
5. The use of cash and investments are generally restricted to the following priority: operation and maintenance, debt service, reserves, renewal and replacement, and any other lawful purpose.

Pledged Utility Revenues

The Town has pledged the future net revenues (generally customer revenues, net of specific operating expenses) of the utility system to repay the outstanding Series 2020 Bonds issued to finance the acquisition and subsequent improvements to the utility system. The Series 2020 Bonds are payable solely from the utility net revenues and are payable through 2041. Annual principal and interest payments on the Series 2020 Bonds are expected to require approximately 18% of utility net revenues. Total principal and interest remaining to be paid on the Series 2020 Bonds at September 30, 2025 is \$30,704,721.

Pledged Non-Ad Valorem Revenues

The Town has pledged the future non-ad valorem revenues of its governmental funds to repay the outstanding Series 2006 and Series 2007 Utility System Notes Payable issued to finance improvements to the utility system. The Town intends to pay the Series 2006 and Series 2007 Notes from the net revenues of the utility system through maturity on October 1, 2028.

Annual principal and interest payments on the Notes constitute a pledge of approximately 15% of the Town's non-ad valorem revenues until 2026 and approximately 55% thereafter until maturity. Total principal and interest remaining to be paid on the Series 2006 and Series 2007 Notes at September 30, 2025 is \$11,200,980. Principal and interest paid by the utility system and non-ad valorem revenues pledged for the current year were \$774,223 and \$2,504,644, respectively.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 9. LONG-TERM DEBT (CONTINUED)

Annual Maturities

As of September 30, 2025, aggregate debt service requirements of the Town's debt (fixed-rate and variable-rate) and net receipts/payments on the associated hedging derivative instrument are as follows. These amounts assume that current interest rates and the current reference rates of the hedging derivative instrument will remain the same for their term. As these rates vary, interest payments on variable-rate bonds and net receipts/payments on the hedging derivative instrument will vary. Refer to Note 7 for information on derivative instruments.

Year Ending September 30	Principal	Interest	Interest Rate Swap, Net	Total
2026	\$ 1,830,981	\$ 686,389	\$ 335,762	\$ 2,853,132
2027	4,059,404	627,544	280,426	4,967,374
2028	4,086,361	565,524	177,281	4,829,166
2029	4,048,515	527,114	51,922	4,627,551
2030	1,590,000	484,209	-	2,074,209
2031-2035	9,105,000	1,918,719	-	11,023,719
2036-2040	11,230,000	807,543	-	12,037,543
2041	2,530,000	50,094	-	2,580,094
	<u>\$ 38,480,261</u>	<u>\$ 5,667,136</u>	<u>\$ 845,391</u>	<u>\$ 44,992,788</u>

For the year ended September 30, 2025, the Town incurred and expensed total interest charges of \$128,506 in the governmental activities. Interest charges incurred for the business-type activity totaled \$1,074,159 which was expensed.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 10. FUND BALANCE

In the fund financial statements, governmental funds report fund equity classifications that comprise a hierarchy based primarily on the extent to which the Town is bound to honor constraints on the specific purpose for which amounts in the funds may be spent. The classifications are as follows:

	General Fund	Beach Protection Fund	Nonmajor Governmental Funds
Nonspendable			
Prepaid items	\$ 107,213	\$ 1,247	\$ -
Restricted			
Beach protection	-	12,658,450	-
Debt repayment	-	-	136,540
Building code enforcement	3,732,426	-	-
LGIS Conservation Surtax	78,137	-	-
Total restricted	<u>3,810,563</u>	<u>12,658,450</u>	<u>136,540</u>
Assigned			
Emergencies	1,000,000	-	-
Compensated absences	115,000	-	-
Uninsured losses and other payments	80,000	-	-
Conservation	364,587	-	-
Beautification and maintenance	170,746	-	-
Private - purpose	63,059	-	-
Employee Christmas fund	1,608	-	-
Total assigned	<u>1,795,000</u>	<u>-</u>	<u>-</u>
Unassigned	7,188,068	-	-
Total fund balance	<u>\$ 12,900,844</u>	<u>\$ 12,659,697</u>	<u>\$ 136,540</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 11. RESTRICTED NET POSITION

Assets of the Enterprise Fund were restricted for the following purposes as required by the Town's outstanding revenue refunding bonds at September 30, 2025:

	Restricted Assets	Liabilities Payable from Restricted Assets	Restricted Net Position
Debt service account	\$ 12,346,109	\$ 1,193,901	\$ 11,152,208
Renewal and replacement account	1,365,732	228,706	1,137,026
	<u>\$ 13,711,841</u>	<u>\$ 1,422,607</u>	<u>\$ 12,289,234</u>

Net position is restricted for the debt service account, debt service reserve account, renewal and replacement account and capital improvement account to the extent that restricted assets exceed the respective liabilities payable from restricted assets.

NOTE 12. INTERFUND TRANSACTIONS

Interfund receivables and payables at September 30, 2025 are summarized as follows:

Receivable Fund	Payable Fund	Amount
General Fund	Beach Protection Fund	\$ 62,051
General Fund	Utility Enterprise Fund	106,771

The interfund receivables and payables are attributable to reimbursements due to various funds for the disbursement of monies initially made from it that are properly applicable to another fund.

Interfund transfers were made from the Beach Protection Fund (\$75,000) to the General Fund to coverage administrative costs incurred that directly benefitted the Beach Protection Fund project operations. Interfund transfers from the Special Law Enforcement Fund (\$3,046) were made to the General Fund to cover cost associated with the purchase of equipment used exclusively by the Public Safety department.

NOTE 13. CAPITAL CONTRIBUTIONS

The capital contributions to the Water and Wastewater Enterprise Fund (SMRU) for the year ended September 30, 2025 consisted of connection and other fees of \$633,570. This amount represented \$406,500 for water connections and \$227,070 for wastewater connections.

Notes To Financial Statements

NOTE 14. DEFINED BENEFIT PENSION PLAN

Description of the Plan

The Town contributes to a Defined Benefit Pension Plan for Employees of the Town of Jupiter Island (the "Plan"), a single employer plan covering substantially all Town employees not covered by the Town's defined contribution pension plans. The Plan is administered by the Town and accounted for as a separate fund. The fiduciaries of the plan consist of the Town Commission and the Committee for the Plan. The Committee for the Plan consists of five individuals appointed by the Town Commission.

The Plan was frozen as of October 1, 2009. Credited service, eligibility service, and average final compensation was frozen for all members except the 14 employees who were within five and one half years of age 65 or age 55 with 25 years of service as of that date. Those 14 employees will continue to earn credit toward eligibility for an unreduced early retirement pension benefit. Freezing the Plan decreased the unfunded actuarial liability from \$416,793 to \$95,580.

On April 7, 2016, the Town approved a one-time Early Retirement Incentive Program for eligible employees. To be eligible, employees were required, as of January 31, 2016, to: (1) meet the age and service conditions for normal retirement under the frozen Group Retirement Plan, (2) meet the age and service conditions for early retirement under the Retirement Plan, or (3) have completed at least 20-years of employment with the Town, and (4) agree to permanently retire from employment from the Town effective no later than September 30, 2016. The Plan Amendment resulted in an increase in the Town's unfunded actuarially accrued liability in the amount of \$536,779.

At September 30, 2025, the actuarial value of plan assets was less than the market value of plan assets by \$774,134.

The benefit provisions and all other requirements of the Defined Benefit Pension Plan are established by Town ordinance and are summarized as follows:

Plan Eligibility – Full-time employees who are at least age 21 with one year of continuous service.

Vesting – Benefits vest after five years of credited service.

Eligibility Requirements and Annual Retirement Benefit:

Normal Retirement – later of age 65 and completion of five years of service. 3% of final average compensation times years of credited service.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 14. DEFINED BENEFIT PENSION PLAN (CONTINUED)

Description of the Plan (Continued)

Reduced Early Retirement – later of age 55 with ten years of credited service. Normal retirement benefit reduced by 1/15th per year for the first five years and 1/30th per year for the next five years that the early retirement date precedes the normal retirement date.

Unreduced Early Retirement – later of age 55 with 25 years of credited service. Normal retirement benefit unreduced for early retirement.

Other Benefits – The Plan also provides for disability and death benefits.

Plan Membership

Participant data as of October 1, 2025, the date of the most recent actuarial valuation, is as follows:

Retirees and beneficiaries receiving benefits	45
Terminated plan members vested but not yet receiving benefits	14
Active plan members	5
Total	<u>64</u>

Investments

The Pension Committee develops and recommends the plan's investment policy statement which is adopted by the Town Commission. The Town's long-term investment objective is to achieve and maintain a fully funded status with regard to current pension liabilities. The following was the asset allocation strategy as of September 30, 2025:

<u>Asset Class</u>	<u>Target Allocation</u>
Growth	35%
Absolute return	10%
Real return	10%
Income	25%
Reserves	20%
Total	<u>100%</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 14. DEFINED BENEFIT PENSION PLAN (CONTINUED)

Investments (Continued)

The following investments represent 5% or more of the defined benefit plan's fiduciary net position at September 30, 2025:

<u>Mutual Fund</u>	<u>Amount</u>
Baird Ultra Short Bond Institutional	\$ 1,757,205
Vanguard Total Stock Market	1,311,568
BlackRock Strategic Income Opps	1,117,747
Pimco Income Instl	1,088,036
First Eagle Global I	573,771

For the year ended September 30, 2025, the annual money-weighted rate of return on pension plan investments, net of pension plan investment expense, was 8.39%. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

Net Pension Liability

The components of the net pension liability of the Town as of September 30, 2025, were as follows:

Total pension liability	\$ 11,844,481
Plan fiduciary net position	11,238,496
Town's net pension liability	<u>\$ 605,985</u>
Plan fiduciary net position as a percentage of the total pension liability	94.88%

Actuarial Methods and Assumptions

The total pension liability was determined by an actuarial valuation using the following actuarial assumptions, applied to all periods included in the measurement:

<u>Actuarial Valuation Date</u>	<u>September 30, 2025</u>
Discount rate	5.5%
Investment rate of return	5.5%
Projected salary increases, including inflation	7.0%

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 14. DEFINED BENEFIT PENSION PLAN (CONTINUED)

Discount Rate

The discount rate used to measure the total pension liability was 5.5%. The projection of cash flows used to determine the discount rate assumed that Town contributions will be made at rates equal to actuarially determined contribution rates. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Mortality Rates

The mortality rates were based on the Pub-2010 General Headcount-Weighted Male and Female, projected generationally with MP-2021 table projected to the valuation date by Scale BB.

Changes in Assumptions

Mortality changed to match that used for the Florida Retirement System actuarial valuation for the plan year beginning July 1, 2025.

Changes in Methods

There were no changes in methods.

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the net pension liability of the Town, calculated using the discount rate of 5.5%, as well as what the Town's net pension liability would be if it were calculated using a discount rate that is 1% lower (4.5%) or 1 % higher (6.5%) than the current rate:

Total Pension Liability (1% Decrease) 4.5%	Total Pension Liability (Current Rate) 5.5%	Total Pension Liability (1% Increase) 6.5%
<u>\$ 1,685,619</u>	<u>\$ 605,985</u>	<u>\$ (321,350)</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 14. DEFINED BENEFIT PENSION PLAN (CONTINUED)

Changes in Net Pension Liability

	Increase/(Decrease)		
	Total Pension Liability	Plan Fiduciary Net Position	Net Pension Liability
Balances at October 1, 2024	\$ 12,535,121	\$ 11,014,523	\$ 1,520,598
Changes for the year			
Service cost	20,305	-	20,305
Interest on total pension liability	660,373	-	660,373
Actuarial gains/(losses), net	(274,024)	-	(274,024)
Change in assumptions	-	-	-
Contributions - employer	-	443,444	(443,444)
Net investment income	-	887,323	(887,323)
Benefit payments	(1,097,294)	(1,097,294)	-
Administrative expenses	-	(9,500)	9,500
Net changes	(690,640)	223,973	(914,613)
Balances at September 30, 2025	<u>\$ 11,844,481</u>	<u>\$ 11,238,496</u>	<u>\$ 605,985</u>

Pension Expense and Deferred Inflows/Outflows of Resources Related to Pensions

For the year ended September 30, 2025, the Town recognized pension expense of \$618,789. On September 30, 2025, the Town reported deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Net difference between projected and actual investment earnings	\$ -	\$ 909,903
Total	<u>\$ -</u>	<u>\$ 909,903</u>

Amounts reported as deferred outflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending September 30	Amount
2026	\$ (25,223)
2027	(485,993)
2028	(338,236)
2029	(60,451)
Total	<u>\$ (909,903)</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 15. DEFINED CONTRIBUTION PENSION PLAN

The Town of Jupiter Island Retirement Plan for SMRU Operations Employees

This plan is a voluntary 401(a) defined contribution pension plan established for the employees of the Town's Utility System (SMRU). The Plan was effective October 1, 2007. The Town employees cannot contribute to the Plan. The Town contributes 10.0% of the employees' annual compensation. Effective October 1, 2018, the Town also contributes a matching contribution, on a dollar-for-dollar basis, of the participant's contributions to the Town of Jupiter Island 457 Plan (the "457 Plan") up to 5% of eligible compensation.

The contributions vest 100% in year three. Employer contributions to the Plan for the year ended September 30, 2025 were \$309,117. Plan investments are fully participant directed. Plan provisions and contribution requirements are established by the Town Commission and may be amended by future Commission action.

The Town of Jupiter Island 401(a) Plan

This plan is a voluntary 401(a) defined contribution pension plan established for the employees of the Town, except SMRU employees. The Plan was effective October 1, 2009. The Town employees cannot contribute to the Plan. The Town contributes 10.0% of the employees' annual compensation. The Town also contributes a matching contribution, on a dollar-for-dollar basis, of the participant's contributions to the Town of Jupiter Island 457 Plan (the "457 Plan") up to 5% of eligible compensation. In the initial plan year beginning October 1, 2009, the Town matched the amount contributed by the participants to the 457 Plan at the rate of two dollars for each dollar up to a maximum match of 2.5% of compensation. The contributions vest 100% in year three. Employer contributions to the Plan for the year ended September 30, 2025, were \$619,118. Plan investments are fully participant directed. Plan provisions and contribution requirements are established by the Town Commission and may be amended by future Commission action.

NOTE 16. OTHER POST-EMPLOYMENT BENEFITS

The Town is required by Florida Statute 112.0801 to allow retirees to buy healthcare coverage at the same group insurance rates that current employees are charged resulting in an implicit healthcare benefit. The State of Florida prohibits the Plan from separately rating retirees and active employees. The Plan therefore charges both groups an equal, blended rate premium. The Town does not provide retirees with any subsidy for this benefit.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 16. OTHER POST-EMPLOYMENT BENEFITS (CONTINUED)

Plan Description

The Town administers a single-employer defined benefit health care plan (the "Plan") that provides health care benefits to eligible retired employees and their beneficiaries. The Town Commission has the authority to establish and amend the premiums for and the benefit provisions of the Plan. The Plan is financed on a "pay-as-you-go" basis and is not administered as a formal qualifying trust. The Plan does not issue a publicly available financial report.

Benefits Provided

The Town provides healthcare coverage for retirees and their dependents. Benefits are provided through a third-party insurer, and the full cost of the benefits are covered by the retiree.

As of September 30, 2025, the following employees were covered by benefit terms:

Inactive employees currently receiving benefits	1
Active employees	81
Total	<u>82</u>

Actuarial Methods and Assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and the plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

Contributions

The retiree contributes the premium cost each month. Spouses and other dependents are also eligible for coverage, although the retiree pays the full cost of the premium. The Town does not subsidize member premiums. Plan members receiving benefits contribute 100% of the monthly premium ranging from a minimum of \$998 to a maximum of \$3,192.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 16. OTHER POST-EMPLOYMENT BENEFITS (CONTINUED)

Actuarial Assumptions

The total OPEB liability was determined by an actuarial valuation as of October 1, 2023 rolled forward to September 30, 2025, the measurement date. The following actuarial assumptions applied to all periods in the measurement, unless otherwise noted:

Actuarial cost method:	Entry age normal.
Discount rate:	4.50%
Inflation:	3.00%
Salary rate increase:	5.00%
Healthcare cost trend rates:	8.00% initial, decreasing to 4.50% for fiscal years 2039 and later.
Mortality:	PubG, H-2010 Mortality Table - general with mortality improvement using scale MP-2020.

Discount Rate

The Town does not have a dedicated Trust to pay retiree healthcare benefits. Per GASB 75, the discount rate should be a yield or index rate for 20-year, tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher (or equivalent quality on another rating scale). A rate of 4.50% is used, which is the S&P Municipal Bond 20-Year High-Grade Rate Index as of September 30, 2025.

Changes in Total OPEB Liability

	Total OPEB Liability
Balances at October 1, 2024	\$ 457,879
Changes for the year	
Service cost	55,553
Interest on total OPEB liability	17,897
Change of assumptions and other inputs	(12,513)
Benefit payments	(34,132)
Net changes	<u>26,805</u>
Balances at September 30, 2025	<u>\$ 484,684</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 16. OTHER POST-EMPLOYMENT BENEFITS (CONTINUED)

Sensitivity of the Net OPEB Liability to Changes in the Discount Rates

The following presents the net OPEB liability of the Town, as well as what the Town's net OPEB liability would be if it were calculated using a discount rate that is 1% lower or 1% higher than the current discount rate:

OPEB Liability (1% Decrease) 3.50%	OPEB Liability (Current Rate) 4.50%	OPEB Liability (1% Increase) 5.50%
\$ 515,730	\$ 484,684	\$ 455,928

Sensitivity of the Net OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following presents the net OPEB liability of the Town, as well as what the Town's net OPEB liability would be if it were calculated using a healthcare cost trend rate that is 1% lower or 1% higher than the current healthcare cost rate:

OPEB Liability (1% Decrease)	OPEB Liability (Current Rate)	OPEB Liability (1% Increase)
\$ 443,710	\$ 484,684	\$ 532,277

OPEB Expense and Deferred Inflows/Outflows of Resources Related to OPEB

For the year ended September 30, 2025, the Town recognized OPEB expense of \$61,714. On September 30, 2025, the Town reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between actual and expected experience	\$ 40,215	\$ 228,290
Changes of assumptions	136,689	79,216
Total	<u>\$ 176,904</u>	<u>\$ 307,506</u>

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 16. OTHER POST-EMPLOYMENT BENEFITS (CONTINUED)

OPEB Expense and Deferred Inflows/Outflows of Resources Related to OPEB (Continued)

Amounts reported as deferred outflows and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year Ending September 30	Amount
2026	\$ (11,737)
2027	(11,737)
2028	(30,024)
2029	(36,102)
2030	(36,113)
Thereafter	(4,889)
Total	<u>\$ (130,602)</u>

NOTE 17. COMMITMENTS AND CONTINGENCIES

Fire Rescue Services

The Town receives fire rescue services from Martin County, Florida, through an interlocal agreement. The original term of the agreement was five years from October 1, 2010 to September 30, 2015, and the agreement was extended through September 30, 2027. The cost of the services provided by Martin County totaled \$1,072,900 for the year ended September 30, 2025.

The future minimum required payments for fire rescue services are as follows:

Year Ended September 30	
2026	\$ 1,092,727
2027	1,125,509
Total	<u>\$ 2,218,236</u>

Grants

Amounts received or receivable from granter agencies are subject to audit and adjustment by those agencies. Any disallowed claims, including amounts already received, might constitute a liability of the Town for the return of those funds.

Town of Jupiter Island, Florida

Notes To Financial Statements

NOTE 18. CHANGE IN ACCOUNTING PRINCIPLE

In conjunction with the implementation of Governmental Accounting Standards Board (GASB10 Statement No. 101, *Compensated Absences*, the Town is required to recognize liabilities for compensated absences for: (1) leave that has not been used and (2) leave that has been used but not yet paid in cash or settled through noncash means. A liability should be recognized for leave that has not been used if: (a) the leave is attributable to services already rendered, (b) the leave accumulates, and (c) the leave is more likely than not to be used for time off or otherwise paid in cash or settled through noncash means. Therefore, in conjunction with the implementation of GASB Statement No. 101, a restatement to beginning net position was required to properly report compensated absences as of October 1, 2024 as follows: Governmental Activities: \$162,799; Business-Type Activities/Enterprise Fund: \$94,017.

NOTE 19. SUBSEQUENT EVENTS

The Town has evaluated subsequent events through February 10, 2026 the date the audit reports were issued.

REQUIRED SUPPLEMENTARY INFORMATION

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Town of Jupiter Island, Florida

**REQUIRED SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON SCHEDULE –
GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2025**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
Revenues				
Taxes	\$ 10,260,402	\$ 10,260,402	\$ 10,352,396	\$ 91,994
Licenses and permits	852,000	852,000	1,235,221	383,221
Intergovernmental revenue	325,100	325,100	233,935	(91,165)
Charges for services	131,000	131,000	111,697	(19,303)
Fines and forfeitures	2,000	2,000	3,863	1,863
Investment income	200,000	450,000	645,903	195,903
Contributions	-	192,812	246,042	53,230
Miscellaneous revenues	660,279	710,279	725,756	15,477
Total revenue	<u>12,430,781</u>	<u>12,923,593</u>	<u>13,554,813</u>	<u>631,220</u>
Expenditures				
General government				
Administration	3,349,243	3,608,540	3,595,282	13,258
Public safety				
Police department	5,598,227	5,760,565	5,811,053	(50,488)
Building				
Building and zoning	1,342,285	2,696,441	2,036,630	659,811
Public works				
Public works	1,244,865	1,323,951	1,278,585	45,366
Grounds	489,031	489,031	217,313	271,718
Roads	173,000	173,000	63,949	109,051
Total public works	<u>1,906,896</u>	<u>1,985,982</u>	<u>1,559,847</u>	<u>426,135</u>
Physical environment				
Lethal yellowing	165,000	165,000	184,499	(19,499)
Conservation	50,000	50,000	55,230	(5,230)
Total physical environment	<u>215,000</u>	<u>215,000</u>	<u>239,729</u>	<u>(24,729)</u>
Debt service	-	-	93,943	(93,943)
Capital outlay	679,130	819,219	587,970	231,249
Total expenditures	<u>13,090,781</u>	<u>15,085,747</u>	<u>13,924,454</u>	<u>1,161,293</u>
Deficiency of revenues under expenditures	<u>(660,000)</u>	<u>(2,162,154)</u>	<u>(369,641)</u>	<u>(530,073)</u>
Other financing sources				
Issuance of financed purchase	-	-	27,490	27,490
Transfer in	470,000	1,972,154	78,046	(1,894,108)
Use of fund balance	190,000	190,000	-	190,000
Total other financing sources	<u>660,000</u>	<u>2,162,154</u>	<u>105,536</u>	<u>(1,676,618)</u>
Net change in fund balance	-	-	(264,105)	(2,206,691)
Fund balance, beginning of year	13,164,949	13,164,949	13,164,949	-
Fund balance, end of year	<u>\$ 13,164,949</u>	<u>\$ 13,164,949</u>	<u>\$ 12,900,844</u>	<u>\$ (2,206,691)</u>

Town of Jupiter Island, Florida

**REQUIRED SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON SCHEDULE –
BEACH PROTECTION FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2025**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
Revenue				
Taxes				
Ad valorem property taxes	\$ 3,380,769	\$ 3,380,769	\$ 3,378,493	\$ (2,276)
Intergovernmental revenues	27,047,655	27,047,655	21,427,707	(5,619,948)
Investment income	200,000	500,000	537,321	37,321
Total revenue	<u>30,628,424</u>	<u>30,928,424</u>	<u>25,343,521</u>	<u>(5,584,903)</u>
Expenditures				
General government				
Beach protection administration	538,463	405,070	472,674	(67,604)
Physical environment				
Beach protection and monitoring	113,500	113,500	47,076	66,424
Capital outlay	30,709,000	35,368,137	34,668,986	699,151
Total expenditures	<u>31,360,963</u>	<u>35,886,707</u>	<u>35,188,736</u>	<u>697,971</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(732,539)</u>	<u>(4,958,283)</u>	<u>(9,845,215)</u>	<u>(6,282,874)</u>
Other financing sources				
Transfer from reserves	807,539	5,033,283	-	5,033,283
Transfer to other funds	(75,000)	(75,000)	(75,000)	-
Total other financing sources	<u>732,539</u>	<u>4,958,283</u>	<u>(75,000)</u>	<u>5,033,283</u>
Net change in fund balance	-	-	(9,920,215)	(1,249,591)
Fund balance, beginning of year	22,579,912	22,579,912	22,579,912	-
Fund balance, end of year	<u>\$ 22,579,912</u>	<u>\$ 22,579,912</u>	<u>\$ 12,659,697</u>	<u>\$ (1,249,591)</u>

Town of Jupiter Island, Florida

**REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF CHANGES IN NET PENSION LIABILITY
AND RELATED RATIOS – DEFINED BENEFIT PENSION PLAN**

Reporting period ending	9/30/2025	9/30/2024	9/30/2023	9/30/2022	9/30/2021	9/30/2020	9/30/2019	9/30/2018	9/30/2017	9/30/2016
Total pension liability										
Service cost	\$ 20,305	\$ 18,487	\$ 12,680	\$ 10,668	\$ 15,117	\$ 25,308	\$ 24,603	\$ 31,976	\$ 38,814	\$ 90,976
Interest on total pension liability	660,373	668,326	683,622	728,231	736,678	761,859	769,461	774,744	773,506	708,105
Change in benefit terms	-	-	-	-	-	-	-	-	-	536,779
Change in assumptions	-	273,321	(62,266)	553,073	24,327	(201,472)	(25,936)	-	138,141	209,885
Experience gains/(losses)	(274,024)	(12,845)	169,578	83,298	140,993	34,175	135,365	122,551	84,157	562,872
Benefit payments	(1,097,294)	(1,090,109)	(1,084,953)	(1,084,995)	(1,043,961)	(1,015,073)	(1,017,594)	(1,007,810)	(1,007,889)	(945,772)
Net change in total pension liability	(690,640)	(142,820)	(281,339)	290,275	(126,846)	(395,203)	(114,101)	(78,539)	26,729	1,162,845
Total pension liability - beginning	12,535,121	12,677,941	12,959,280	12,669,005	12,795,851	13,191,054	13,305,155	13,383,694	13,356,965	12,194,120
Total pension liability - ending (a)	\$ 11,844,481	\$ 12,535,121	\$ 12,677,941	\$ 12,959,280	\$ 12,669,005	\$ 12,795,851	\$ 13,191,054	\$ 13,305,155	\$ 13,383,694	\$ 13,356,965
Plan fiduciary net position										
Contributions	\$ 443,444	\$ 475,000	\$ 462,500	\$ 425,000	\$ 318,750	\$ 425,000	\$ 531,250	\$ 318,750	\$ 425,000	\$ 331,161
Net investment income	887,323	1,888,773	1,333,491	(1,645,507)	2,101,315	556,551	161,648	622,037	1,278,521	941,766
Benefit payments	(1,097,294)	(1,096,909)	(1,084,953)	(1,084,995)	(1,043,961)	(1,015,073)	(1,017,594)	(1,007,810)	(1,007,889)	(945,772)
Administrative expenses	(9,500)	-	(16,700)	(13,300)	(13,700)	(12,500)	(11,820)	(11,310)	(4,453)	(3,551)
Net change in plan fiduciary net position	223,973	1,266,864	694,338	(2,318,802)	1,362,404	(46,022)	(336,516)	(78,333)	691,179	323,604
Plan fiduciary net position - beginning	11,014,523	9,747,659	9,053,321	11,372,123	10,009,719	10,055,741	10,392,257	10,470,590	9,779,411	9,455,807
Plan fiduciary net position - ending (b)	\$ 11,238,496	\$ 11,014,523	\$ 9,747,659	\$ 9,053,321	\$ 11,372,123	\$ 10,009,719	\$ 10,055,741	\$ 10,392,257	\$ 10,470,590	\$ 9,779,411
Net pension liability - ending (a) - (b)	\$ 605,985	\$ 1,520,598	\$ 2,930,282	\$ 3,905,959	\$ 1,296,882	\$ 2,786,132	\$ 3,135,313	\$ 2,912,898	\$ 2,913,104	\$ 3,577,554
Plan fiduciary net position as a percentage of the total pension liability	94.88%	87.87%	76.89%	69.86%	89.76%	78.23%	76.23%	78.11%	78.23%	73.22%
Covered payroll	\$ 778,153	\$ 674,396	\$ 616,527	\$ 572,306	\$ 623,567	\$ 934,044	\$ 870,822	\$ 1,021,979	\$ 1,123,300	\$ 1,123,300
Net pension liability as a percentage of covered payroll	77.87%	225.48%	475.29%	682.49%	207.98%	298.29%	360.04%	285.03%	259.33%	318.49%

Notes to the schedule:
See notes to required supplementary information.

Town of Jupiter Island, Florida

**REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF EMPLOYER CONTRIBUTIONS AND INVESTMENT RETURNS -
DEFINED BENEFIT PENSION PLAN**

Year Ended	Actuarially Determined Contribution	Actual Contribution	Contribution (Excess)/ Deficiency	Covered Payroll	Contribution Percentage of Covered Payroll	Annual Money Weighted Rate of Return, Net of Investment Expense
September 30, 2025	\$ 443,444	\$ 443,444	\$ -	\$ 778,153	56.99%	8.39%
September 30, 2024	523,680	475,000	48,680	674,396	70.43%	20.41%
September 30, 2023	495,824	462,500	33,324	616,527	75.02%	13.90%
September 30, 2022	375,194	425,000	(49,806)	572,306	74.26%	-14.99%
September 30, 2021	438,436	318,750	119,686	623,567	51.12%	21.94%
September 30, 2020	434,885	425,000	9,885	934,044	45.50%	5.79%
September 30, 2019	379,173	531,250	(152,077)	870,822	61.01%	1.60%
September 30, 2018	353,918	318,750	35,168	1,021,979	31.19%	6.20%
September 30, 2017	367,286	425,000	(57,714)	1,123,300	37.83%	13.66%
September 30, 2016	312,434	331,161	(18,727)	1,123,300	29.48%	10.31%

Notes to the schedule:

See notes to required supplementary information.

Town of Jupiter Island, Florida

REQUIRED SUPPLEMENTARY INFORMATION SCHEDULE OF CHANGES IN TOTAL PENSION LIABILITY – DEFINED BENEFIT PENSION PLAN

Year Ended	Amount of Collective Pension Liability	Percentage of Collective Pension Liability	Covered Payroll	Pension Liability Percentage of Covered Payroll
September 30, 2025	\$ 605,985	94.88%	\$ 778,153	77.87%
September 30, 2024	1,520,598	87.87%	674,396	225.48%
September 30, 2023	3,049,032	75.95%	616,527	494.55%
September 30, 2022	3,905,959	69.86%	572,306	682.49%
September 30, 2021	1,296,882	89.76%	623,567	207.98%
September 30, 2020	2,786,132	78.23%	934,044	298.29%
September 30, 2019	3,135,313	76.23%	870,822	360.04%
September 30, 2018	2,912,898	78.11%	1,021,979	285.03%
September 30, 2017	2,913,104	78.23%	1,123,300	259.33%
September 30, 2016	3,577,554	73.22%	1,123,300	318.49%

Notes to the schedule:

See notes to required supplementary information.

Town of Jupiter Island, Florida

REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF CHANGES IN THE TOTAL OPEB LIABILITY AND RELATED RATIOS -
OTHER POST-EMPLOYMENT BENEFIT (OPEB) PLAN

Reporting period ending	9/30/2025	9/30/2024	9/30/2023	9/30/2022	9/30/2021	9/30/2020	9/30/2019	9/30/2018
Total OPEB liability								
Service cost	\$ 55,553	\$ 55,715	\$ 31,118	\$ 40,305	\$ 45,338	\$ 38,451	\$ 27,545	\$ 28,905
Interest on total OPEB liability	17,897	16,503	15,526	16,291	14,095	23,120	23,738	14,442
Difference between expected and actual experience	-	(23,151)	-	(331,918)	-	(44,719)	-	183,732
Change of assumptions and other inputs	(12,513)	81,867	(2,159)	(40,870)	(11,482)	47,870	2,350	(6,622)
Benefit payments	(34,132)	(23,869)	(38,297)	(19,220)	(53,081)	(49,683)	(70,048)	(67,803)
Other changes	-	-	-	-	-	(1,112)	478	69,511
Net change in total OPEB liability	26,805	107,065	6,188	(335,412)	(5,130)	13,927	(15,937)	222,165
Total OPEB liability - beginning	457,879	350,814	344,626	680,038	685,168	671,241	687,178	465,013
Total OPEB liability - ending	<u>\$ 484,684</u>	<u>\$ 457,879</u>	<u>\$ 350,814</u>	<u>\$ 344,626</u>	<u>\$ 680,038</u>	<u>\$ 685,168</u>	<u>\$ 671,241</u>	<u>\$ 687,178</u>
Covered payroll	\$ 7,321,511	\$ 6,975,019	\$ 5,004,341	\$ 5,004,341	\$ 5,072,725	\$ 5,072,725	\$ 4,762,886	\$ 4,762,886
Total OPEB liability as a percentage of covered employee payroll	6.62%	6.56%	7.01%	6.89%	13.41%	13.51%	14.09%	14.43%

Notes to the schedule:

The schedule will present 10 years of information once it is accumulated.

See notes to required supplementary information.

Town of Jupiter Island, Florida

Notes To Required Supplementary Information September 30, 2025

NOTE 1. BUDGETARY ACCOUNTING

State of Florida statutes require that all municipal governments establish budgetary systems and approve annual operating budgets. The Commission annually adopts an operating budget and appropriates funds for the General Fund and Beach Protection Fund on the same modified accrual basis used to record revenue and expenditures, except that for budgetary purposes, capital outlays are reflected as current expenditures within each governmental function. The procedures for establishing budgetary data are as follows:

- The Town Manager submits to the Commission a proposed operating budget prepared for the fiscal year commencing the following October 1. The operating budget includes proposed expenditures and the means of financing them.
- Public hearings are conducted to obtain taxpayer comments.
- The Town advises the County Property Appraiser of the proposed millage rate and the date, time and place of the public hearing for budget acceptance.
- The budget and related millage rate are legally enacted by Town resolution.
- Changes or amendments to the adopted budget of the fund or a department must be approved by the Commission; however, the Town Manager may approve changes within a department which do not affect the total departmental expenditures. The Town Manager is also authorized to supplement budgeted line items to and from contingency amounts provided that there is no overall increase in the budget. Accordingly, the legal level of control is at the department level.

The reported budgetary data represents the final appropriated budgets after any amendments adopted by the Town Commission. The budgetary comparison schedules for the General Fund and Beach Protection Fund are prepared under the basis of accounting used in preparing the appropriated budget. Unexpended appropriations lapse at year-end.

Town of Jupiter Island, Florida

Notes To Required Supplementary Information September 30, 2025

NOTE 2. DEFINED BENEFIT PLAN

The information presented in the required supplementary schedules was determined as part of the actuarial valuations at the dates indicated. Additional information as of the latest actuarial valuation data was as follows:

Actuarial valuation date:	September 30, 2025
Actuarial cost method:	Frozen entry age normal.
Actuarial assumptions:	
Discount rate:	5.5%
Investment rate of return:	5.5%
Projected salary increases, including inflation at 3%:	7.0%
Mortality:	
Non-disables (pre- and post-retirement):	
Male:	Pub-2010 general headcount-weighted male, below median, set back one year, projected generationally with MP-2021.
Female:	Pub-2010 general headcount-weighted female, below median, projected generationally with MP-2021.
Disables:	
Male:	Pub-2010 general headcount-weighted male, below median, disabled retiree set forward three years, projected generationally with MP-2011.
Female:	Pub-2010 general headcount-weighted female, below median, disabled retiree set forward three years, projected generationally with MP-2011.

NOTE 3. OTHER POST-EMPLOYMENT BENEFIT PLAN

The information presented in the required supplementary schedules was determined as part of the actuarial valuations at the dates indicated. Additional information as of the latest actuarial valuation was as follows:

Actuarial valuation date:	October 1, 2023
Measurement date:	September 30, 2025
Actuarial cost method:	Entry age normal.
Actuarial assumptions:	
Discount rate:	4.50%
Inflation:	3.00%
Salary rate increase:	5.00%

OTHER SUPPLEMENTARY INFORMATION

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Town of Jupiter Island, Florida

**COMBINING BALANCE SHEET -
NONMAJOR GOVERNMENTAL FUNDS
SEPTEMBER 30, 2025**

	<u>Debt Service Fund</u>	<u>Special Revenue Fund</u>	<u>Total Nonmajor Governmental Funds</u>
	<u>Electric Underground</u>	<u>Special Law Enforcement</u>	
Assets			
Cash and cash equivalents	\$ 136,540	\$ -	\$ 136,540
Total assets	<u>\$ 136,540</u>	<u>\$ -</u>	<u>\$ 136,540</u>
Fund balances			
Restricted	\$ 136,540	\$ -	\$ 136,540
Total fund balances	<u>\$ 136,540</u>	<u>\$ -</u>	<u>\$ 136,540</u>
Total liabilities and fund balances	<u>\$ 136,540</u>	<u>\$ -</u>	<u>\$ 136,540</u>

Town of Jupiter Island, Florida

COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - NONMAJOR GOVERNMENTAL FUNDS FOR THE YEAR ENDED SEPTEMBER 30, 2025

	Debt Service Fund	Special Revenue Fund	Total Nonmajor Governmental Funds
	Electric Underground	Special Law Enforcement	
Revenues			
Taxes	\$ 802,980	\$ -	\$ 802,980
Fines and forfeitures	-	200	200
Investment earnings	4	123	127
Total revenues	<u>802,984</u>	<u>323</u>	<u>803,307</u>
Expenditures			
Debt service			
Principal	674,006	-	674,006
Interest	128,506	-	128,506
Total expenditures	<u>802,512</u>	<u>-</u>	<u>802,512</u>
Excess of revenues over expenditures	472	323	795
Other financing uses			
Transfer out	-	(3,046)	(3,046)
Total other financing uses	<u>-</u>	<u>(3,046)</u>	<u>(3,046)</u>
Change in fund balance	472	(2,723)	(2,251)
Fund balances, beginning	<u>136,068</u>	<u>2,723</u>	<u>138,791</u>
Fund balances, ending	<u>\$ 136,540</u>	<u>\$ -</u>	<u>\$ 136,540</u>

Town of Jupiter Island, Florida

SCHEDULE OF WATER AND WASTEWATER REVENUE REFUNDING BOND COVERAGE – ENTERPRISE FUND (SOUTH MARTIN REGIONAL UTILITY) FOR THE YEAR ENDED SEPTEMBER 30, 2025

Gross revenue	
Water	\$ 10,531,317
Wastewater	4,212,382
Irrigation quality water	458,964
Accrued guaranteed revenue fees	421,274
Interest income	1,716,615
Other	1,335,267
Total gross revenue	<u>18,675,819</u>
Operating expenses	
Personal services	4,384,955
Operating expenses	5,150,410
Total operating expenses	<u>9,535,365</u>
Net revenue available for debt service before connections fees	9,140,454
Capital contributions	<u>633,570</u>
Net revenue available for debt service including connection fees	<u>\$ 9,774,024</u>
Scheduled debt service	<u>\$ 1,968,821</u>
Debt service coverage before connection fees (Minimum required coverage is 1.10)	4.64
Debt service coverage including connection fees (Minimum required coverage is 1.20)	4.96

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COMPLIANCE SECTION

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Town of Jupiter Island, Florida

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE
FOR THE YEAR ENDED SEPTEMBER 30, 2025**

State Agency, Pass-through Grantor/Program Title/State Project	AL/CSFA Number	Contract Grant Number	Expenditures	Passed Through to Subrecipients
Federal Awards				
Department of Homeland Security Federal Emergency Management Agency Passed through the State of Florida Division of Emergency Management Public Assistance Program Disaster Grants - Public Assistance - Nicole	97.036	DR-4680-Z3651	\$ 20,285,741	\$ -
Total expenditures of federal awards			<u>\$ 20,285,741</u>	<u>\$ -</u>
State Financial Assistance				
Florida Division of Emergency Management Disaster Grants - Public Assistance - Nicole	31.081	DR-4680-Z3651	\$ 3,380,957	\$ -
Disaster Grants - Public Assistance - Nicole	31.081	DR-4680-Z3651 (SB4-A)	3,380,957	-
Total Division of Emergency Management			<u>6,761,914</u>	<u>-</u>
Florida Department of Environmental Protection Town of Jupiter Island Comprehensive Vulnerability Assessment	37.098	24PLN16	43,000	\$ -
Total Division of Emergency Management			<u>43,000</u>	<u>-</u>
Total expenditures of state financial assistance			<u>\$ 6,804,914</u>	<u>\$ -</u>

Notes:

This schedule includes the Federal and State grant activity of the Town of Jupiter Island, Florida, for the fiscal year ended September 30, 2025, and is presented using the modified accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of the Uniform Guidance and Chapter 10.550, Rules of the Auditor General. Therefore, some amounts presented in this schedule may differ from amounts in, or used in the preparation of the basic financial statements.

The Town chose not to use the 10% de minimis indirect cost rate for the year ended September 30, 2025.

The Town did not receive non-cash federal awards during the year ended September 30, 2025.

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Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

**To the Honorable Mayor and
Members of the Town Commission
Town of Jupiter Island, Florida**

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Jupiter Island, Florida (the "Town"), as of and for the year ended September 30, 2025, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements and have issued our report thereon dated February 10, 2026.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Town's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Town's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Bradenton, Florida
February 10, 2026



Independent Auditor's Report on Compliance for Each Major Federal Program and State Project and Report on Internal Control Over Compliance Required by the Uniform Guidance and Chapter 10.550, Rules of the Auditor General of the State of Florida

**To the Honorable Mayor and
Members of the Town Commission
Town of Jupiter Island, Florida**

Report on Compliance for Each Major Federal Program and State Project

Opinion on Each Major Federal Program and State Project

We have audited the Town of Jupiter Island, Florida's (the "Town") compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* and the requirements described in the State of Florida Department of Financial Services' *State Projects Compliance Supplement*, that could have a direct and material effect on each of the Town's major federal programs and state projects for the year ended September 30, 2025. The Town's major federal programs and state projects are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

In our opinion, the Town complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs and state projects for the year ended September 30, 2025.

Basis for Opinion on Each Major Federal Program and State Project

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; the audit requirements of Title 2 U.S. *Code of Federal Regulations Part, 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*, and Chapter 10.550, Rules of the Auditor General for Local Governmental Entity Audits (Chapter 10.550). Our responsibilities under those standards, the Uniform Guidance, and Chapter 10.550 are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the Town and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program and state project. Our audit does not provide a legal determination of the Town's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to the Town's federal programs and state projects.

Auditors' Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the Town's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, the Uniform Guidance, and Chapter 10.550 will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the Town's compliance with the requirements of each major federal program and state project as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, the Uniform Guidance, and Chapter 10.550, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the Town's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the Town's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance and Chapter 10.550, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program or state project on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program or state project will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program or state project that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance and Chapter 10.550. Accordingly, this report is not suitable for any other purpose.



Bradenton, Florida
February 10, 2026

Town of Jupiter Island, Florida

SCHEDULE OF FINDINGS AND QUESTIONED COSTS FOR THE YEAR ENDED SEPTEMBER 30, 2025

SECTION I SUMMARY OF AUDIT RESULTS

Financial Statements

Type of report the auditor issued on whether the financial statements audited were presented in accordance with GAAP:

Unmodified

Internal control over financial reporting:
Material weaknesses identified?

yes no

Significant deficiencies identified not considered
to be material weaknesses?

yes none reported

Federal Programs and State Financial Assistance Projects

Internal Control over major federal programs and state projects:
Material weaknesses identified?

yes no

Significant deficiencies identified not considered
to be material weaknesses?

yes none reported

Type of auditor's report issued on compliance for
major federal programs and state projects:

Unmodified

Any audit findings disclosed that are required to
be reported in accordance with 2 CFR 200.516(a)
and Chapter 10.550 Rules of the Auditor General?

yes no

Identification of major federal programs and state projects:

<u>AL/CSFA Number</u>	<u>Name of Federal Program or Cluster or State Project</u>
AL 97.036	Disaster Grants – Public Assistance
CSFA 31.081	Disaster Grants – Public Assistance

Dollar threshold used to distinguish between

Type A and Type B federal programs:

\$1,000,000

Type A and Type B state projects:

\$750,000

Auditee qualified as low-risk auditee?

yes no

Town of Jupiter Island, Florida

SCHEDULE OF FINDINGS AND QUESTIONED COSTS FOR THE YEAR ENDED SEPTEMBER 30, 2025

SECTION II FINANCIAL STATEMENT FINDINGS AND RESPONSES

None noted.

SECTION III FEDERAL/STATE AWARDS FINDINGS AND QUESTIONED COSTS

Not applicable.

SECTION IV PRIOR YEAR FINDINGS AND RECOMMENDATIONS

None noted.

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Independent Auditor's Management Letter

**To the Honorable Mayor and
Members of the Town Commission
Town of Jupiter Island, Florida**

Report on the Financial Statements

We have audited the financial statements of the Town of Jupiter Island, Florida (the "Town"), as of and for the fiscal year ended September 30, 2025, and have issued our report thereon dated February 10, 2026.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*; schedule of findings and responses; and independent accountant's report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports and schedule, which are dated February 10, 2026, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings or recommendations in the preceding annual financial report requiring correction.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The Town discloses this information in the notes to the financial statements.

Financial Condition and Management

Sections 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, requires us to apply appropriate procedures and communicate the results of our determination as to whether or not the Town has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific condition(s) met. In connection with our audit, we determined that the Town did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures for the Town. It is management's responsibility to monitor the Town's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Property Assessed Clean Energy (PACE) Programs

As required by Section 10.554(1)(i)6.a., Rules of the Auditor General, a PACE program authorized pursuant to Section 163.081 or Section 163.082, Florida Statutes, did not operate within the Town's geographical boundaries during the fiscal year under audit.

Special District Component Units

Section 10.554(1)(i)5.d, Rules of the Auditor General, requires, if appropriate, that we communicate the failure of a special district that is a component unit of a county, municipality, or special district, to provide the financial information necessary for proper reporting of the component unit, within the audited financial statements of the county, municipality, or special district in accordance with Section 218.39(3)(b), Florida Statutes. In connection with our audit, we determined that all special district component units provided the necessary information for proper reporting in accordance with Section 218.39(3)(b), Florida Statutes.

Specific Information

Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)6, Rules of the Auditor General, require the Town to report the following specific information:

- a. The total number of employees compensated in the last pay period of the Town's fiscal year is nine.
- b. The total number of independent contractors to whom nonemployee compensation was paid in the last month of the Town's fiscal year was zero.
- c. All compensation earned by or awarded to employees, whether paid or accrued, regardless of contingency was \$277,599.
- d. All compensation earned by or awarded to nonemployee independent contractors, whether paid or accrued, regardless of contingency as \$16,515.
- e. Each construction project with a total cost of at least \$65,000 approved by the Town, scheduled to begin on or after October 1 of the fiscal year being reported on together with the total expenditures for such project, are as follows: Beach Renourishment Projects - \$29,565,000.
- f. A budget variance report based on the budget adopted under Section 189.016(4), Florida Statutes, and the amended budget under Section 189.016(6), Florida Statutes, is reported on pages 64 and 65 of the financial statements.

Additional Matters

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, federal and other granting agencies, the Mayor and Members of the Town Commission, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.



Bradenton, Florida
February 10, 2026

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Independent Accountant's Report

**To the Honorable Mayor and
Members of the Town Commission
Town of Jupiter Island, Florida**

We have examined the Town of Jupiter Island, Florida's (the "Town") compliance with Section 218.415, Florida Statutes, regarding the investment of public funds during the year ended September 30, 2025. Management of the Town is responsible for the Town's compliance with those requirements. Our responsibility is to express an opinion on the Town's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Town complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Town complied with the specified requirements. The nature, timing and extent of the procedures selected depend on our judgement, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the examination engagement.

Our examination does not provide a legal determination on the Town's compliance with specified requirements.

In our opinion, the Town complied, in all material respects, with the aforementioned requirements during the year ended September 30, 2025.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and Florida House of Representatives, the Florida Auditor General and the Town Commission and management of the Town, and is not intended to be and should not be used by anyone other than these specified parties.

Mauldin & Jenkins, LLC

Bradenton, Florida
February 10, 2026

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TOWN OF JUPITER ISLAND

MEMORANDUM

To: Mayor & Town Commission

Through: Robert Garlo, Town Manager

CC: Kimberly Kogos, Town Clerk

From: John Duchock, Asst. Town Manager

RE: Agenda Item No. 3 – Comprehensive Plan Update

Date: 2/17/2026

Background:

The Town’s Comprehensive Plan was presented to the Local Planning Agency (LPA) during a workshop on January 7, 2026. Kimley-Horn led the presentation of the draft plan, soliciting input and answering questions. Attached to this memo is a workshop summary report prepared by Kimley-Horn. General takeaways from the LPA workshop are as follows:

- *Language Consistency "Should" Versus "Shall":* The use of "should" versus "shall" is a recurring issue throughout the comprehensive plan.
- *Goal and Policy on Controlled Growth:* A clear goal, objective, or policy is needed to address controlled growth in a non-restrictive context. This should support the Town’s Vision statement related to community character and quality of life. Potential areas for inclusion are future land use, conservation, and housing.
- *Implementation of Procedures and LPA Review:* Clarify the implementation of processes and procedures, specifically identifying where the LPA is involved in the review process.
- *Definitions and Policy Reviews:* Review definitions section to ensure all new terms are included, specifically a definition for “new lots.”

Specific recommendations by the LPA for changes to the draft comprehensive plan policies are also included in the attached memo for Commission consideration. Additionally, Kimley-Horn completed a resident survey focused on comprehensive plan-related questions. The survey opened on January 8th and closed on February 8th. Attached to this memo is a summary report prepared by Kimley-Horn, as well as a copy of the raw data from the survey. Takeaways from survey questions 1-4 are as follows:

- *Question 1 – Property Ownership:* Most respondents identified as property owners, indicating that the survey largely reflects the views of residents with a direct and long-term stake in the Town.

- *Question 2 – Septic-to-Sewer Conversion:* Responses were mixed. While many respondents supported continued exploration of septic-to-sewer conversion, a notable portion expressed skepticism, often citing cost concerns, fiscal conservatism, or a belief that existing septic systems do not pose a demonstrated environmental risk under current low-density conditions.
- *Question 3 – Ownership and Control of South Beach Road:* Responses varied, with opinions frequently tied to location (North Beach Road versus South Beach Road) and concerns about traffic, safety, maintenance responsibility, and access control. Written comments indicate that respondents often view road ownership as a tool for managing traffic, safety, and community character.
- *Question 4 – Maintaining Density at or Near Current Levels:* A clear majority of respondents answered “Yes” to Question 4, indicating support for keeping density as close to current levels as possible in order to retain the Town’s existing character. However, the written responses reveal that this support is nuanced and not monolithic.

The open-ended survey responses produced the following prevalent themes:

- Strong Desire to Preserve Community Character
- Environmental and Infrastructure Constraints
- Concerns About House Size and Massing
- Property Rights

Based on the recurring themes in the responses, and specific comments offered by residents during the survey, the following issues were highlighted by Kimley-Horn for Commission consideration and potential comprehensive plan policy adjustments.

- Reaffirm a Clear Policy Commitment to Maintaining Existing Density
- Distinguish Between Density and Development Scale
- Address Neighborhood Compatibility and Visual Impact
- Balance Preservation Goals with Property Rights
- Incorporate Infrastructure and Environmental Capacity as a Planning Rationale
- Prioritize Stability and Predictability Over Growth Accommodation

For reference, the schedule of future meetings and milestones is as follows:

Task	Date	Notes
Commission Meeting	February 25, 2026	Presentation of LPA workshop and survey. Commission direction on preparation of <i>Draft#3</i> for LPA transmittal hearing.
Commission Meeting	March 25, 2026	Review and approval of final draft plan (<i>Draft#3</i>) with direction to conduct LPA transmittal hearing.
LPA Transmittal Hearing	On or after April 13, 2026	Present <i>Comp Plan</i> to LPA for recommendation of adoption.

Commission Meeting and Transmittal	April 22, 2026	First Public Hearing to transmit the <i>Comp Plan</i> to the State (first reading of an ordinance). NOTE: This must occur within 10 working days after the initial public hearing.
Final State mandated plan changes	July 2026 (60-day typical)	State acceptance or comments on required changes. <i>Draft#4</i> prepared in response to State required changes.
Final Adoption <i>Draft#4</i>	TBD	Second Public Hearing to transmit final <i>Comp Plan</i> to the State (second reading of an ordinance).

Recommendation:

Town staff is seeking Commission approval of the recommended changes to the draft comprehensive plan as presented in the LPA meeting summary prepared by Kimley-Horn. Further, staff is seeking Commission direction regarding further changes to the draft comprehensive plan based on the summary provided and discussion of the resident survey. Based on Commission direction, Town staff will work with Kimley-Horn to finalize the comprehensive plan documents in advance of the March 25, 2026 meeting.



Date: February 12, 2026

To: John Duchock, Town of Jupiter Island

From: Ali Palmer, Kimley-Horn

Subject: Comprehensive Plan Update - Summary of the Community Survey Results

This memorandum summarizes the results of the Town’s Comprehensive Plan community survey and highlights key themes expressed by respondents. The survey received responses from both property owners and non-property owners, with the overwhelming majority of respondents identifying themselves as property owners. The questions focused on several high-level policy directions currently under consideration, including infrastructure, roadway control, density, and overall community character.

Question 1 – Property Ownership

Most respondents identified as property owners, indicating that the survey largely reflects the views of residents with a direct and long-term stake in the Town.

Question 2 – Septic-to-Sewer Conversion

Responses were mixed. While many respondents supported continued exploration of septic-to-sewer conversion, a notable portion expressed skepticism, often citing cost concerns, fiscal conservatism, or a belief that existing septic systems do not pose a demonstrated environmental risk under current low-density conditions.

Question 3 – Ownership and Control of South Beach Road

Responses varied, with opinions frequently tied to location (North Beach Road versus South Beach Road) and concerns about traffic, safety, maintenance responsibility, and access control. Written comments indicate that respondents often view road ownership as a tool for managing traffic, safety, and community character.

Question 4 – Maintaining Density at or Near Current Levels

A clear majority of respondents answered “Yes” to Question 4, indicating support for keeping density as close to current levels as possible in order to retain the Town’s existing character. However, the written responses reveal that this support is nuanced and not monolithic.

Question 5 – Is there anything else you would like to share with us?

Based on a review of the comments in the open-ended comment field, several recurring themes emerged:

1. Strong Desire to Preserve Community Character

Many respondents emphasized that low density is inseparable from the Town's identity, repeatedly referencing tranquility, privacy, seclusion, and safety. Several comments explicitly state that the primary goal of the Comprehensive Plan should be to keep the Town "as close as possible to the way it is today."

Respondents frequently described Jupiter Island as a unique and irreplaceable place, expressing concern that incremental increases in density could permanently erode its defining characteristics.

2. Environmental and Infrastructure Constraints

A significant number of comments linked density control to environmental protection, including preservation of native habitat, protection of wildlife, and reduced impacts on water resources. Others cited limited road capacity, traffic safety, and water supply as practical constraints that justify maintaining or tightening existing density levels.

Several respondents noted that increased density has already contributed to higher traffic volumes and wildlife mortality along Beach Road.

3. Concerns About House Size and Massing

While many respondents supported maintaining current density, they distinguished between number of dwelling units and scale of development. Numerous comments expressed concern that even without increasing unit counts, larger homes, expanded hardscape, and reduced setbacks are changing neighborhood character.

Suggestions included:

- Tighter limits on house size relative to lot area
- Increased setbacks and buffers
- Stronger landscaping requirements
- Better regulation of lot coverage and hardscape

4. Property Rights

A minority—but vocal—group of respondents cautioned against density policies that could impair vested property rights, particularly where subdivision or development potential existed at the time of purchase. These respondents often stated that while they

support low density in principle, any changes should respect existing entitlements and be applied equitably.

Some comments reflect concern that overly restrictive policies could negatively affect property values or create unequal treatment among owners.

5. Preference for Stability Over Growth

Many respondents framed density control not as opposition to growth generally, but as a desire for predictability and stability. Comments frequently emphasized that Jupiter Island has “reached its peak of development” and that future policy should focus on managing and maintaining, rather than accommodating additional growth.

Overall Observations

- Support for maintaining current density is strong and widespread, but accompanied by detailed expectations about how density is defined and regulated.
- Residents tend to view density as a proxy for broader issues, including house size, traffic, environmental protection, infrastructure capacity, and neighborhood compatibility.
- Written responses suggest that future Comprehensive Plan policies will benefit from clear distinctions between:
 - Density versus building mass and scale
 - New entitlements versus existing rights
 - Preservation of character versus inflexibility in administration

Recommendations Based on Survey Findings

Based on the survey results and the recurring themes in the responses, the following recommendations are offered for consideration during the Comprehensive Plan update.

1. Reaffirm a Clear Policy Commitment to Maintaining Existing Density

The Comprehensive Plan should explicitly reaffirm the Town’s intent to maintain residential density at or near current levels as a foundational policy direction. Survey responses demonstrate strong community support for this approach as a means of preserving the Town’s character, environmental quality, and infrastructure capacity.

2. Distinguish Between Density and Development Scale

Survey comments indicate that residents frequently associate “density” with house size, massing, and lot coverage, even where the number of dwelling units does not change. The Comprehensive Plan should therefore:

- Clearly distinguish dwelling unit density from building scale and intensity, and
- Include policies that address how the land development code implements house size relative to lot size, setbacks, buffers, and hardscape, as complementary tools for preserving neighborhood character.

3. Address Neighborhood Compatibility and Visual Impact

Many respondents expressed concern that new construction, even when technically compliant, can negatively affect neighborhood character. The Comprehensive Plan should recommend policies that:

- Emphasize context-sensitive design,
- Encourage meaningful landscape buffers and screening, and
- Promote transitions in scale between neighboring properties.

These policies can help mitigate perceived impacts without relying solely on changes to density.

4. Balance Preservation Goals with Property Rights

While support for maintaining density is strong, a consistent theme in the comments is the importance of fairness and respect for existing property rights. The Comprehensive Plan should:

- Acknowledge the need to balance preservation objectives with reasonable use of private property, and
- Emphasize transparency, consistency, and equity in the application of land development policies.

Recognizing this balance in the Plan can help reduce tension and build trust in future implementation.

5. Incorporate Infrastructure and Environmental Capacity as a Planning Rationale

Respondents frequently cited roads, traffic safety, water supply, and environmental protection as reasons for limiting density. The Comprehensive Plan should explicitly connect density policies to:

- Infrastructure capacity and resiliency,
- Protection of wildlife habitat and natural systems, and
- Long-term sustainability of limited local resources.

Framing density limits around capacity and stewardship reinforces their legitimacy and defensibility.

6. Prioritize Stability and Predictability Over Growth Accommodation

The survey reflects a strong preference for stability rather than growth, with many respondents stating that the Town has reached or is approaching its practical development limits. The Comprehensive Plan should:

- Emphasize management of change rather than accommodation of additional growth, and
- Focus on maintaining existing conditions, quality of life, and community character over time.

This approach aligns with the expressed community vision and provides a clear planning framework for future decisions.

Conclusion

The survey demonstrates substantial community alignment around preserving the low-density, low-intensity character of Jupiter Island. Question 4, in particular, reveals a strong mandate to keep density near current levels, while also highlighting the importance of carefully calibrated policies that address scale, fairness, and long-term sustainability. These insights provide clear direction for the Comprehensive Plan update and underscore the value residents place on thoughtful, context-sensitive planning.

objectid	_1_Are you a property owner	_2_Should the Town continue to explore the possibility of septic to sewer conversion?	_3_Should the Town investigate gaining ownership, control and maintenance of South Beach Road?	_4_In order to retain the current character of the Town do you wish to keep density as close to the current level as possible?	_5_Is there anything else you would like to share with us
1	Yes	Yes	Yes	Yes	Test
2	Yes	Yes	Yes	Yes	develop better cell coverage
3	Yes	No	No	No	
4	Yes	No	No	No	
5	Yes	Yes	No	Yes	Thanks for all the hard work to get us here.
6	Yes	No	No	Yes	
7	Yes	Yes	No	Yes	
8	Yes	No	Yes	Yes	I think there growth on north beach road needs to be addressed especially on public land as well as private land and should be maintained in a more manicured manner. So growth OSS so close to road and should be trimmed much further back with a grass buffer.
9	Yes	No	No	No	
10	Yes	Yes	No	Yes	I am interested in keeping the growth of town density to a minimum, but we also need to uphold property rights.
11	Yes	Yes	Yes	Yes	The town needs to formalize several Medical Emergency Evacuation Landing Zones, for helicopter and eventually EVTOL ambulance services and particularly for north and south Jupiter Island, because the bridge and now the railroad crossings may critically delay transport of stroke, in particular, as well as other medical emergency patients.
12	Yes	Yes	No	No	Don't impede my property rights to sub divide my lot if it is within current policy. I bought my house knowing I had the ability to subdivide and sell off some of my lot.
13	Yes	Yes	No	Yes	Would love to see a pedestrian sidewalk on the Town's North Beach Road for the safety of walkers and joggers. Would stand against the Town giving up the North Beach Road and any on South Beach Road Right Of Ways planned for many years ago for non-oceanfront property owners.
14	Yes	No	No	Yes	

15	Yes	No	No	Yes	The Public Beaches should not be open to the general public 24hrs. North beach road becomes very dangerous with people who speed after knocking back a few drinks at the beach and leave after sunset. I would like to see pay for parking to Non-residents. It would raise revenue for our small town and enrich our community.
16	Yes	No	Yes	Yes	Lower home density is definitely important - the bucolic and private nature of Jupiter Island is its defining characteristic, in my mind.
17	Yes	Yes	No	No	Controlling access to the town is critical to preserving its safety and atmosphere. It would also help manage construction and contractor misbehavior, and make transients act with greater consideration. More cameras on South Beach would also help with this. As you know some attractive neighborhoods in Miami have created a "gated community" to manage the growing problems with people traveling through for site seeing or whatever. So, I could imagine we would have the legal basis to do the same.
18	Yes	Yes	No	Yes	As I live in N beach rd I answered no to question 3.
19	Yes	Yes	Yes	Yes	Limit future subdivision
20	Yes	Yes	Yes	Yes	Create an entity that residents can use to donate property to the town for conservation
21	No	Yes	Yes	Yes	
22	Yes	Yes	Yes	Yes	
23	Yes	No	No	Yes	A pedestrian sidewalk on North Beach Road would be nice. I am against the town abandoning the beach access for residents on North and South Beach Road.
24	Yes	Yes	Yes	Yes	
25	Yes	No	No	Yes	
26	Yes	No	No	Yes	Explain why these questions were chosen because answering in a vacuum ie no history or present status of local, county, state and federal law, results in ill informed opinions.
27	Yes	No	No	Yes	love the town, love public safety department and officers they are great. Love the town staff, great! Love Christ Memorial Chapel. The island is a wonderful place to live.
28	Yes	Yes	Yes	Yes	
29	Yes	No	Yes	Yes	

30	Yes	Yes	No	Yes		
31	Yes	Yes	No	Yes		
32	Yes	No	No	Yes		
33	Yes	No	Yes	No		
34	Yes	No	No	Yes		Increasing density increases habitat destruction and would oppose one of the primary goals of the town's mission statement, that is, to preserve nature and protect the flora and fauna of the island. The increased traffic alone on Beach road has resulted in killing thousands of animals every year and with each passing year we see less and less of species that have been here for millennia like the land crabs that need to cross the road and get to the ocean to lay their eggs and the eastern screech owls that need the scrub to survive.
35	Yes	Yes	Yes	Yes		
36	Yes	No	Yes	Yes		Yes, houses are to close to the lot lines especially for homes on less than 4 acres, homes on two acres can build closer to there larger neighbors and that seems unfair to the larger homeowners
37	Yes	Yes	Yes	Yes		The JIC should have its golf course master plan closely monitored as its affects to moving trees and water flows.
38	Yes	Yes	No	Yes		
39	Yes	Yes	Yes	Yes		I think going from Septic to Sewer is critical.
40	Yes	Yes	Yes	Yes		
41	Yes	No	Yes	Yes		Restrict load vehicles and motorcycles is a must to keep our community's characteristics.
42	Yes	Yes	Yes	Yes		Enforce bicyclists to obey the rules is a must for everyone's safety.
43	Yes	Yes	Yes	Yes		I think the town should explore creating a significant reserve or sovereign fund to prepare for the possible loss of real estate tax income.
44	Yes	Yes	Yes	Yes		
45	Yes	No	Yes	Yes		
46	Yes	Yes	No	Yes		Is it possible for Public Safety to send out emails with the latest scams like tracking orders for delivery, unpaid traffic tickets which could result in driver license suspension, etc., to remind us to be suspicious. Thanks for all you are doing.
47	Yes	Yes	Yes	Yes		The Town should not only strive to retain current density but also the character of our Island and its vision as stated in the current Comprehensive Plan: a low key community where the focus is on tranquility, seclusion and safety.
48	Yes	No	Yes	Yes		No beach parking on town property.
49	Yes	Yes	Yes	Yes		

50	Yes	Yes	Yes	Yes		
51	Yes	Yes	Yes	Yes		
52	Yes	Yes	Yes	Yes		
53	Yes	Yes	Yes	Yes		cars go very fast, well over the speed limit, daily on South Beach Road---perhaps we need road bumps given the consistency of speeding on this narrow road.
54	Yes	Yes	Yes	Yes		
55	Yes	Yes	Yes	Yes		
56	Yes	Yes	No	Yes		Ocean front owners should bear financial responsibility for beach replacement as intra-coastal owners bear responsibility for their seawalls etc.)
57	Yes	Yes	Yes	Yes		Continue to invest in security by more surveillance, increased size of JIP. Has Jupiter Island ever considered a gatehouse with live police presence and to keep gates open from certain hours but closed after say 10pm and open at 6am?
58	Yes	Yes	Yes	Yes		Consider increase in marine patrol in Indian River Continue to restrict beach front development when it's too close to the road or the dune.
59	Yes	Yes	No	Yes		I believe in peoples personal property rights. If they have subdividable property at this time they should be able to continue with that right. I think the current allowable density is appropriate.
60	Yes	Yes	Yes	No		Don't take any of my property rights away and don't let the JI club continue to take advantage of non club property owners while not paying their fair share of taxes and being treated differently regarding development and expanding their already non conforming use
61	Yes	No	No	Yes		Keeping the community to a size proportionate for our existing roads and water supply is an incredibly important task which has not always been a priority for the town. Limits on housing size as a percentage of acreage and refusing permits for subdivision seem like a natural way to make the land that we have on Jupiter Island more liveable for everyone.
62	Yes	Yes	Yes	Yes		
63	Yes	No	No	Yes		We need to ensure that we do not further overtax our scarce water and physical infrastructure by continuing to allow more and larger houses to be built.
64	Yes	No	No	Yes		No more spending as taxes are very high..
65	Yes	No	No	Yes		

66	Yes	Yes	No	No						<p>This is a very poorly constructed and limited survey. For example, regarding privatizing S Beach Road - would we be able to close off access to the Island then like Lost Tree, or would we just now be bearing the cost of maintaining it. Regarding density - I am a private property rights person and we have become too restrictive and difficult in terms of allowing development on the island. The current administration is too unreasonable and this is hurting the towns reputation and property values. The town needs to be more flexible and helpful to owners developing their property.</p> <p>the town and county should close beach access from dusk to dawn. it is a consistent restriction with other beaches for safety and liability.</p>
67	Yes	No	Yes	Yes						<p>also, the town should look into controlling all roads on island</p> <p>the town should should investigate gaining ownership, control and maintenance of all roads within the town of Jupiter Island!</p> <p>The public beach should be closed after sunset!</p>
68	Yes	No	Yes	Yes						
69	Yes	No	Yes	Yes						
70	Yes	Yes	Yes	Yes						
71	Yes	No	No	No						<p>I am concerned with a new construction in the 500 Block that is in compliance with river front lines (2019) but has totally changed the neighborhood character. Please read my letter that Kimberly forwarded to each commissioner</p>
72	Yes	Yes	Yes	Yes						<p>Please keep the density as is. No need for further development.</p> <p>The consultant's analysis from last year missed the mark. Badly</p>
73	Yes	No	Yes	Yes						
74	Yes	Yes	No	No						<p>Homes are getting too large relative to lot size, and most lots are fixed in their size...so reducing the amount of covered space to lot size should be considered, as should reducing the amount of hardscape to lot size. If driveway is not hard (e.g. macadam, concrete), it should be excluded.</p> <p>Houses are being built right up to the lateral limit of property lines, so 1) expanding those limits (e.g. by 5') should be considered, and 2) more definition of the landscaping required as buffer between buildings and property lines is needed.</p> <p>Covered courtyards/atriums that are not open to the exterior on at least two sides should be treated as covered space within the overall square footage limits...not based on # of doors.</p>

75	Yes	No	No	Yes	Suggest that the Commission focus on implementing a conservative fiscal policy. In recent years Town staffing and operating expenses have increased. While the Island is a special and unique place, taxes are very high. Emphasis should be on expense reduction not expansion of the scope of Town government. For example, there is no need at this time to consider the significant cost of a sewer system as no environmental risk has been identified from septic systems, particularly given the low density of housing on the Island.
76	No	Yes	No	No	
77	Yes	Yes	No	Yes	When building, the impact on the neighborhood is vitally important.
78	Yes	Yes	Yes	Yes	
79	Yes	Yes	Yes	Yes	
80	Yes	No	No	Yes	
81	Yes	No	Yes	Yes	The primary and overriding goal of the new Comprehensive Plan should be to keep the Town as close as possible to the way it is. This is a very unique community and changing it will only diminish and devalue it.
82	Yes	Yes	Yes	Yes	
83	Yes	Yes	Yes	Yes	
84	Yes	Yes	Yes	Yes	
85	Yes	Yes	Yes	Yes	No
86	Yes	Yes	Yes	Yes	
87	Yes	Yes	Yes	Yes	Stop building on the beach Homes should be fully landscaped as to not be visitable from the road.
88	Yes	No	Yes	Yes	
89	Yes	No	No	Yes	
90	Yes	Yes	No	Yes	
91	Yes	No	Yes	Yes	Bike traffic (limit times of more than three or four bikes to before 7:00am and after 5:00 pm) Delivery and landscape vehicles blocking half the road numerous times during the day.
92	Yes	No	No	No	Would like property taxes to decrease
93	Yes	Yes	No	Yes	
94	Yes	Yes	Yes	Yes	It is my understanding that the beach opposite Hobe Sound is open 24 hours a day. We reside at 257 Sound Beach Road so are not affected by it to any real extent. If I were next door to it, I don't know how enthusiastic I would be about having it open 24 hours/day.
95	Yes	Yes	Yes	Yes	

96	Yes	Yes	Yes			<p>We are very concerned with the bike traffic on s beach road getting out of hand Even if the roadway isn't gated but could be for residents beginning just north of the preserve area to se bridge road there would be a great deal of benefit and it would be a lot more safe for residents and one of these bikers or more are at risk of being killed if something isn't addressed</p> <p>Please keep us informed on any meetings regarding this if possible</p> <p>Thank you</p> <p>Maintaining safety and integrity of this special place is at top of mind</p> <p>David and Jodee 338 s beach rd</p> <p>203-572-4830</p>
			Yes			<p>As there are new communities whose residents will want to use the beach, I suspect some may institute a shuttle service for those residents. Perhaps we should reflect on that</p>
97	Yes	Yes	Yes			
98	Yes	No	Yes			
99	No	No	No			
100	Yes	Yes	Yes			
101	Yes	Yes	Yes			
102	Yes	Yes	Yes			
103	Yes	Yes	Yes			<p>Let's aim to maintain all current development regulations to prevent excessive building and crowding, keeping density of structures and population level from soaring.</p>
104	Yes	Yes	Yes			
105	Yes	Yes	Yes			<p>I sent an email to John Duchock with my comments.</p>
106	Yes	Yes	Yes			<p>We would like the town to work more cooperatively with land owners who want to build or renovate houses. We have heard from several different friends about long delays in obtaining permits. Also there seem to be many request add expense to the renovation process.</p>
107	Yes	Yes	No			
108	Yes	Yes	Yes			<p>Do not let the density take place, also no tall buildings intrude onto our paradise...</p>
109	Yes	Yes	Yes			
110	Yes	Yes	Yes			<p>Please continue to preserve the historical, intimate feel of Jupiter Island. Please continue to maintain crowd control and low density of population. Please continue to preserve the privacy of residents and the low key nature of life on the island.</p>
111	Yes	No	Yes			
112	Yes	Yes	Yes			<p>These are not appropriate questions when presented out of context. Sadly typical</p>

113	Yes	No	No	Yes					There are too many regulations and procedures associated with construction on the island that reflect the personal perspectives of only a few residents (town commissioners in particular) rather than the majority of those living here These inequities should not be perpetuated in the new Comprehensive plan
114	Yes	Yes	No	Yes					
115	Yes	Yes	Yes	Yes					
116	Yes	Yes	Yes	Yes					
117	No	No	Yes	Yes					
118	Yes	Yes	No	Yes					
119	Yes	Yes	Yes	Yes					
120	Yes	Yes	Yes	Yes					
121	Yes	Yes	Yes	Yes					What about control of Morth Beach Rd
122	Yes	No	Yes	Yes					Please restrict development.
123	Yes	Yes	Yes	Yes					I think it is very important to keep the island the way it was developed by the Reid family originally with conservation and privacy a top priority.
124	Yes	No	No	Yes					
125	Yes	Yes	Yes	Yes					No
126	Yes	No	No	Yes					Do not touch the current beach access paths.
127	Yes	Yes	Yes	Yes					
128	Yes	Yes	Yes	Yes					
129	Yes	Yes	Yes	Yes					
130	Yes	No	No	Yes					North beach road should consider installing speed bumps or something to slow drivers down. Meter parking at the beach might eliminate some of the excess traffic. Invitation for people to park at town hall is adding to traffic overflow.
131	Yes	Yes	Yes	Yes					
132	Yes	Yes	Yes	Yes					
133	Yes	No	No	Yes					The town should have a zoning code . We are losing much acreage to huge homes when the old ones are torn down to make way ! We are losing our island history , demolition by demolition. . MaryAnn Wells

						<ul style="list-style-type: none"> - give speeding tickets to speeding drivers - via speeding cameras (source of revenue for the town) - ensure every owner has an adequate buffer - ensure that the beach is cleaned (either by owners with their gardening crew - or by the town - to minimize difficulty for turtles to nest) - ensure that during hurricane season all beach chairs are stored indoors to avoid having it fly into someones' home) - North Beach access to be closed after dark (like blowing rocks beach)
134	Yes	No	Yes	Yes		
135	No	No	Yes	Yes		
136	Yes	Yes	Yes	Yes		We have a wonderful town and I believe the residents are highly supportive of maintaining our high-quality environment with great staff and great public safety, etc. I hope that if there is a dramatic change in the property tax system that we identify an alternative where residence can provide the support to the Town town staff and all the amenities if property taxes no longer provide that necessary support. I do not know how that's financial support would be arrange, but I am certainly willing to contribute so as to maintain our wonderful environment
137	Yes	Yes	Yes	Yes		
138	Yes	Yes	Yes	Yes		
139	Yes	No	Yes	Yes		
140	Yes	No	Yes	Yes		I have read the minutes of the meeting of 9/16/25. The estimates for additional housing units by K-H are unsustainable. I agree with VM Scott that the Town has reached its peak of development.
141	Yes	Yes	No	Yes		
142	Yes	Yes	No	Yes		
143	Yes	Yes	Yes	Yes		
144	Yes	No	Yes	Yes		Learned so much from minutes of 9/16/25. Think Vice Mayor Scott said it best. The Town has reached peak development.
145	Yes	Yes	Yes	Yes		
146	Yes	Yes	No	Yes		
147	Yes	No	Yes	Yes		
148	Yes	No	Yes	Yes		
149	Yes	Yes	Yes	Yes		
150	Yes	Yes	Yes	Yes		
151	Yes	No	Yes	Yes		
152	Yes	Yes	Yes	Yes		

153	Yes	Yes	Yes	Yes	Yes	
154	Yes	Yes	Yes	Yes	Yes	
155	Yes	Yes	No	Yes	Yes	Close the beach at night.
156	Yes	Yes	Yes	Yes	Yes	
157	Yes	Yes	Yes	Yes	Yes	Thanks for sending the January 2024 article on the sewer/septic discussion.
158	Yes	Yes	Yes	Yes	Yes	
159	Yes	Yes	No	Yes	Yes	
160	Yes	Yes	No	Yes	Yes	Need cos5 figures before deciding septic to sewer issue. no beach parking on town hall property, lock town hall property at close of business daily
161	Yes	No	Yes	Yes	Yes	
162	Yes	No	Yes	Yes	Yes	
163	Yes	Yes	Yes	Yes	Yes	
164	Yes	No	No	Yes	Yes	We need to pay careful attention to the island's stretched water resources that have already been greatly stressed by increased housing density. Progress is not always defined by having more. Progress is also making great things last.
165	Yes	Yes	No	Yes	Yes	
166	Yes	No	Yes	Yes	Yes	
167	Yes	Yes	Yes	Yes	Yes	
168	Yes	No	Yes	Yes	Yes	
169	Yes	Yes	No	Yes	Yes	Bridge Road during the high season is contending with more traffic back-ups because of bridge closures, train closures and increased auto traffic. It's bad now...it can only get worse unless the intersection of Southeast Gomez and Bridge Road is re-worked.
170	Yes	Yes	Yes	Yes	Yes	
171	Yes	Yes	Yes	Yes	Yes	Keep up the good work.
172	Yes	No	No	Yes	Yes	
173	Yes	Yes	Yes	Yes	Yes	
174	Yes	Yes	Yes	Yes	Yes	
175	Yes	Yes	Yes	Yes	Yes	
176	Yes	No	No	Yes	Yes	
177	Yes	Yes	Yes	Yes	Yes	
178	Yes	No	No	Yes	Yes	
179	Yes	Yes	Yes	Yes	Yes	
180	Yes	Yes	Yes	Yes	Yes	Speed of traffic and traffic control. Make the speed limits lower which may help?
181	Yes	No	Yes	Yes	Yes	
182	Yes	Yes	No	Yes	Yes	

183	Yes	Yes	Yes	Yes			
184	Yes	No	No	Yes			
185	Yes	No	No	Yes			
186	Yes	Yes	Yes	Yes			If we are pursuing privatizing South Beach Road, we should acknowledge that North Beach Road IS private. On weekends, it is a speedway, with non residents zooming from the public beach to the preserve, looking for parking. It is too much traffic for North Beach owners to have to deal with.
187	Yes	Yes	No	Yes			No
188	Yes	Yes	Yes	Yes			I would like to understand how the current development guidelines will impact the planned renovation of teh golf course?
189	Yes	Yes	No	Yes			Is the current sharing of beach nourishment costs fair to all residents??? if it is, should all residents share in the costs of seawall and other intra-coastal repairs on the Indian River side of the Island.
190	Yes	Yes	Yes	Yes			
191	Yes	Yes	Yes	Yes			
192	Yes	Yes	Yes	Yes			
193	Yes	Yes	Yes	Yes			The traffic on North Beach Road is a problem for owners like us trying to safely walk our dogs. I would request consideration of a ramble such as parts of South Beach Road have, in those areas where possible such as lands in conservation.
194	Yes	Yes	No	Yes			
195	Yes	Yes	No	Yes			
196	Yes	Yes	Yes	Yes			Yes, North Beach should have stop signs or speed bumps, but it is becoming unsafe on weekends. Or even gates with pre-paid access to the north beach wild life area on the north.
197	Yes	No	No	Yes			
198	Yes	Yes	Yes	Yes			
199	Yes	Yes	Yes	Yes			Control bicycle traffic especially the groups of bicyclers.

Date: February 12, 2026

To: John Duchock, Town of Jupiter Island

From: Ali Palmer, Kimley-Horn

Subject: Comprehensive Plan Update - Summary of the 1/7/26 LPA meeting

1. General Comments

Language Consistency: "Should" Versus "Shall"

The use of "should" versus "shall" is a recurring issue throughout the comprehensive plan. Town Counsel, Kyle Teal, is currently reviewing this matter. Relevant communications from Town Counsel will be forwarded for reference.

Goal and Policy on Controlled Growth

A clear goal, objective, or policy is needed to address controlled growth in a non-restrictive context. This should support the Town's Vision statement related to community character and quality of life. Potential areas for inclusion are future land use, conservation, and housing.

Implementation of Procedures and LPA Review

Clarify the implementation of processes and procedures, specifically identifying where the LPA is involved in the review process.

Definitions and Policy Reviews

Review definitions section to ensure all new terms are included, specifically a definition for "new lots."

2. Specific Policy Comments

- Policy 1.1.3.2 - *To prevent urban sprawl, new lots may only be created if they fully comply with all land development regulations for size, width, and other requirements. Creating lots that do not meet these standards is prohibited with the exception of what is listed in this element.*
 - Review in consultation with the town attorney.
- Policy 1.1.4.3 (e) - *~~That the reduction in lot width does not exceed fifteen percent (15%) of the required width~~ The overall size and scale of development on a lot shall not result in increased visibility of structures from adjacent properties or public rights-of-way, and*
 - Edit to use the phrase "public **road** rights-of-way." This change should also be applied wherever the term appears in the plan. Ensure that landscape requirements align with the Land Development Regulations (LDRs).

- Policy 1.1.4.3 (f) – *To ensure effective screening, all properties must provide buffering that obscures the view of all building floors from neighboring properties and public rights-of-way.*
 - Revise so that it begins with: “Consistent with surrounding community character....”
- Policy 1.2.4.1 – *The Soil Map is hereby adopted by reference as Figure X-X.*
 - Insert the appropriate figure number in next draft.
- Policy 1.2.1.4 - *All existing native vegetation within the dune areas, east and west of the waterfront setback line, should be preserved on property within all future land use designations to maintain the existing dune crest and mitigate major erosion events.*
 - Confirm the correct location of dune areas as being either east or west of the waterfront setback line in
- Policy 3.1.2.2 – *No building permits for new homes shall be issued unless essential infrastructure—potable water, sewer or septic, roadway, stormwater drainage, and electricity—is installed and operational.*
 - Edit to clarify that infrastructure should be available and installed upon request for a certificate of occupancy.
- Policy 5.3.3.1 – *Establish a waterfront setback line in the Land Development Regulations where no development (other than dune crossovers) shall be allowed east of the oceanfront waterfront setback line. This waterfront setback line shall not be moved for the purpose of development and construction.*
 - Ensure that policy will not negatively impact non-conforming structures located east of the waterfront setback line.
- Policy 6.1.6.4 – *The Town’s LDR’s shall require that all development, including single-family residential development, preserve a portion of their parcel through easement if there is existing, high quality upland, coastal or wetland vegetative habitat on the parcel.*
 - Remove as the Town Commission has already agreed with its elimination.
- Policy 6.1.6.5 – *The Town’s LDR’s shall require proposed developments to establish and maintain a vegetated and functional littoral zone as part of the surface water management system for any marine wetlands occurring on all properties, consistent with FDEP standards,*
 - Remove per agreement by the Town Commission.
- Policy 6.1.6.6 – *The Town’s LDR’s shall require that existing vegetation, excluding invasives, remain within the required landscape buffers for all parcels.*
 - Currently includes the term “shall,” as noted by the LPA, which may preclude replacement of overly mature plants. Revise this policy to state that only trees shall be preserved to the best of the property owner’s ability or where practicable.

Buchanan

**To: Robert Garlo, Town Manager
Town Commission, Town of Jupiter Island**

From: Kyle B. Teal, Esq.

Re: Comprehensive Plan Amendments on Density and SB 180

Date: February 18, 2026

Summary: This memorandum analyzes the permissibility of proposed amendments to the Town of Jupiter Island’s Comprehensive Plan, aiming to prohibit, reduce or otherwise regulate land density under SB 180. Analysis of the proposed amendments indicates that prohibiting increases in density may generally be consistent with state law and current bills seeking to amend certain legislation, such as SB 180. Conversely, decreasing density could be deemed unlawfully restrictive and/or burdensome.

Proposed Draft Density Policy:

“The Town should implement and enforce land development regulations that preserve the low-density nature of the Island and that discourage increases in density to the extent such regulations comply with state and federal law and with due regard for the property rights of owners.”

I. Overview

Section 163.3194(1)(b), Florida Statutes imposes the mandate that “all land development regulations enacted or amended shall be consistent with the adopted comprehensive plan,” and crucially, “any land development regulations existing at the time of adoption which are not consistent with the adopted comprehensive plan, or element or portion thereof, shall be amended so as to be consistent.” This requirement extends to all aspects of the comprehensive plan, including “the objectives, policies, land uses, and densities or intensities in the comprehensive plan” Fla. Stat. § 163.3194(3)(a). Thus, under Florida law, a municipality must amend its land development regulations to align with the stated goals and objectives of its comprehensive plan. Municipalities have one year from submission of their comprehensive plan for review pursuant to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan. Fla. Stat. §163.3202.

The Town has proposed amending its Comprehensive Plan to state an objective or purpose to 1) prohibit an increase in density or 2) decrease density. Effective since July 2025, Senate Bill (SB) 180 prohibits certain Florida municipalities, including the Town of Jupiter Island, from proposing or adopting, prior to October 1, 2027, 1) any moratorium on construction, reconstruction, or redevelopment of any property damaged by Hurricanes Helen, Debby, or Milton; 2) more restrictive or burdensome amendments to its comprehensive plan or land development

regulations (LDRs); or 3) more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order.¹

There are two bills currently pending that if passed, would modify SB 180 and thus, this analysis. First, House Bill (HB) 1465, makes a few changes to SB 180, including 1) the addition of key definitions 2) the addition of exceptions to the prohibitions, and 3) the requirement to process applications pending as of March 21, 2026, under the rules in effect at filing, and not under later restrictive changes. The ban on enacting or proposing construction moratoriums that affect any property damaged by Hurricanes Helen, Debby, or Milton would remain. Fla. HB 1465 §2 (2026).

For purposes of this review, the most important changes under SB 1465 are the addition of definitions for “burdensome” and “restrictive:”

“Burdensome” means an action proposed, adopted or enforced, including the interpretation of existing regulations or inaction on pending applications, by a county or municipality that decreases the allowable density, intensity or floor area ratio on land, that decreases the amount of property available to be developed, that has the effect of increasing an impact fee exceeding 25 percent over a two-year period, or that restricts or limits the use or future use of real property such that negatively impacts the economic value of the property.

Fla. HB 1465 §1(a).

“Restrictive” means an action proposed, adopted or enforced, including the interpretation of existing regulations by a county or municipality concerning the review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, or concerning policies or procedures relating to its comprehensive plan or land development regulations, that increases the time for such review, approval or issuance, or that creates additional reviews or applications, and includes the inaction by a county or municipality that creates a delay in such review, approval or issuance.

Fla. HB 1465 §1(c).

¹ SB 180 also prohibits the enactment of moratoriums on construction, reconstruction, or redevelopment of any property, as well as restrictive or burdensome amendment or procedures, for one (1) year after a hurricane’s landfall. As no hurricane has made landfall in the Town of Jupiter Island in over a year, this analysis does not include this portion of SB 180.

The second bill, SB 840, makes changes quite different than those proposed by HB 1465. Under SB 840, the prohibition of enacting a moratorium on construction, reconstruction, or redevelopment of property damaged by Hurricanes Helen, Debby, or Milton would lift on June 30, 2026 and not October 1, 2027. Fla. SB 840 §2 (2026). **The bill also permits amendments to the comprehensive plan or LDRs when required to comply with law or to implement a floodplain management standard under the National Flood Insurance Program. *Id.***

The question presented is whether stating an objective to prohibit an increase in density or to decrease density would run afoul of SB 180 in its current form or under proposed amendments thereto or with of any other state law.

a. Prohibiting an Increase in Density

For a Comprehensive Plan amendment prohibiting an increase in density to be permissible with SB 180, it must not be considered a “more restrictive or burdensome amendment.” As currently written, “restrictive” or “burdensome” has room for interpretation. To understand whether a prohibition on increasing density is problematic, a review of the Town’s ordinances that would be affected by this potential Comprehensive Plan amendment would reveal whether it would be “restrictive” or “burdensome” for purposes of SB 180. In other words, if the Town were to amend its Comprehensive Plan to prohibit an increase in density, would provisions of the Town Code need to be updated to remain consistent? The qualifying language in the proposed policy at the start of this memo is intended to ensure perpetual consistency, despite the often-unpredictable nature of legislative amendments.

Municipalities can permit the increase of density through zoning through long term planning mechanisms such as future land use designations. Currently, the Town Code has several provisions limiting density through future land use designations. TOWN OF JUPITER ISLAND, Code §§ 2.02, 3.02, 4.02, 5.02, 6.02, 7.02. Therefore, if these current land use designations are sufficient to prevent or prohibit an increase in density, the proposed Comprehensive Plan Amendment would not be “more restrictive” than the Town’s existing Code. However, if the Town would be required to amend additional sections of the Town Code to prohibit density, the current language of SB 180 could be interpreted to prevent such an amendment.

Under HB 1465, since “burdensome” refers to actions that decrease the allowable density, a regulation precluding Town action that would increase density does not necessarily decrease the existing allowable density—rather, *it restricts future increases*. To be deemed “restrictive,” the amendment would need to delay review, approval, or issuance; create additional review steps; and/or increase the time required for permitting or approval. Under both definitions, a Comprehensive Plan amendment prohibiting density increases would not violate SB 180, as amended by HB 1465.

b. Decreasing Density

For a Comprehensive Plan amendment decreasing density to be permissible with SB 180, it must not be considered a “more restrictive or burdensome amendment.” As currently written, SB 180’s “restrictive” or “burdensome” has room for interpretation. Whether a Comprehensive

Amendment stating an objective to decrease density is problematic, it must be determined what provisions of the Town Code would need to be updated to remain consistent.

Currently, the Town Code has several provisions capping density through future land use designations. TOWN OF JUPITER ISLAND, Code §§ 2.02, 3.02, 4.02, 5.02, 6.02, 7.02. Through these caps, applicants for development in each of these districts are limited to the corresponding density caps. A Comprehensive Plan amendment with an objective to decrease density would necessitate updates to the Town Code to decrease the density an applicant is bound by in the development standards in each district – effectively, a “downzones.” Thus, this Comprehensive Plan amendment could result in a lower density allotment could be considered “restrictive” as it limits a landowner’s ability to develop property. A decrease in density may also be considered “burdensome” as landowners may seek to apply for variances to meet the prior development standards in place prior to when the Comprehensive Plan necessitated amendments.

Under HB 1465, “burdensome” specifically refers to actions that decrease the allowable density. Thus, a Comprehensive Plan amendment with an objective to decrease density, implemented later by corresponding code amendments, would run afoul of SB 180 as amended by HB 1465.

Under SB 180, as modified by SB 840, an amended Comprehensive Plan decreasing density would only violate SB 180 if amendment became effective after landfall and was applied by the Town to prohibit improvements to land damaged by a hurricane.

II. Conclusion

A Comprehensive Plan Amendment that would *prohibit an increase* in density appears, in general, to be permissible under SB 180. Conversely, amendments to *affirmatively decrease density would likely be impermissible* under ever-changing state law. Accordingly, the proposed policy language seeks to protect the Town by expressly providing for the caveat that any such LDRs enacted in furtherance of the Town’s high-level goal must be in compliance with state and federal law and with careful consideration for property rights.

Buchanan

**To: Robert Garlo, Town Manager
Town Commission, Town of Jupiter Island
Ali Palmer, Kimley Horn**

From: Kyle B. Teal, Esq.

**Re: Comprehensive Plan Amendment Analysis
Use of “Should” vs. “Shall”
Potential terms to define**

Date: February 20, 2026

I. Introduction

It was brought to my attention that many of the proposed Amendments to the Town’s Comprehensive Plan include proposed policies that objectives that use the words “should” and “shall.” Given the legal significance of the distinction between the words, this analysis was requested.

Additionally, certain **terms**¹ in the proposed Amendments should be defined if not already defined in the LDRs. When addressed with Kimley Horn, I was informed that, logically, the key terms/definitions are typically drafted at the end of the comprehensive plan amendment process as, by then, the plain language is crystalized and the key terms established. To assist with the process, Kimley Horn requested my working list of terms the Town may consider defining. That working list is included in Section III of this memo.

On January 7, 2026, in compliance with statutory requirements, the Town’s Local Planning Agency held a workshop where various questions and proposed revisions to the Amendments were addressed. I provided input at the meeting, which was captured in Kimley Horn’s February 12, 2026, memorandum.

During a call on February 18, 2026, with Town representatives and Ali Palmer of Kimley Horn, I addressed other issues and proposed revisions concerning the proposed Amendments, some

¹ The “key terms” identified thus far are **highlighted** in the proposed policies and objectives addressed below in Section II and listed with corresponding policy or objective in Section III.

of which are not addressed in this memorandum but may be discussed at the upcoming Commission meeting.

II. Overview of “Should” vs. “Shall” Analysis

Comprehensive plans are generally designed to be flexible, enabling local governments to update and respond to changing conditions through legislative processes. As you know, amendments must follow statutory procedures and maintain consistency with the overall plan. *See* Fla. Sta. §163.3187(4) (requiring comprehensive plan amendments preserve internal consistency).

In the context of legislation, “shall” provides “a mandatory connotation.” *Florida Tallow Corp. v. Bryan*, 237 So. 2d 308, 309 (Fla. 4th DCA 1970). *See also Concerned Citizens of Putnam Cnty for Responsive Govt., Inc. v. St. Johns River Water Mngmt. Dist.*, 622 So. 2d 520, 523 (Fla. 5th DCA 1993) (“Although there is no fixed construction of the word ‘shall,’ it is normally meant to be mandatory in nature.”). The use of “shall” is therefore appropriate where statutory or regulatory requirements impose binding duties or where development approvals must strictly align with the policies and guidelines laid out in the Comprehensive Plan, ensuring enforceability and predictability in Town actions.

In contrast, the use of “should” offers flexibility in guiding objectives and recommendations, recognizing the necessity for adaptation without compromising primary regulatory objectives.

See below for analysis of the use of “should” and “shall” in the proposed Amendments to the Town’s Comprehensive Plan,² as well as proposed minor revisions consistent with the LPA’s workshop and other discussions:

a. The “Shalls”

Policy 1.1.4.4.: The standards for minimum lot size and width **shall should** be strictly enforced if subdivision or replatting is proposed, provided, however, that in certain instances a reduction of the minimum lot width may be permitted as **legal non-conformities** or through the variance process **and** if approved by the Development Review Board (~~with appeal to~~ **subject to review by** the Town Commission) after holding a public hearing and finding that the following standards are met:

.....

² I am also assessing the plain language of all of the *existing* Comprehensive Plan objectives and policies not currently subject to change and will be prepared to supplement this analysis by the Feb. 25th Commission meeting.

e. The overall size and scale of development on a lot ~~shall~~**should** not result in increased visibility of structures from adjacent properties or public ~~roads~~**rights-of-way**, and....

The fact that there are exceptions to the lot size regulations suggests that “should” would likely be more appropriate in place of the first “shall.” The “shall” in subsection (e) also presents issues when considering the uniqueness of certain lots and neighborhoods in the Town as the LPA noted at its January meeting. It reads more like a guideline than a regulatory mandate and, therefore, probably warrants the use of “should” instead.

OBJECTIVE 1.1.6: The Town **shall** continue to implement land development regulations that can meet established **level of service standards** and discourage urban sprawl.

This is consistent with the Town’s Vision Statement and other objectives/policies. Keeping the LDRs consistent with the comprehensive plan is a statutory requirement. No issue.

Policy 1.1.6.1: A **concurrency analysis** **shall** be conducted prior to the approval of any application for development, and no development order shall be issued unless: [*Consistency standards are met*].

The Comprehensive Plan lacks definitions leaving one to question how burdensome and/or costly conducting a mandated “concurrency analysis” might be if required with every development application brought before the Town. Otherwise, a concurrency analysis should probably be defined as the Town’s ordinary review and analysis process when considering the impact of proposed development in the Town as provided for in its code and/or LDRs. If that is made clear (or if it is already clear to everyone else besides me), I think the use of “shall” is proper.

Policy 1.1.6.2: Developments that would impact **existing facilities** by reducing the **level of service** below **adopted levels** and which are to be constructed prior to the availability of scheduled improvements will be required to pay for such impacts or provide their own facilities constructed to Town specifications. Payments **shall** be made, and construction of facilities **shall** be completed, before a certificate of occupancy is issued by the Town for said development.

I find no issue with the use of the term “shall” here.

Policy 2.1.4.3: The Town **shall endeavor to** enter into negotiations with Martin County to amend the **Joint Planning Agreement** with Martin County ensuring that any decisions regarding County **owned** ~~rights~~**rights-of-way** within the Town – such as the any sale of right-of-way, the width of pavement, use of roads for bicycles and golf carts,

landscaping within rights-of-way and any other issue which would change the character and ambiance of the Town – are carefully monitored.

The use of “shall” works here with the addition of qualifying language, considering that negotiations require two willing parties.

Policy 3.1.2.2: No building permits for new homes **shall** be issued unless essential infrastructure—potable water, sewer or septic, roadway, stormwater drainage, and electricity —is **installed available for installation and operation**.

As noted, I recommend replacing “is installed and operational” with “is *available* for installation and operation.” Otherwise, I find no issue with this language.

OBJECTIVE 5.3.3: No development **shall** occur east of the existing **primary dune**, except for local, regional and state restoration or protective projects. New construction, expansion, or redevelopment in this area is strictly prohibited to protect coastal resilience.

The use of “shall” seems appropriate as the waterfront set back line (“WFSBL”) presumably runs landward of any “primary dune,” but a definition of this term in the Comprehensive Plan establishing as much would help to remove any doubt. Also, does this comport with the LDRs regarding the legal non-conforming structures that are permitted to rebuild within their footprint seaward of the WFSBL? Do “primary dunes” often shift locations? Consultation with John Duchock and/or other experts may be warranted.

Policy 5.3.3.1: Establish a waterfront setback line in the Land Development Regulations where no development (other than dune crossovers) ~~shall~~ **should** be allowed east of the oceanfront waterfront setback line. This waterfront setback line **shall** not be moved for the purpose of development and construction.

Given the Town’s current legal non-conforming LDRs, it may be appropriate to replace this “shall” with a “should.” I think the second “shall” is fine because it is prospective, and not retroactive in its application.

If it is the will of the Commission to change the LDR, then it could first adopt a more stringent comp plan policy governing construction seaward of the WFSB line and subsequently enact a consistent LDR within one year of passing the new policy. (This is without analyzing how/if this could trigger SB 180 considerations). My initial thought is that it should not create an issue because the restrictions were already in place before the enactment of SB 180 (its retroactivity provision is ripe for constitutional challenge) and any subsequent “amendment” to the WFSB line LDRs (not including moving the line landward) would be to clarify the existing code.

~~Policy 6.1.6.4: The Town's LDR's shall require that all development, including single-family residential development, preserve a portion of their parcel through easement if there is existing, high quality upland, coastal or wetland vegetative habitat on the parcel.~~

It is my understanding that the Town is removing this proposed policy from consideration. Therefore, I have no comments.

Policy 6.1.6.5: The Town's LDR's shall require proposed developments to establish and maintain a vegetated and functional littoral zone as part of the surface water management system for any marine wetlands occurring on all properties, consistent with FDEP standards.

If we are imposing mandates through "shall" language, the Town should endeavor to be as precise as possible either by defining words/terms of art or using terms as expressly defined by the Florida Department of Environmental Protection.

Policy 6.1.6.6: The Town's LDR's shall should require that existing vegetation, excluding invasives, remain within the required landscape buffers for all parcels.

This language seems as though it should account for safety related exceptions, such as sight triangles for driveways and turns. Perhaps a "should" is warranted or the addition of a qualifier.

Policy 8.1.3.1: The Town shall maintain and update the Emergency Management Plan in coordination with the Martin County Comprehensive Emergency Management Plan, and consistent with the policies in the Coastal Management Element.

This policy concerns a regulation mandated by statute and thus warrants the usage of "shall."

Policy 9.1.1.4: Any capital improvements projects defined in the future shall be evaluated and ranked in order of priority according to the following guidelines, if applicable: ...

b. Level of Service: Whether the project increases efficiency of use of existing facilities, prevents or reduces future improvement costs, or provides service to developed areas lacking full service, or promotes in-fill development. If public facilities are developer-provided, they shall accommodate public facility demands based upon adopted Level of Service standards.

d. Efficiency: Whether the project represents a logical extension of facilities and services and the effects upon appropriate State agency and/or Water Management District facilities plans **shall** be evaluated.

This language appears to cover requirements for consideration of any capital improvement project, so “shall” is appropriate but it is worth adding “if applicable” after “the following guidelines” as, for example, not every capital improvement project is presumably going to affect the South Florida Water Management District’s facilities.

b. The “Shoulds”

Due to the significant number of “shoulds” in the current Comprehensive Plan, this analysis is limited to those proposed policies and objectives that warrant key considerations for prospective Amendment purposes.

Policy 1.1.2.3: Zoning map designations and zoning ordinance text ~~should~~ **shall** be consistent with the Comprehensive Plan and this Future Land Use Element.

Policy 1.1.2.7: The Town ~~should~~**shall** change the zoning designation of the residentially zoned properties that have been placed into **conservation/preservation** to conservation/preservation on the zoning map.

For these Policies (1.1.2.3 and 1.1.2.7), the Town’s zoning scheme *must* be consistent with the Comprehensive Plan. This is a statutory mandate. Accordingly, these policies should be revised to state “shall” rather than “should.”

Policy 1.1.3.1: Zoning Land Development Regulations ~~should~~**shall** protect single-family residential uses development from the encroachment of incompatible land uses.

Policy 1.1.4.1: Consistent land development regulations ~~should~~ **shall** be adopted for the purpose of plan implementation. At a minimum, such land development regulations should regulate the following: ...

These Policies (1.1.3.1 and 1.1.4.1) raise the issue of the requirement that the comp plan be consistent with the Town’s LDRs. Because this consistency is mandatory, the use of “shall” is more appropriate.

Policy 1.1.7.1: **Suitable land** **should** be dedicated or reserved by the Town for utility facilities necessary to support proposed development

This begs the question: what constitutes “*suitable land*”? Because it appears to call for a fact intensive, case-by-case analysis depending on the need for utilities and what may be deemed “suitable land,” and depending on how that designation is evaluated, permissive language is likely proper here.

Policy 1.2.1.1: Marine and estuarine wetlands ~~should~~ **shall** be protected from dredge and fill activities associated with development through standards that meet or exceed existing Federal, State, County and/or Town regulation of these activities.

Policy 1.2.1.2: Future disruptions or degradations of wetlands ~~should~~ **shall** be accompanied by mitigation measures to ensure no net loss in wetland acreage.

The regulation of wetlands carries mandates that are within the clear jurisdiction of state agencies, such as the FDEP, SFWMD and/or FWC. Mandatory language is therefore appropriate.

Policy 1.2.1.4: The Town’s clearing and landscaping requirements ~~should~~ **shall** require a permit before any clearing or grubbing may begin on all subdivision lots or development sites prior to the issuance of a development permit.

The Town’s LDRs require (or should require, if unclear) a permit to be issued prior to landscaping clearing. Because this Policy boils down to compliance with the LDRs, which is mandated by statute, it should be a “shall.”

Policy 1.2.1.4: All existing **native vegetation** within the dune areas, east and west of the **waterfront setback line**, **should** be preserved on property within all future land use designations to maintain the existing dune crest and mitigate **major erosion events**

This regulation may not be a ‘one-size-fits-all’ rule given various environmental issues and the fact it claims jurisdiction on both sides of the waterfront setback line. If my initial thoughts are misguided and it’s an unequivocal mandate, then “shall” is the word; otherwise, I don’t have changes beyond definitions.

Policy 1.2.2.2: Development **should** be designed to accommodate stormwater **[drainage]** on-site in accordance with applicable performance standards and the Infrastructure element.

Policy 2.1.1.1: The Town **should** maintain a **Transportation Level of Service (LOS) A** on all of the Town’s roadways.

Policy 2.1.2.1: The Town’s **should** work with County, State, and Federal agencies to protect, enhance, and maintain its dune and

beach systems by help safeguard, ~~preserve and maintain~~
~~strengthen~~ public rights-of-ways and evacuation routes

These Policies may be fact specific and so I'm not recommending changes.

Policy 2.1.3.1: Future traffic improvements or changes to the Town's Transportation system ~~should~~**shall** be ~~coordinated~~**harmonious** with the proposed future land uses as shown on the adopted Future Land Use Map. Conversely, future land use and development ~~shall~~**should** be ~~coordinated~~**harmonious** with the proposed future transportation system as shown on the adopted Future Transportation Facilities Map.

The Future Land Use Map is part of the Town's Comprehensive Plan. Florida statutes *require* consistency between zoning codes and comp plans. "Shall" is the winner here.

Policy 2.1.4.2: The Town **should** cooperate with Martin County to ensure that needed drainage, safety and maintenance projects within County-owned and maintained roadways within the Town's limits are adopted in made part of the County's Capital Improvement Plan (CIP), the Martin County Metropolitan Planning Organization (MPO) Long Range Transportation Plan and the Florida Department of Transportation's (FDOT) Five-Year Work Program. The Town should keep itself informed about all County planned road improvements that will impact the Town's Transportation system.

Policy 3.1.1.3: The Town LDRs **should** ensure the compatibility of new housing proposals with existing natural resources and with the environmentally sensitive habitats within the Coastal Zone.

Policy 4.1.1.1: The Town **should** adopt the following level of service standards which should be used as the basis for determining the availability of facility capacity and the demand generated by a development.

.....
Stormwater Drainage: Design storm frequency for a 5-year, 24-hour storm duration, as found in the SFWMD ERP Information Manual Volume IV. The stormwater management devices and structures **should** be designed with a safety factor of 20% beyond the level of service standard and **should** include for ongoing maintenance of the devices and structures.

Policy 4.1.4.1: The Town **should** update and implement a **water supply facilities workplan** in cooperation with the South Florida Water Management District and Martin County.

Policy 4.1.8.1: The Town **should** manage beaches and dunes in accordance with the goals, objectives, and policies of the **Coastal Management Element**.

Policy 4.1.8.2: Dunes **should** be considered infrastructure for flood protection and the Town should support efforts to maintain a continuous healthy and robust dune system in accordance with the **Level of Service standards** of Policy 4.1.1.1.

Policy 5.1.5.1: The Town **should** continue to implement its on-going beach renourishment or renourishment projects aimed at restoring or maintaining beaches and protecting upland structures for so long as the cost is acceptable to the Town's residents.

For Policies 2.1.4.2; 3.1.1.3; 4.1.1.1; 4.1.4.1; 4.1.8.1; 4.1.8.2; and 5.1.5.1 above, I'm not aware of any state issued mandates that are pertinent. I think the use of "should" is appropriate.

Policy 5.1.5.4: Removal of natural existing native dune vegetation ~~should~~ **shall** be prohibited, and preservation and enhancement of native dune vegetation should be encouraged.

I am under the impression that native dune vegetation must be preserved. If there is a world in which it would not make sense to impose this as a mandatory requirement, then this note may be subject to change.

Policy 5.2.1.1: Existing facilities for ~~public~~ **Town residents'** access to beaches and shores **should** be maintained.

Policy 5.2.2.2: Developments that would impact existing facilities by reducing the **level of service** below adopted levels and which are to be constructed prior to the availability of scheduled improvements, **should** pay for such impacts or provide their own facilities constructed to Town specifications

Policy 7.1.3.1: The Town Comprehensive Plan **should** continue to allow existing ~~public~~ beach access points **for Town residents** as set forth in the Coastal Zone Goals, Objectives and Policies.

These Policies appear more permissive in nature, as future events could change matters. The proposed revisions are ripe for discussion at Town meetings.

Policy 8.1.7.1: The Town’s Land Development Regulations ~~should~~**shall** require all redevelopment to meet new, safer construction standards as established in the Florida Building Code.

OBJECTIVE 8.1.1: To encourage the maximum participation of the Town’s residents in the comprehensive planning process. The Town~~should~~ **shall** develop a public participation program that ensures adequate information exchange between the Town government and the citizens and that provides for active involvement by the citizens in the comprehensive planning process

This Objective tracks *statutory requirements* that the Town has already done to garner public input on the proposed Amendments to the Comprehensive Plan. Thus, “shall” is the word.

The other policies and objectives that use “should” generally discuss coordination efforts with other governmental agencies which, if done properly, would ensure best practices are followed, but are not necessarily mandated by state or federal law.

III. Working List of Key Terms to Consider Defining

- “adopted levels”
 - Policy 1.1.6.2
- “Coastal Zone”
 - Policy 3.1.1.3
- “concurrency analysis”
 - Policy 1.1.6.1
- “conservation/preservation”
 - Policy 1.1.2.7
- “Joint Planning Agreement”
 - Policy 2.1.4.3
- “density”
 - Policy

- “existing facilities”
 - Policy 1.1.6.2
- “legal non-conformities”
 - Policy 1.1.4.4
- “level of service” and “level of service standard”
 - Objective 1.1.6
 - Policy 1.1.6.2
 - Policy 4.1.1.1
 - Policy 4.1.8.2
 - Policy 5.2.2.2
 - Policy 9.1.1.4(b)
- “major erosion event”
 - Policy 1.2.1.4
- “Martin County’s Capital Improvement Plan”
 - Policy 2.1.4.2
- “Martin County Metropolitan Planning Organization”
 - Policy 2.1.4.2
- “native vegetation”
 - Policy 1.2.1.4
- “primary dune”
 - Objective 5.3.3
- “suitable land”
 - Policy 1.1.7.1

- “SFWMD ERP Information Manual”
 - Policy 4.1.1.1
- “stormwater management devices”
 - Policy 4.1.1.1
- “Transportation Level of Service”
 - Policy 2.1.1.1
- “zoning map”
 - Policy 1.1.2.7



Town of Jupiter Island

TOWN OF JUPITER ISLAND BUILDING DEPARTMENT

APPEAL TO TOWN COMMISSION APPLICATION

Date Received: 2/9/26

PROPERTY:

Street Address: 7 South Beach Road

Tax Parcel Number: 35-38-42-057-000-00020-0

Zoning: B-40

Legal/General Description: Lot 2, Bella Al Mar (PB 19, PG 28)

AGENT:

Name: Colette K. Meyer, Esq.

Mailing Address: Meyer Law Firm, 1070 E. Indiantown Road, Suite 312, Jupiter, FL 33477

Phone #: 561-748-7720

Email: Colette@MeyerLawFirmFL.com

PROPERTY OWNER:

Name: Anne Scott

Mailing Address: 9 South Beach Road, Hobe Sound, FL 33455

Phone #: 772-341-8837

Email: Herhonscott@gmail.com

AFFECTED CODE ARTICLE AND SECTION (written out):

Land Development Regulations:

Article X, Section 1.01, 1.02, 2.00, 2.01, 2.02, 3.01, 3.03, 8.00, 8.01, 8.02, 8.03, 11.00

Article X, Division 10

Article XII

EXPLANATION OF APPEAL (Please attach letter)

I hereby certify that I am the owner of property involved in the above-described appeal request of the DRB's decision and that the information set forth is true and correct.

Signature of Owner or Agent—REQUIRED

Anne Scott
Anne Scott

Date: 2.8.26

Appeal to Town Commission

Re: 7 S. Beach Road

Index to Exhibits

Exhibit 1 - Appeal Letter

Exhibit 2 - March 3, 2022 IRC Approval

Exhibit 3 - March 3, 2022 Driveway & Landscaping IRC Excerpts of Approved Plans

Exhibit 4 - January 8, 2026 DRB Development Order

Exhibit 5 - January 8, 2026 DRB Application

Exhibit 6 - January 8, 2026 DRB Hearing Transcript

Exhibit 7 – Deed and Tax Bill

EXHIBIT 1

COLETTE K. MEYER, ESQ.
TEL: 561-748-7720
FAX: 561-748-7730
COLETTE@MEYERLAWFIRMFL.COM



ESTATE PLANNING, WILLS & TRUSTS
PROBATE & TRUST ADMINISTRATION
ESTATE & TRUST LITIGATION
GUARDIANSHIPS & REAL ESTATE
ADMITTED IN FLORIDA & WISCONSIN

February 9, 2026

Via Hand Delivery

Town Commission
Town of Jupiter Island
2 Bridge Road
Town Hall
Hobe Sound, FL 33455

**Re: Appeal re 7 South Beach Road
Town Commission *De Novo* Review of January 8, 2026 Development Review
Board ("DRB") Order**

Dear Commissioners:

I. Introduction

On behalf of Anne Scott, the undersigned respectfully requests that the Town Commission, exercising its *de novo* review authority [pursuant to Article X, Sec. 8.03, Jupiter Island Land Development Regulations (LDR), and Article X, Sec. 3.03A2, LDR], overturn the Development Review Board's after-the-fact approval of a driveway and landscaping constructed without prior approval and in material deviation from approved plans.

This appeal does not concern the aesthetic merits of a driveway or landscaping. Rather it addresses whether the Town's development review process requires approval before construction, or whether applicants may lawfully construct unapproved improvements and seek permission only after violations are discovered during the certificate of occupancy process.

For the reasons set forth below, the Commission should reverse the DRB's approval and require compliance with the LDR before any new application is considered.

II. *De Novo* Review Authority

Under Article X, Sec. 8.03, LDR, the Town Commission's review is *de novo*, meaning the Commission is not limited to determining whether the DRB acted competently or reasonably. Rather, the Commission is empowered to:

- Consider the application anew;
- Make independent findings of fact;

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- Interpret and apply the LDR according to its plain language and intent; and
- Determine whether approval is appropriate under the circumstances presented.

Accordingly, the issue before the Commission is not whether the DRB's decision was defensible, but whether this application should be approved at all under the Town's LDR.

III. The Application Seeks to Ratify LDR Violations, Not to Comply with the LDR

A. The LDR Requires Approval Before Construction

The Town's LDR establishes a clear and mandatory sequence for development activity, including but not limited to:

- Submission and approval of plans by the appropriate review authority before construction [Article X, Sec. 1.01, 1.02, 2.01, 2.02, 3.01, LDR];
- Construction in accordance with approved plans [Article X, Div. 10, LDR]; and
- Final inspection and issuance of a certificate of occupancy [Article X, Sec. 11.00, LDR].

Nothing in the LDR authorizes construction prior to approval, nor does it authorize the retroactive legalization of improvements constructed in material deviation from approved plans.

B. The Developer Failed to Follow the Required Sequence

Here, the developer:

1. Obtained approval for a specific set of plans on March 3, 2022, from the Impact Review Committee (IRC);
2. Constructed a driveway and landscaping that materially deviated from the approved plans.

The deviations are material because they affect (i) the physical location and configuration of the driveway; (ii) the extent and placement of impervious surface; and (iii) the landscaping design intended to satisfy aesthetic, buffering and environmental standards.

The driveway as approved by IRC was circular, with a center island, and high plantings. In contrast, the driveway built without approval is rectangular, with low plantings, making the property more visible from South Beach Road and exposing columns to public view from the Road;

3. Failed to seek approval of an amended plan prior to construction; and
4. Sought approval only after the deviations were discovered during the certificate of occupancy process.

The developer's private provider signed off on the driveway as approved even though it was obviously not built per the IRC approved plans. The Building Official, Catherine Harding, discovered this violation when conducting a site inspection after the developer requested a certificate of occupancy.

This is not a technical or clerical error. It is a failure to comply with the LDR's most basic procedural requirement: obtain approval before building. Material deviations cannot be cured retroactively through discretionary approval without undermining the Town's LDR.

IV. The Development Review Board Lacked Authority to Cure a Violation Through After-the-Fact Approval

The DRB's role under Article X, Sec. 3.01, LDR, is to review proposed development applications for compliance with the LDR — not to grant amnesty for violations after construction has occurred. DRB is assigned the tasks previously performed by the IRC and Board of Adjustment. The process remains the same and is clear – an applicant must ask for approvals and any changes prior to construction.

By approving unpermitted and unapproved improvements after the fact, the DRB effectively:

- Excused noncompliance with the LDR;
- Converted a LDR violation into a discretionary approval; and
- Undermined the LDR enforcement framework.

Enforcement of violations is reserved to the Building Official under Article XII of the LDR, not to the DRB acting through retroactive approval.

Under *de novo* review, the Commission is free to conclude that the DRB exceeded its intended role and that the application should have been denied outright.

V. Conditions of Approval Cannot Cure the Procedural Violation

The DRB attempted to address the violation by imposing conditions. However, conditions of approval are intended to:

- Mitigate impacts of proposed development; and
- Ensure compliance before or during construction.

They are not a lawful substitute for required pre-construction plan review and approval.

Moreover, the DRB failed altogether to review the conditions of the prior IRC approval and conducted only a cursory review of IRC standards under Art. X, Sec. 2.02, LDR. DRB expressed concern that the developer not be forced to tear out the driveway. But that is exactly

the outcome mandated by the LDR when the driveway constructed without approval deviates in material ways from the approved plans.

Once construction is complete:

- The Town's leverage is diminished;
- The approval process becomes retrospective rather than preventative; and
- The incentive structure of the LDR is inverted, rewarding speed and noncompliance over adherence to process.

Under *de novo* review, the Commission may properly find that no set of conditions can cure the applicant's failure to obtain prior approval when the LDR required it.

VI. The Developer's Conduct Is a Proper Consideration in *De Novo* Review

Development approvals under the LDR are discretionary, not ministerial. As such, the Commission may consider the developer's conduct when determining whether discretionary relief is appropriate.

Here, the developer:

- Had notice of the approved plans for years;
- Made material changes without authorization; and
- Sought approval only after the violations were discovered, not voluntarily disclosed.

Granting approval under these circumstances sends a clear message that compliance is optional and that violations will be resolved administratively once discovered. The Commission is not required to endorse that message.

VII. Approval Sets a Harmful Precedent and Undermines LDR Enforcement

If upheld, this approval will certainly be cited by future applicants as justification for:

- Constructing unapproved improvements;
- Delaying or bypassing review;
- Making material changes post-approval of plans without submitting an amended plan; and
- Seeking approval of changes only when, or if, changes are caught and enforcement becomes unavoidable.

This exposes the Town to:

- Inconsistent application of the LDR;
- Claims of arbitrary enforcement;
- Potential lawsuits; and
- Erosion of public confidence in the development review process.

The Town Commission, not the DRB, bears responsibility for protecting the long-term integrity of the Town's regulatory framework. All Jupiter Island residents are impacted by the issues raised in this appeal as Jupiter Island's character and natural beauty can only be preserved through strict enforcement of the LDR.

VIII. Proper Remedy

The appropriate remedy under the LDR and under *de novo* review is to:

1. Reverse the Development Review Board's January 8, 2026 approval;
2. Require the property to be brought into compliance with previously approved plans or otherwise address the violation through enforcement mechanisms provided in the LDR; and
3. Permit any new application for revised improvements only after compliance is restored, preserving the required sequence of approval before construction.

This outcome is not punitive. It is corrective and necessary to maintain the integrity of the Town's LDR.

IX. Conclusion

The LDR does not authorize development by *fait accompli*. Approval must precede construction, not follow it.

Exercising its *de novo* authority, the Town Commission should reverse the Development Review Board's after-the-fact approval and reaffirm that compliance with the LDR is mandatory for all applicants, without exception.

Respectfully submitted,



Colette K. Meyer

EXHIBIT 2

MOTION: Johnson/Holden moved to approve the application for 7 South Beach Road – Lot 2 as presented, based on the finding that the application meets all of the criteria set forth in Article X, Division 2, Section 2.02 of the Town’s code of ordinances regarding Standards for Impact Review with the following conditions: West, North, and South buffers will be installed before construction with the primary entry for construction be the North entry and the South cut be used for exit and move North as described on the map to above the bend in the property line; the applicant acknowledges the South buffer is their responsibility with the Seabreeze bamboo and the opacity described within the application will have to be achieved before a CO; the applicant acknowledges the center buffer between Lot 1, approved earlier, and Lot 2, approved herein, will go in post-construction; acoustic panels will be added to the inside of the air conditioning and pool pump 6’ wall enclosures; cupolas moved from 8’ to 4’ and oved in proportion dimensionally, as described by the architect; the driveway cut on the South end be screened temporarily with clusia during construction; and the Staff will have to review and approve the South buffer before CO is issued

ACTION: Motion passed 4-1. Van Doren voted nay.

7. Other Items

Member Holden stated that residents have approached her regarding 174 Gomez and asked Administrator Cruz for comment, which he did.

A. Next Meeting – April 7, 2022

Administrator Cruz stated the next IRC meeting is scheduled for April 7, 2022, at 9:00 a.m. He stated he has received four (4) applications at this time and will also include 515 South Beach Road that was deferred.

B. Other Matters

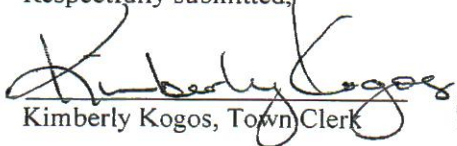
1. Dock Lighting - Update

The dock lighting topic was not addressed.

8. Adjournment

Chair Schiralli adjourned the meeting at 3:49 p.m.

Respectfully submitted,


Kimberly Kogos, Town Clerk



Date Approved/Accepted
by Town Commission

April 11, 2022

EXHIBIT 3

7 SOUTH BEACH - LOT 2
Jupiter Island, Florida



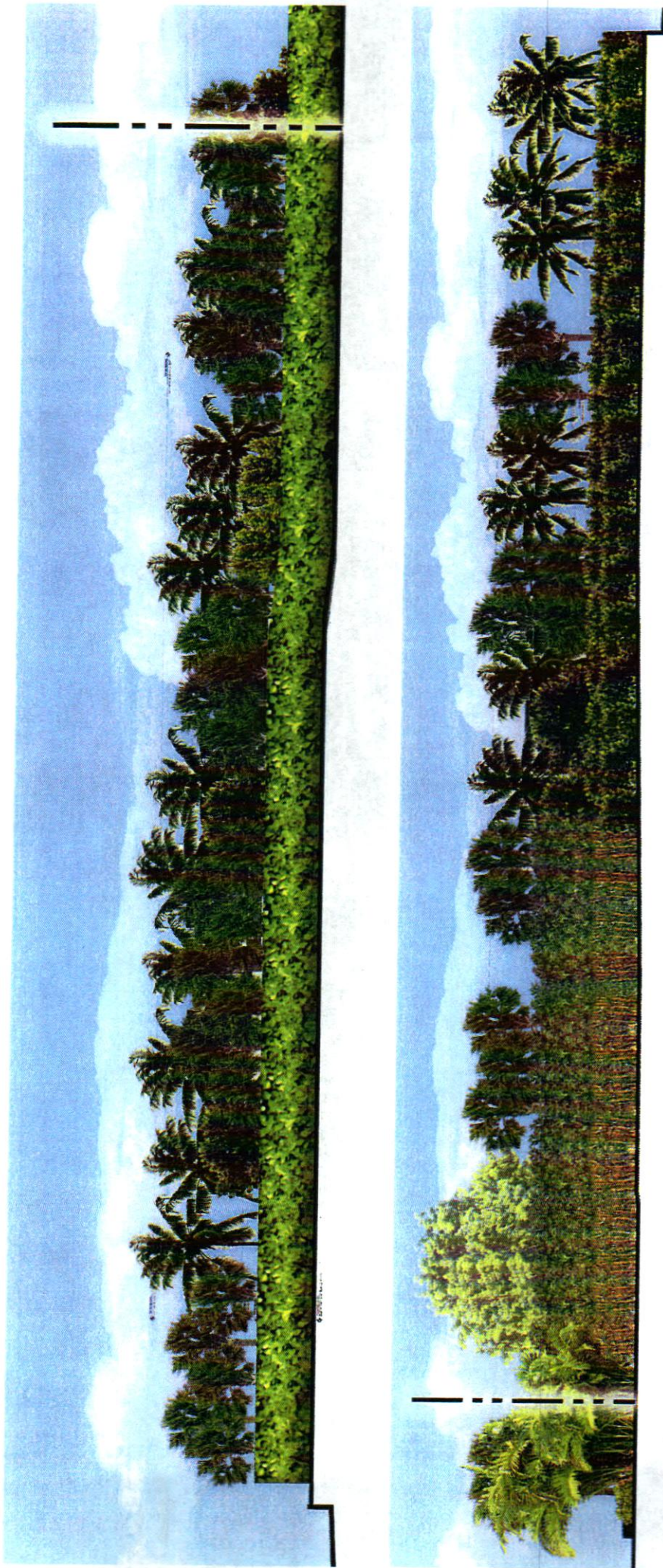
7 SOUTH BEACH - LOT 2

Jupiter Island, Florida



BUFFER ELEVATION & LINE OF SITE BUFFER SECTION

7 SOUTH BEACH - LOT 2
Jupiter Island, Florida



NORTH AND SOUTH ELEVATION

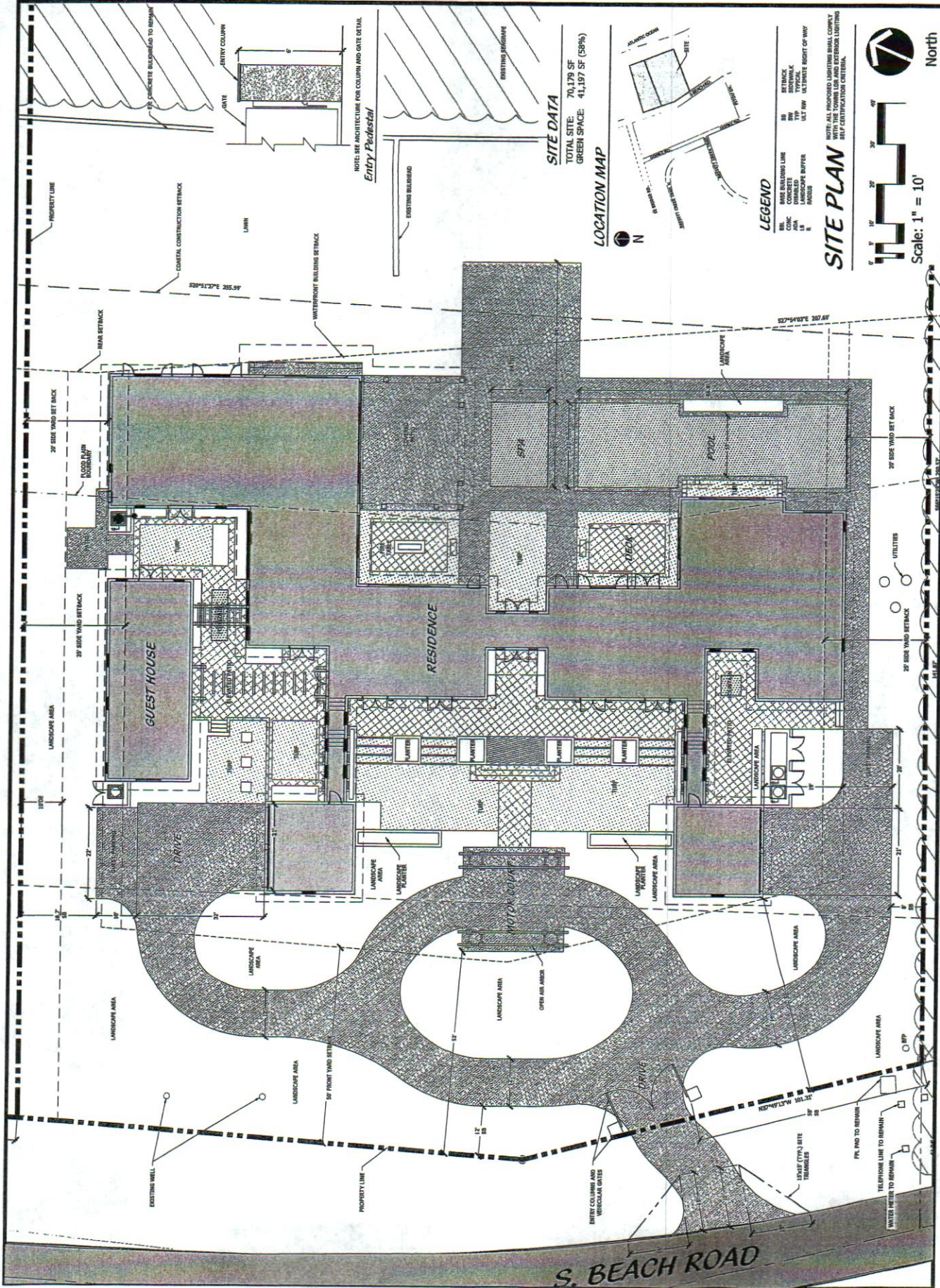


Coiteur & Hearing
 Landscape Architects
 Environmental Consultants
 Lead Planners
 1524 Commerce Lane
 Jacksonville, Florida 32245
 904.747.6338 - Fax: 747.1377
 www.coiteurandhearing.com
 LWA LC-30000253

7 S. Beach Lot 2 Hobe Sound, Florida

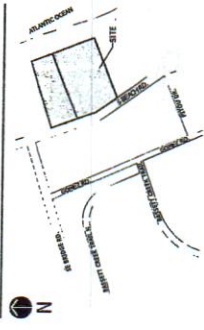
DATE	08/20/2013
PROJECT	7 S. BEACH LOT 2
APP'D BY	[Signature]
DATE	08/20/2013
REVISED	08/20/2013

PROJECT NO. 2013-09-01
 SHEET 1 OF 1
 SCALE: 1" = 10'



SITE DATA
 TOTAL SITE: 70,179 SF
 GREEN SPACE: 41,197 SF (58%)

LOCATION MAP



LEGEND

BASE BUILDING LINE	SS	SETBACK
CONC. AREA	TT	TYPICAL
LANDSCAPE AREA	UU	ULTIMATE RIGHT OF WAY
DRIVE	VV	UTILITY
POOL	WW	WATER

SITE PLAN

NOTE: ALL PROVIDED LIGHTING SHALL COMPLY WITH THE ILLUMINANCE CRITERIA.





Coleur & Hearing
 Landscape Architects
 Environmental Consultants
 1834 Commerce Lane
 Jupiter, Florida 33469
 561.747.8338 • Fax 747.1377
 www.coleurandhearing.com
 U.S.P. License #0000035

7 S. Beach Lot 2 Hobe Sound, Florida

DESIGNED	DATE
APPROVED	DATE
DATE NUMBER	01-18-21
REV	REVISIONS
01-21-22	

PROJECT NO. 2020-10-018-05 A.S.
 DRAWING NO. 2020-10-018-05
 SHEET 1 OF 2
 COLEUR & HEARING, INC.
 LANDSCAPE ARCHITECTS
 1834 COMMERCE LANE
 JUPITER, FLORIDA 33469

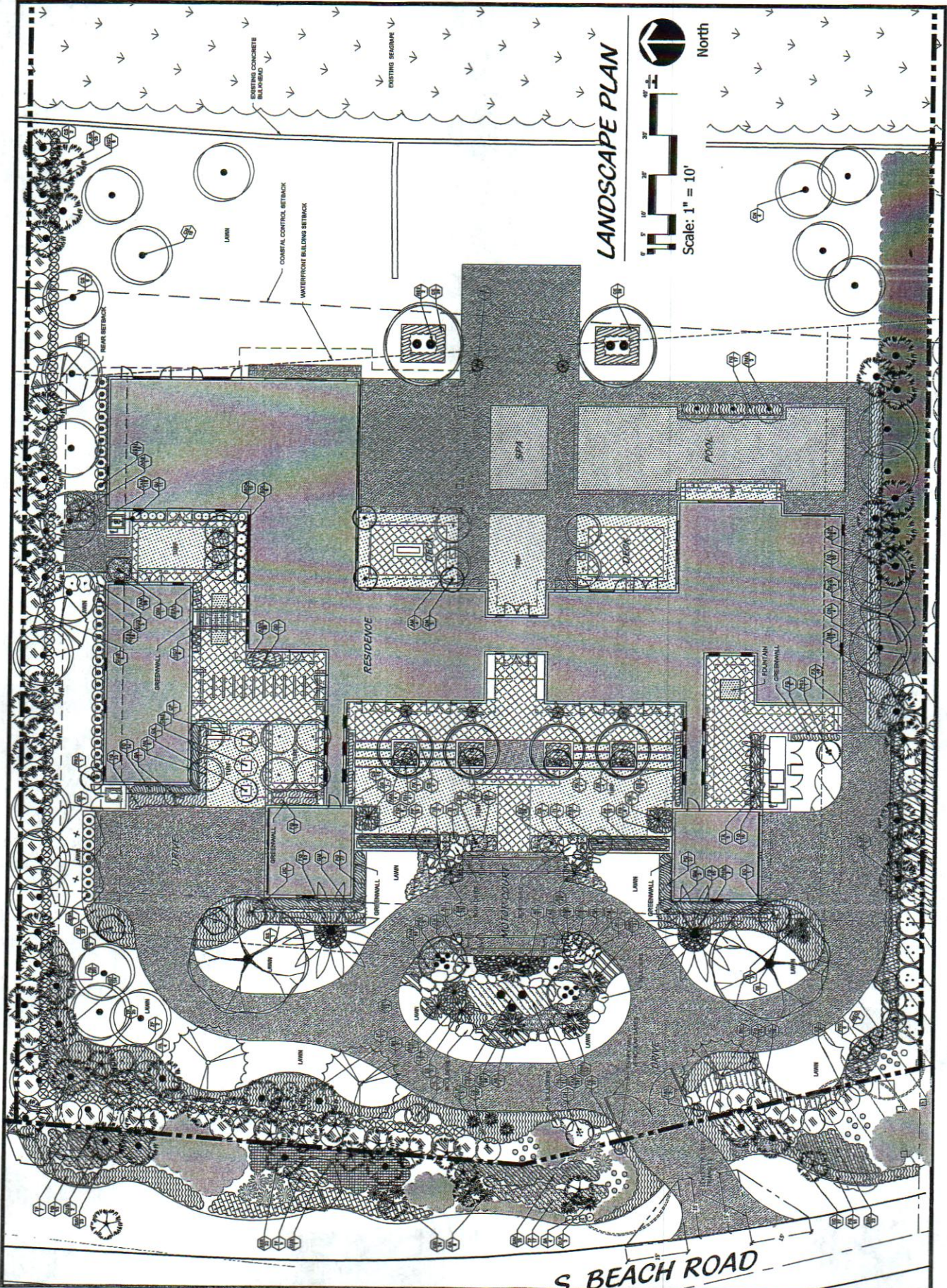


EXHIBIT 4

DEVELOPMENT ORDER – 7 SOUTH BEACH ROAD

WHEREAS, 7 South Beach LLC (“Applicant”), is the owner of a 1.6-acre lot, the legal description of which is attached hereto and incorporated herein as **Exhibit A** (the “Property”); and

WHEREAS, the Property’s address is 7 South Beach Road and is located in the Town of Jupiter Island’s (the “Town’s”) B-40, 1 Acre Estate Residential District and

WHEREAS, the Applicant, represented by its agents Jeremy Bowerman, Esq., Andrew Russo and landscape architect Erin Bolin, PLA, of Cotleur & Hearing presented its application to the Town’s Development Review Board (the “DRB”) whereby the Applicant requested a retroactive site plan modification to its original landscape and hardscape plan, which was approved by the Impact Review Committee on March 3, 2022 (the “Application”); and

WHEREAS, the Application was reviewed by the Town’s Director of the Planning, Building and Zoning Department (the “Director”), and the Town’s consultants, and was determined to be complete; and

WHEREAS, the DRB conducted a quasi-judicial hearing on January 8, 2026, wherein it considered the evidence and testimony presented by neighbors, the Applicant’s agents and other professionals regarding whether the Application meets the standards of the Town’s Land Development Regulations (“LDRs”); and

NOW THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT REVIEW BOARD OF THE TOWN OF JUPITER ISLAND, FLORIDA THAT:

Section 1. The “Whereas” clauses are incorporated herein as the findings of fact and conclusions of law of the DRB.

Section 3. By a majority vote of four (4) to three (3), the DRB found that the Application meets the standards contained in Article X, Division 2, Section 2.02 with the following conditions:

- (a) The Applicant shall install additional landscaping for buffering in the front of the house and the entrance to substantially block the view of the house from South Beach Road. The Applicant shall coordinate with the Director and/or their designee to submit plans for staff review and approval.
- (b) The Applicant shall install additional landscape buffering to the interior driveway area so the columns on the Property are less visible. The Applicant shall coordinate with the Director and/or their designee to submit plans for staff’s review and approval.
- (c) The Applicant shall coordinate with the Director and/or their designee to submit plans for staff review and approval regarding the lighting on the Property to make the lighting softer at the front portion of the Property and meet the lighting requirements provided in Article IV, Division 3, Section 3.17 of the Town’s LDRs.
- (d) The Applicant shall install a five (5) to six (6) foot masonry wall enclosing the heating, ventilation and air conditioning (“HVAC”) system for noise reduction.

- (e) Six (6) months after the installation of the landscape buffer, the Town's Director and/or their designee shall inspect the landscape buffer to ensure adequate growth and size and to determine compliance with all pertinent LDRs and whether further measures by the Applicant and/or its successor are required.
- (f) With the exception of subsection (e) above, the Applicant's Certificate of Occupancy will not be issued until and unless the Director and/or their designee determines that conditions (a) through (d) above have been satisfied.


PASSED AND ADOPTED AT THE PUBLIC HEARING ON THE 8TH DAY OF JANUARY, 2026.

Rendered this 8.00 day of January, 2026.



ATTEST:

Signed by:
Kimberly Kogos
 8FF2962782ED474...
 Town Clerk

DocuSigned by:

 EAB20C481AC747A...
 Town Attorney

TOWN OF JUPITER ISLAND

Signed by:
Judith M Holden
 70FE93202911453...
 Chair

Signed by:
Catherine Harding
 3EEC4CBFF30F456...
 Building Director

EXHIBIT 5

**NOTICE OF PUBLIC HEARING
TO CITIZENS OF THE TOWN
OF JUPITER ISLAND, FLORIDA**



DEVELOPMENT REVIEW BOARD

A Public Meeting/Hearing will be held at the Jupiter Island Town Hall, 2 Bridge Road, Hobe Sound, FL, on **January 8, 2026, at 9:00 a.m.** for the purpose of considering the following application.

7 South Beach, B-40 1-Acre Estate Residential District

This is the application of 7 South Beach, LLC, represented by Andrew Russo, requesting the following:

A site plan approval for:

A modification to the existing landscape/ hardscape plan of the previously approved IRC, which was approved March 3, 2022.

Plans are available for inspection at the Building Department at Town Hall, Monday through Friday, 9:00 a.m. to 3:30 p.m.

The Development Review Board meeting may be viewed live, or any time after the meeting, via the Town's website: www.townofjupiterisland.com

STATE MANDATED STATEMENT:

If a person decides to appeal any decision made by the board, agency, committee, or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he 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. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Town prior to the meeting. Please contact the Town Hall, 2 Bridge Road, Hobe Sound, FL 33455, telephone (772) 545-0100.



**TOWN OF JUPITER ISLAND
DEVELOPMENT REVIEW BOARD
MEETING DATE: JANUARY 8, 2026
Staff Report**

To: Chair and Members of the Development Review
CC: Robert Garlo, Town Manager, and Kyle Teal, Town Attorney
From: Catherine Harding, Building, Planning and Zoning Director
RE: 7 South Beach Road
Date: 12-30-2025

Owners: 7 South Beach, LLC

Agent: Andrew Russo, Manager

Property Description: 7 South Beach Road, 1.6 acres located in B-40, 1 Acre Estate Residential

Request:

The applicant is seeking approval for the squaring-off of the previously approved rounded driveway edges and an updated driveway material for greater compatibility with the architectural style of the home, and substituted landscape plantings for more desirable plant selections in keeping with or exceeding the level of screening provided by the IRC approved plans. The updates will include replacement of an invasive species in the property's front buffer with a more suitable native plant species.

Building and Zoning Analysis:

This site was approved by the IRC, March 3, 2022, for a 1-story 9,371 sq ft residence, with two attached two car garages, an attached two-bedroom guest suite, pool and covered lanai, and associated hardscape and landscape. There was one revision to the plans to add a generator.

On December 18, 2025, the applicant submitted a new revised hardscape and landscape plan for approval by the Development Review Board.

Reports Attached:

King Tree Service, Brian Fisher, made a site inspection on December 18, 2025, and stated that they have completed all the new plantings as proposed in their revised landscape plan. He did approve the plantings with the comment that some of the plantings will need some time to grow in. Our ordinance allows for three years for new plants to achieve their anticipated size. Brian anticipates that the plantings will have achieved their anticipated size within approximately six months.

Standards for Review by the Development Review Board (attached)

Article X. Division 2. Section 2.02. of the Land Development Regulations, Standards for Impact Review.

The applicant has submitted his answers, as required, to the Standards and they are attached.

Sec. 2.02. - Standards for impact review.

The decision-maker shall approve an application for impact review approval if the applicant demonstrates that:

- A. The proposed development will not adversely affect the public interest; and
- B. The proposed development is consistent with the surrounding neighborhood character; and
- C. The visibility of the proposed development from public rights-of-way, adjacent properties, the beach, the ocean and the intracoastal waterway is minimized in a manner that is consistent with the surrounding neighborhood character; and
- D. The landscape treatment along the front lot line is comparable to the character and quantity of the streetscape along lot frontage on the same public road for a distance of 1,000 feet in both directions; and
- E. The proposed ingress and egress is functionally adequate with regard to vehicular and pedestrian safety, separation of automotive traffic, traffic flow and control, provision of services, servicing of utilities, refuse collection, and access in case of fire, catastrophe or emergency; and
- F. Proposed screens and buffers are sufficient to ensure compatibility of uses and buildings with adjacent properties; and
- G. The location, design and character of lighting and sound will not adversely affect adjacent properties; and
- H. The proposed stormwater management system is sufficient to prevent runoff from adversely affecting adjacent properties; and
- I. The proposed development is designed and located so that all buildings are screened from view from adjacent properties and public roads such that the visual character of the proposed development from adjacent properties and public roads is predominantly natural, landscape plant material, and land forms.

(Ord. No. 368, § 3, 7-17-18)

Megan McMahon

From: Brian Fischer <brian@kingtreeservice.com>
Sent: Friday, December 19, 2025 10:39 AM
To: Catherine Harding; Megan McMahon; Amy Vanilla
Subject: 7 SBR- New plantings

External Email - Use Caution

I reviewed the site with the owner yesterday. They have completed all new plantings as proposed in their latest landscape revision.

Overall I'm happy with all the new plant material. As most of this plant material is very new it will take a little time to grow and fill in but I do believe it will be a sufficient buffer given a little time. For example, the new palms are installed with most of the fronds removed. This is normal but limits their ability to provide buffer. Within approximately 6 months these will have a much fuller canopy and provide more buffer. As stated in my previous letter the Clusia is a little shorter than I would have liked but it is establishing well and growing quickly. I would expect the Clusia to be providing a strong buffer by the end of the summer growing season. Only one substitution was made due to an inability to get suitable material. The double Sylvester was substituted for 2 Bismarkias. This is a good substitution that will likely provide more buffer than the Sylvesters would have.

I'm comfortable approving the final landscape as-is while acknowledging that some of the buffer plant material still needs some time to grow in.

Thanks,

Brian Fischer
ISA Certified Arborist FL-5287A
King Tree Service
(561) 798-3977
brian@kingtreeservice.com

KING TREE SERVICE

OF SOUTH FLORIDA

P.O. Box 210847
Royal Palm Beach, FL 33421-0847

December 10, 2025

**Town of Jupiter Island
Catherine Harding
2 Bridge Road
Hobe Sound, FL 33455**

RE: 7 South Beach Road- Landscape Revision

I met with the group from 7 South Beach Road on 12/9/25 to discuss the plans to bring the landscape into compliance with the original approved Landscape Plan. The Landscape Architect provided a new plan that would bring the current landscape into very close alignment with the original approved plan.

- A significant amount of plant material will be added to the north buffer. The newly proposed Sabal Palms will fill in the middle to upper level story well. The current Clusia is smaller than what was originally proposed but it is healthy and growing quickly and I would recommend leaving the current Clusia in place as-is. A row of Ixora will be added in front of the Clusia hedge to provide dense ground level buffer.
- The roadside buffer will receive several new plantings. Larger openings will be filled in primarily with Sabal Palms. Several Gumbo Limbo trees will be added to the interior side of the buffer. The invasive Norfolk Island Pine will be removed and infilled with new plant material. A row of Ixora will be added to the interior along the Clusia hedge.
- The driveway entrance area will be planted more heavily with Clusia and other plant material to narrow the view into the property. Plant material will extend all the way to the gate posts. This will help considerably to screen the view of the interior of the property.
- The pergola type feature at the entrance will be planted with a double Sylvester Palm and two Japanese Blueberrys. This will screen the pergola as well as at the home behind it.
- The west section of the south property line will have several new Sabal Palms planted. The remainder of the south property line will not be adjusted and appears to be overall well buffered from the shared existing Seagrape hedge and newly installed Clusia. The Clusia should rapidly grow in height.
- The Landscape Architect provided an overlay drawing of the original approved hardscape plan with the existing modified hardscape that was installed. Overall the square footage and location is very similar with the primary change being to square off the corners instead of having rounded corners as originally approved. Plant material that was affected by the change to the hardscape already has or will be installed as part of the new proposed modifications and there will be no net loss in significant plant material on site.

KING TREE SERVICE

____ OF SOUTH FLORIDA ____

P.O. Box 210847
Royal Palm Beach, FL 33421-0847

The proposed modifications will bring the overall landscape into significant compliance with the original approved plans. It appears that the buffer will be sufficient in all areas once the new plantings are complete. I am comfortable with the changes as proposed.

Prepared by:



Brian Fischer
ISA Certified Arborist FL-5287A

TOWN OF JUPITER ISLAND
BUILDING DEPARTMENT

Dear Members of the Development Review Board,

Date Received: 12/30/25

I am writing as a personal matter, as a resident and, for the last 23 years, the only neighbor of 7 South Beach Road.

I am writing to urge you to reject the Application of 7 South Beach Road for approval of landscape plans which are substantially different from those approved by the IRC several years ago. You will hear this application on January 8, 2026. Please note that this spec property has already been fully landscaped and hardscaped in a way that violates our LDRs to such an extent that the developer has been denied a certificate of occupancy. This is an attempt to persuade you to retroactively approve development that was not approved before being built.

I am urging you to reject this application, not the least of which reason being that the developer of 7 S. Beach Rd has shown nothing but disregard if not utter contempt for our LDRs. It is not his first time of "build first – get permission later if and when they insist....."

My best recollection is that the developer acquired this property sometime in the spring of 2021. The demolition of the improvements at 7 S. Beach, began soon after and continued without permission well past November 1 of 2021 and into 2022. The Town, (under governance by a different administration,) did nothing to curtail or correct this blatant violation despite my Thanksgiving time complaint about them breaking up very large (think golfcart) concrete blocks by dropping them on one another using a tall crane.

Following that, the developer's agent, Mr. Russo presented the application to subdivide the property. When asked why subdivision was to be done so disproportionately Mr. Russo said he planned to live in a house on the larger lot while developing a spec house on the smaller. Clearly neither the real owner whom I believe to be Mr. Leandro Rizzuto, nor Mr. Russo ever intended to live on the property. It has been for sale since September of 2022.

After the subdivision was approved the developer asked for a variance for extra fill on the smaller lot to enable him to maximize bulk which was not possible given the way he subdivided. Despite my objections, (since the developer created his own "hardship") the variance was granted.

Throughout the 4 years that these properties have been under development the transgressions of our LDRs both major and minor have been constant and too numerous to keep track of but include, *inter alia*:

- dangerous and unsightly site conditions,
- lack of buffering,
- exposed porta potty,
- blocking Beach Road without flagmen,
- starting too early and working too late both daily and seasonally,
- bright lights shining in my house from the setback line,
- holding non permitted promotion events at night
- etc etc and yadda yadda

If you approve this application you give a developer defacto permission to ignore our LDRs, - to do things his way and **then** get a stamp of approval (which I regret to say in prior administrations was a rubber stamp.) To allow and abet such profiteering renders our LDRs as well as this Board, and the hard work of its predecessors, toothless and meaningless. .



**Town of Jupiter Island
Development Review Board
(DRB)**

Date Received 12/18/25

PROPERTY:

Street Address: 7 South Beach Road
Tax Parcel Number: 35-38-42-057-000-00020-0 Zoning: _____
Legal/General Description: Bella Al Mare Lot 2

PZE-0419
(previously approved)
JRC-
PZE-0231

AGENT: (If Applicable, notarized power of attorney must be attached)

Name: _____
Mailing Address: _____
Phone #: _____ Email: _____

PROPERTY OWNER: as shown in the official County Records (please attach current tax bill & deed)

Name: 7 South Beach LLC - Andrew Russo, Manager
Mailing Address: 300 W. Indian Town Road, Jupiter, FL 33469
Phone #: 561 371-0933 Email: ARusso@ipre.com

EXPLANATION OF REQUEST:

Please see Attached and Supplement to Application

IF VARIANCE IS REQUESTED, CITE LRD'S AFFECTED:

NA

HARDSHIP STATEMENT, IF VARIANCE IS REQUESTED:

In seeking this variance, I contend that the following hardship would result if the ordinance provisions were strictly enforced and my hardship was denied:

NA

FEE: \$1,000 per Request (Please make check payable to the Town of Jupiter Island)

Information as contained within this application **MUST** be provided and accepted by the Town of Jupiter Island for this project to be considered. Additional information as required by the administrative official or as attached by the applicant constitutes a part of this application. The administrative official reserves the right to reject any application which is improperly filled out or incomplete.

Andrew Russo, 7 South Beach, LLC Andrew Russo, Mang 12/18/25
Signature of Owner or Agent—REQUIRED Printed Name Date

Explanation of Request:

Slight modification of the landscaping that maintains or increases the buffers that were originally approved in 2022. Some of the interior species of plantings were changed to be more in line with the architectural style of the home

Slight modification to the driveway: Squaring off of the driveway edges to blend with the architectural style of the home while retaining the overall functional design and layout of the approved driveway, including the driveway's single entrance feature, and will not have any impact on neighboring properties.

No changes are proposed to any structures that were previously approved and completed in accordance with town permits and approvals.

Supplement to Application for Development Review Board
7 South Beach Road

Owner: 7 South Beach LLC

Property: 7 South Beach Road

Legend: DRB: Development Review Board
IRC: Impact Review Committee
LDR: Town Land Development Regulations
Town: Town of Jupiter Island

I. Nature of Application:

This Application requests limited hardscape and landscape updates to the Property, consistent in all material respects with the plans previously approved by the IRC in March, 2022.

II. Background:

The Property consists of approx. 1.6 acres located in the Town's B-40 (1-Acre Estate Residential) zoning district. Owner received IRC approval in March, 2022 for a 1-story residence, small 1-story guest house, pool, and associated landscape and hardscape improvements. Construction of all approved structures has been completed in accordance with applicable permits and Owner is now seeking approval for (i) squaring-off of the previously rounded driveway edges and an updated driveway finish for greater compatibility with the architectural style of the home, and (ii) substituted landscape plantings for more desirable plant selections in keeping with or exceeding the level of screening provided by the IRC approved plans. Moreover, if approved, the proposed updates will include replacement of an invasive species in the Property's front buffer with a more suitable native plant species.

III. Impact Review Standards:

This Application satisfies the Impact Review standards contained in Article X, Division II, Section 2.02 of the LDR, as follows:

A. The proposed development will not adversely affect the public interest.

The minor hardscape and landscape updates proposed align with the IRC approved plans as confirmed by the Town's arborist and will not adversely affect the public interest. The squaring-off of the driveway edges will blend with the architectural style of the home while retaining the overall functional design and layout of the approved driveway, including the driveway's single-entrance feature, and will not have any impact on neighboring properties. The proposed substituted plant materials will retain or exceed the robust level of screening of all structures from neighboring properties and public vantage points as the IRC approved plans and will further result in replacement of an invasive species with a more suitable native plant species, in furtherance of the public interest.

B. The proposed development is consistent with the surrounding neighborhood character; and

As noted above, the minor hardscape and landscape updates proposed are consistent with and substantially the same as the IRC approved plans and surrounding neighborhood character. The maximum privacy afforded by the robust landscape buffering will further ensure that the Property fits with the character of the surrounding neighborhood.

C. The visibility of the proposed development from public rights-of-way and adjacent properties is minimized in a manner that is consistent with the surrounding neighborhood character.

Visibility of the existing 1-story residence and guest house from public rights-of-way and neighboring properties will be virtually nonexistent due to substantial landscape buffering. The landscape buffers will provide maximum privacy to adjacent neighbors consistent with the IRC approved plans.

D. The landscape treatment along the front lot line is comparable to the character and quantity of the streetscape along lot frontage on the same public road for a distance of one thousand (1,000) feet in both directions.

The proposed landscaping along the Property's front boundary will be comparable to the character and quantity of the streetscape along lot frontage on S. Beach Road within 1,000' in both directions. As set forth above, visibility from S. Beach Road will be virtually nonexistent due to thick landscaping separating the existing 1-story residence and guest house from S. Beach Road.

E. The proposed ingress and egress is functionally adequate with regard to vehicular and pedestrian safety, separation of automotive traffic, traffic flow and control, provision of services, servicing of utilities, refuse collection, and access in case of fire, catastrophe or emergency.

No changes are proposed to the Property's proposed ingress and egress, previously confirmed as meeting all Town requirements. The proposed ingress and egress will be a safe design for public safety vehicles and all other purposes. The proposed driveway and motor court to serve the residence and guest house will facilitate the orderly flow of vehicles entering and exiting the Property.

F. Proposed screens and buffers are sufficient to ensure compatibility of uses and buildings with adjacent properties.

The proposed landscape screening and buffering is consistent with the neighborhood and IRC approved plans. The proposed screening and buffering will ensure privacy and compatibility with adjacent properties.

G. The location, design and character of lighting and sound will not adversely affect adjacent properties.

Exterior lighting and sound are not proposed as part of this Application. Any future request for exterior lighting will comply with all applicable requirements, including that the location, design, and character of lighting and sound will not adversely affect adjacent properties. The proposed landscape enhancements will also help in ensuring outdoor lighting and sound will not adversely affect adjacent properties.

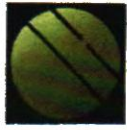
H. The proposed stormwater management system is sufficient to prevent runoff from adversely affecting adjacent properties.

No changes are proposed to the Property's stormwater management system, which was previously confirmed as satisfying Town requirements.

I. The proposed development is designed and located so that all buildings are screened from view from adjacent properties and public roads such that the visual character of the proposed development from adjacent properties and public roads is predominantly natural, landscape plant material, and land forms.

As set forth above, the visibility of the improvements from neighboring properties will be minimal due to significant natural landscape buffers. Visibility of the existing 1-story house and guest house from S. Beach Road will be virtually nonexistent due to the structure's 1-story height and heavy landscape buffering that will provide effective screening of the structures from S. Beach Road.

Note: This Application is submitted at the request of Town staff and shall not be considered a waiver of Owner's right to request that the proposed updates be administratively reviewed and decided given that the proposed updates are consistent in all material respects with the plans previously approved by the IRC, including the Standards for Impact Review. All information contained in Section III shall be considered cumulatively in addressing each of the Standards for Impact Review despite the fact that some of the information may not be repeated throughout every paragraph.



Cotleur & Hearing

Landscape Architects | Land Planners | Environmental Consultants

1934 Commerce Lane · Suite 1 · Jupiter, Florida · 33458 · Ph 561.747.6336 · Fax 561.747.1377 · www.cotleurhearing.com · LC26000535

December 22, 2025

Jupiter Island Town Hall
2 Bridge Road
Hobe Sound, Florida 33455

**Re: 7 South Beach, Jupiter Island Landscape Certification Letter
CH Project 21-036**

To Whom it May Concern:

As the Landscape Architect of Record, Cotleur & Hearing was requested to conduct a landscape inspection for the property located at 7 South Beach, Jupiter Island, Florida, and to certify the installed landscape relative to the approved plans of record. A landscape site inspection was conducted on October 24th, 2025 and on December 21, 2025, following completion of the landscape installation. This inspection included review of the current site conditions and preparation of the corresponding landscape as-built plan documenting the installed landscape conditions.

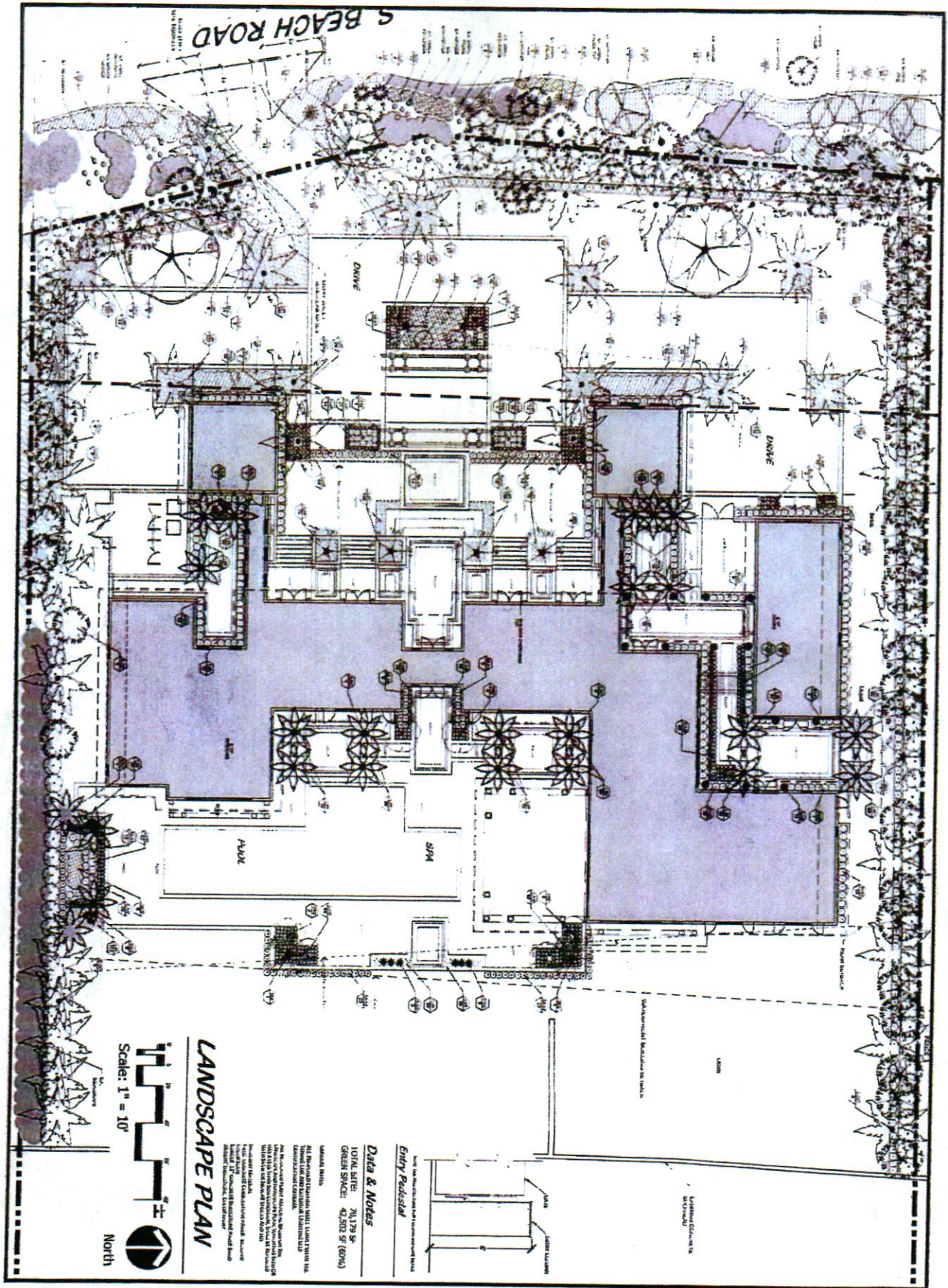
Based on our observations, the landscape installation, as currently constructed, is in substantial compliance with the approved landscape plans of record, inclusive of minor species substitutions consistent with the approved design intent and intended to improve salt tolerance and overall landscape cohesion, as documented in the landscape as-built plan. For clarity, supplemental landscape information was previously included solely for reference in documenting minor field adjustments and species substitutions. There was never an amended or new landscape plan. The landscape as-built plan accurately reflects the installed conditions based on the approved plans of record. Cotleur & Hearing is the sole Landscape Architect of Record for the project.

All required perimeter buffers and associated plantings have been installed and meet or exceed the requirements of the approved plans of record, providing continuous and effective perimeter screening consistent with the approved landscape intent. The quality of the installed plant material is Florida #1 or better, healthy, and well established, and generally meets or exceeds the minimum standards outlined in the approved plans and specifications.

Based on the above, we hereby certify that the landscaping for 7 South Beach is in substantial compliance with the approved plans of record as of the date of this inspection. Should you have any questions or require additional information, please do not hesitate to contact me.

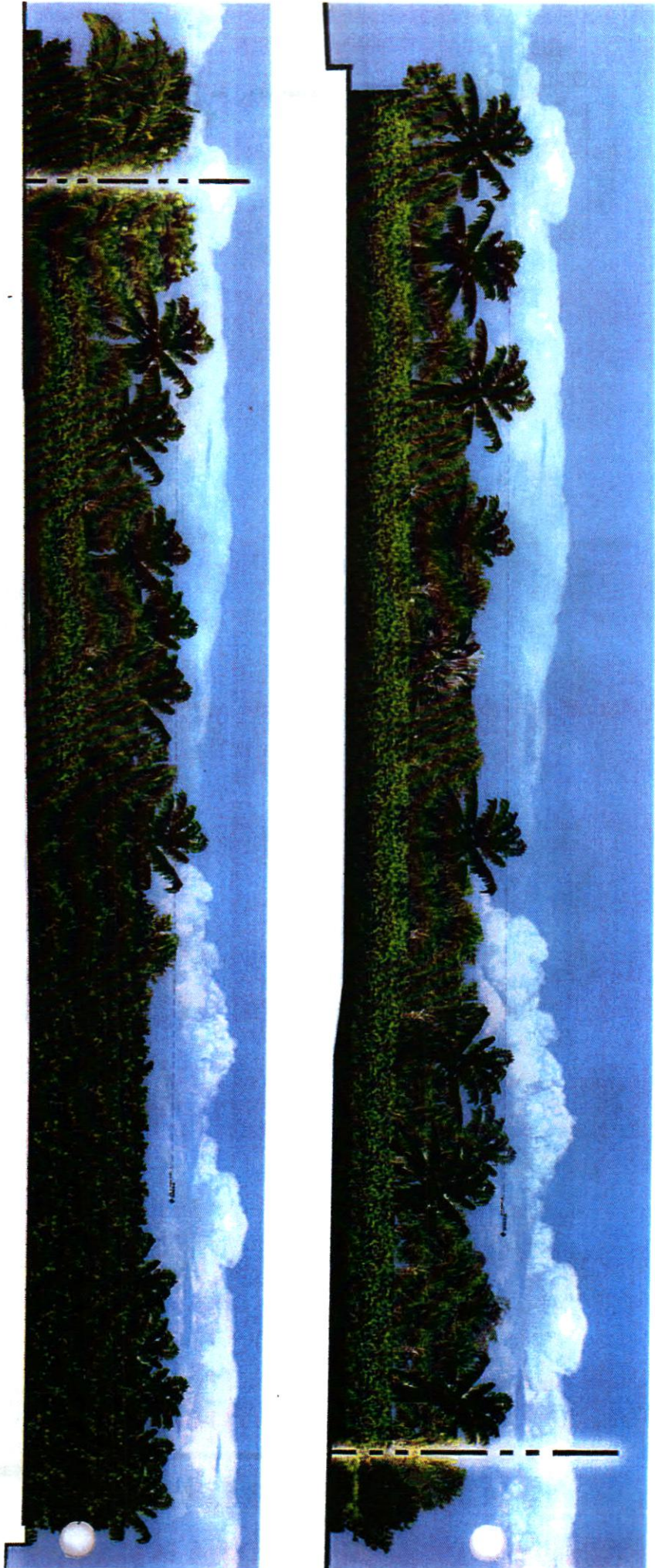
Very truly yours,
Cotleur & Hearing

Erin Bolin, PLA
Senior Partner / Director of Design / Landscape Architect



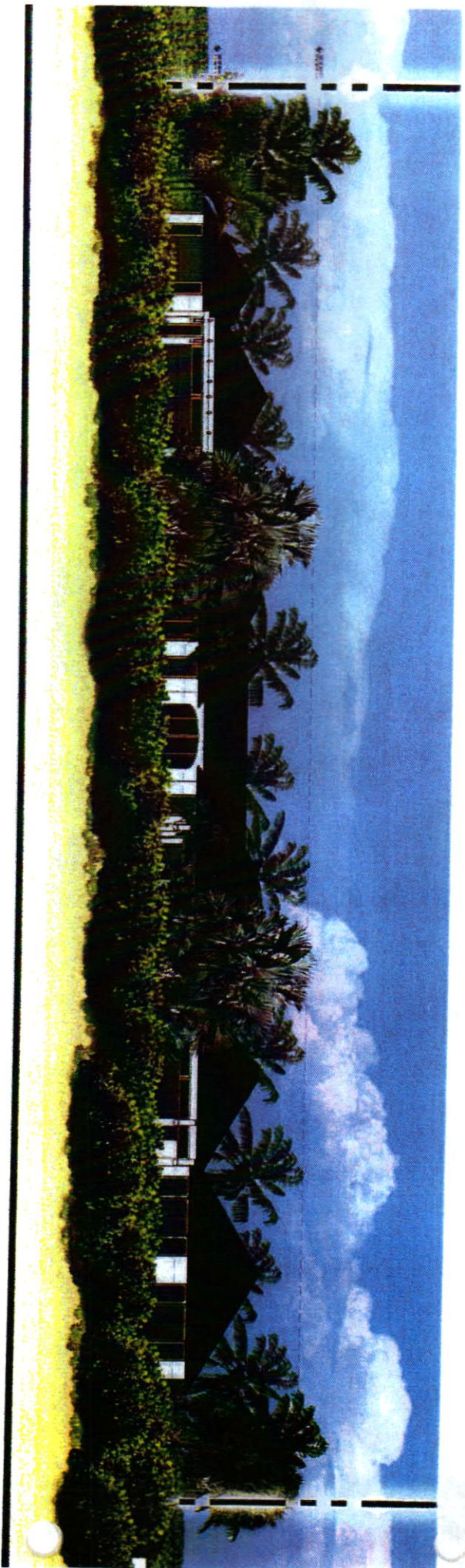
<p>7 S. Beach Lot 2 Hobe Sound, Florida</p>	<p>Colleur & Heating Landscape Architecture Land Planning Site Development 2017 1st Avenue, Suite 100 Hobe Sound, Florida 33450 Phone: (888) 888-8888 www.colleurandheating.com LPA 12-200002018</p>	<p>Data & Notes</p> <p>LOT AREA: 74,179 sq ft GREEN SPACE: 42,202 sq ft (56%)</p> <p>Site Notes: This site is located on the east side of the lot, adjacent to the driveway. The site is currently undeveloped and contains a large amount of vegetation. The site is to be developed with a residential building and a driveway. The building is to be constructed of brick and has a gabled roof. The driveway is to be constructed of concrete. The site is to be landscaped with trees and shrubs. The plan shows the building footprint, the driveway, and the landscaping. The plan is oriented with North at the top. A scale bar indicates 1 inch equals 10 feet. The plan is titled 'LANDSCAPE PLAN' and includes a north arrow and a scale bar.</p>
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7 SOUTH BEACH - LOT 2
Jupiter Island, Florida



NORTH AND SOUTH ELEVATION

7 SOUTH BEACH - LOT 2
Jupiter Island, Florida



REAR ELEVATION

EXHIBIT 6

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TOWN OF JUPITER ISLAND
DEVELOPMENT REVIEW BOARD

(EXCERPT) TRANSCRIPT OF PROCEEDINGS
FROM VIDEO RECORDING
(PAGES 1 - 62)

DATE OF MEETING: JANUARY 8, 2026
LOCATION: 2 SE BRIDGE ROAD
JUPITER ISLAND, FLORIDA 33455

PRESENT ON DAIS:

- JUDY HOLDEN, CHAIR
- NANCY AUTH
- TRUMAN HOBBS
- MARIA BAYAZID
- JENNIFER MADDEN
- CHRISTINA WHITNEY
- ELEANOR SEAMAN, ALTERNATE

ALSO PRESENT:

- CHRISTINA GIDWITZ, ALTERNATE
- WALTER MCCORMACK, ALTERNATE
- TOWN CLERK
- KYLE B. TEAL, TOWN ATTORNEY

ORIGINAL

1 (Excerpt of meeting held January 8, 2026
2 transcribed from video recording.)

3 * * * * *

4 CHAIR HOLDEN: We are going to move on to
5 7 South Beach now.

6 I'd like to call for ex parte communications
7 on 7 South Beach.

8 MS. WHITNEY: I've driven by 7 South Beach
9 and talked to (inaudible) communication. I read
10 the material.

11 MR. HOBBS: I advised the party -- property,
12 read through the submissions.

13 MS. BAYAZID: I've visited the property. I
14 reviewed all the documents. I did speak with
15 Catherine about it and I've had no additional
16 communication about it.

17 CHAIR HOLDEN: I have visited the property.
18 I have read all of -- any material. I have
19 discussed it very, very briefly with Anne Scott.
20 And I had no further ex parte.

21 MS. AUTH: I visited the property. I've
22 reviewed all of the material and spoken with
23 Catherine regarding the application.

24 MS. SEAMAN: I visited the property. I've
25 read the material. I've had a conversation with

1 Catherine Harding. And I've had no ex parte
2 communication.

3 MS. MADDEN: I visited the property on my
4 own. I've read the materials. I spoke with
5 Catherine Harding by phone. And I've had no
6 other ex parte communications.

7 CHAIR HOLDEN: All right. Then I'd like the
8 building department to present the...

9 AMY VANILLA: Once again, Amy Vanilla on
10 behalf of the building department. I'll be
11 reading the report of Catherine Harding,
12 Building Official.

13 This is for 7 South Beach. It is the
14 approval of revised hardscape and landscape
15 plan. The owners are 7 South Beach LLC. The
16 agent is Andrew Russo, manager. The property
17 description: 7 South Beach Road is a 1.6 acre
18 lot located in the B-40 One-Acre Estate
19 Residential District.

20 The request: The applicant is seeking
21 approval for the squaring off of the previously
22 approved rounded driveway edges and an updated
23 driveway material for greater compatibility with
24 the architectural style of the home and
25 substituted landscape plantings for more

1 desirable plant selections in keeping with or
2 exceeding the level of screening provided by the
3 IRC-approved plans.

4 The updates will include replacement of
5 invasive species in the property's front buffer
6 with a more suitable native plant species.

7 The Building and Zoning Analysis. The site
8 was approved by the IRC dated March 3rd, 2022,
9 for a one-story, 9,371-square-foot residence
10 with two attached two-car garages and attached
11 two-bedroom guest suite, pool and covered lanai
12 and associated hardscape and landscape. There
13 was one revision to the plans to add a
14 generator.

15 On December 18th, 2025, the applicant
16 submitted a new revised hardscape and landscape
17 plan for approval by the Development Review
18 Board.

19 Attached reports. Brian Fischer of King
20 Tree Service made a site inspection on December
21 18th, 2025, and stated that they have completed
22 all the new plantings as proposed in the revised
23 landscape plan. He did approve the plantings
24 with the comment that some of the plantings will
25 need some time to grow in. Our ordinance allows

1 for three years for new plantings to achieve
2 their anticipated size. Brian anticipates the
3 plantings will have achieved their anticipated
4 size within approximately six months. The
5 standards for Impact Review for the Development
6 Board that are applied is Article X,
7 Division II, Section 2.02, Standards for Impact
8 Review.

9 The applicant has submitted his answers as
10 required through the standards and they are
11 attached.

12 CHAIR HOLDEN: Okay, thank you.

13 Now, you all are going to get tired of
14 hearing my voice, but I am going to read letters
15 that we've received and put them into the
16 record.

17 "I'm writing -- Dear Members of the
18 Development Review Board" --

19 And I'm reading them in the order that we
20 received them.

21 [As read] "-- I'm writing as a personal
22 matter as a resident for the last 23 years, the
23 neighbor of South Beach Road. I'm writing to
24 urge you to reject the application of South
25 Beach Road for approval of landscape plans which

1 are substantially different from those approved
2 by the IRC several years ago. You will hear the
3 applicant on January 8th -- you will hear this
4 application on January 8th. Please note that
5 this spec property has already been fully
6 landscaped and hardscaped in a way that violates
7 our LDRs to such an extent that the developer
8 has been denied a certificate of occupancy.
9 This is an attempt to persuade you to
10 retroactively approve development that was not
11 approved before being built. I'm urging you to
12 reject this application not the least reason
13 being that the developer of South Beach Road has
14 shown nothing but disregard if not utter
15 contempt for our LDRs. It's not his first time
16 of build first, get permission later if and when
17 they insist. My best recollection is the
18 developer acquired this property sometime in the
19 spring of 2021. The demolition of the
20 improvements at South Beach Road began soon
21 after and continued without permission well past
22 November 1st, 2021, and into 2022. The Town,
23 under the governance by a different
24 administration, did nothing to curtail or
25 correct this blatant violation despite my

1 Thanksgiving-time complaint about them breaking
2 up very large, I think golf cart concrete blocks
3 by dropping them on one another using a tall
4 crane. Following that, the developer's agent,
5 Mr. Russo, presentation -- presented the
6 application to subdivide the property. When
7 asked why subdivision was to be done so
8 disproportionately [sic] Mr. Russo said he planned
9 to live in the house on the larger lot while
10 developing a spec house on the smaller. Clearly
11 neither the real owner, who I believe to be
12 Leandro Rizzutto [phonetic], nor Mr. Russo ever
13 intended to live on the property. It has been
14 for sale since September of 2022. After the
15 subdivision was approved, the developer asked
16 for the variance for extra fill on the smaller
17 lot to enable him to maximize bulk, which was
18 not possible given the way he subdivided.
19 Despite my objections since the developer
20 created his own hardship, the variance was
21 granted. Throughout the four years these
22 properties have been under development the
23 transgressions of the LDRs both major and minor
24 have been constant and too numerous to keep
25 track of but include, inter alia, dangerous and

1 unsightly site conditions, lack of buffering,
2 exposed Porta Potty, blocking Beach Road without
3 flagmen, starting too early and working too late
4 both daily and seasonally, bright lights shining
5 on my house from the setback line, holding
6 nonpermitted promotion events at night,
7 et cetera, et cetera and yada, yada. If you
8 approve this application and give your developer
9 de facto permission to ignore our LDRs, to do
10 things his way and then get a stamp of approval,
11 which I regret to say in prior administration
12 was rubber stamped, to allow and abet such
13 profiteering renders our LDRs as well as this
14 board and the hard work of its predecessors
15 toothless and meaningless."

16 Second letter is dated January 5th and it's
17 from Joan and John Nagao [phonetic]. I'm not
18 sure I'm pronouncing that right.

19 "Members of the Development Review Board
20 Town of Jupiter Island. To Whom It May Concern:
21 We are writing to express our enthusiastic
22 support for the approval of 7 South Beach Road."

23 Well, these people are not residents of the
24 community, so I'm not going to finish this
25 letter.

1 Tanya and Glenn Beck, 5 South Beach Road,
2 January 3rd. [As read] "To Whom It May Concern:
3 We would like to express our support for the
4 property at 7 South Beach Road. We truly
5 appreciate the beautiful, lush landscaping
6 between our homes as well as the attractive
7 greenery in front. The dense landscape buffer
8 enhances the overall appeal of the area and we
9 also value the low-profile, one-story design of
10 the house. We are thrilled to be residents of
11 Jupiter Island, very happy with our purchase at
12 5 South Beach Road. We are also excited for our
13 future neighbor who will be moving in soon.
14 Tanya and Glenn Beck."

15 And then the last letter, which we got
16 yesterday, says, Dear Members of the Development
17 Review Board. I write on behalf of the property
18 owner in response to the enclosed letter
19 addressed to the Development Review Board. The
20 letter, without directly stating who it's from,
21 notes it's from a neighbor. Given that the
22 property has only two direct neighbors, one of
23 which submitted a letter in support of the
24 owner's request for board approval. The owner
25 believes it is unable to confirm the letter is

1 from Anne Scott, the property's south neighbor.
2 Owner was" -- "owner" is referred to as "South
3 Beach Road," I guess.

4 "Owner was pleased to see the letter does
5 not contain any substantive objection to the
6 minor landscape and interior driveway
7 refinements which board approval was sought, nor
8 does the letter assert that the request fails to
9 meet the standards for Impact Review. We
10 believe that it is because no basis exists for
11 any such objection as the refinements for which
12 board approval is sought is consistent with the
13 IRC-approved plan and satisfy all standards
14 which has been confirmed by the Town's arborist.
15 While the letter contains inaccuracies too
16 numerous to address point by point, which also
17 have no relevance to the request before the
18 board, I would like to take the opportunity to
19 clarify a few of the inaccuracies. The letter
20 incorrectly states the property has been
21 landscaped and hardscaped in ways that violate
22 the Town's LDRs. Contrary to this assertion,
23 the property has been landscaped and hardscaped
24 consistent with plans approved by the IRC as
25 satisfying all applicable Town requirements as

1 has been confirmed by the Town's arborist.
2 Owner of the fully implemented and approved
3 landscaping and hardscaping with minor field
4 adjustments and refinements, most of which
5 relate to interior landscaping as is typical.
6 All refinements have been reviewed by the Town's
7 arborist who has confirmed that they were
8 consistent with approved plans and satisfy Town
9 requirements. Staff, in an abundance of
10 caution, being thorough, has requested the board
11 have an opportunity to review the refinements
12 which will be presented at the upcoming January
13 8th meeting."

14 One more page.

15 "Contrary to the letter, owner never
16 requested or received any variance for this
17 property. In fact, owner kept the finished
18 floor elevations at the newly constructed
19 one-story residence, the same as the old house.
20 Although it could have asked for a higher
21 elevation more in line with other newly
22 constructed homes. Owner also did not build a
23 two-story house, which would have had much
24 better views. To owner's knowledge the only
25 complaints received during the construction

1 process were from Ms. Scott, none of which
2 resulted in code citations. The only time the
3 site was a mess was after a tornado hit the
4 site. The site was cleaned up the next day.
5 After learning of Ms. Scott's complaint
6 regarding a Porta-Potty location, the
7 Porta-Potty was promptly moved. Ms. Scott has
8 opposed construction since day one. She has
9 hired an attorney to try to stop the owner from
10 building anything on the property, which caused
11 much delay and headache.

12 "In summary, we have been good neighbors,
13 good stewards of the property and we believe we
14 have built a traditional, one-story home with
15 exceptional landscaping and buffering to
16 maximize privacy, all of which benefit
17 Ms. Scott. We have a Jupiter area family who is
18 very excited about moving in and becoming
19 Jupiter Island residents. See the attached
20 letter. In essence, the letter urges the board
21 to reject owner's request based on
22 unsubstantiated allegations of past violations.
23 The letter ignores the fact that instances of
24 confirmed code violations are properly addressed
25 through the Town code enforcement and not

1 through the board denying an application that
2 satisfies the standard for Impact Review. No
3 code violations have been cited for this
4 property because no violations have occurred.
5 We believe Town staff has correctly cited the
6 standards for Impact Review as the sole criteria
7 for which this request should be considered and
8 decided by the board.

9 "Thank you for your time. Sincerely, Andrew
10 Russo, Manager of South Beach Road LLC."

11 Now I would like to have the property
12 introduced by their attorney.

13 MR. BOWERMAN: Can you hear me on this mic?

14 Okay, my name is Jeremy Bowerman, attorney
15 for the owner of the property. Also here with
16 us this morning is representative of the owner
17 Andrew Russo and landscape architect Erin Bolin
18 of Cotleur and Hearing.

19 This is an old aerial but it does show, as
20 intended here, the location of the property
21 right across the street from where we're
22 standing now.

23 The property is roughly 1.6 acres, as staff
24 mentioned, in the Town's B-40 zoning district.
25 I think staff did a good job of kind of framing

1 kind of the background and really the nature of
2 what's being requested this morning and also the
3 criteria that's applicable, those being the
4 standards for Impact Review.

5 In a moment I'll have the landscape
6 architect come up and just share the details of
7 the refinements that are requesting board
8 approval to the landscape and the driveway.
9 This slide here does kind of provide an overview
10 of the landscape refinements. And so, as you
11 can see here, most of those updates are to
12 interior plantings, so nonbuffer plantings,
13 really just to achieve a more cohesive aesthetic
14 inside the property between the landscaping and
15 the home. Minor buffer adjustments were made to
16 a few plant locations for proper spacing.
17 Additional plantings were added for additional
18 screening, particularly at higher heights.
19 Again, Ms. Bolin will touch on this in just a
20 moment. Substituted plantings for more salt
21 tolerant plant species given the harsh
22 conditions here. And the importance of, you
23 know, having plant species that can take those
24 harsh elements and survive.

25 All of the refinements result in a buffer

1 with the same or greater overall height, width
2 and density of the IRC-approved buffers,
3 certainly with owner's intent and goal, which
4 has been achieved, of dense screening and
5 maximum privacy both for the resident here and
6 also any neighbors.

7 As confirmed by the Town's arborist, who has
8 fully vetted and looked at all the refinements
9 and has issued a letter in your materials
10 responding to the updates, the updates are
11 consistent with the IRC-approved plan and
12 satisfy all Town requirements. There's no
13 reduction in landscaped area or green space,
14 required green space as well.

15 So now I'd like to just invite the landscape
16 architect to come up and just share kind of more
17 of the details on the landscape refinements.

18 MS. BOLIN: Morning. My name is Erin Bolin.
19 I'm with Cotleur and Hearing. I'm the landscape
20 architect for 7 South Beach.

21 So this is our updated landscape plan that's
22 showing the revisions to landscape as well as
23 the driveway. And I'm going to go through each
24 buffer briefly for you as well.

25 We've highlighted in blue notes here the

1 things that are updated from previous, um,
2 elevation views for this. As we stated, the
3 perimeter buffers are consistent with the
4 approved plan in all of their coverage: Width,
5 height. What you're seeing in here primarily is
6 the change of the interior landscaping for those
7 taller Coconut Palms around the home that are
8 now also adding additional height to the front
9 buffer. We also previously had a Bismarck Palm
10 at the driveway location that has been changed
11 to Coconut Palms.

12 The line of sight from the right-of-way, of
13 course we've maintained the nonvisibility [sic]
14 towards the home from the public right-of-way.
15 Due to the interior driveway change, which moves
16 slightly closer to the house, the Gumbo Limbo
17 Tree was moved west closer to the buffer.

18 Interior changes. There was a double
19 Sylvester Palm that's been changed to Bismarck.
20 That's shown in the center there. And then the
21 interior trees around the home are changed to
22 Coconut Palms.

23 For the north buffer. Um, this really is
24 very consistent with the approved plan. It's
25 mostly full of Sabal Palms and Coconuts, but we

1 did respace [sic] them a little bit differently
2 to achieve consistent density across that side.
3 And then also a material change for species from
4 the Seagrape to the Bismarck with an eye towards
5 the salt tolerance.

6 And the south buffer also largely consistent
7 with the approved plan. The big change here was
8 we originally had Seabreeze Bamboo on the west
9 side of that buffer, which we've changed for the
10 Clusia, Sabal Palms and Coconut Palms with an
11 eye towards maintenance. I know that bamboo can
12 be quite a messy plant. So that change was
13 made. Also in consideration of some of the
14 existing canopy there. There's some larger
15 Seagrape trees that would preclude that
16 additional height of the bamboo.

17 The rear elevation is largely the same as
18 well. We originally had two double Royal Palms
19 in the back. Since this is a single-story home,
20 we've changed that to Bismarck Palms and Fiji
21 Fan Palms, which will have a wider canopy at a
22 slightly lower elevation initially, although
23 Bismarcks do get big, to help break up that roof
24 line from the rear elevation.

25 And then, of course, as we mentioned, the

1 driveway had some refinements. There is no
2 change to the function or traffic flow of the
3 driveway, it's ostensibly the same pattern for
4 design, but it's a more rectilinear look than
5 the previous curved linear.

6 So on the screen -- or in front of you we've
7 got, um, the updated plan. And then an overlay
8 in red here of the approved driveway
9 configuration. Then in beige highlighting the
10 current driveway configuration. You can see
11 we've done the calculations for square footage,
12 it's exactly the same although it is slightly
13 closer to the residence and further from South
14 Beach.

15 (Inaudible) that portion.

16 MR. BOWERMAN: I would just say, the
17 application materials do address each of the
18 standards for Impact Review. Happy to go
19 through those, but otherwise, we're happy to
20 answer any questions that you have.

21 CHAIR HOLDEN: Shall we start from the right
22 today for questions?

23 MS. MADDEN: I did have a couple of
24 questions. It says that the -- you're going to
25 change the driveway material. I just was trying

1 to figure out how you're going to change that
2 and...

3 MR. BOWERMAN: Yeah, so that is one of the
4 refinements that were made, again, in keeping
5 with the intent to just make it consistent and
6 cohesive with the home.

7 CHAIR HOLDEN: I think it's as built now.

8 MR. BOWERMAN: Correct.

9 MS. MADDEN: Oh, okay, you're not changing
10 it from what it is now --

11 MR. BOWERMAN: No, no further changes to it,
12 correct.

13 MS. MADDEN: Okay, thank you.

14 MR. BOWERMAN: Yeah.

15 CHAIR HOLDEN: Any other questions?

16 We can come back to you.

17 MS. MADDEN: Okay, not right now.

18 CHAIR HOLDEN: Eleanor?

19 MS. SEAMAN: Has the -- has any design of
20 the house that has been built changed from the
21 time it was approved by the Impact Review
22 Committee?

23 MR. BOWERMAN: I don't believe so. And then
24 I'm getting confirmation from the owner's
25 representative --

1 MS. SEAMAN: Is the front elevation the same
2 as was approved by the Impact...

3 MR. BOWERMAN: Yes.

4 MS. SEAMAN: Are you planning to sort of
5 cover any of that front ele -- front driveway
6 elevation as you look at the house?

7 MR. BOWERMAN: So we do have, you know, kind
8 of, again, kind of an elevation view rendering
9 just to kind of show you once the trees have
10 matured, as staff points out in their
11 memorandum, kind of roughly what it will look
12 like, right. And that does show full screening
13 of the home. Obviously, there is a portion
14 where, you know, the driveway kind of cuts into
15 the property that you'll have some visibility of
16 the home, but otherwise it's going to provide,
17 you know, full screening of the home. So this
18 is kind of the slide that I'm referring to here,
19 that front elevation. Again --

20 CHAIR HOLDEN: Do you have one that shows --

21 MS. MADDEN: Straight in.

22 CHAIR HOLDEN: -- straight in from the
23 driveway? Or -- and I would be interested how
24 that has changed from what we approved to now.

25 MR. BOWERMAN: Yeah, and that's a great

1 question. So that actually has not changed. So
2 let me just turn to that slide that shows the
3 differences in kind of the slight refinements in
4 the driveway.

5 So you'll see here the beige shows that kind
6 of squared-off look to be consistent with the
7 home's aesthetic. So the driveway here, which
8 is dashed line in red -- I think you can see it
9 on my cursor, maybe not -- but that's exactly
10 the same. So there's been absolutely no change
11 to that kind of portion of the driveway entrance
12 into the property --

13 CHAIR HOLDEN: But there has been a change
14 to the sort of --

15 MR. BOWERMAN: There has been --

16 CHAIR HOLDEN: -- island in the center.

17 MR. BOWERMAN: That's correct. So there has
18 been some updates to that interior landscaping
19 really to -- and, you know, Erin can kind of
20 touch on this -- but, again, with the intent of
21 providing no less screening than what was there
22 before.

23 Erin, do you want to just touch on kind of
24 what's proposed for that? And we can --

25 CHAIR HOLDEN: Can we go back to what we

1 approved? Do we know?

2 I'm sorry, I jumped in.

3 MS. BOLIN: So I do know part of the
4 original approval that we had worked pretty hard
5 on that "S" curve of the front driveway, even
6 though it was sort of a short piece to do that
7 "S" curve. And that in the approved plan there
8 is that island space in front of the trellis
9 pieces for the drop off. So that does still
10 remain. It was an oval before, it's a rectangle
11 now. Previously it had a double Sylvester Palm,
12 which was intended for the canopy to take focus
13 off of the trellis, that's been replaced with
14 two Bismarck Palms. So the canopy should be
15 effectively the same. So from the straight-on
16 view, the "S" curve of the driveway blocks the
17 front of the home. Straight on, of course, you
18 do see some in there, as you would, but the
19 Bismarck Palms are there to help soften that as
20 well as behind it.

21 CHAIR HOLDEN: I would argue they're not
22 hiding the columns.

23 MS. AUTH: And was the change from the
24 rectangular -- the oval to the rectangle, was
25 that part of a previous approval process or was

1 that --

2 MS. BOLIN: That's a request --

3 MS. AUTH: -- approved for a change?

4 MS. BOLIN: -- no.

5 MR. BOWERMAN: That's part of the
6 refinements kind of included with this that the
7 Town's arborist has kind of weighed in on in his
8 letter.

9 MS. AUTH: But you referred to it was
10 previously an oval and now it's rectangular; was
11 that an approval or was that --

12 CHAIR HOLDEN: We're approving it.

13 MR. BOWERMAN: That shown on this original
14 driveway design. Let me just go to that slide.

15 CHAIR HOLDEN: We approved the red line.

16 MR. BOWERMAN: The red line. The oval is
17 not shown here, so that's a good point there.
18 The oval is not shown there, but as Erin states,
19 that was previously oval. The red line is
20 really just showing the outer perimeter of kind
21 of the original driveway but there was a oval
22 cutout where that rectangular cutout is shown
23 now.

24 MS. AUTH: And it was changed when?

25 MR. BOWERMAN: That was changed along

1 with -- the same time that the driveway was
2 squared off. So, um, really as part of these
3 refinements here. So that was all done
4 concurrently.

5 MS. AUTH: But was that part of an approval
6 process is my question.

7 MR. BOWERMAN: So that's what we're getting
8 confirmation on now. Again, I think those
9 changes were implemented with owner's belief
10 that they were consistent with the approved
11 driveway, but, again, I think they communicated
12 with Town staff and with the Town's arborist to
13 kind of, you know, get their take on that as
14 well that it is consistent. And, um...

15 MS. AUTH: But they made the change and they
16 figured they would ask for the approval
17 afterwards?

18 MR. BOWERMAN: Well, again, I think they --
19 they didn't believe that, you know, those
20 changes needed board approval and, um...

21 MR. HOBBS: Can we just get a "yes" or "no"?

22 MR. BOWERMAN: No. So they made the
23 changes, you know, before getting board
24 approval. And that's kind of why we're here
25 today to just come back and get that approval.

1 CHAIR HOLDEN: Nancy, do you have any
2 further questions?

3 MS. AUTH: Well, that was one of my
4 questions.

5 My other question is why has the -- were you
6 finished with your questions?

7 MS. SEAMAN: No.

8 MS. AUTH: Oh, go ahead then.

9 MS. SEAMAN: If that's okay.

10 MS. AUTH: Yeah, no, go ahead.

11 MS. SEAMAN: I think this is part of the
12 discussion, but what was the exact reason given
13 to you for your being denied a certificate of
14 occupancy?

15 MR. BOWERMAN: Yeah, it was that further
16 work was needed -- needed to occur to the
17 landscaping in order to achieve the IRC-approved
18 buffering.

19 And that landscaping has since been put in
20 place and confirmed by the arborist as now
21 meeting and being consistent with the level of
22 screening in the IRC-approved landscape.

23 MS. SEAMAN: And the house as it now stands,
24 currently stands, looking at it today, got full
25 approval from the Impact Review Committee?

1 CHAIR HOLDEN: No.

2 MR. BOWERMAN: So, the house has all
3 approvals from the Town. So, I mean --

4 Andrew, can you speak to are there any
5 changes to the home since the IRC?

6 MR. ANDREW RUSSO: The house and the
7 structure is exactly what was approved by the
8 IRC back in 2022. So no changes to the
9 structure. Everything that's been built has
10 been approved by the IRC and/or permitted by the
11 Town.

12 CHAIR HOLDEN: But the driveway and the
13 landscaping we are here to approve.

14 MR. BOWERMAN: Correct.

15 CHAIR HOLDEN: Eleanor, anything else?

16 MS. SEAMAN: I think it needs to be buffered
17 in the front. I don't know that -- one of the
18 jobs of the Impact Review Committee was to make
19 sure that your impact had no challenge on
20 neighbors in the area. And I'm not sure that
21 this front elevation of this house is in keeping
22 with the neighbors and in the area.

23 MR. BOWERMAN: So, a few points there. I
24 think one point that the landscape architect
25 states is just kind of touching back on the

1 arborist's comment that, you know, it will take
2 some time for the plants in the front and other
3 places to grow up to their kind of full mature
4 height. You know, so that is anticipated,
5 right. I think the arborist makes a comment
6 that, you know, well under the three years that
7 the code gives for maturation, I think in six
8 months or so he anticipates kind of much more
9 substantial height, just as those plants
10 naturally grow.

11 There was also removal of an invasive
12 species, the Norfolk Pine. And that was
13 replaced with alternative, you know, native
14 Sabals, right, plant material.

15 So, you know, and so those are kind of a few
16 points to consider on the point that you raised
17 there.

18 CHAIR HOLDEN: Eleanor, any -- are you done?
19 Nancy?

20 MS. AUTH: Um, well, my -- I was questioning
21 why the property has been denied a CO.

22 And I also would like to know why the house
23 has been completed waiting for a CO, but now
24 you're just coming for landscape approval
25 updates to something that was theoretically

1 previously approved by Impact Review, but it
2 sounds like you didn't comply with what you
3 needed to do with Impact Review. And you've
4 also made a change to the drive structure that
5 was not approved by anybody and now you're
6 coming to ask for approval of that.

7 So I would question why you think that's a
8 legitimate situation.

9 And I'd also question why it takes neighbors
10 to force this issue because that's not what we
11 want to have to do on the island. We don't want
12 to have to be one neighbor going to the neighbor
13 next to us and saying, This is bothering me,
14 you're not complying with your approvals and --

15 CHAIR HOLDEN: There's someone -- when we
16 finish the discussion from the dais, we'll swear
17 you in and you can speak and any other people
18 can speak.

19 And then I apologize to the board
20 alternates, we didn't ask them for comments
21 earlier.

22 So would you answer Mrs. Auth's --

23 MS. AUTH: I have one more question. My
24 other question is what's the point of squaring
25 off the entry? Because to my knowledge -- I

1 wasn't part of Impact Review in the past, but I
2 thought that the island -- the Town really likes
3 to encourage --

4 CHAIR HOLDEN: A blocking of the hazard --

5 MS. AUTH: -- a sight line and a --

6 MR. BOWERMAN: Yeah, indirect, yeah, kind of
7 access.

8 MS. AUTH: Because the problem with squaring
9 it off means the people are going to --
10 trucks --

11 MR. BOWERMAN: Yeah.

12 MS. AUTH: -- and debris people are going to
13 be constantly running over the edges and
14 creating mud tracks --

15 MR. BOWERMAN: Yeah.

16 MS. AUTH: -- and an unsightly situation.

17 MR. BOWERMAN: Got it. Yeah, so a few
18 things. I think, firstly, again, I think it's
19 important to note that the entryway to the
20 property is not changing at all in terms of the
21 shape for the entry. So that is still
22 providing, as you can kind of see here, it does
23 slant in as opposed to coming directly in, so
24 that's not changing at all.

25 The squaring off, as you can kind of get a

1 sense for on this slide, is mostly on the ends,
2 you know, just really I'm counting, you know,
3 one, two, three -- let's say three or four spots
4 on the corners where those were previously
5 rounded. So that, again, doesn't really change
6 the function or the flow at all or the -- you
7 know, any of the functionability [sic] of the
8 driveway itself. It's really just kind of
9 interior on the property and doesn't affect the
10 entrance.

11 MS. AUTH: Are you talking about the end of
12 the driveway turning on to South Beach Road,
13 squaring that off? What are you talking --

14 MR. BOWERMAN: That's all exactly the same.
15 So the only squaring off is showing beige on
16 this slide. If you see the existing driveway
17 outline is shown in beige. So the entryway that
18 you see here that's curved, there's no change
19 proposed to that, that's exactly installed per
20 the outline that was approved by the IRC.

21 CHAIR HOLDEN: Any further questions?
22 Maria?

23 MS. BAYAZID: Yeah, I would like to note
24 that just on the face of it doing work and then
25 coming here for our approval is unacceptable to

1 me.

2 MR. BOWERMAN: Yeah, a few things I would
3 say. I don't think -- you know, this didn't
4 come up -- just to clarify, this didn't really
5 come up with the neighbor. This kind of came up
6 as a result of communications between the owner
7 and staff. And, you know, staff, um, kind of
8 saw that there was some of these field changes
9 that were --

10 MS. BAYAZID: Can I interrupt you? Sorry.

11 MR. BOWERMAN: Sure.

12 MS. BAYAZID: I think it came up because you
13 asked for a CO and you were denied.

14 MR. BOWERMAN: That's right.

15 MS. BAYAZID: So it wasn't that you went to
16 the staff and asked for changes. It came up
17 because you were denied a CO because you did not
18 conform to the approved plans.

19 MR. BOWERMAN: Right.

20 MS. BAYAZID: So let's not sugarcoat it.

21 MR. BOWERMAN: As soon as those issues were
22 kind of raised, you know, the owner promptly
23 reached out to staff and with the Town's
24 landscape consultant to kind of make sure that,
25 again, they were comfortable with all the

1 landscaping. And then they, you know -- all the
2 issues were resolved promptly, but, you know, I
3 think the owner did, you know, acknowledge that
4 certainly in an ideal world they would have, you
5 know, again, had that approved as part of the
6 IRC, but, again, they kind of -- some changes
7 were made in the field, so.

8 MS. BAYAZID: So I realize you're just sent
9 here to defend their actions, I get it. But the
10 broader issue for me is that when driving by the
11 property day or night, it is objectionably
12 exposed. So the lighting at night is intrusive
13 and bright. And I fail to see how the driveway
14 is an "S" curve, I don't see an "S" there, it's
15 pretty straight on, which gives full visibility
16 to the columns, the lighting, the trellis, the
17 entrance and there's zero, really zero buffer.

18 So I don't know if that exactly the way it's
19 laid out in this plan is the way it was
20 approved, but as it stands right now with your
21 refinements, whatever you want to call them, it
22 is far too exposed from -- the impact is far too
23 great from South Beach Road.

24 MR. BOWERMAN: Okay.

25 And, Erin, correct me if I'm wrong, I think

1 the only change from the standpoint of the front
2 buffer --

3 CHAIR HOLDEN: Can you speak into the
4 microphone, please.

5 MR. BOWERMAN: Erin, correct me if I'm
6 wrong, I believe the only change to the front
7 buffer is just kind of adding some height with
8 the palms, right, behind?

9 And then, of course, to this rectangular
10 internal section, right?

11 MS. BOLIN: Yes, correct. The front buffer
12 is as approved by IRC. It was installed prior
13 to the construction of the home as well. And
14 then the only updates as part of the CO issue
15 was noting the Norfolk Island Pine in the front
16 buffer, which was removed and replaced with the
17 Sabal Palm, but the rest of the front buffer is
18 as approved.

19 CHAIR HOLDEN: But the circle island is
20 different.

21 MR. BOWERMAN: Correct, right. And, again,
22 that's kind of more interior not technically
23 part of the buffer, but that's right. That's
24 correct, that is different from the IRC
25 approved.

1 MS. BAYAZID: But that would serve as some
2 buffer for the columns with the bright lights --

3 CHAIR HOLDEN: Yes.

4 MS. BAYAZID: -- of which I think there are
5 eight. I think there are eight lights which
6 are -- it's sort of like a commercial parking
7 lot, I'm sorry to say, but that's how the impact
8 you get on the road.

9 CHAIR HOLDEN: Actually we don't control
10 light on --

11 MS. BAYAZID: But we control buffer.

12 CHAIR HOLDEN: We control buffer but we can
13 ask the Town to look at the lights, um, because
14 the Town controls the lights and the color of
15 the lights which is a big deal.

16 MS. BAYAZID: It's very white. It's not
17 warm.

18 CHAIR HOLDEN: And we could put that as a
19 condition to have the Town look at the lights.

20 MS. AUTH: (Inaudible) self-certify the
21 lighting by their own contractor.

22 CHAIR HOLDEN: Truman?

23 MR. BOWERMAN: If I can just say one thing,
24 Madam Chair, on behalf of the owner. We weren't
25 aware of any kind of concerns or complaints with

1 the lighting, but owner is certainly happy to
2 listen to any and address them in a way that
3 would be, you know, acceptable to the board or
4 the Town staff. So...

5 MR. HOBBS: If the landscaping is not --
6 we're hearing in six months it will improve,
7 but -- this is maybe not for you but just for
8 the audience. If the landscaping is found not
9 to have come in the way we hope it will or if
10 something dies, how does that get enforced down
11 the road?

12 CHAIR HOLDEN: Code compliance would come.

13 MR. HOBBS: Okay.

14 CHAIR HOLDEN: And we could actually make
15 that a condition too.

16 Christina?

17 MS. WHITNEY: I have a question about the
18 curb cuts. And I think --

19 CHAIR HOLDEN: Eleanor.

20 MS. WHITNEY: -- Eleanor said something
21 about, you know, when you pull in, trucks pull
22 in and, you know, they're pulling dirt and
23 everything else -- I mean, you've made the curb
24 cuts smaller. Is that something that we care
25 about or...

1 CHAIR HOLDEN: Actually, the curb cuts. You
2 see the two red lines there?

3 MS. WHITNEY: Yeah.

4 CHAIR HOLDEN: It's exactly the same. It's
5 where you get beyond to the driveway being
6 rectangular versus circular.

7 MS. WHITNEY: I'm asking about the actual
8 curb cuts. There's like triangles that are
9 bigger than the red line.

10 MR. BOWERMAN: Yeah, I think I understand
11 your question.

12 MS. WHITNEY: What is that?

13 MR. BOWERMAN: Yeah, that's a good question.
14 So those are actually sight triangles just
15 showing that there's kind of 15-by-15 per the
16 Town's code of space that's really not
17 landscaped that would block a vehicle or view.
18 So those are just sight triangles for safety.

19 MS. WHITNEY: I also have a question, I
20 guess, for us or for you all. Like, I
21 understand that we might not like the style of
22 this, but is that our -- is that within our
23 purview? I mean, because I think that's a big
24 thing here. And so if it was very traditional,
25 we might not have that.

1 CHAIR HOLDEN: It is our job -- the
2 visibility impact --

3 MS. AUTH: It's a visibility issue.

4 CHAIR HOLDEN: -- on the neighbors, that is
5 our job.

6 MS. SEAMAN: That could be considered impact
7 on the neighbors as well, could it not?

8 CHAIR HOLDEN: Exactly.

9 I have two comments. And I'm going to begin
10 to sound like the previous chair. There's no
11 concrete surround around the AC or the generator
12 and there should be one for sound abatement.
13 And it's very close to the neighbor.

14 MR. BOWERMAN: Okay, that could certainly be
15 added if it's not there. So owner is happy
16 with, you know, if you do decide to approve a
17 condition of approval would be acceptable
18 certainly --

19 CHAIR HOLDEN: And I also feel really
20 strongly to reiterate that it is way too visible
21 from the road. And I would argue that the new
22 palms are not centered on the columns. They're
23 inside the columns and they're two small
24 Podocarpus that are little and they're not going
25 to grow up. So I would like as one of the

1 conditions to have that island reorganized so
2 that the columns are much less visible.

3 MR. BOWERMAN: Okay. Owner is happy to
4 accommodate that.

5 CHAIR HOLDEN: Now I'd like to ask, which I
6 forgot to do last time: Do the alternates have
7 any questions?

8 Christina, you want to take the mic?

9 I apologize, last time -- we can't go back
10 retroactively.

11 MS. GIDWITZ: I guess perhaps we're not
12 addressing what I think should be addressed and
13 that's that we're missing the point, or in my
14 opinion we're missing the point. These people,
15 they never asked permission to change the
16 rules -- to change the landscaping, to change
17 the driveway, whatever. They just went ahead
18 and did it without asking approval. So...

19 CHAIR HOLDEN: To comment on that in
20 relationship to what I've heard from the
21 building director is the supervision of this
22 site was done in a different manner than it
23 normally is. They had their own site supervisor
24 with the Town coming in only on specific
25 approval times. So the Town was in and out of

1 this property less. This is perfectly legal but
2 it clearly is a problem and maybe something that
3 the LDRs or the building department should
4 correct for the future.

5 Walter, do you have any comments?

6 Okay.

7 Any comments from the audience? Let's swear
8 you in and you'll have to stand up and be sworn
9 in.

10 One second, the Town Clerk will swear you
11 in.

12 TOWN CLERK: Could you please state your
13 name at the podium.

14 MS. MILLA RUSSO: My name is Milla Russo and
15 I'm speaking on behalf of the buyers if that's
16 okay. They're very lovely. The lady is
17 76 years old --

18 CHAIR HOLDEN: Wait, wait, you do have to be
19 sworn in.

20 TOWN CLERK: Could you please raise your
21 right hand.

22 Do you swear or affirm the testimony you're
23 about to give will be the truth, the whole truth
24 and nothing but the truth?

25 MS. MILLA RUSSO: (Inaudible.)

1 TOWN CLERK: Thank you.

2 MS. MILLA RUSSO: Good evening [sic], ladies
3 and gentlemen. I'm sorry, I'm a little shaken.
4 I'm calling [sic] because I represent a really,
5 really nice lady. She's 76 years old. She's
6 been trying to buy this house for three months.
7 And she absolutely loves the architecture and
8 everything. It was designed by Affinity. And,
9 um, I want to show you a picture of her.

10 (Approaches dais.)

11 CHAIR HOLDEN: I'm sorry, we don't need to
12 see --

13 MS. AUTH: That's irrelevant.

14 CHAIR HOLDEN: Or her age.

15 MS. MILLA RUSSO: In any case, she's about
16 to have a surgery. And she's buying a one-story
17 home.

18 Anyway, the Town's -- or Catherine and the
19 arborist have approved and they have said that
20 these plans are really great. And we can walk
21 across the street, it's right there. Um, it's
22 amazing. And I just don't understand that the
23 communication of what it was. Um, these people
24 really want to get in, they're wonderful. And I
25 think we should go take a look at how the house

1 is --

2 CHAIR HOLDEN: I think --

3 MS. MILLA RUSSO: And the builder, the
4 builder is willing to do whatever it is that you
5 want.

6 CHAIR HOLDEN: Okay. I think all of us have
7 visited the property. And we will take that
8 into consideration.

9 MS. MILLA RUSSO: Please do. Um, thank you
10 very much.

11 CHAIR HOLDEN: Anyone else want to speak?
12 Go ahead, Anne. You need to be sworn in
13 too, I guess.

14 VOICE: I think she already was.

15 TOWN CLERK: At the beginning.

16 ANNE SCOTT: So, again, I'm Anne Scott. And
17 I had a presentation or kind of an outline of
18 what I wanted to say to you, but it's probably
19 sort of redundant at this point. And I wished
20 it was more polished anyway, but what I want to
21 say to you is both specific and broad in its
22 application.

23 I come here today -- and I am going to be
24 very careful, Chairman, not to abuse your time.
25 And let me know if I get too close to this

1 microphone because I don't want to abuse your
2 ears either and it tends...

3 CHAIR HOLDEN: You have five minutes, Anne.

4 ANNE SCOTT: Sure. I come here today
5 without rancor, without anger, but just concern.
6 Concern that our Land Development Regulations
7 are being increasingly treated as guidelines.
8 And it is the rigorous application and
9 enforcement of our LDRs that has made us what we
10 are today. We never were a speculator's
11 paradise. (Inaudible) become one. (Inaudible)
12 anything about that. I'm not balmy enough to
13 think I can stop development on the property
14 next to me. But I can expect them to follow the
15 rules. And as a property owner I have rights
16 too. And our LDRs govern my property rights and
17 theirs. So if they violate the LDRs, they're
18 violating my property rights and yours.

19 So I'm here today to urge you: Rigorously
20 apply our LDRs, do not ratify a violation, do
21 not give permission after the fact for building
22 that was not permitted as built. It's not about
23 the buyer. This is about our LDRs. Are they
24 guidelines or are they rules? And if they are
25 not applied rigorously, then they are nothing

1 but guidelines, we have no bright lines and we
2 need them now more than ever.

3 Thank you.

4 CHAIR HOLDEN: Thank you.

5 MR. BOWERMAN: If I may respond briefly. We
6 think staff has done a good job. And we think
7 that had there been any blatant violations of
8 the LDRs or intentional not following the plans,
9 we think Town staff would have correctly
10 initiated code enforcement; that process has not
11 occurred. And so, again, as outlined in the
12 letter and I don't want to spend too much time
13 in this because it is outlined in our response
14 to the letter of objection, but that's the
15 appropriate avenue to deal with violations of
16 process, right. We think today before you is a
17 simple question, as staff has framed it
18 correctly, of do these minor refinements satisfy
19 Impact Review Standards and, i.e., are they
20 consistent with what the IRC approved and which,
21 again, the Town arborist and the landscape
22 architect of record both have confirmed.

23 Thank you.

24 MR. ANDREW RUSSO: If I may say a couple of
25 things. We have, I believe, done a very good

1 job in this. And we have communicated very well
2 with the staff throughout this whole process,
3 whether with April and Jill, Meghan and Amy.
4 We've been transparent. We've been -- we have
5 communicated well.

6 If there's ever an issue, we address it
7 right away.

8 As far as not looking for approval
9 retroactively -- and perhaps it's my mistake and
10 it's certainly not something I intentionally
11 did, but we didn't think -- the fact that it was
12 within the guidelines and the fact that even
13 Brian Fischer says this meets the IRC, it would
14 meet the code, we didn't realize it would need
15 another approval. Had we known that, we would
16 have certainly done it sooner and not waited
17 until the January 8th IRC -- BDR [sic] meeting,
18 rather do it earlier.

19 So, these changes were -- didn't in my
20 opinion need to come in front of the board.
21 That's why we're here now, so I apologize for
22 having to do this and doing it now rather than
23 in the past. But it was not something we were
24 trying to sneak by anybody, certainly to the
25 contrary, because we met -- when we met Brian

1 Fischer out there he even said that these meet
2 all of the IRC approvals, the buffers are, for
3 all intents and purposes, the same as they were
4 approved, the only difference is on the south
5 border rather than having the bamboo we have
6 Clusia and Sabal Palm, which is better for the
7 salt, less messier and I would argue bamboo is a
8 little bit invasive anyway, but -- and we also
9 got rid of an invasive that was not on the
10 original IRC approval that we did to accommodate
11 and we didn't realize they were invasive and
12 they -- so that was something we did above and
13 beyond. And we're happy to do all that and
14 we're happy to make these changes as well.
15 We're not here to ask for app -- again, even go
16 back to the beginning, we did not ask for a
17 two-story home. We did not ask for a high --

18 CHAIR HOLDEN: That's all right, Mr. Russo.

19 MR. ANDREW RUSSO: All right. Anyway, we've
20 been good stewards and we've done everything in
21 our power to make the Town happy and to build
22 a -- what we believe is a beautiful home. If
23 the lights are too bright, we can dim them or
24 take them out. If there's an issue with the
25 border of the generator and/or the ACs, we'll

1 buff [sic] it, we'll make it stronger. But the
2 house that is built was the house that was
3 approved back in 2022.

4 And I appreciate your time today. Thank you
5 very much.

6 MS. AUTH: May I just make one comment?

7 CHAIR HOLDEN: Sure.

8 MS. AUTH: You noted that the staff has done
9 a great job. I think they did the best job they
10 could given their lack of ability to have
11 oversight on the project because (inaudible)
12 people to --

13 CHAIR HOLDEN: To the Town approvals almost.

14 MS. AUTH: -- to get approvals along the way
15 and they could only come in at certain points
16 and give site visits and limited approvals. And
17 I would disagree with your comment that you've
18 communicated well. Because it's not good
19 communication doing work that you don't know is
20 legitimate and then coming for approval
21 afterwards. So I'd just like to comment on
22 that.

23 MR. ANDREW RUSSO: There's never been a time
24 where we did not have welcome staff or anybody
25 on site. They're always welcome on site and

1 even to this day. I guess we agree to disagree,
2 you can speak with Amy, you can speak with
3 Meghan, you can speak with Jill or April, we've
4 always been in good communication with them in
5 my opinion.

6 CHAIR HOLDEN: All right.

7 Amy, do you have any comments?

8 (Inaudible.)

9 CHAIR HOLDEN: Okay. I am going to read
10 standards for approval.

11 And I actually am not going to read the
12 standards for approval. I think we all know the
13 standards for approval. And I think we only
14 need to read the standards of approval for
15 variances and not for approval of the impact; if
16 everybody agrees. I think people are tired of
17 hearing my voice --

18 MS. AUTH: (Inaudible.)

19 CHAIR HOLDEN: No, they're not doing a
20 variance.

21 MS. AUTH: So you don't have to read that.

22 CHAIR HOLDEN: Okay. Could we talk about
23 what conditions we think we're considering for
24 this?

25 Jennifer? I'm sorry to count on you so

1 much.

2 MS. MADDEN: So it's just Section 2.02, the
3 Standard for Impact Review that we need to
4 consider.

5 CHAIR HOLDEN: Right. Right.

6 I'd like to have the cement surrounding --

7 MS. MADDEN: Oh, you want me to do the
8 motion?

9 CHAIR HOLDEN: The conditions to the motion.

10 MS. MADDEN: Okay. Okay. So our motion
11 would be to approve, based on the testimony
12 presented and the plans submitted,
13 the application --

14 CHAIR HOLDEN: Talk about conditions.

15 MS. AUTH: Conditions, not a motion, just
16 the conditions.

17 MS. MADDEN: You want to talk about the
18 conditions first?

19 CHAIR HOLDEN: Yes.

20 MS. MADDEN: Okay.

21 CHAIR HOLDEN: Sorry if I wasn't clear.

22 MS. MADDEN: So we are saying that we need
23 additional buffering to the entrance. The
24 entrance is too exposed, we need additional
25 buffering there on South Beach Road side. We

1 would like to also addition --

2 CHAIR HOLDEN: Are we in agreement on that
3 or is it the interior buffering that we're --

4 MS. MADDEN: I was getting to that next.

5 CHAIR HOLDEN: All right.

6 MS. MADDEN: So, and then additionally to
7 add buffer to the interior circle and make the
8 columns less visible.

9 We'd like the Town to review the lighting.

10 We'd like to have someone come back in six
11 months and confirm compliance that the buffer
12 has grown in.

13 And we'd like the concrete surround around
14 the HVAC for sound.

15 CHAIR HOLDEN: I think that's it.

16 Now we'll do the motions.

17 MS. MADDEN: Do we need more discussion?

18 MS. BAYAZID: I would like the conditions to
19 be either more specific or more, um, more...

20 CHAIR HOLDEN: Teeth?

21 MS. BAYAZID: Yeah, because I don't want --
22 I don't think that -- I think the impact is far
23 too great from South Beach Road. The columns
24 and the lights. So either remove them, take the
25 lights away or you'd have to install

1 significantly more landscaping to lessen the
2 impact of what exists today from South Beach
3 Road. And giving it six months and then we have
4 to follow up and we have to check and then you
5 get to redo it and then you get another six
6 months to make that work I think is unfair for
7 the neighborhood, for you to get to lessen the
8 impact. I think the impact is far too great as
9 it exists right now.

10 CHAIR HOLDEN: Okay.

11 MS. WHITNEY: Can we also be specific about
12 lighting color? I mean, if we're asking for
13 warmer versus cooler light.

14 CHAIR HOLDEN: Yes, well, that's actually
15 part of the code.

16 MS. WHITNEY: That might be helpful.

17 CHAIR HOLDEN: That is part of the code.

18 MS. WHITNEY: It's an actual change they can
19 do.

20 CHAIR HOLDEN: Yeah, yeah, that's part of
21 the code.

22 MS. AUTH: What bothers me is there are no
23 consequences for doing and then coming and
24 asking.

25 CHAIR HOLDEN: I know. I was thinking of --

1 MS. AUTH: No consequences whatsoever.

2 MS. BAYAZID: We can just deny it.

3 (Indiscernible due to crosstalk.)

4 MS. AUTH: How can we approve something that
5 was done in spite of the regulations? And I
6 completely agree with Anne in terms of the fact
7 that the LDRs are therefore only suggestions and
8 not things to be followed. And it's critical
9 that you follow the LDRs and these (inaudible).

10 CHAIR HOLDEN: I mean, quite frankly, I
11 don't know that it's enough of a penalty to have
12 to come before us to get approval.

13 MS. BAYAZID: Oh, we're pretty tough.

14 MR. HOBBS: Some may disagree.

15 (Laughter.)

16 CHAIR HOLDEN: You do?

17 MR. HOBBS: No.

18 CHAIR HOLDEN: Well, let's go ahead and put
19 a motion on the floor.

20 MS. MADDEN: Okay.

21 MS. AUTH: Well, I have a question. If we
22 don't approve, for example, the squaring off of
23 the previously (inaudible), does that mean that
24 it's undone?

25 CHAIR HOLDEN: Well, if we don't approve it,

1 they have to come back to us with something they
2 think we'll approve. And they don't get a CO.

3 Any other comments?

4 Am I accurate?

5 Neil -- Kyle?

6 ATTORNEY TEAL: That's correct. I think if
7 you were to deny the retroactive permit
8 application that's before you today, it would
9 be -- you know, the board is instructing code
10 compliance to find them in violation of the LDRs
11 and to tear up the driveway or something like
12 that. If they were to come back with the same
13 plans and they're found to be in compliance with
14 the code, you know, it would be a new
15 application.

16 CHAIR HOLDEN: Okay.

17 ATTORNEY TEAL: So your options are to
18 approve the retroactive application if you think
19 that the plans are consistent with the LDRs now
20 or to find them inconsistent and direct code
21 compliance to take enforcement measures.

22 CHAIR HOLDEN: Okay.

23 MR. BOWERMAN: Yeah, and I think that's
24 consistent with my understanding would be that
25 they'd have to, yeah, exactly remove kind of the

1 corners and go to what the IRC has approved,
2 which we don't see any kind of purpose that
3 would serve. I would just note too it's not
4 like there's been no ramifications, I mean, the
5 CO has been held up, a lot of expense. You
6 know, we weren't involved initially. We had to
7 become involved. So, again, owner has
8 acknowledged some mistakes and, again, I think
9 there has been some costs certainly as well, so.

10 CHAIR HOLDEN: Okay. So let's do the vote
11 to approve first with code compliance following
12 up with the conditions. And if that doesn't
13 pass, then we'll take another -- well, then we
14 voted it down, period.

15 ATTORNEY TEAL: Someone can make a motion to
16 either approve or deny the application or to
17 approve with the four conditions that were
18 mentioned earlier: The lighting, the
19 landscaping inspection within six months -- just
20 for clarity -- and to add additional buffering,
21 landscape buffering.

22 MS. AUTH: And concrete around the
23 utilities.

24 CHAIR HOLDEN: Yeah, concrete around the...

25 ATTORNEY TEAL: Concrete around the air

1 conditioning as well.

2 CHAIR HOLDEN: And generator, it's a
3 whole -- the pool heater, it's a whole utility
4 area.

5 Okay.

6 MS. WHITNEY: I'm sorry. But if we don't
7 approve it and if they change those things -- in
8 order to change those things, do we have to
9 approve something? Or can we ask them to change
10 those things and then come back without us
11 approving any of it?

12 CHAIR HOLDEN: Say that again.

13 MS. AUTH: They would have to come back for
14 another approval.

15 ATTORNEY TEAL: I couldn't hear the
16 question.

17 CHAIR HOLDEN: Kyle, do you understand?

18 ATTORNEY TEAL: I couldn't hear the
19 question. I'm sorry.

20 MS. WHITNEY: I'm wondering if we can ask
21 them to go back and fix what they didn't ask
22 approval for and the other things that you've
23 just mentioned before we approve -- what are we
24 approving? Before we approve the things they
25 already changed that are not in compliance?

1 CHAIR HOLDEN: Well, it's all in compliance
2 according to the building department and
3 Mr. Russo and the attorney.

4 MS. WHITNEY: It's not --

5 CHAIR HOLDEN: Well, they're not in
6 compliance -- the way it is built it is in
7 compliance. It is not in compliance because
8 they did it without our approval.

9 MR. HOBBS: They changed the landscaping is
10 why they were denied the certificate.

11 CHAIR HOLDEN: Well, and the driveway
12 majorly [sic].

13 MR. HOBBS: And as I understand it now, they
14 are in compliance.

15 CHAIR HOLDEN: Right. Right.

16 MR. HOBBS: The driveway is the driveway.
17 But are we really going to ask them to rip it
18 up? I mean, it's an interior driveway. It
19 doesn't bother anybody. You know, nobody is
20 going to see it unless you're invited to the
21 house.

22 CHAIR HOLDEN: Right.

23 MR. HOBBS: I mean, we're all frustrated
24 that procedures weren't followed, but at the
25 same time, I mean, you know, just seems to me

1 we're just -- you're going to create more
2 problems in the neighborhood if you ask them to
3 come in and start ripping up that driveway.
4 You're going to bother the neighbors more than
5 if you leave it alone.

6 CHAIR HOLDEN: Right.

7 MR. HOBBS: And the landscaping needs to be
8 improved some more and...

9 CHAIR HOLDEN: The lighting. Okay.

10 MR. HOBBS: We can't take them out and shoot
11 them, so...

12 CHAIR HOLDEN: Oh, I don't know, Truman.

13 (Laughter.)

14 MS. BAYAZID: Can we say we'll overlook the
15 driveway, but before we'll approve they have to
16 make substantial changes and then come back for
17 approval?

18 MR. HOBBS: To the landscaping.

19 MS. BAYAZID: To the landscaping. The
20 driveway, okay, it's done and it really has
21 little impact, as you said, on the neighbors or
22 the view or --

23 CHAIR HOLDEN: Maria, we have approved
24 land -- approved projects with the understanding
25 that the owner would work with staff to

1 implement what we want.

2 MS. BAYAZID: But we've also denied things
3 and said, You have to make these changes and
4 then come back.

5 CHAIR HOLDEN: Okay.

6 MR. BOWERMAN: I would just echo kind of the
7 comment of Madam Chair. Again, we think staff
8 is the appropriate, you know, kind of level of
9 coordination there. Happy to do that, owner is
10 happy to coordinate and make sure those
11 conditions are satisfied.

12 MS. BAYAZID: I'm not sure that's worked in
13 the past actually.

14 CHAIR HOLDEN: Well, it's because of the
15 mode of approval, supervision of the project.

16 MS. BAYAZID: Right.

17 MR. ANDREW RUSSO: May I say something?

18 CHAIR HOLDEN: Sure.

19 MR. ANDREW RUSSO: The private provider,
20 which is fairly standard now with most
21 constructions in general --

22 CHAIR HOLDEN: -- on the island.

23 MR. ANDREW RUSSO: Okay. Going forward
24 beyond this, it wouldn't be a private provider
25 involved, so you can certainly reach out to me.

1 And if Amy would like to speak she can, but we
2 are very responsive when they call or we call
3 them. So anything beyond, you know, as far as
4 compliance go, I'm very accessible. I'm not
5 going anywhere. I live in Jupiter. And I will
6 make sure everything is done the way it's
7 supposed to be done.

8 I do communicate and we have communicated
9 and we will continue to communicate well with
10 the staff from this point forth and beyond. And
11 we will comply with the things we say we're
12 going to comply with. If you ultimately do
13 decide to approve this with these conditions,
14 these conditions weren't approved in the
15 original IRC, so we will have more things, more
16 approvals, more things that help with the buffer
17 or with lighting that wouldn't have already
18 been -- wouldn't have been able to be a part of
19 the conditions. So by doing this you're
20 actually getting more things for us to do and
21 we're happy to do them as part of the approval.

22 CHAIR HOLDEN: Thank you, Mr. Russo.

23 Let's put a motion on the floor and see how
24 it goes.

25 MS. MADDEN: Okay.

1 CHAIR HOLDEN: Thank you, Jennifer, for
2 being on the job.

3 MS. MADDEN: I make a motion, based on the
4 testimony presented and the plans submitted,
5 that the application meets the standards set out
6 in Article X, Division II, Section 2.02 with the
7 following conditions:

8 The applicant needs to add substantial
9 additional buffering to the front of the house
10 in the entrance to completely block off the view
11 of the house from South Beach Road.

12 Two. To add additional buffering to
13 interior circle so that the columns are less
14 visible.

15 Three. We are requesting that the Town
16 review the lighting to ask for softer lighting
17 in front.

18 Four. We would ask that the compliance
19 person from the Town confirm in six months that
20 the buffer is sufficient.

21 And five. We would ask that the -- there be
22 a concrete surround around the HVAC and the
23 generator to make sure that the sound is
24 buffered.

25 CHAIR HOLDEN: I have one question and I'm

1 assuming the CFO [sic] wouldn't be given until
2 these are met.

3 MS. AUTH: No. (Inaudible.)

4 CHAIR HOLDEN: Let's add a sixth condition,
5 which is a certificate of occupancy would not be
6 given until all of these conditions have been
7 met except for the revisit in six months.

8 MS. MADDEN: And six, that the certificate
9 of occupancy not be granted until these
10 requirements have been met.

11 MS. WHITNEY: Again, just, if they don't
12 want to wait six months to get the CO, would
13 they have the option of replacing the plants
14 with larger plants?

15 MS. AUTH: It's not saying they have to wait
16 six months for the CO. The revisit for the code
17 compliance person is in six months. So she's
18 excluding that in the motion from the
19 conditions. The other conditions would have to
20 be met. They can do it tomorrow if they can get
21 it completed.

22 MS. MADDEN: Right. Right. I guess we
23 should make that clear that the
24 six-month-compliance look back does not prevent
25 the CO as long as the other conditions have been

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met.

CHAIR HOLDEN: All in favor? Oh, second.

MR. HOBBS: Second.

CHAIR HOLDEN: All in favor?

MS. WHITNEY: Aye.

MR. HOBBS: Aye.

MS. MADDEN: Aye.

CHAIR HOLDEN: Any nays?

MS. BAYAZID: Nay.

MS. AUTH: Nay.

MS. SEAMAN: Nay. Or abstain. Can one
abstain?

CHAIR HOLDEN: You can do either.

MS. SEAMAN: Nay.

CHAIR HOLDEN: So we have three nays and
four in favors if I vote to do the tie.

All right. Any other agenda items?

* * * * *


1 REPORTER'S CERTIFICATE

2
3 STATE OF FLORIDA
4 COUNTY OF PALM BEACH
5

6 I, TRACEY S. LOCASTRO, RPR, FPR, certify
7 that I was authorized to and did stenographically
8 report the foregoing excerpt of proceedings; and that
9 the foregoing transcript is a true record of my
10 stenographic notes.
11

12 I FURTHER CERTIFY that I am not a relative,
13 employee, attorney, or counsel of any of the parties,
14 nor am I a relative or employee of any of the parties'
15 attorney or counsel connected with the action, nor am I
16 financially interested in the action.
17

18 Dated this 5th day of February, 2026, at
19 Palm Beach County, Florida.
20

21
22 
23 _____

24 TRACEY S. LOCASTRO, RPR, FPR
25

EXHIBIT 7



**HONORABLE
RUTH PIETRUSZEWSKI, CFC**

MARTIN COUNTY TAX COLLECTOR
3485 SE WILLOUGHBY BLVD
STUART, FL 34994

Property Address 7 SOUTH BEACH RD
Legal Description LOT 2, BELLA AL MARE (PB 19 PG 28)

REAL ESTATE

2025 MARTIN COUNTY
Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

7 SOUTH BEACH LLC
616 SE DIXIE HWY
STUART, FL 34994

PARCEL ID: 35-38-42-057-000-00020.00000
ALTERNATE ID: 1125976
ESCROW CODE:



SCAN TO VIEW YOUR
BILL ONLINE!

If Paid By Please Pay	Nov 30, 2025	Dec 31, 2025	Jan 31, 2026	Feb 28, 2026	Mar 31, 2026
	\$135,658.44	\$137,071.54	\$138,484.65	\$139,897.76	\$141,310.87

Ad Valorem Assessments							
Taxing Authority	Telephone	Millage	Assessed Value	Exemption	Taxable Value	Tax Amount	
JUPITER ISLAND-AD VAL-OP	772-545-0100	2.8259	8,608,908	0	8,608,908	24,327.91	
JUPITER ISLAND-EROSION	772-545-0100	0.9593	8,608,908	0	8,608,908	8,258.53	
JUPITER ISL-DEBT SERVICE	772-545-0100	0.2100	8,608,908	0	8,608,908	1,807.87	
SCHOOL-GENERAL FUND	772-219-1200 ext 30273	3.0540	8,712,000	0	8,712,000	26,606.45	
SCHOOL CAPITAL OUTLAY	772-219-1200 ext 30273	0.9500	8,712,000	0	8,712,000	8,276.40	
SCHOOL - DISCRETIONARY	772-219-1200 ext 30273	0.7480	8,712,000	0	8,712,000	6,516.58	
SCHOOL ADDTNL VOTER MIL	772-219-1200 ext 30273	0.4250	8,712,000	0	8,712,000	3,702.60	
CHILDRENS SERVICES ORDNCs	772-288-5758	0.3618	8,608,908	0	8,608,908	3,114.70	
FL-INLAND NAVIGATION DIST	561-627-3386	0.0270	8,608,908	0	8,608,908	232.44	
S. FLA WTR MGMT	561-686-8800	0.2301	8,608,908	0	8,608,908	1,980.90	
COUNTY-GENERAL FUND-OP	772-463-2868	6.5614	8,608,908	0	8,608,908	56,486.49	
MILLAGE CODE 4300	TOTAL MILLAGE	16.3525	TOTAL AD VALOREM TAXES		\$141,310.87		

Non Ad Valorem Assessments			
Levying Authority	Telephone	Rate (\$ per unit)	Tax Amount
TOTAL NON AD VALOREM TAXES			\$0.00
Exemptions			TOTAL \$141,310.87

*SEE REVERSE SIDE FOR INSTRUCTIONS PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT
OR PAY CURRENT TAXES ONLINE AT [HTTP://MARTINTAXCOLLECTOR.COM](http://MARTINTAXCOLLECTOR.COM)

2025

Make checks payable to: Ruth Pietruszewski, Tax Collector

Mail payments to: 3485 SE Willoughby Blvd Stuart, FL 34994 (772) 288-5600

CANADIAN CHECKS MUST BE PAYABLE IN U.S. FUNDS & DRAWN ON A U.S. BANK **DO NOT SEND CASH**

PARCEL ID: 35-38-42-057-000-00020.00000
ALTERNATE ID: 1125976

ESCROW CODE:

7 SOUTH BEACH LLC
616 SE DIXIE HWY
STUART, FL 34994

Please check one box. Current taxes are processed by the month they are postmarked. Delinquent taxes are processed by the date they are received.

<input type="checkbox"/>	Nov 30, 2025	\$135,658.44
<input type="checkbox"/>	Dec 31, 2025	\$137,071.54
<input type="checkbox"/>	Jan 31, 2026	\$138,484.65
<input type="checkbox"/>	Feb 28, 2026	\$139,897.76
<input type="checkbox"/>	Mar 31, 2026	\$141,310.87

TAXES BECOME DELINQUENT APRIL 1 - ADD 3% PLUS FEES

Notice: If taxes on your property are not paid in full, a tax certificate will be sold for the delinquent taxes.





Recorded in Martin County, FL 5/13/2021 1:14 PM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: \$27.00 Deed Tax: \$72,100.00
CFN#2888563 BK 3224 PG 606 PAGE 1 of 3

Prepared by and return to:
Brittney Muleucis
Legal Assistant
Law Office of Rick Kozell
616 SE Dixie Hwy.
Stuart, FL 34994
772-287-3100
File Number: 21-98
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 13th day of May, 2021 between Nancy R. Cavanaugh, a married woman, individually and as Co-Trustee of the Patricia A. Reighley Trust dated February 17, 1998, and as Co-Trustee of the H. Ward Reighley Trust dated February 17, 1998, joined by William F. Reighley, a married man, individually, and as Co-Trustee of the Patricia A. Reighley Trust dated February 17, 1998, and as Co-Trustee of the H. Ward Reighley Trust dated February 17, 1998, whose post office address is 11882 SE Laurel Lane, Hobe Sound, FL 33455, grantor, and 7 South Beach LLC, a Florida limited liability company, whose post office address is 616 SE Dixie Hwy, Stuart, FL 34994, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida to-wit:

Lot 198, less the North 123 feet thereof, all Lots 199, 200 and 201, and the North 35 feet of Lot 202, Block 84, ISLAND BEACH REVISED PLAT #2, according to the plat thereof recorded in Plat Book 2, Page 44, Martin County, Florida, Public Records.

Parcel Identification Number: 35384200908401981400

Nancy R. Cavanaugh warrants that the subject property is not her Homestead or the Homestead of her spouse within the meaning set forth in the Constitution of the State of Florida. The Homestead of Nancy R. Cavanaugh and her spouse is 11882 SE Laurel Lane, Hobe Sound, FL 33455. William F. Reighley warrants that the subject property is not his Homestead or the Homestead of his spouse within the meaning set forth in the Constitution of the State of Florida. The Homestead of William F. Reighley and his spouse is 3355 North Savannah Place, Vero Beach, FL 32963.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2020.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTime®

Signed, sealed and delivered in our presence:

[Handwritten Signature]
Witness Name: *[Handwritten Name]*

Witness Name: *Heather Castellano*

Nancy R. Cavanaugh
Nancy R. Cavanaugh, individually and as Co-Trustee of the Patricia A. Reighley Trust dated February 17, 1998, and as Co-Trustee of the H. Ward Reighley Trust dated February 17, 1998

Debra Becke
Witness Name: *Debra Becke*

Witness Name: *Sony L. Castagnoli*

Tonya L. Castagnoli

William F. Reighley
William F. Reighley, individually and as Co-Trustee of the Patricia A. Reighley Trust dated February 17, 1998, and as Co-Trustee of the H. Ward Reighley Trust dated February 17, 1998

State of Florida
County of Martin

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 27 day of May, 2021 by Nancy R. Cavanaugh, who is personally known or has produced a divorce license as identification.

[Notary Seal]



Notary Public

Printed Name:

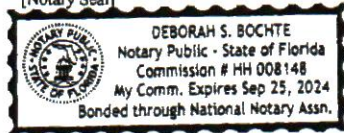
My Commission Expires:

Heather Castellanos
Heather Castellanos
4/20/25

State of Florida
County of Martin

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 27 day of May, 2021 by William F. Reighley, who is personally known or has produced a _____ as identification.

[Notary Seal]

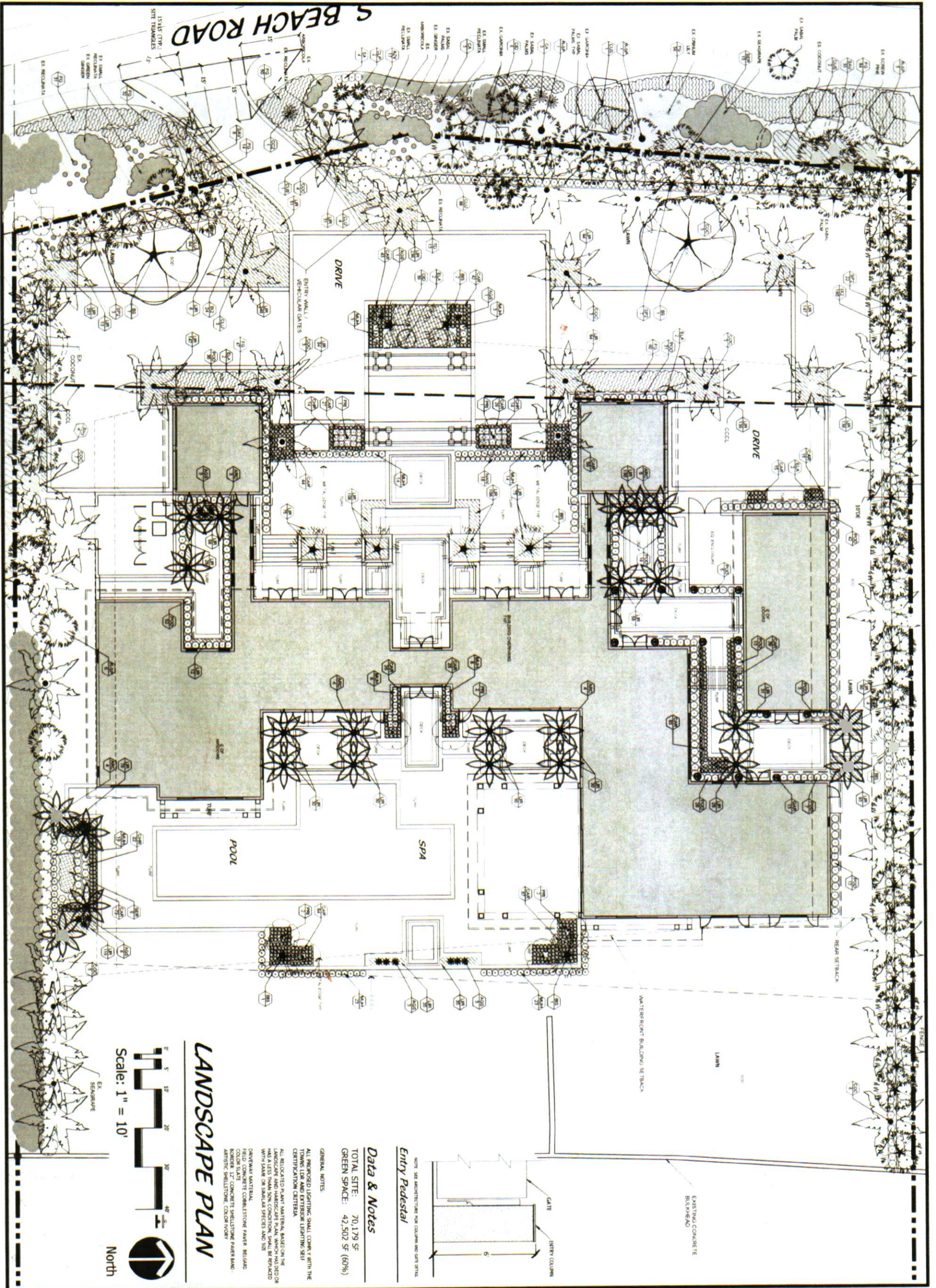


Notary Public

Printed Name:

My Commission Expires:

Deborah S. Bochte
Deborah S. Bochte
9/25/24



LANDSCAPE PLAN

Scale: 1" = 10'

SEASCAPE

North

Data & Notes

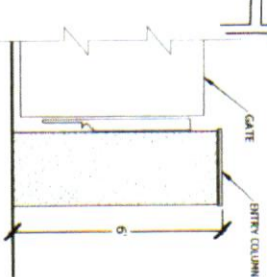
TOTAL SITE: 70,179 SF
GREEN SPACE: 42,502 SF (60%)

GENERAL NOTES

- ALL PROPOSED LIGHTING SHALL COME WITH THE TYPING L&S AND EXTERIOR LIGHTING SOLUTION CERTIFICATION CENTER.
- ALL RELOCATED PLANT MATERIAL BASED ON THE ANALYSIS SHALL BE REPLACED WITH SIMILAR SPECIES AND SIZE.
- PERMANENT MATERIALS SHALL BE CONCRETE, BRICK, STONE, OR METAL.
- PERMANENT MATERIALS SHALL BE CONCRETE, BRICK, STONE, OR METAL.
- PERMANENT MATERIALS SHALL BE CONCRETE, BRICK, STONE, OR METAL.

Entry Pedestal

NOTE: SEE ARCHITECTURE FOR COLUMN AND GATE DETAIL.



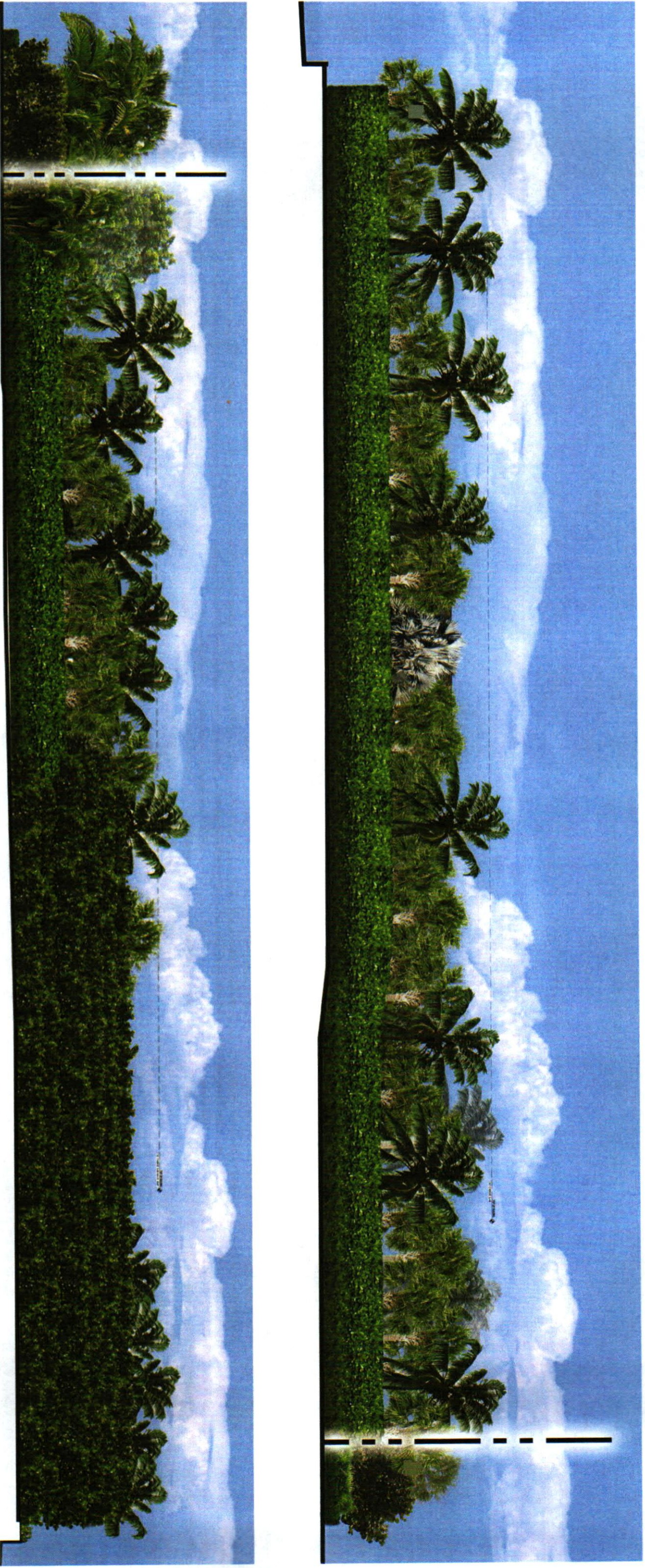
7 S. Beach Lot 2
Hobe Sound, Florida

Cottleur & Hearing
Landscape Architects
Land Planners
Environmental Consultants
1934 Commerce Lane
Suite 1
Jupiter, Florida 33456
901.741.6538 Fax: 741.1377
www.cottleurhearing.com
Lic# LC-26000535

DESIGNED: EB
DRAWN: EB
APPROVED: EB
DATE: 12-15-21
REVISIONS: 02-28-22
AS BUILT 12-18-2022
AS BUILT 12-18-2022

SHEET **1** OF **2**

7 SOUTH BEACH - LOT 2
Jupiter Island, Florida



NORTH AND SOUTH ELEVATION

7 SOUTH BEACH - LOT 2

Jupiter Island, Florida



BUFFER ELEVATION & LINE OF SITE BUFFER SECTION

7 SOUTH BEACH - LOT 2
Jupiter Island, Florida



REAR ELEVATION

7 SOUTH BEACH LLC RESPONSE
TO ANNE SCOTT APPEAL TO TOWN COMMISSION

Appellant: Anne Scott
 Applicant: 7 South Beach LLC
 Counsel for Applicant: Jeck Harris
 Property: 7 S. Beach Road

I. Introduction.

Applicant files this response in support of the January 8, 2026 Development Review Board’s (“Board”) approval of Applicant’s application for impact review (“Application”) based on the standards for impact review (“Standards”) set forth in Art. X, Div. 2, Sec. 2.02 of the Town’s Land Development Regulations (“LDR”).

The sole question before the Commission is whether the Application satisfies the Standards. The Appeal attempts to sidestep this sole criteria governing the Application, and instead asks the Commission to embark on an unprecedented quest of challenging Town administration’s past determinations that the Application satisfied all LDR technical and procedural requirements to merit Board review of the Application based on the Standards. The Appeal does not address noncompliance with the Standards, the sole criteria upon which the Board was required to decide the Application. Rather, the Appeal urges the Commission to consider the question of whether the Board lacked authority to approve the Application, without providing legal justification for the Commission’s ability to provide such relief.

Moreover, as noted more fully below, the Appeal also attempts to sidestep the clear LDR requirements for appealing Town administration determinations, which would have properly required an appeal of the Town’s administrative determinations within 30 days. LDR Art. X, Div. 8. Accordingly, Appellant has waived any right to challenge such determinations and the Town Commission is without jurisdiction to entertain any such challenge.

In urging the Commission to reverse the Board’s decision, the Appeal:

1. Misapprehends the (i) Board’s authority and scope of review in deciding applications for impact review, and (ii) the scope of the Commission’s quasi-judicial, appellate review as its relates to applications for impact review.
2. Conflates and obfuscates the separate and distinct roles and authority of Town administration, code enforcement, the Board, and Town Commission as it relates to applications for impact review and matters of LDR technical and procedural compliance.
3. Effectively seeks Commission reversal of Town administration’s prior determinations regarding LDR technical and procedural compliance despite Appellant not having satisfied the LDR requirements for appealing such prior determinations.

The Board acted precisely within its prescribed authority in approving the Application based on the Standards. The Commission should likewise deny the Appeal and uphold the sound decision of the Board in approving the Application.

II. Discussion.

A. Board Authority & Scope of Impact Review.

The Board's authority to decide applications for impact review and the criteria upon which such applications are to be decided is clearly set forth in the Town's Land Development Regulations ("LDR"):

- "The development review board shall have the authority and duty to review and decide applications for impact review **based upon the standards set forth in article X, division 2, sections 2.02, 2.03 and 2.04 [emphasis added].**" LDR Art. I, Div. 3, Sec. 3.01.B.2.
- "The decision-maker **shall approve** an application for impact review approval **if the applicant demonstrates ... [compliance with the Standards][emphasis added].**" LDR Art. X, Div. 2, Sec. 2.02.
- "After the public hearing is closed, the decision-making body shall determine whether to approve, approve with conditions, or deny the application **based on the standards that are applicable to the application [emphasis added].**" LDR Art. X, Div. 7, Sec. 7.06.G.

The Appeal argues that the Board lacked authority to approve the Application, based on purely procedural grounds. To the contrary, the LDR mandates that the Board approve an application for impact review when, as in this case, the applicant demonstrates compliance with the standards for impact review (LDR Art. X, Div. 2, Sec. 2.02.). Without question, denial of an application for impact review based on purely procedural grounds would fall outside of the Board's prescribed legal authority.

It is the duty of Town administration, not the Board, to determine whether an applicant has satisfied LDR technical and procedural requirements to merit review by the Board for a determination of whether an application for impact review meets the Standards. *See* LDR Art. X, Div. 7, Sec. 7.01 and 7.02.

The Board, despite similar arguments presented by Appellant, declined to overstep its legislatively mandated authority by withholding approval based on an unsubstantiated allegation of procedural irregularity, and instead, acted precisely within its legislatively mandated authority by approving the Application after finding that the Standards had been met.

B. LDR Technical and Procedural Compliance.

Determinations of LDR technical and procedural compliance are within the responsibility and authority of the Town's administrative official. *See* LDR Art. X, Div. 7, Sec. 7.01 and 7.02. When noncompliance is found to have occurred, the administrative official has broad powers to address such noncompliance, including through commencement of code enforcement proceedings, issuance of a stop work order, and imposition of a stay on further development applications until the violation is addressed. LDR Art. XII, Div. 2, Sec. 2.02, 2.03, and 2.04. Town administration's

prior determination that no such proceedings were warranted for this property is well supported and within its clear authority under the LDR.

The Appeal's blatant attempt to circumvent the Commission's lawful jurisdiction to determine whether the Application satisfies the Standards, and to instead challenge the Town administration's prior determinations of LDR technical and procedural compliance, is without merit. Appellant could have challenged whether the Town's administration acted within its proper exercise of clear authority in making such determinations, but chose to forego that review via appeal that was available by satisfying all requirements of LDR Art. X, Div. 8. By failing to satisfy the clear LDR requirements for appealing Town administration determinations¹, Appellant has waived any right to challenge such determinations and the Town is without jurisdiction to entertain any such challenge. Instead, the Appeal seeks to extend the Commission's authority beyond the orderly bounds defined by governing law.

The Commission should decline to undermine Town administration's proper exercise of its clear authority in determining that all LDR technical and procedural requirements were satisfied to merit Board review of the Application based on the Standards.

C. Scope of Appellate Review.

The Commission's hearing of the Appeal is a quasi-judicial matter. Pursuant to LDR Art. X, Div. 7, Sec. 7.06.G., the Commission shall determine the Appeal "**based on the standards that are applicable to the application [emphasis added]**." Furthermore, per LDR Art. X, Div. 8, Sec. 8.03, the Commission shall hear the Appeal *de novo*, meaning that the Commission is not constrained to consider evidence presented on the record below, but rather, may consider additional competent and substantial evidence in deciding whether the Application satisfies the Standards.

The ultimate question before the Commission is the same question that was before the Board, namely, whether the Application satisfies the Standards. For those reasons noted above, the Commission is without jurisdiction to reverse Town's administration's past determinations that the Application satisfied all LDR technical and procedural requirements to merit review based on the Standards.

III. Conclusion.

The Appeal's request for the Commission to reverse the Board's approval of the Application sidesteps the sole question before the Commission – whether the Application satisfies the Standards. Instead, the Appeal is misguided, urging the Commission to embark on an unsanctioned quest to reverse and undermine Town administration's past determinations of LDR technical and procedural compliance to merit review of the Application based on the Standards.

¹ LDR Art. X, Div. 8., Sec. 8.02, requires that an appeal of Town administration determinations be filed "within 30 days after rendition of the ... determination from which such appeal is taken, **or the right to appeal shall be barred [emphasis added]**." Any such appeal was required to be filed not later than 30 days from the date Town administration set the Application for Board review and published the January 8, 2026 Board meeting notice. Such time has passed without any such appeal meeting all requirements of LDR Art. X, Div. 8 having been filed.

The Appeal does not address noncompliance with the Standards, the sole criteria upon which the Application and this Appeal must be decided. Rather, the Appeal urges the Commission to extend its decision-making authority to find, without authorization, that the Board was somehow without authority to approve the Application. As such, the Appeal is without legal foundation and fails to provide legal justification for the relief sought from the Commission.

The relief requested by this Appeal lacks legal foundation, relies on flawed reasoning and would only serve to undermine the Town's policy of providing clear rules for review of Board decision-making, by:

1. Contravening the clearly prescribed and legislatively mandated procedural framework and separation of responsibilities and authority of Town administration, code enforcement, the Board, and the Commission;
2. Undermining the Town administration's clear authority in determining matters of LDR technical and procedural compliance; and
3. Imposing unnecessary, arbitrary and capricious harm on an owner by requiring removal of a driveway and landscaping found by the Town to be fully LDR-compliant and consistent in all material respects with the IRC-approved plan and the Standards. Such action would serve no legitimate purpose and only result in less effective landscaping and a driveway architecturally incompatible with the residence.

Moreover, Appellant has waived any right to challenge such prior Town administration determinations, by failing to satisfy the clear LDR requirements for appealing such determinations as set forth in LDR Art. X, Div. 8., which would have properly required an appeal of the Town's administrative determinations within 30 days. Instead, the Appeal seeks to extend the Commission's authority beyond the orderly bounds defined by governing law and the Commission is without jurisdiction to entertain any such challenge.

The Commission should uphold the Board's approval of the Application based on the Standards and decline to allow an abuse of process by an Appeal that raises no substantive concerns pertaining to the completed driveway or landscaping and instead relies on an unfounded, alleged technical and procedural violation. Town code enforcement is the legislatively prescribed mechanism for addressing any such alleged procedural violation. Town administration, acting within its proper exercise of its clear authority in determining whether code enforcement proceedings were warranted, correctly determined that the minor driveway and landscape refinements, which are consistent in all material respects with approved plans, are compliant and do not merit code enforcement.



TOWN OF JUPITER ISLAND

CONTRACT MEMORANDUM

To: Mayor & Town Commission

From: Robert Garlo, Town Manager

CC: Kimberly Kogos, Town Clerk

RE: Agenda Item No. 5 – Ordinance No. 415

Date: 2/15/2026

Background:

During the October and November Town Commission meetings, the Commission heard and adopted Ordinance No. 413 which brought the Town's Code of Ordinances into compliance with Section 177.071, State Statute, by designating an administrative official as the party responsible for the administrative approval of plats and replats.

With the administrative official now designated through Ordinance 413, it is necessary to amend Article 1, Division 3, Section 3.03 of the Town Code to repeal the Town Commission's authority to approve subdivision applications, thereby aligning the Code with the statutory requirements.

Ordinance 415 was heard and approved on first reading during the January 2026 Town Commission meeting and is ready for second hearing.

Recommendation

Ordinance No. 415 amends the Town Code to comply with Florida Statute Section 177.071. Ordinance No. 415 is presented for second reading.

ORDINANCE NO. 415

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING APPENDIX A OF THE TOWN'S CODE OF ORDINANCES WHICH CONTAINS THE TOWN'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE AMENDMENT OF ARTICLE I, DIVISION 3, SECTION 3.03 REGARDING THE AUTHORITY OF THE TOWN COMMISSION; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Jupiter Island, Martin County, Florida (“Town”) has such powers and authority as conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Florida Legislature has amended Section 177.071, Florida Statutes, to require that plats and replats be subject only to administrative review and approval by a designated local government official; and

WHEREAS, the recently adopted legislation provides that a plat shall be approved provided it complies with the statutory requirements for plats in the statute; and

WHEREAS, the amended statute requires that each local government designate, by ordinance or resolution, the administrative official responsible for the administrative approval of plats and replats; and

WHEREAS, the Town has complied with the amendments to Section 177.071, Florida Statutes and has designated the Town Manager as the administrative official responsible for the administrative approval of plats and replats; and

WHEREAS, in order to conform to the amendment of Section 177.071, Florida Statutes, the Town Commission finds it necessary to amend Article 1, Division 3, Section 3.03 of the Town's Code repealing the Town Commission's authority to approve applications for subdivisions. **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AS FOLLOWS:**

Section 1: The whereas clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2: Article 1, Division 3, Section 3.03, Town Commission is hereby amended to read as follows:

Sec. 3.03. Town Commission.

The Town Commission's powers and duties under these land development regulations shall be as follows:

- A. Authority. The Town Commission has the authority to:
 - 1. Review and decide:
 - ~~a. Applications for subdivision approval;~~
 - ~~a~~b. Applications for district boundary changes;
 - ~~b~~e. Applications for certificates of appropriateness for alterations to buildings and landmarks designated as historic by the Town;
 - ~~c~~d. Applications for text amendments to these land development regulations; ~~and~~
 - ~~d~~e. Applications for comprehensive plan amendments; and
 - ~~e~~f. Development orders approved by the Development Review Board in accordance with the procedure established in subsection 9., below.
 - 2. Hear appeals from decisions of the Development Review Board, and/or designated administrative official(s).
 - 3. Amend the comprehensive plan.
 - 4. Amend or repeal any or all of these Land Development Regulations, including the official Zoning Map.

5. Determine whether a proposed use is of the same general character as a permitted use.

6. Exercise all other powers and carry out all other duties provided by Florida Law and these Land Development Regulations.

7. The Mayor, or his or her designee, may administer oaths and compel the attendance of witnesses.

8. The Town Commission shall have the authority to review any application or proposal for development or improvements in the PLD or CPD zoning districts. The Town Commission may apply standards set forth in division 2, section 2.02 for impact review and any goals, objectives, or policies of the Town's Comprehensive Plan it determines to be appropriate. The Town Commission shall have the authority to apply conditions to mitigate the impact of any application or proposal for development or improvements within the PLD or CPD zoning districts.

9. The Town Commission shall have the authority to review development orders of the Development Review Board upon a request made by a member of the Town Commission in accordance with the following procedures:

a. The member of the Town Commission requesting review must submit a written request to the Town Manager within ten (10) days of the date the development order was rendered. Upon the Town Manager's receipt of the request, the time for an appeal of the development order rendered shall be tolled as to appeals brought by third parties. The request shall be placed on the agenda of the next commission meeting that ensures compliance with state mandated notice requirements.

b. If three members of the Town Commission vote to consider the request, the Town Manger shall then schedule the request for consideration by the Town Commission at its next meeting. The hearing to review the request shall be conducted as a de novo, quasi-judicial hearing.

c. Following the Town Commission's hearing, then by a super majority vote of the Town Commission, the development order rendered by Development Review Board may be denied, or affirmed with amendments to the development order. If the development order rendered by the Development Review Board is denied, or affirmed with amendments, the Town Attorney shall prepare a final order reflecting the Town Commission's decision.

Section 3. Repeal of ordinances in conflict.

All other ordinances of the Town of Jupiter Island, Florida, or parts thereof which conflict with this or any part of this ordinance are hereby repealed.

Section 4. **Severability.** If any court of competent jurisdiction holds any word, part, section, paragraph or provision hereof to be unlawful or unconstitutional, such ruling or finding shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

Section 5. **Codification.** This ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 6. **Effective Date.** This ordinance shall become effective immediately upon execution.

(Continued on next page)

ORDINANCE NO. 415 PASSED UPON FIRST READING THE ____ DAY OF _____, 2026.

PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING PUBLIC HEARING THE ____ DAY OF _____, 2026.

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor

Vice Mayor

Commissioner

Commissioner

Commissioner

ATTEST:

TOWN CLERK

#7515337 v1 18270-00002



TOWN OF JUPITER ISLAND

CONTRACT MEMORANDUM

To: Mayor & Town Commission

CC: Kimberly Kogos, Town Clerk

From: Catherine Harding, Building, Planning and Zoning

RE: Director Agenda Item No. 6 and 7 – Ordinance No. 416

Date: and 417 2/25/2026

Background:

Ordinance No. 416 and 417 are companion Ordinances.

Ordinance No. 416 authorizes up to four feet of fill to be placed on a lot. It amends Article IV, Division 3, Section 3.01 of the Land Development Standards. The previous amount authorized was three feet. Reference to the Board of Adjustment is deleted and The Development Review Board is added. It further refers to Article X, Division 5, Section 5.00 as a standard for a Hardship Variance that would be required.

Ordinance No. 417 regulates the height of a building. The height of a building is based on the average elevation at the finished grade. The amount of fill determines the finished grade. The text is the same but reference to the Development Review Board is added and the Board of Adjustment is deleted. It further refers to Article X, Division 5, Section 5.00 as a standard for a Hardship Variance that would be required.

MOTION: *Scott/Field moved to approve the spending authorization as presented.*

ACTION: *Motion passed 5-0.*

ADDITIONAL COMMISSION MATTERS

13. Ordinance No. 408 Section Discussion - Initial Measuring Point (IMP) and Fill

Director Harding explained that when Ordinance 401 was adopted, the Alternate Development Standards were merged with the LDRs. At that time, staff recommended which standards should require further approval through a hardship variance, rather than an administrative variance. "Fill" and the "Initial Measuring Point" (IMP) were among those identified. Director Harding added that if the Department of Environmental Protection (DEP) requires a higher elevation for coastal construction, the Town may need to approve it to meet that standard, as it would satisfy the criteria for a more restrictive variance.

Mayor Townsend expressed a preference toward keeping IMP and Fill as hardship variances and increasing the allowable fill amount to 4 feet from 3 feet.

Vice Mayor Scott opined that when a parcel is purchased on a barrier island, you do so at your own peril, not to create something other than what it is. Discussion ensued.

The Town Commission agreed to keep the IMP and Fill as a hardship variance.

MOTION: *Taddeo/Scott moved to keep Initial Measuring Point and Fill as hardship variances.*

ACTION: *Motion passed 5-0.*

The Town Commission agreed to increase the fill threshold to 4 feet from 3 feet.

MOTION: *Field/Taddeo moved to increase the fill threshold from 3 feet to 4 feet.*

ACTION: *Motion passed 4-1; Vice Mayor Scott dissented.*

Director Harding suggested that all three nonconformities, outlined in Article III, should require variances. She proposed that the Town Commission hold a discussion on all three items at the September meeting.

14. Devonshire Lane*

Director Duchock explained the topic, noticing that Devonshire Lane is a Town road. He stated that it services two abutting properties with no through traffic or public use; is less than 10' wide paved surface; Right of Way (ROW) width is 25'; is approximately 578' in length from Gomez Road ROW to the Intracoastal Waterway; and has an aging seawall. The seawall is beginning to fail and would cost approximately \$30,000 to repair. Staff requests direction to repair the road and seawall or abandon.

Vice Mayor Scott asked about the risk and liability to the Town. She expressed approval of abandoning. Director Duchock stated both neighbors would be amenable to accepting the abandoned road and maintenance thereof.

Town Manager Garlo explained that staff would need to bring a resolution announcing the abandonment followed by two readings of an ordinance

MOTION: *Taddeo/Scott moved to approve the abandonment of Devonshire Lane as discussed.*

ACTION: *Motion Passed 4-1; Commissioner Warner dissented.*

ORDINANCE NO. 416

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING APPENDIX A OF THE TOWN'S CODE OF ORDINANCES WHICH CONTAINS THE TOWN'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE AMENDMENT OF ARTICLE IV, DIVISION 3, SECTION 3.01 "FILL;" PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Jupiter Island, Martin County, Florida ("Town") has such powers and authority as conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has previously created Land Development Regulations ("LDR") codified in Appendix A of the Code of Ordinances of Jupiter Island, Florida ("Code"); and

WHEREAS, this ordinance is necessary and appropriate to amend the LDR to eliminate reference to the Board of Adjustment ("BOA"), and to replace reference to the BOA with the Development Review Board; and

WHEREAS, the Town Commission has concluded that it is necessary and appropriate to clarify certain Articles of the LDR previously adopted to confirm its policy direction requiring variance applicants establish the standards set forth in Article X, Division 5, Section 5.00, to establish a legal hardship entitling the applicant to the variance relief requested; and

WHEREAS, the Town Commission has reviewed the revisions to the Town's LDR as set forth herein and finds that the adoption of this ordinance will further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AS FOLLOWS:

Section 1: The whereas clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2. Article IV, Division 3, Development Standards, Sections 3.01 is hereby amended to read as follows:

Sec. 3.01. Fill.

If authorized as part of an approved site plan, up to ~~three~~ four feet of fill may be placed on a lot. The ~~board of adjustment~~ development review board may approve a variance for a greater amount of fill provided it finds that the applicant has met the standards contained in Art. IX, Division 5, Section 5.00 and if the applicant demonstrates that:

- A. The additional fill will not result in a building which is taller than the maximum height permitted on an adjacent lot; and
- B. Fill shall be placed in a manner that will not create ~~an~~ additional stormwater runoff onto an adjacent property or public right-of-way; and
- C. Fill shall be placed in a manner that will not create significant soil erosion; and
- D. The portion of the lot for where the fill is proposed to be added has not been previously filled pursuant to the approval of a special exception or the use of alternative development standards; or the elevation of said portion of the lot has decreased by more than three feet since the fill was placed; and
- E.
 1. The fill shall not result in a building which is more visible from adjacent property or a public right-of-way; and
 2. The fill is necessary to build the finished floor of the building at an elevation of 6.5 NAVD.

Section 3. Repeal of ordinances in conflict.

All other ordinances of the Town of Jupiter Island, Florida, or parts thereof which conflict with this or any part of this ordinance are hereby repealed.

Section 4. Severability.

If any court of competent jurisdiction holds any word, part, section, paragraph or provision hereof to be unlawful or unconstitutional, such ruling or finding shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

Section 5. Codification.

This ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 6 Effective Date. This ordinance shall become effective immediately upon execution.

(Continued on Next Page)

**ORDINANCE NO. 416 PASSED UPON FIRST READING THE ____ DAY
OF _____, 2026.**

**PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING
PUBLIC HEARING THE ____ DAY OF _____, 2026.**

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor

Vice Mayor

Commissioner

Commissioner

Commissioner

ATTEST:

TOWN CLERK

#7487329 v1 18270-00002



TOWN OF JUPITER ISLAND

CONTRACT MEMORANDUM

To: Mayor & Town Commission

CC: Kimberly Kogos, Town Clerk

From: Catherine Harding, Building, Planning and Zoning

RE: Director Agenda Item No. 6 and 7 – Ordinance No. 416

Date: and 417 2/25/2026

Background:

Ordinance No. 416 and 417 are companion Ordinances.

Ordinance No. 416 authorizes up to four feet of fill to be placed on a lot. It amends Article IV, Division 3, Section 3.01 of the Land Development Standards. The previous amount authorized was three feet. Reference to the Board of Adjustment is deleted and The Development Review Board is added. It further refers to Article X, Division 5, Section 5.00 as a standard for a Hardship Variance that would be required.

Ordinance No. 417 regulates the height of a building. The height of a building is based on the average elevation at the finished grade. The amount of fill determines the finished grade. The text is the same but reference to the Development Review Board is added and the Board of Adjustment is deleted. It further refers to Article X, Division 5, Section 5.00 as a standard for a Hardship Variance that would be required.

MOTION: *Scott/Field moved to approve the spending authorization as presented.*

ACTION: *Motion passed 5-0.*

ADDITIONAL COMMISSION MATTERS

13. Ordinance No. 408 Section Discussion - Initial Measuring Point (IMP) and Fill

Director Harding explained that when Ordinance 401 was adopted, the Alternate Development Standards were merged with the LDRs. At that time, staff recommended which standards should require further approval through a hardship variance, rather than an administrative variance. “Fill” and the “Initial Measuring Point” (IMP) were among those identified. Director Harding added that if the Department of Environmental Protection (DEP) requires a higher elevation for coastal construction, the Town may need to approve it to meet that standard, as it would satisfy the criteria for a more restrictive variance.

Mayor Townsend expressed a preference toward keeping IMP and Fill as hardship variances and increasing the allowable fill amount to 4 feet from 3 feet.

Vice Mayor Scott opined that when a parcel is purchased on a barrier island, you do so at your own peril, not to create something other than what it is. Discussion ensued.

The Town Commission agreed to keep the IMP and Fill as a hardship variance.

MOTION: *Taddeo/Scott moved to keep Initial Measuring Point and Fill as hardship variances.*

ACTION: *Motion passed 5-0.*

The Town Commission agreed to increase the fill threshold to 4 feet from 3 feet.

MOTION: *Field/Taddeo moved to increase the fill threshold from 3 feet to 4 feet.*

ACTION: *Motion passed 4-1; Vice Mayor Scott dissented.*

Director Harding suggested that all three nonconformities, outlined in Article III, should require variances. She proposed that the Town Commission hold a discussion on all three items at the September meeting.

14. Devonshire Lane*

Director Duchock explained the topic, noticing that Devonshire Lane is a Town road. He stated that it services two abutting properties with no through traffic or public use; is less than 10' wide paved surface; Right of Way (ROW) width is 25'; is approximately 578' in length from Gomez Road ROW to the Intracoastal Waterway; and has an aging seawall. The seawall is beginning to fail and would cost approximately \$30,000 to repair. Staff requests direction to repair the road and seawall or abandon.

Vice Mayor Scott asked about the risk and liability to the Town. She expressed approval of abandoning. Director Duchock stated both neighbors would be amenable to accepting the abandoned road and maintenance thereof.

Town Manager Garlo explained that staff would need to bring a resolution announcing the abandonment followed by two readings of an ordinance

MOTION: *Taddeo/Scott moved to approve the abandonment of Devonshire Lane as discussed.*

ACTION: *Motion Passed 4-1; Commissioner Warner dissented.*

ORDINANCE NO. 417

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING APPENDIX A OF THE TOWN'S CODE OF ORDINANCES WHICH CONTAINS THE TOWN'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE AMENDMENT OF ARTICLE IV, DIVISION 2, SECTION 2.00 "BUILDING HEIGHT;" PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Jupiter Island, Martin County, Florida ("Town") has such powers and authority as conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has previously created Land Development Regulations ("LDR") codified in Appendix A of the Code of Ordinances of Jupiter Island, Florida ("Code");

WHEREAS, this ordinance is necessary and appropriate to amend the LDR to eliminate reference to the Board of Adjustment ("BOA"), and to replace reference to the BOA with the Development Review Board; and

WHEREAS, the Town Commission has concluded that it is necessary and appropriate to clarify certain Articles of the LDR previously adopted to confirm its policy direction requiring variance applicants establish the standards set forth in Article X, Division 5, Section 5.00, to establish a legal hardship entitling the applicant to the variance relief requested; and

WHEREAS, the Town Commission has reviewed the revisions to the Town's LDR as set forth herein and finds that the adoption of this ordinance will further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AS FOLLOWS:

Section 1: The whereas clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2. Article IV. Supplemental Regulations, Division 2.00, Measurements, Sec. 2.00, Building Height is hereby amended to read as follows:

Sec. 2.00. Building height.

Building height is measured as follows:

- A. The initial measuring point is the highest elevation of the following:
 1. The lower of:
 - a. The average elevation of the finished grade across the front building line prior to the placement of fill; or
 - b. The finished floor elevation; or
 2. 6.5 feet NAVD
- B. The height of exterior walls is measured from the initial measuring point to the point at which the outside wall meets the horizontal eave of the roof or the bottom of a parapet wall.
- C. The height of the building is measured from the initial measuring point to the highest point on the building, excluding chimneys, ventilators, skylights, spires, belfries, cupolas, and similar architectural features that are usually carried above the roof level and not used for human occupancy, provided that each such feature shall be erected only to such height and size as is necessary to accomplish the purpose it is to serve.
- D. ~~The board of adjustment~~ development review board may approve a variance to Article IV, section 2.00, regarding the initial measuring point for building height, provided it finds that the applicant has met the standards contained in Art. X, Division 5, Section 5.00 and where if the applicant demonstrates:

1. The new initial measuring point will not result in a building which is taller in elevation (NAVD) than the tallest building which could be constructed on a contiguous lot.
2. Will not result in a building which is more visible from adjacent properties or the public right-of-way than the existing surrounding structures.

Section 3. Repeal of ordinances in conflict.

All other ordinances of the Town of Jupiter Island, Florida, or parts thereof which conflict with this or any part of this ordinance are hereby repealed.

Section 4. Severability.

If any court of competent jurisdiction holds any word, part, section, paragraph or provision hereof to be unlawful or unconstitutional, such ruling or finding shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

Section 5. Codification.

This ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 6. Effective Date.

This ordinance shall become effective immediately upon execution.

(Continued on Next Page)

**ORDINANCE NO. 417 PASSED UPON FIRST READING THE ____ DAY
OF _____, 2026.**

**PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING
PUBLIC HEARING THE ____ DAY OF _____, 2026.**

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor

Vice Mayor

Commissioner

Commissioner

Commissioner

ATTEST:

TOWN CLERK

#7487294 v1 18270-00002

Buchanan

To: Robert Garlo, Town Manager & Town Commission

From: Kyle B. Teal, Esq.

Re: Ordinance 418

Date: February 16, 2026

The memorandum is a follow up to the “Variance Standards” memorandum dated January 6, 2026, which is hereby incorporated by reference. During its regularly scheduled meeting on January 16, 2026, the Town Commission directed staff to bring forward a proposed ordinance clarifying the intent of the Town’s Land Development Regulations governing the review of applications for variances. Please see my brief analysis below, including the current and proposed LDRs.

Proposed Clarifications

For ease of reference, Article X, Division 5 of the Town’s LDRs currently provides the following criteria for the approval of a variance:

Sec. 5.00 Standards for approval of variance.

Except as provided in article V, section 5.09 (variances related to subdivision standards), the board may grant a variance from the terms of these land development regulations if the development review board finds that the applicant has demonstrated that:

- A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; and
- B. The special conditions and circumstances do not result from the actions of the applicant; and
- C. The variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings or structures in the same zoning district; and
- D. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed

by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant; and

- E. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- F. The variance will be in harmony with the general intent and purpose of these land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and
- G. The variance does not authorize the use of land that is prohibited in the underlying zoning district

Article X, Division 5 of the Town's Land Development Regulations also provides factors *to be excluded* from consideration when reviewing an application for a variance:

Sec. 5.01. - Factors to be excluded from consideration.

The following shall not be considered by the development review board in its evaluation of an application for a variance:

- A. Any nonconforming use or structures in any zoning district; and
- B. Any permitted use of lands, structures or buildings in other zoning districts.

The following proposed edits would serve to clarify the Town's standards and procedures for the review of variance applications (see **red text** for changes since the draft provided on January 6th):

Sec. 5.00. Standards for Non-Use Variances.

Except as provided in article V, section 5.09 (variances related to subdivision standards), the **development review** board may grant a structural or lot (non-use) variance from the terms of these land development regulations if the applicant has demonstrated by competent, substantial evidence the following:

- A. The variance will be in harmony with the general intent and purpose of all applicable Town Code of Ordinances, Land Development Regulations and the Comprehensive Plan; **and**
- B. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure and/or preserve an applicant's vested right; **and**

- C. The applicant will suffer an exceptional and unique hardship if the variance is not granted, **and**
 - 1. the hardship does not result from the actions of the applicant; and
 - 2. **the applicant, despite reasonable diligence, was unaware of the hardship before taking title to the property; and**
 - 3. economic hardship is not the sole basis of the hardship; and
 - 4. **the** hardship is exceptional and unique with respect to the property, structure or building and not shared with other properties, structures or buildings similarly situated and in the same zoning district; **and**

- D. The variance will not substantially interfere with, or be injurious to, the health, safety or welfare of others whose property would be affected by allowance of the variance.

- E. Alternatively, an applicant may seek exemption from certain requirements of the Town's rules and regulations if they **establish through competent substantial evidence that they are entitled to a reasonable accommodation** as provided in article 4, division 4, section 4 of the Town's Land Development Regulations.

Sec. 5.01. Factors to be excluded from consideration

The following shall not be considered by the development review board in its evaluation of an application for a variance:

- A. Previously issued variances, and

- B. Any proposed **land** use of property **that is** inconsistent with the Town's Code of Ordinances, Land Development Regulations and the Comprehensive Plan. **If such a use is presented as part of an application, the application shall be summarily and administratively denied.**

Recommendation

Ordinance No. 418 clarifies the Town Code to demonstrate its compliance with Florida law and offers a clearer standard for the Town to apply when reviewing variance applications.

ORDINANCE NO. 418

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, CLARIFYING APPENDIX A OF THE TOWN'S CODE OF ORDINANCES WHICH CONTAINS THE TOWN'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE TEXT AMENDMENT OF ARTICLE X, DIVISION 5, SECTION 5.00 REGARDING THE STANDARDS FOR APPROVAL OF VARIANCES; PROVIDING FOR THE TEXT AMENDMENT OF ARTICLE X, DIVISION 5, SECTION 5.02 REGARDING FACTORS TO BE EXCLUDED FROM CONSIDERATION; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Jupiter Island, Martin County, Florida (“Town”) has such powers and authority as conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, this Ordinance is necessary and appropriate to clarify the Land Development Regulations (“LDR”) codified in Appendix A of the Code of Ordinances of Jupiter Island, Florida (“Code”) to address all requisite factors identified by Florida Law; and

WHEREAS, the Town Commission has concluded that it is necessary and appropriate to clarify certain Articles of the LDRs previously adopted to ensure conformity with Florida law on the requisite showing applicants must demonstrate to receive a variance from the Town; and

WHEREAS, the Town Commission has concluded that it is also necessary and appropriate to clarify certain Articles of the LDR previously adopted to ensure conformity with Florida law on the factors to be excluded from consideration in review of a variance application from the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE
TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AS FOLLOWS:**

Section 1: The “WHEREAS” clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2. Article X, Division 5, Section 5.0 Standards for Approval for Variances is hereby amended to read as follows:

Sec. 5.00. Standards for Non-Use ~~Approval for~~ Variances.

Except as provided in article V, section 5.09 (variances related to subdivision standards), the development review board may grant a structural or lot (non-use) variance from the terms of these land development regulations if ~~the development review board finds that~~ the applicant has demonstrated by competent, substantial evidence the following that:

- ~~A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; and The variance will be in harmony with the general intent and purpose of all applicable Town Code of Ordinances, Land Development Regulations and the Comprehensive Plan; and~~
- ~~B. The special conditions and circumstances do not result from the actions of the applicant; and~~
- ~~C. The variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings or structures in the same zoning district; and~~
- ~~D. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant; and~~
- B. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure and/or preserve an applicant’s vested right; and;
and
- C. ~~The variance will be in harmony with the general intent and purpose of these land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and~~

~~D. The variance does not authorize the use of land that is prohibited in the underlying zoning district~~

C. The applicant will suffer an exceptional and unique hardship if the variance is not granted, and

1. the hardship does not result from the actions of the applicant; and
2. the applicant, despite reasonable diligence, was unaware of the hardship before taking title to the property; and
3. economic hardship is not the sole basis of the hardship; and
4. the hardship is exceptional and unique with respect to the property, structure or building and not shared with other properties, structures or buildings similarly situated and in the same zoning district; and

E. The variance will not substantially interfere with, or be injurious to, the health, safety or welfare of others whose property would be affected by allowance of the variance.

F. Alternatively, an applicant may seek exemption from certain requirements of the Town's rules and regulations if they establish through competent substantial evidence that they are entitled to a reasonable accommodation as provided in article 4, division 4, section 4 of the Town's Land Development Regulations.

Section 3. Article X, Division 5, Section 5.01 Factors to be excluded from consideration, is hereby amended to read as follows:

Sec. 5.01. Factors to be excluded from consideration

The following shall not be considered by the development review board in its evaluation of an application for a variance:

- A. ~~Any nonconforming use or structures in any zoning district;~~ Previously issued variances, and
- B. ~~Any permitted use of lands, structures or buildings in other zoning districts.~~ Any proposed land use of property that is inconsistent with the Town's Code of Ordinances, Land Development Regulations and the Comprehensive Plan. If such a use is presented as part of an application, the application shall be summarily and administratively denied.

Section 4. Repeal of ordinances in conflict.

All other ordinances of the Town of Jupiter Island, Florida, or parts thereof which conflict with this or any part of this ordinance are hereby repealed.

Section 5. Severability. If any court of competent jurisdiction holds any word, part, section, paragraph or provision hereof to be unlawful or unconstitutional, such ruling or finding shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

Section 6. Codification. This ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 7. Effective Date. This ordinance shall become effective immediately upon execution.

ORDINANCE NO. 418 PASSED UPON FIRST READING THE ____ DAY OF _____, 2026.

PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING PUBLIC HEARING THE ____ DAY OF _____, 2026.

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor

Vice Mayor

Commissioner

Commissioner

Commissioner

ATTEST:

TOWN CLERK

#7515337 v1 18270-00002

Business Impact Estimate

Proposed ordinance's title/reference:

Ordinance No. 418 Amending Town Code regarding Standards for Approval Variances and Factors to be Excluded from Consideration

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, CLARIFYING APPENDIX A OF THE TOWN'S CODE OF ORDINANCES WHICH CONTAINS THE TOWN'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE TEXT AMENDMENT OF ARTICLE X, DIVISION 5, SECTION 5.00 REGARDING THE STANDARDS FOR APPROVAL OF VARIANCES; PROVIDING FOR THE TEXT AMENDMENT OF ARTICLE X, DIVISION 5, SECTION 5.02 REGARDING FACTORS TO BE EXCLUDED FROM CONSIDERATION; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town of Jupiter Island is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the Town of Jupiter Island is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

¹¹ See Section 166.041(4)(c), Florida Statutes.

- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Town of Jupiter Island hereby publishes the following information:

<p>1. Summary of the proposed ordinance <i>(must include a statement of the public purpose, such as serving the public health, safety, morals and welfare)</i>:</p> <p>This ordinance amends the LDR to ensure conformity with Florida law on the requisite showing applicants must demonstrate to receive a variance from the Town and the factors to be excluded from consideration in review of a variance application from the Town</p> <p>This ordinance serves the public health, safety, morals and welfare by clarifying certain Articles of the LDR previously adopted to confirm its policy direction requiring variance applicants establish the standards set forth in Article X, Division 5, Section 5.00, to establish a legal hardship entitling the applicant to the variance relief requested and factors to be excluded from consideration in review of a variance application from the Town</p>
<p>2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town of Jupiter Island, if any: None</p> <p>(a) An estimate of direct compliance costs that businesses may reasonably incur;</p> <p>(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and</p> <p>(c) An estimate of the Town of Jupiter Island regulatory costs, including estimated revenues from any new charges or fees to cover such costs.</p>
<p>3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: N/A</p>
<p>4. Additional information the governing body deems useful (if any): None</p>



TOWN OF JUPITER ISLAND

MEMORANDUM

To: Mayor & Town Commission

Through: Robert Garlo, Town Manager

CC: Kimberly Kogos, Town Clerk

From: John Duchock, Asst. Town Manager

RE: Agenda Item No. 9–Resolution No. 951 Adopting the 2025 Local Mitigation Strategy

Date: 2/13/2026

Background:

In 2000, FEMA responded to the growing costs of disaster recovery with the passage of the Disaster Mitigation Act of 2000 (DMA 2000). DMA 2000 created a new Pre-Disaster Mitigation (PDM) program aimed at reducing the cost of disasters, as well as risk through comprehensive planning before disasters occur. The act requires that all communities, tribes, and states have a FEMA-approved hazard mitigation plan in place to retain eligibility for PDM project funds and post-disaster Hazard Mitigation Grant Program (HMGP) funds.

The purpose of the Martin County Local Mitigation Strategy (LMS) is to develop a unified approach and mitigation strategy plan among County and municipal governments for dealing with identified hazards in the Martin County area. The LMS also establishes funding priorities for proposed mitigation projects and eligibility for disaster assistance funds as may become available through disaster recovery legislation. Town staff has been actively engaged as a member of the LMS taskforce and has assisted Martin County in the preparation and adoption of the updated 2025 LMS plan as required by FEMA and FDEM.

Recommendation:

Town staff requests Commission approval for passage of Resolution No. 951 Adopting the 2025 Local Mitigation Strategy plan.

RESOLUTION NO. 951

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, FLORIDA, AUTHORIZING THE MAYOR AND TOWN CLERK TO EXECUTE ON BEHALF OF THE COMMISSION THE 2025 UPDATED MARTIN COUNTY UNIFIED LOCAL MITIGATION STRATEGY PLAN AS THE OFFICIAL DOCUMENT OF INCLUSION IN THE STATEWIDE HAZARD MITIGATION STRATEGY; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Martin County is mandated by Chapter 252, Florida Statutes and Chapters 9G-22 and 27P-22 of the Florida Administrative Code to develop and maintain a Local Mitigation Strategy (LMS) plan, with an update required every five years; and

WHEREAS, the LMS is required for the County’s eligibility for federal mitigation grants and, although municipalities within the County are not mandated to have a local mitigation strategy, they are required to be incorporated into and to adopt the County’s LMS to be eligible for Federal grants; and

WHEREAS, the 2025 Martin County Local Mitigation Strategy was approved by the Board of County Commissioners of Martin County on January 5, 2026 (the “Updated LMS”); and

WHEREAS, the State of Florida Division of Emergency Management formally approved the Updated LMS; and

WHEREAS, the Town Commission wishes to approve the Updated LMS and finds that the approval is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, FLORIDA, AS FOLLOWS:

Section 1. The Town Commission hereby adopts the 2025 Martin County Local Mitigation Strategy as the official document of inclusion in the Statewide Hazard Mitigation Strategy and a copy shall be kept on file with the Town Clerk.

Section 2. All Resolutions or parts of Resolutions that are in conflict with the provisions of this Resolution are hereby stayed to the extent necessary to give this Resolution full force and effect until its expiration.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This Resolution shall take effect upon approval by the Town Commission.

PASSED AND ADOPTED by the Town Commission of the Town of Jupiter Island assembled on this 25th day of February, 2026.

Mayor

Vice Mayor

Commissioner

ATTEST:

Commissioner

Town Clerk

Commissioner



TOWN OF JUPITER ISLAND
MEMORANDUM

To: Mayor & Town Commission

Through: Robert Garlo, Town Manager

CC: Kimberly Kogos, Town Clerk

From: John Duchock, Asst. Town Manager

RE: Agenda Item No. 10 - Public Works Sanitation Vehicle Replacement Spending Authorization

Date: 2/13/2026

Background:

The Public Works Department utilizes half-ton pickup trucks for sanitation services on the island. On January 6, 2026 one of the sanitation trucks was totaled through a no-fault, no injury accident while servicing a residence on South Beach Road. Settlement of the insurance claim through Florida Municipal Insurance Trust will be in the amount of \$12,127 for the 2019 Ford F1 50.

While the department has refitted an older fleet vehicle to cover sanitation routes in the short-term, a new replacement must be acquired this fiscal year to ensure uninterrupted services. Quotes for a 2026 Chevrolet 1500 Regular Cab Pickup have been obtained through the Florida Sherriff s Association Cooperative Purchasing Program, City of Tallahassee Contract, and Dyer Chevrolet Dealership in Ft. Pierce. Price quotes were provided as follows:

- Florida Sherriff Association (Garber Fleet Sales) \$38,841.00
- City of Tallahassee (Alan Jay Fleet Sales) \$38,527.00
- Dyer Chevrolet Dealership \$36,802.92

Dyer Chevrolet provided the lowest price quote, based on a rebate for the month of February.

Request:

Town staff is seeking spending authorization for up to \$38,527.00 for purchase of a 2026 Chevrolet 1500 Regular Cab Pickup truck to replace the totaled 2019 Ford F-150. If available at the end of the month, the vehicle will be purchased from Dyer Chevrolet for the dealership rebated price of \$36,802.92. If that vehicle is no longer available, the

Town will proceed with a purchase through the City of Tallahassee contract vendor, Alan Jay, for \$38,527.00.

To: Robert Garlo, Town Manager & Town Commission

From: Kyle B. Teal, Esq.

Re: Seasonal Construction Moratorium and/or Regulations

Date: February 17, 2026

The purpose of this memorandum is to analyze the legality of a potential seasonal construction moratorium or to clarify/amend existing seasonal construction regulations under constitutional law and SB 180 (primarily codified as Section 252.422 of the Florida Statutes). An absolute ban on any construction during the winter months presents potential conflicts with the application of current and proposed state law. However, the Town would be better protected from challenges by opting to clarify existing regulations and by potentially enacting additional seasonal regulations governing construction activities and/or the use of certain machinery and equipment. If inclined, the Commission should do so with careful consideration for the property rights of individual owners and should ensure that such regulations do not function as a *total* ban on all construction activity.

I. Current Winter Season Construction Regulations & Potential Clarification

Currently the Town restricts seasonal construction by prohibiting the use of certain equipment enumerated in Chapter 9, Article III, Section 9-62(b) of the Town's Code. *See* Sec. 9-62 attached hereto as **Exhibit A**. If the Commission is interested in clarifying the scope and details regarding the list of prohibited machinery that may be used by a property owner during the winter season, I suggest giving a directive that I meet with the Town's Building Department and/or outside experts in the field to determine what, if anything, is ambiguous and/or outright omitted from the existing list in the LDRs and whether there are revisions that could be made to Sec. 9-62 that would further clarify the limits it imposes on winter construction.

II. Constitutional Analysis

"The first issue in every case considering the constitutionality of a statute or ordinance is which standard applies." *Kuvin v. City of Coral Gables*, 62 So. 3d 625, 629 (Fla. 3d DCA 2010) citing *State v. J.P.*, 907 So. 2d 1101, 1120 (Fla. 2004).

If a fundamental right or suspect class is involved, a strict scrutiny standard of review is required, and the ordinances may only be upheld if they are strictly tailored to serve a compelling state interest. However, unless the ordinances involve a suspect class or

impinge on a constitutionally protected right, they need only bear a rational relationship to a legitimate state purpose.

Kuvin, 62 So. 3d at 629. [A] legislative act of the government will not be considered arbitrary and capricious if it has a rational relationship with a legitimate general welfare concern.” *Gardens Country Club, Inc. v. Palm Beach Cnty.*, 712 So. 2d 398, 404 (Fla. 4th DCA 1998).

Moratorium ordinances are considered a legislative act. *See e.g., WCI Communities v. City of Coral Springs*, 885 So. 2d 912 (Fla. 4th DCA 2004). Therefore, a construction moratorium will not be considered arbitrary and capricious if it has a rational relationship with a legitimate general welfare concern. Construction moratoriums are also subject to the constitutional limitations under both the due process and takings clause. “To entirely prohibit a person from building upon his property even temporarily is a substantial restriction upon land use.” *City of Sanibel v. Buntrock*, 409 So. 2d 1073 (Fla. 2nd DCA 1981). In so holding *City of Sanibel* declared that construction moratoriums must be “enacted under the procedures which govern zoning and rezoning.” *See also City of Gainesville v. GNV Investments, Inc.*, 413 So. 2d 770, 771-772 (Fla. 1st DCA 1982) (Requiring specific notice requirement regarding zoning ordinances for development moratoriums).

Prolonged and frequent restrictions on construction arguably could be challenged as a regulatory taking. “[A] regulatory taking may occur when the government “imposes regulations that restrict an owner’s ability to use his own property” *Orlando Bar Group, LLC v. DeSantis*, 339 So. 3d 487 (Fla. 5th DCA 2022) citing *Cedar Point Nursery v. Hassid*, 594 U.S. 139, 148 (2021). For example, in *Joint Ventures, Inc. v. Department of Transportation*, the Florida Supreme Court struck down a statute permitting a development **moratorium of up to 10 years**, finding it “unconstitutionally permitted state to take private property without just compensation.” 563 So. 2d 622, 622 (Fla. 1990). In its analysis, the Court explained that extended moratoriums constitute “a thinly veiled attempt to ‘acquire’ land by avoiding the legislatively mandated procedural and substantive protections” *Id.* at 625. To establish such a claim, a landowner must show that the challenged regulation (1) does not substantially advance legitimate state interests, or (2) denies him economically viable use of his land. *Corn v. City of Lauderdale Lakes*, 997 F. 2d 1369, 1387 (11th Cir. 1993).

a. Legitimate State Interest

Temporary development moratoria generally do not constitute compensable takings, especially when they serve legitimate planning purposes. “**A truly temporary land use injunction or moratorium looks more like a permitting delay than a compensable regulatory taking.**” *Bradfordville Phipps Ltd. Partnership v. Leon County*, 804 So. 2d 464 (Fla. 2d DCA 2001) (emphasis added). Various moratorium durations have been found to be acceptable when serving legitimate purposes; for example, in *Bradfordville Phipps Ltd. Partnership v. Leon County*, the court found no taking from a 22-month moratorium designed to allow completion of required stormwater studies, 804 So. 2d 464 (2001); in *WCI Communities*, the Fourth District found no due process violation from a nine month moratorium allowing comprehensive review of multi-family development regulations. 885 So. 2d 912 (2004); and the U.S. Supreme Court in *Tahoe-Sierra*

Preservation Council, Inc. v. Tahoe Regional Planning Agency held that a 32-month development moratorium did not constitute a categorical taking. 535 U.S. 302 (2002).

In *WCI Communities* specifically, the Fourth District upheld a nine-month moratorium on site plan applications for townhouse and multi-family developments, finding it rationally related to city's attempt to preserve status quo while it formulated regulatory land use scheme. 885 So. 2d at 915. In doing so, the Fourth District explicitly recognized that the City “was entitled to enact the moratorium as a land-use tool to promote effective planning and preserve the status quo during this change.” *Id.* at 915-916 citing *Tahoe-Sierra Pres. Council, Inc. v. Tahoe Reg'l Planning Agency*, 535 U.S. 302, 337 (2002) (temporary moratoria are used widely among land use planners to preserve the status quo while formulating a more permanent development strategy). Through *WCI Communities*, it is recognized that a temporary moratorium on site plan applications has a reasonable relationship with a legitimate general welfare concern: maintaining the status quo while formulating a regulatory land scheme.

Courts have also held that “noise, traffic, congestion, safety, aesthetics, valuation of adjoining land, and effect on city services” legitimate government interests. *Corn v. City of Lauderdale Lakes*, 997 F. 2d 1369, 1387 (11th Cir. 1993). Both aesthetics and noise control specifically are legitimate grounds for municipal regulation. *See City of Sunrise v. D.C.A. Homes*, 421 So. 2d 1084, 1085 (Fla. 4th DCA 1982) (“Florida has long recognized that local governments may legislate to protect the appearance of their communities as a legitimate exercise of their inherent police power”); *Davis v. State*, 710 So. 2d 635, 636 (Fla. 5th DCA 1998) (“ It has been often recognized that the regulation of sound and noise in public areas is an important function of government. This statute as applied herein is a reasonable application of that function.”). Thus, the Town’s purpose in restricting construction to minimize noise, promote traffic safety and preserve aesthetics when the Town’s population is at its seasonal highest,¹ should be found legitimate under this constitutional analysis.

However, Florida courts have also reined in many local governments that have enacted overly aggressive moratoria restricting construction activity. In *City of Miami Beach v. Seacoast Towers-Miami Beach, Inc.*, the City of Miami Beach enacted an ordinance which restricted construction noise within fifty (50) yards of any hotel or apartment building from December 1st through March 31st. 156 So. 2d 528, 530 (Fla. 3d DCA 1963). The Ordinance was challenged as unconstitutional and the trial court entered a permanent injunction against it. *Id.* On appeal, the Third District adopted specific portions of the trial court’s order which noted that although “termed an ‘anti-noise’ ordinance, is actually an ‘anti-building’ ordinance, the practical effect of which is to prohibit the plaintiff from doing any construction during the periods set forth in the ordinance,” i.e., the winter months. *Id.* The courts found that “the forbearance forced on the property owner is entirely out of proportion to any benefit redounding to the public and is unreasonable and unconstitutional.” *Id.*

¹ Community, TOWN OF JUPITER ISLAND (February 13, 2026)
<https://www.townofjupiterisland.com/31/Community>

A similar ruling was made in *Town Bay Harbor Islands, v. Schlapik*, where the Supreme Court of Florida evaluated the Town of Bay Harbor's interpretation of an ambiguous ordinance. 57 So. 2d 855, 857. (Fla. 1952). The Court determined that the Ordinance, which sought to ban construction noises at all hours, within 75 feet of apartments, hotels, etc., was "so harsh as to make the forbearance forced on the property owner entirely out of proportion to any benefit redounding to the public." *Id.* at 857. Further, "[f]or an arbitrary period of one-third of the year, an owner was prevented from improving his property because to do so might, presumably, create such noises as would annoy others." *Id.* (emphasis added) Thus, an ordinance that purports to impose an absolute ban on all construction during winter months may be susceptible to challenges.

While a complete ban on construction during winter months may raise complications, the Town could consider clarifying the seasonal regulations of construction related activity. Currently, the Town restricts seasonal construction by prohibiting the use of certain equipment enumerated in Section 9-62(b) of the Town's Municipal Code.

The Town of Palm Beach has a similar ordinance:

(a) *Prohibited.* During the period of the year commencing on November 1 and ending April 30, no person shall operate or cause to be operated the following machinery or equipment within the town:

(1) Dredges, whether used in making hydraulic fills, dry fills, piledriving or any other purpose.

(2) Hammer-driven piledrivers, whether operated from water or land, or from motor truck or tractor, and whether stationary or moveable.

(3) Gasoline, diesel and/or steam engines, operated in such a manner as to emit odors or noises offensive or disagreeable to the inhabitants of the town.

(4) Dry sandblasting machines and jackhammers.

(5) *Any other class of machinery or appliance that in its operation would render the enjoyment of property within the town less agreeable than if such appliances or machinery were not operated.*²

² Adopting a similar provision to subsection (a)(5), while open ended, could provide the Town with discretion in its code enforcement measures and preclude an individual in the Town from using newly developed machinery or equipment not contemplated by, expressly listed in, section 9-62 of the Town's LDRs.

(b) *Exceptions.*

(1) It shall be within the discretion of the town council when, in its opinion, the operation of any of the prohibited machinery or appliances mentioned in subsection (a) of this section shall not be overly offensive to the residents or inhabitants of the town, in the vicinity of the equipment's operation, to grant an exception to this section.³

(2) The operation of equipment relating to essential services of the town and equipment operation during emergency conditions shall be exempt from subsection (a) of this section.⁴

TOWN OF PALM BEACH, Code § 42-198 (2026) (emphasis added). We've yet to find any other Florida municipalities with a similar seasonal restriction. In addition, there is no precedent specifically upholding reasonable seasonal restrictions on construction. However, the decision in *Town of Bay Harbors* provides some insight:

The exercise of the police power, from its very nature, clashes with full enjoyment of property by its owner, and it is only because the welfare of the whole people so far outweighs the importance of the individual that this interference with constitutional guaranties can be justified.

57 So. 2d at 587. As already established, the purposes behind limiting construction during the winter season are legitimate. However, any legislative act that further enhances and/or clarifies the existing restrictions must be weighed carefully against the individual property owner's rights to enjoy their property. The Town must ensure that the restricted construction activity does not effectively prohibit construction altogether. In addition, the restriction must not delegate so much discretion to enforcing officials so as to render the standards of enforcement arbitrary. *Seacoast*, 156 So. 2d at 532.

As its most viable option, the Town may consider enacting an ordinance to clarify its existing winter construction regulations. **Florida municipalities are permitted to enact ordinances that clarify or confirm the municipality's interpretation of an existing ordinance.** *City of Pompano Beach v. Haggerty*, 530 So. 2d 1023, 1026 (Fla. 4th DCA 1988). To do this, I would consult with our Building Director and/or outside experts regarding the machinery in the relevant trades that may not be clearly captured in the current iteration of the LDR.

³ Similarly, exceptions similar to those provided in subsections b (1) and (2) would offer the Town flexibility and the opportunity to assess certain construction activities on a case-by-case basis.

⁴ In the event the Town must undergo construction during the winter months on public property, it should be exempt from the limitations imposed by LDR when such construction is necessary for essential services and/or emergencies.

III. SB 180 and Proposed Amendments

In addition to constitutional considerations, the impact of state statutes should also be assessed. Senate Bill (SB) 180 prohibits certain Florida municipalities, including the Town of Jupiter Island, from proposing or adopting, prior to October 1, 2027, (1) any moratorium on construction, reconstruction, or redevelopment of any property damaged by Hurricanes Helen, Debby, or Milton; (2) more restrictive or burdensome amendments to its comprehensive plan or land development regulations (LDRs); or (3) more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order.⁵

There are two bills currently pending this session that, if passed, would modify SB 180 (primarily codified as Section 252.422 of the Florida Statutes) and thus, this analysis. First, House Bill (HB) 1465, makes a few changes to SB 180, including (1) the addition of key definitions (2) the addition of exceptions to the prohibitions, and (3) the requirement to process applications pending as of March 21, 2026, under the rules in effect at filing, and not under later restrictive changes. The ban on enacting or proposing construction moratoria that affect any property damaged by Hurricanes Helen, Debby, or Milton would remain. Fla. HB 1465 §2 (2026).

For purposes of this review, the most significant changes under SB 1465 include the new definitions of “burdensome” and “restrictive” as contemplated by the Legislature:

“Burdensome” means an action proposed, adopted or enforced, including the interpretation of existing regulations or inaction on pending applications, by a county or municipality that decreases the allowable density, intensity or floor area ratio on land, that decreases the amount of property available to be developed, that has the effect of increasing an impact fee exceeding 25 percent over a two-year period, or that restricts or limits the use or future use of real property such that negatively impacts the economic value of the property.

Fla. HB 1465 §1(a).

“Restrictive” means an action proposed, adopted or enforced, including the interpretation of existing regulations by a county or municipality concerning the review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, or concerning policies or procedures relating to its comprehensive plan or land development

⁵ SB 180 also prohibits the enactment of moratoriums on construction, reconstruction, or redevelopment of any property, as well as restrictive or burdensome amendment or procedures, for one (1) year after a hurricane’s landfall regardless of whether a particular property was impacted. As no hurricane has made landfall in the Town of Jupiter Island in over a year, this analysis does not include this portion of SB 180.

regulations, that increases the time for such review, approval or issuance, or that creates additional reviews or applications, and includes the inaction by a county or municipality that creates a delay in such review, approval or issuance.

Fla. HB 1465 §1(c).

The second bill, SB 840, makes changes quite different than those proposed by HB 1465. Under SB 840, the prohibition of enacting a moratorium on construction, reconstruction, or redevelopment of property damaged by Hurricanes Helen, Debby, or Milton would lift on June 30, 2026 and not October 1, 2027. Fla. SB 840 §2 (2026). In addition, the following alterations have been proposed, each applying prospectively for one (1) year after a hurricane makes landfall:

- 1) Removes ban proposing or adopting construction, reconstruction or reconstruction moratoriums
 - a) Replaces it by prohibiting enforcement of moratoriums delaying repair, redevelopment or reconstruction of existing improvement damaged by a hurricane (unless addressing storm water, flood management, potable water supply, or sewer systems). Does not prohibit enforcement of “construction” or “redevelopment” moratoriums.
- 2) Removes the ban on proposing or adopting “restrictive or burdensome” amendments to comprehensive plans or LDRs
 - a) Replaces it by prohibiting the requirement to repair or reconstruct existing improvement damaged by the subject hurricane to comply with an amendment to the comprehensive plan or LDRs that became effective after landfall. Only applicable to property damaged by the hurricane such that it requires a permit for repair or reconstruction.
- 3) Removes the ban on more “restrictive or burdensome” procedures concerning the review approval or issuance of a site plan, development permit or development order
 - a) Replaces it by prohibiting the enforcement of procedures concerning the review, approval or issuance of a site plan, development permit or development order when such procedures increase the timeframe for the impact municipality to take final action on the subject review, approval or

issuance and which is effective after landfall. Only applicable to property damaged by the hurricane such that it requires a permit for repair or reconstruction.

Fla. SB 840 §1. The bill also permits amendments to the comprehensive plan or LDRs when required to comply with law or to implement a floodplain management standard under the National Flood Insurance Program. *Id.*

a. As Applied to Total Seasonal Construction Moratorium

Under the current language of SB 180, a complete and absolute ban on winter construction could run afoul of the statute whether applied to property damaged by Hurricanes Helen, Debby, or Milton or any other property, given the ban could be construed as a restrictive amendment to the LDRs. Under the proposed language of HB 1546, the ban enacting moratoriums on construction on any property damaged by Hurricanes Helen, Debby, or Milton remains. However, for property not damaged by those three hurricanes, the adoption of a seasonal construction moratorium would only be prohibited if it increases the time for review, approval, or issuance of a site plan, development permit, or development order (it would not increase the time for issuance of a permit – only when the applicant may act on the permit), or if it creates additional reviews or applications.

Lastly, under SB 840, an absolute seasonal construction moratorium would be impermissible only if (1) proposed or adopted on the redevelopment or reconstruction of property damaged by Hurricanes Helen, Debby, or Milton or (2) enforced against the repair, redevelopment or reconstruction of property damaged by a future hurricane.

b. As Applied to Additional Seasonal Construction Regulations

Applying proposed HB 1465's definition of restrictive, the Town may act reasonably by clarifying the list of regulated equipment imposed during the winter months. Done with careful consideration for property rights, such legislation would not violate SB 180. Moreover, adding to the Town's list of restricted equipment and tools (as opposed to clarifying the existing list) does not directly change the nature of the land – i.e., it does not modify allowable density, intensity, or floor area ratio, reduce developable land, increase impact fees or negatively impact property's economic value. Such regulations constitute, at most, a permit delay, rather than imposing a restriction or burden on an owner's property rights.

Applying SB 840, the proposed legislation would only prohibit enforcement of moratoriums or regulations affecting the repair, reconstruction or redevelopment of property damaged by a hurricane. Thus, the Town could pass an ordinance enhancing regulatory measures of tools and equipment during the winter season. However, if passed, the Town will be prohibited from enforcing any ordinance, whether new or old, that delayed the repair, redevelopment or reconstruction of existing improvement damaged by a hurricane within a year of its landfall.

c. As Applied to Clarify or Confirm the Municipality’s Interpretation of An Existing Ordinance

Should the Town present a construction activity or tool that can be clarified or confirmed as falling within the interpretation of the existing winter construction regulations, the current language of SB 180 would initially appear not to apply as the ordinance is not a moratorium nor an amendment to the comprehensive plan, LDRs or developmental process or procedure. However, under HB 1465, the term “restrictive” includes “the interpretation of existing regulations by a county or municipality” and thus, a clarifying ordinance may also nevertheless draw a challenge under this misguided, confusing verbiage. However, the Legislature would do well to strike this language altogether as (1) the application of every code provision requires “interpretation” of that code provision and (2) Florida law is clear that local governments are entitled to clarify their existing rules and regulations and that such clarifications shall have retroactive applicability.

IV. Conclusion

Based on this analysis, a total and perpetual construction moratorium prohibiting any work whatsoever from November 1st to April 30th presents constitutional issues. However, clarifying and potentially expanding the existing seasonal regulations regarding construction activities, such as limitations on the use of certain tools and machinery, noises and ensuring that public rights-of-way are not blocked would serve legitimate public interests during the winter months. While the regulations should not function as an absolute ban, they would be enforced and/or enacted (if amended) to preserve the health, safety and welfare of the Town residents. Courts have generally upheld such moratoria when they are rationally related to legitimate welfare concerns and are enacted through proper procedures without depriving landowners of economically viable use of their property.

If the Commission would like to explore the options to clarify or potentially amend the LDRs to ensure the full scope of intended regulations are made clear, I would need to defer to a general contractor, engineer and/or other experts in the field. As to the specific machinery, tools and other items that were intended to be prohibited by Section 9-62, I would advise that the first step should include consultations with those experts and encourage the Commission to address the health, safety and/or welfare concerns that warrant the clarification(s).

Exhibit A

Sec. 9-62. - Construction related activities; lawn maintenance activities.

(a) *Definitions.*

(1) "Winter season" means the period between November 1 and April 30.

(2) "Summer season" means the period between May 1 and October 31.

(3) "Legal holidays" means the following holidays: New Year's Day (January 1), Memorial Day (Last Monday in May), Independence Day (July 4), Labor Day (1st Monday in September), Thanksgiving Day (4th Thursday in November) and the Friday immediately following Thanksgiving Day, Christmas Day (December 25) and the day immediately following Christmas Day and when Christmas Day falls on a Saturday or Sunday, the Friday immediately preceding Christmas weekend and the Monday following Christmas weekend.

(4) "Lawn maintenance equipment" means motorized or powered equipment which is used to maintain lawns, trees, and landscaping, including but not limited to lawn mowers/yard tractors, chainsaws, lawn aerators, sod cutters, edgers, stump grinders, hedge trimmers, leaf blowers, lawn vacuum machines and monofilament line grass trimmers.

(5) "Leaf blowers" means any air blowing machine powered by gas or electricity to create a concentrated stream of air to push, or blow dirt, dust, leaves, grass clippings, trimmings, or debris.

(b) *Use of restricted equipment.*

(1) *Applicability.* Use of the following "restricted equipment" or engagement in the following activities during construction is restricted as provided in this section:

a. Compressors, gas- or diesel-engine driven for operating jack hammers, riveting or drilling devices.

b. Cranes of all weights and types and other related construction equipment such as, but not limited to, concrete pumps, pile driving, excavation and demolition.

c. Dredges, of all types.

d. Dry sandblasting machines and jackhammers.

e. Gasoline, diesel and/or steam engines that are operated in such a manner as to:

1. Emit offensive odors which are materially perceptible from any property line; or

2. Produce noise in excess of 60 decibels (dbs), measured at any property line.

- f. Hammer-driven piledrivers, of all types.
- g. Hammers, of all types, when used for metal-to-metal work that is not hammer-to-nail.
- h. Power saws, band, cut-off and table, unless housed in a "dried-in" structure.
- i. Radio, audio equipment or loudspeakers used in a manner that produces noise which is unreasonably loud.
- j. Tractors, over two tons, which are rigged for earth moving or land clearing operations.
- k. Any construction equipment, device or activity, which though otherwise permitted, produces noise in excess of 72 decibels (dbs), measured:
 - 1. Fifty feet from the construction activity, or
 - 2. From the property line nearest to where the construction activity is taking place, whichever is greater.

(2) *Restrictions.* The use of "restricted equipment" is restricted as follows:

- a. Use of restricted equipment is prohibited during the winter season.
- b. Use of restricted equipment during the summer season is permitted only during the hours of 7:30 a.m. to 6:00 p.m., Monday through Friday.
- c. Use of restricted equipment is prohibited on legal holidays.

(3) *Exceptions.* The following are exempt from the restrictions of this section:

- a. Operation of restricted equipment relating to essential services of the town;
- b. Operation of restricted equipment to protect the public health, safety, and welfare during emergency conditions; and
- c. Operation of restricted equipment for repairs, improvements or landscape work on permitted projects for a period of less than one week upon prior written approval of the town's building official. A written request defining the specific nature of the work, its duration and the equipment involved shall be submitted to the town's building official at least five working days prior to commencement of the work.

The building official may approve such work only upon being assured that the proposed use of equipment will not exceed established noise level restrictions nor excessively impact the inhabitants of adjoining properties and public roadways. The building official may establish terms and conditions relating to the work, if approved.

(c) *Working hours for construction.*

(1) During the winter season, construction work is restricted to the following hours:

a. 8:30 a.m. to 5:30 p.m., Monday through Friday; and

b. 8:30 a.m. to 1:00 p.m. on Saturday.

(2) During the summer season, construction work is restricted to the following hours:

a. 7:30 a.m. to 6:00 p.m., Monday through Friday; and

b. 8:30 a.m. to 5:00 p.m. on Saturday, upon prior written approval of the administrative official, which shall be granted if the applicant demonstrates that the construction work will not excessively impact inhabitants of adjoining properties.

(3) Construction work is prohibited on legal holidays.

(d) *Working hours for lawn maintenance.*

(1) During the winter season, operation of lawn maintenance equipment is restricted to the hours of 8:30 a.m. to 5:30 p.m., Monday through Friday, and from 8:30 a.m. to 1:00 p.m. on Saturday.

(2) During the summer season, operation of lawn maintenance equipment is restricted to the hours of 7:30 a.m. to 6:00 p.m., Monday through Friday, and from 8:30 a.m. to 5:00 p.m. on Saturday.

(3) Operation of lawn maintenance equipment is prohibited on legal holidays.

(e) *Use of leaf blowers on residential properties and town-owned public lands*

(1) Effective November 1, 2025, the use of gas-powered leaf blowers is prohibited on properties zoned for residential and public lands uses according to the town's zoning map.

(2) Continued use of gas-powered leaf blowers may be permitted on properties zoned for recreation and conservation uses according to the town's current zoning map and only in accordance with the noise and sound requirements of this section.

(3) Continued use of gas-powered leaf blowers is also permitted for use by the town to clear roads, parking lots, and other paved surfaces within the town.

(f) *[Decibel levels.]* The sound produced by lawn maintenance equipment shall not exceed 69 decibels (dbs), measured:

(1) Fifty feet from the point of operation of the equipment, or

(2) From the nearest property line to where the equipment is operated, whichever is greater.

(3) Leaf blowers, backpack sprayers and hand-held blowers shall be limited to a maximum decibel level that shall not exceed 65 (dbs) at a distance of 30 feet from the point of operation of the equipment or from the nearest property line to where the equipment is operated, whichever is greater.

(g) *Maintenance of construction sites.* It is the responsibility of the person, firm or corporation indicated on the development permit to maintain the site in a neat and orderly manner, including broom-cleaning the site each day, and preventing unsightly piles of trash and debris from gathering during the course of construction.

(h) *Avoidance of nuisance.* When land has been cleared pursuant to a land clearing permit, the permittee shall either resod or replant the cleared area or periodically sprinkle the area ground to prevent windblown dust or dirt from creating a nuisance to other properties.

(i) *[Violations.]* Each separate violation and each day of a continuing violation shall be considered a separate offense.

(j) *[Shutdown order.]* In case of three or more violations of [section 9-62\(b\)](#) or (c) (Use of restricted equipment, Working hours for construction) the administrative official shall order the project to be shut down for the remainder of the winter season. If a shutdown order is issued, the site must be rendered safe and secure to the satisfaction of the administrative official within five working days.

(Ord. No. 285, § 1, 9-22-03; Ord. No. 299, §§ 1, 2, 10-4-05; Ord. No. 301, § 1, 2-15-06; Ord. No. 310, § 1, 3-15-07; Ord. No. 346, § 1, 2-18-14; Ord. No. 359, § 2, 6-14-16; Ord. No. 366, § 1, 7-11-17; Ord. No. 370, § 1, 3-12-18; [Ord. No. 403](#), § 1, 4-16-25)



To: Robert Garlo, Town Manager & Town Commission

From: Kyle B. Teal, Esq.

Re: Off-Site Parking for Construction Projects

Date: February 16, 2026

The Town Commission seeks to address the practice of tradespeople and laborers using off-site residential lots for parking during active construction projects. The Commission received complaints regarding the use of a residentially zoned parcel as a de facto parking lot for vehicles involved in the construction of a separate property on the island. An ambiguity in the code as currently written prompted this discussion at the January 16, 2026, Commission meeting where I was directed to analyze the issue. In short, clarifications to the Town’s code and LDRs would allow the Town to prevent the use of vacant, residential lots in the Town as off-site parking lots for construction projects.

Accordingly, the purpose of this memorandum is to assess the Town’s relevant regulations and present a proposal that would assist the Town in regulating off-site parking to ensure it occurs outside of the Town’s limits. Most importantly, this memo includes proposed revisions to the Town’s Code to resolve the confusion over where commercial vehicles may be parked within the Town’s limits during construction activity – namely, to prevent the use of *other* privately-owned, residential properties in the Town as parking and staging lots. Specifically, the Commission may consider adopting new or clarified regulations, including more clearly defined parking permit requirements, parking management plans, and distance restrictions. These requirements could be integrated through clarification of the Town’s existing parking regulations and its development permit processes to ensure coherence and minimal disruption.

I. Authority to Regulate Off-Site Construction Parking

Section 163.3202 of the Florida Statutes provides authority for municipal regulation of parking. The statute requires that “local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan and shall at a minimum: ... [e]nsure safe and convenient onsite traffic flow, considering needed vehicle parking. Fla. Stat. §163.3202. Courts have also held that “noise, traffic, congestion, safety, aesthetics, valuation of adjoining land, and effect on city services” legitimate government interests. *Corn v. City of Lauderdale Lakes*, 997 F. 2d 1369, 1387 (11th Cir. 1993). *See also City of Sunrise v. D.C.A. Homes*, 421 So. 2d 1084, 1085 (Fla. 4th DCA 1982) (“Florida has long recognized that local governments may legislate to protect the appearance of their communities as

a legitimate exercise of their inherent police power”). As construction parking is a safety, traffic and aesthetic concern, it is within the Town’s powers to regulate.

II. Common Approaches - Parking Permits/Plans

Other municipalities require approval of construction off-site parking. For example, the City of Delray requires a construction parking management plan to be submitted for site plan approvals. CITY OF DELRAY, § 7.1.8. (2025). The approval of the parking plan is required prior to the issuance of a building permit. *Id.* The plan must include details on the location of the off-site parking, a transportation plan to and from the site and proof of the owner’s consent. *Id.*

Similarly, The Town of Manalapan also requires applicants to submit parking plans for approval. CITY OF MANLAPAN § 152.110 (2025). The parking plan is reviewed by the Town Manager and/or Chief of Police with an effort to minimize on-street parking by construction personnel and equipment. *Id.* If the site is unable to accommodate construction parking, the Town may allow limited parking of light construction vehicles on the swale area, with limitations, immediately adjacent to the front property line of the lot upon which the construction site is located. *Id.* Unlike “light construction vehicles,” parking of heavy construction equipment in the road right-of-way (paved area or swale) is strictly prohibited. *Id.*

Of course, parking and/or staging equipment on the swale in Jupiter Island is not a practical consideration. And an owner’s consent to use their residential property on the island as a parking lot wouldn’t cure the problem of allowing inconsistent land use on a residential property. Accordingly, the better option would be to clarify the existing code to ensure all parking and staging necessary for construction projects either occurs on-site with minimal disruption, or outside the Town’s municipal boundary. Clarifying the Town’s regulations to ensure a parking plan is approved and incorporated as part of the Town’s existing development permit process appears entirely consistent with the Town’s existing processes.

III. Proposed Clarifications

Currently, the only provision addressing construction parking is the Town’s commercial parking provisions:

Sec. 14-35. - Parking of commercial vehicles and trucks.

No commercial vehicle or truck may be parked or stored on any property within a residential district unless said vehicle or truck is parked or stored in a wholly enclosed garage. This restriction does not apply to the temporary parking of commercial vehicles while in actual use for construction purposes, routine deliveries, or service calls within the town.

It shall be unlawful for any person, firm or corporation to operate, park, stand or use any commercial vehicle upon a public street or

road in the town, unless such vehicle contains the name of the company permanently affixed on both sides of the vehicle in lettering at least three inches high indicating the name of the person, firm, or corporation owning the vehicle and any company insignia or logo. The lettering and logo, if any, shall be in a color which contrasts with the color of the vehicle.

For the purposes of this section, a “commercial vehicle” is defined as any vehicle designed, used, or maintained primarily for the transportation of goods, supplies, or other property for purposes of business, trade or commerce, or for the purpose of providing services.

Under the current Town Code, and subject to other minor limitations, applicants are permitted to park construction trucks on their own property or off-site on *another’s private owner’s lot within the Town.*

The following revisions offering clarification to **Chapter 14, Article II, Division I, Section 14-35** and **Appendix A, Article X, Section 10.02** would ensure a clearer and more easily enforced process for commercial/construction parking on the parcel subject to construction and/or outside of the Town’s municipal boundary:

Sec. 14-35. - Parking of commercial vehicles and trucks.

No commercial vehicle or truck may be parked or stored on any property within a residential district unless said vehicle or truck is parked or stored in a wholly enclosed garage. This restriction does not apply to the temporary parking of commercial vehicles while in actual use for ~~construction purposes~~ routine deliveries or service calls within the town. **Temporary parking of vehicles while in use for construction purposes may be permitted pursuant to article X, division 10, section 10.02.**

It shall be unlawful for any person, ~~firm or corporation~~ or entity to operate, park, stand or use any commercial vehicle upon a public street or road in the town, unless such vehicle contains the name of the company permanently affixed on both sides of the vehicle in lettering at least three inches high indicating the name of the person, firm, or corporation owning the vehicle and any company insignia or logo. The lettering and logo, if any, shall be in a color which contrasts with the color of the vehicle.

For the purposes of this section, a “commercial vehicle” is defined as any vehicle designed, used, or maintained primarily for the transportation of goods, supplies, or other property for purposes of

business, trade or commerce, or for the purpose of providing services.

Sec. 10.02. - Staging plan required; standards.

All applications for a development permit must include a staging and parking plan that demonstrates compliance with the following standards:

- A. Trailers, for purposes of storage or office during development:
 - 1. Are screened from view from contiguous lots and public rights-of-way, and
 - 2. Do not exceed 200 square feet; and
 - 3. Will be removed immediately upon completion of the project or any storm watch condition as issued by the National Weather Service (NWS)

- B. Off-street parking is provided for all vehicles used by any person, ~~firm or corporation~~ or entity involved or engaged in ~~development~~ work on the parcel proposed for development at any given time, and said off-street parking and staging is limited to the use of the parcel subject to demolition and/or construction and is screened from view from contiguous lots and public rights-of-way. Applicants shall submit, as part of their staging and parking plan, a site plan delineating where the parking will be located on the subject parcel.

- C. Materials that are stored on-site are screened from view from contiguous lots and public rights-of-way, and are safely stored and reasonably secured.

- D. Dumpsters and trash receptacles are adequate to prevent trash piles or debris from gathering during the course of construction, and are screened from view from contiguous lots and public rights-of-way, are located so as to minimize the impact of their associated noise, dust, and odors on contiguous lots.

- E. Fencing. On all construction sites where work is being performed, the owner shall be responsible for installing a minimum six-foot high chain link fence with an eight-foot gate and screening along the frontage at the road and along neighboring property lines as needed, to shield the work from

public view. The fence and screen shall be maintained throughout construction. Signage on the fence is prohibited.

- F. Vehicle wheel cleaning blanket. The owner shall be responsible for installing a vehicle wheel cleaning blanket on all unpaved driveways where construction vehicles enter the road. The blanket shall be maintained in good condition throughout construction.
- G. Construction gate keeper. Where deemed necessary by the building official to control access to a site, the owner of a property shall be responsible for retaining a gatekeeper to direct construction traffic on and off the public roads.
- H. Pest control. Commencing with the clearing of a property, the owner shall be responsible for retaining and maintaining monthly pest control service to prevent disturbance to adjacent properties throughout construction.
- I. Port-a-let placement. The owner shall be responsible for placing a port-a-let on the property during construction, in a location approved by the building official. The port-a-let shall be screened to prevent public view.
- J. Off-Site Parking. If off-street parking cannot be accommodated, or fully accommodated, on the parcel subject to the demolition and/or construction, a staging and parking plan must also include:
 - 1. The location (address and/or folio) of the property located outside of the Town that will host the off-site parking necessary for the development, and
 - 2. A transportation plan with an estimate as to the number of employees who will need transportation to and from the off-site parking location and indicating how they will get to and from the site.
- K. Revocation of Permit. Applicants shall sign an acknowledgment of the Town's revocation authority in the event of noncompliance with the approved staging and parking plan.

Of course, these proposed revisions are subject to discussion and further refinement.

III. SB 180 and Proposed Amendments

Two bills are currently pending that would modify SB 180 (primarily codified as Section 252.422 of the Florida Statutes). For purposes of this review, the most important changes under SB 1465 are the addition of definitions for “burdensome” and “restrictive,” the latter of which effectively makes clear that local governments cannot impose a policy or procedure that would “create[] additional reviews or applications ...” Fla. HB 1465 §1(c).

The revisions proposed above to the Town’s Code and its LDRs would *clarify* the currently existing regulations and ensure that the ambiguity and resulting confusion over whether other parcels besides those being developed can accommodate construction parking is resolved. Clarifications such as this should not be challenged as running afoul of SB 180 regardless of whether the legislature enacts the amendments proposed for this session.



To: Kimberly Kogos, Town Clerk/Executive Assistant

From: Kyle B. Teal, Esq.

Re: Comprehensive Plan Amendment Markers/Deadlines

Date: February 13, 2026

Comprehensive Plan Amendments

I. Comprehensive Plan Amendments: Processes

a. Expedited process (Standard Process)

Under Florida Statutes, routine amendments are handled as follows:

Action	Statute	Deadline/Requirement
Evaluation and Appraisal	163.3177	Local Government, or applicant, presents proposed amendments
Local Planning Agency Hearing	163.3174(4)(a)	Public Hearing #1: During the preparation of the plan or plan amendment, LPA must hold at least one public hearing, with public notice, on the proposed plan or plan amendment. Municipality, with the LPA, may designate any agency, committee, department, or person to prepare the comprehensive plan or plan amendment, but final recommendation of the adoption to the municipality must come from LPA.
Vote to Transmit	163.3184(11)	Affirmative vote to transmit of not less than a majority of the members of the governing

Action	Statute	Deadline/Requirement
		body present at the hearing. Must be by ordinance. Hearing must be on a weekday with published notice.
Initial transmittal	163.3184(3)(b)1	Transmit the proposed amendment to reviewing agencies within ten (10) working days after the initial public hearing.
Agency Comments	163.3184(3)(b)2	Reviewing agencies must submit comments within thirty (30) days.
Adoption Hearing	163.3184(3)(c)(1)	Public hearing #2: Must be held within 180 days of receiving comments to determine whether to adopt amendments. If the amendments are not adopted at the second public hearing, the amendments shall be formally adopted by the local government within 180 days after the second public hearing is held or the amendments are deemed withdrawn.
Final Transmittal	163.3184(3)(c)(2)	Transmit adopted package to state within thirty (30) working days. Failure to transmit means the amendments are deemed withdrawn.
Deficiencies	163.3184(3)(c)(3)	State will notify of deficiencies withing five (5) days of receipt of amendment package.
Effectiveness	163.3184(c)(4)	Becomes effective 31 days after state "completeness" letter

b. State Coordinated Review

This process is followed when the municipality evaluates the Comprehensive Plan every seven (7) years:

Action	Statute	Deadline/Requirement
Evaluation Notification	163.3191(1)	Municipality notifies State of need for updates (every seven (7) years)
Notification of Determination	163.3191(1)	Local government must notify the State Planning Agency (Florida Commerce) of its determination. Notification includes 1) affidavit attesting that all elements of its comprehensive plan, 2) certification that the adopted comprehensive plan contains the minimum planning period of 10 years and 3) citation of source and date of the population projections used in establishing the 10-year planning period.
Transmissions of EAR-based amendments	163.3191(2)	If amendments are necessary, they must be prepared and transmitted within one (1) year of the determination.
LPA Hearing	163.3174(4)(a)	Public Hearing #1: During the preparation of the plan or plan amendment, LPA must hold at least one public hearing, with public notice, on the proposed plan or plan amendment. Municipality, with the LPA may designate any agency, committee, department, or person to prepare the comprehensive plan or plan amendment, but final recommendation of the adoption to the municipality must come from LPA.

Action	Statute	Deadline/Requirement
Vote to Transmit	163.3184(11)	Public Hearing #2: Affirmative vote to transmit of not less than a majority of the members of the governing body present at the hearing. Must be by ordinance. Hearing must be weekday with published notice.
Transmittal	163.3184(4)(b)	Transmit the proposed amendment to reviewing agencies within ten (10) working days after hearing.
ORC Report	163.3184(4)(d)	State Land Planning Agency issues Objections Report within 60 days.
Final Adoption Hearing	163.3184(4)(e)1	Public Hearing 3: Must be held within 180 days after ORC report
Final Transmittal	163.3184(4)(e)2	Transmit adopted package to state within 10 working days after final adoption hearing
Notice of Intent	163.3184(4)(e)4	State issues and public posts Notice of Intent with 45 days of receipt of transmittal.
Effective	163.3184(4)(e)5	Becomes effective once the Notice of Intent is posted.

c. Small Scale Amendments

Small-scale development amendments may be adopted under the following conditions:

- 1) the proposed amendment involves the use of 50 acres or fewer and:
- 2) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government’s comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small-scale future land use map amendment shall be permissible.
- 3) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units and is located within an area of critical state concern designated or by the Administration Commission.

Action	Statute	Deadline/Requirement
Initiation of Amendment	163.3187(1)	Local government or landowner-initiated, with a clear description of the amendment proposal.
Preparation of Amendments	163.3187(2)	The local government prepares the proposed small-scale amendment, ensuring compliance with existing policies.
Notice of Public Hearing	163.3187(3)(a)	Provide public notice at least 7 days prior to the hearing, as specified by local notice procedures, including the time, date, and location.
Public Hearing	163.3187(3)(a)	Conduct a single public hearing before the governing body or planning agency to review the proposed amendment.
Approval by Governing Body	163.3187(3)(a)	The governing body must adopt or deny the amendment by ordinance or equivalent local legal instrument.
Transmission to State	163.3187(4)	The local government transmits the adopted small-scale amendment to the state agency within 10 days after adoption, for informational purposes.
State Review	163.3187(4)	The state agency reviews the transmittal to ensure compliance; however, no formal approval is required

Action	Statute	Deadline/Requirement
No Public Notice Post-Approval	163.3187(4)	for small-scale amendments. Formal notices of approval are not required; amendments are considered part of the plan and are registered at the local level

Key Notes:

- 1) For purposes of completeness, an amendment shall be deemed complete if it contains a full, executed copy of:
 - a. the adoption ordinance(s);
 - b. In the case of a text amendment, the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens;
 - c. In the case of a future land use map amendment, the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and
 - d. Any data and analyses the local government deems appropriate.
- 2) All amendments, regardless of the review track, must be supported by relevant and appropriate data and a 10 year planning period. (§163.3177)
- 3) All hearings mentioned above must meet strict advertising requirements. *See* §166.041
- 4) If timely challenged, an amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. (163.3184(4)(e)5).

Buchanan

To: Robert Garlo, Town Manager & Town Commission

From: Kyle B. Teal, Esq.

Re: Informing Town Constituents on State Legislation

Date: January 21, 2026

I. Introduction

The purpose of this memorandum is to evaluate the propriety of communications from the Town of Jupiter Island's ("Town") elected officials to Town residents for the purpose of providing information on pending state legislation.

In sum, the Town's informational effort is constitutionally and legally permissible under the broad powers conferred to municipalities under Article VIII, Section 2(b) of the Florida Constitution and Florida Statute §166.021. Historically, courts and the Attorneys General have upheld municipalities' rights to inform residents about legislative matters, provided the communication is factual and serves a legitimate municipal purpose such as protecting public welfare. While there are statutory restrictions on the expenditure of public funds for political advertisements concerning issues subject to a voter referendum, they do not apply here as the legislation in question is not subject to a municipal vote. To ensure compliance with state laws, the primary purpose of any such communication should be to inform and educate constituents of proposed legislation's potential impact on the Town and its residents. Such communications would fall within permissible municipal statements to promote understanding of legislative initiatives and their anticipated impact.

a. Constitutional Analysis

Many Florida Attorneys Generals have issued opinions relevant to this question.¹ In 1976, the AG addressed whether a "municipality may expend municipal funds to purchase newspaper advertisements in support of, or in opposition to, the repeal of a county utilities tax which affects and involves the interests of the municipality and its citizens." Op. Att'y Gen. Fla. 1976-113 (1976). In citing Florida Supreme Court case *Harper v. McDavid* (*see supra*), the Attorney General noted that at the time of the opinion, there was no legislation or judicial opinion prohibiting the advertisement.

In *Palm Beach County v. Hudspeth*, the Fourth District Court of Appeal reviewed a challenge to action taken by Palm Beach County (PBC). 540 So. 2d 147 (Fla. 4th DCA 1989). PBC issued a vote to its constituents on whether the County should establish the Palm Beach

¹ A review of advisory opinions issued by the Florida Commission of Ethics also did not reflect any concern with providing this information to Town residents.

County Health Care District as proposed in the Palm Beach County Healthcare Act. *Id.* at 149. The establishment of this District was required by statute through a county referendum. *Id.* at 148. PBC sent constituents a ballot to vote on whether PBC should pass the referendum. In addition, PBC “authorized the expenditure of funds, not to exceed \$50,000, to promote the passage” of the bill and “County employees, as part of their official duties, were encouraged to accept speaking engagements to promote passage of the Act.” *Id.* at 149.

The Trial Court’s issued an injunction requiring PBC to remove the referendum from the ballot preventing PBC from expending funds to promote it. In reviewing the trial court's action, the Fourth District Court of Appeal reviewed several Attorney General Opinions, including Florida Attorney General Opinion 1976-113(reviewed supra). The Court determined

that there are no Florida cases or legislative acts that either specifically or by necessary implication prohibit the expenditure of public funds for any lawful purpose found by a unit of local government to be in the public interest, provided that government otherwise has the power or authority to act in the matter under consideration. It follows that questioned expenditures must be tested on a case-by-case basis; the inquiry is one for the judicial branch, and the issue to be resolved is whether the particular expenditure offends the Constitution of the State of Florida, laws of the State of Florida, or fundamental concepts of justice and fair play.

Id. at 153. After reviewing these opinions, as well as case law outside of Florida, the Court noted that “[w]hile the county not only may but should allocate tax dollars to educate the electorate on the purpose and essential ramifications of referendum items, it must do so fairly and impartially.” Ultimately, the Court determined the trial court did not review each expenditure and remanded the matter for further “appropriate proceedings.” *Id.* at 154. *Palm Beach County* reflects that at least at the time of the opinion—March 1989—there was nothing specifically prohibiting these expenditures. However, such expenditures should be reviewed on a case-by-case basis. Where the expenditure is for fair and impartial education, it is likely permissible and even encouraged.

Here, the proposed communication informs Town residents about state bills concerning tax reform. The communication is informative and educates Town residents on the potential significant financial ramifications of the state legislation. Such education can be considered essential to the protection and welfare of the Town and, therefore, serves a valid municipal purpose.

b. Statutory Analysis

Since the 1976 Attorney General Opinion, and the 1989 *Palm Beach County* opinion, there has been very little legislation limiting municipal powers enacted. In 2009, the Florida Legislature created Section 106.113, Florida Statutes prohibiting local governments from expending public funds “for a political advertisement or any other communication sent to electors concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors.” The prohibition “applies to a communication initiated by a local government or a person acting on behalf of a local government, irrespective of whether the communication is limited to

factual information or advocates for the passage or defeat of an issue, referendum, or amendment.” Fla. Stat §106.113(2). The prohibition

does not preclude a local government or a person acting on behalf of a local government from reporting on official actions of the local government’s governing body in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.

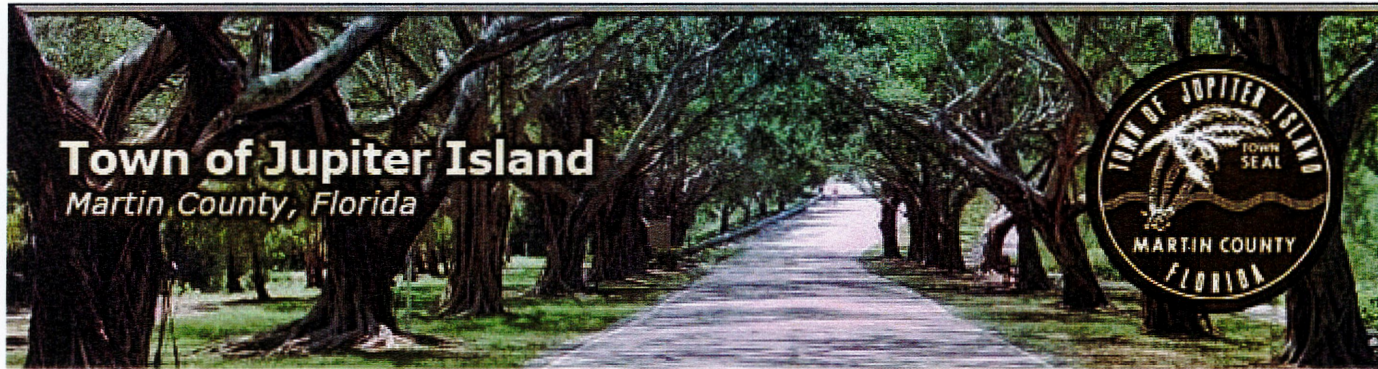
Id.

The scope of Section 106.113 was tested in *Dinerstein v. Bucher*, 287 So. 3d 639 (Fla. 4th DCA 2020). In *Dinerstein*, the City of Palm Beach Gardens paid a third-party consulting group to execute the City’s voter education campaign regarding pending City ordinances. *Id.* at 641. The Court recognized “[t]he right of a citizen and taxpayer to maintain a suit to prevent the unlawful expenditure by public officials of public money.” *Id.* at 642. By providing literature and voter’s guide, the Court specifically found that the City “did not expressly advocate a position.” *Id.* at 643. As such, the City did not violate the Constitution nor Section 106.113.

Here, the state legislation is not subject to a vote of Town electors and therefore, providing information regarding the pending state legislation is not prohibited by Section 106.113 of the Florida Statutes.

II. Conclusion

Communications to Town residents regarding pending state legislation on tax reform appear to be legally permissible under current Florida law. Any proposed communication should primarily serve an educational purpose by informing residents about the potential impacts of the legislation, which aligns with the recognized authority of municipalities to disseminate factual information related to municipal and public welfare matters. Given these considerations, the Town's effort to inform its residents about relevant state legislation is likely within the scope of authorized municipal functions.



**January 2026
General Fund
FY 2025-2026
Interim Financial Report**

Town Commission Meeting
February 25, 2026

**Town of Jupiter Island
FY 2025/2026 Budget Summary**

Account Description	Adopted Budget 2025-2026	YTD Actual 1/31/2026	Target 33%
Total General Fund Revenues	\$13,487,227	\$10,035,171	74%
Transfers from Reserves	\$100,000	\$0	0%
Total Revenues	\$13,587,227	\$10,035,171	74%
Total Administration	\$3,827,878	\$1,153,597	30%
Total Public Safety	\$6,319,911	\$1,953,093	31%
Total Building Department	\$950,057	\$241,062	25%
Total Public Works	\$2,489,381	\$616,326	25%
Total General Fund Expenditures	\$13,587,227	\$3,964,079	29%
Year to Date Net Income		\$6,071,093	

FY 2025-2026 Revenues

Account Description	Adopted Budget 2025-2026	PYTD Actual 1/31/2025 2024-2025	YTD Actual 1/31/2026 2025-2026	Actual % of Budget (Target 33%) 2025-2026
Ad Valorem	\$10,800,744	\$8,810,764	\$9,480,070	88%
Total Other Taxes and Fees	\$333,000	\$86,286	\$87,103	26%
Total Licenses and Permits	\$850,500	\$190,255	\$126,930	15%
Total Intergovernmental Revenue	\$330,700	\$32,267	\$50,576	15%
Total Charges for Services	\$131,000	\$42,336	\$17,557	13%
Total Fines and Forfeits	\$2,500	\$965	\$415	17%
Total Miscellaneous Revenues	\$289,500	\$222,809	\$151,807	52%
Transfers from Interfunds	\$749,283	\$228,960	\$120,714	16%
Subtotal Revenues	\$13,487,227	\$9,614,640	\$10,035,171	74%
Transfer from Reserves	\$100,000	\$0	\$0	
Total General Fund Revenues	\$13,587,227	\$9,614,640	\$10,035,171	74%

FY 2025-2026 Expenses by Department

Account Description	Adopted Budget 2025-2026	PYTD Actual 1/31/2025	YTD Actual 1/31/2026	Actual % of Budget (Target 33%)
Total Administration - Payroll	\$1,468,382	\$425,292	\$426,562	29%
Total Administration - Benefits	\$937,556	\$227,433	\$292,775	31%
Total Administration - Operating	\$1,411,940	\$442,245	\$429,991	30%
Subtotal	\$3,817,878	\$1,094,970	\$1,149,329	30%
Total Administration - Capital	\$10,000	\$0	\$4,268	43%
Total Administration	\$3,827,878	\$1,094,970	\$1,153,597	30%
Total Public Safety - Payroll	\$3,234,696	\$984,926	\$991,426	31%
Total Public Safety - Benefits	\$1,109,035	\$286,449	\$421,003	38%
Total Public Safety - Operating	\$1,511,380	\$432,943	\$408,145	27%
Subtotal	\$5,855,111	\$1,704,318	\$1,820,574	31%
Total Public Safety - Capital	\$464,800	\$386,078	\$132,520	29%
Total Public Safety	\$6,319,911	\$2,090,396	\$1,953,093	31%
Total Building - Payroll	\$408,640	\$162,805	\$119,689	29%
Total Building - Benefits	\$150,540	\$54,443	\$33,594	22%
Total Building - Operating	\$380,877	\$440,107	\$87,779	23%
Subtotal	\$940,057	\$657,355	\$241,062	26%
Total Building - Capital	\$10,000	\$0	\$0	0%
Total Building Department	\$950,057	\$657,355	\$241,062	25%
Total Public Works - Payroll	\$771,251	\$199,199	\$223,653	29%
Total Public Works-Benefits	\$427,080	\$121,183	\$115,003	27%
Total Public Works - Operating	\$770,050	\$169,824	\$151,286	20%
Subtotal	\$1,968,381	\$490,206	\$489,942	25%
Total Public Works - Capital	\$521,000	\$28,142	\$126,384	24%
Total Public Works	\$2,489,381	\$518,348	\$616,326	25%
Total General Fund Expenditures	\$13,587,227	\$4,361,070	\$3,964,079	29%

Balance Sheet as of 1/31/2026

Assets

CASH GENERAL ACCOUNT - SEACOAST	\$ 1,014,997
MONEY MARKET-SEACOAST	\$ 7,383,439
CASH PAYROLL - SEACOAST	\$ 50,000
CASH FLEX SPENDING - SEACOAST	\$ 54,886
INVESTMENT POOL	\$ 2,367,682
INVESTMENT- FL PALM	\$ 6,142,551
INVESTMENT - SBA	\$ 3,679,713
PETTY CASH	\$ 550
ACCOUNTS RECEIVABLE	\$ 4,340
ACCOUNTS REC. - RETIREE BENEFITS	\$ 1,160
PREPAID ITEMS	\$ 3,219
Total Assets	\$ 20,702,536

Liabilities

ACCOUNTS PAYABLE	\$ 49
DUE TO SCHOLARSHIP FUND	\$ 100
DUE TO O&M	\$ (612)
DUE TO OTHER GOV. UNITS	\$ 3,130
UNEARNED REVENUE	\$ 2,323,000
ACCRUED PAYROLL/BENEFITS	\$ (18,349)
OVERPAYMENTS-RETIREEES	\$ 1,082
DONATIONS	\$ 5,012
Total Liabilities	\$ 2,313,413

Reserves/Fund Balances

NONSPENDABLE PREPAID	\$ 107,213
RESTRICT- ENFORCE FL BLDG CODE	\$ 3,732,426
RESTRICTED- LGIS CONSERVATION SURTAX	\$ 78,137
ASSIGNED FOR EMERGENCIES	\$ 1,000,000
ASSIGNED FOR COMPENSATED AB	\$ 115,000
ASSIGNED FOR UNINSURED LOSS	\$ 80,000
FUND BALANCE	\$ 7,478,146
CHANGE IN FUND BALANCE - Current	\$ 6,071,093
CHANGE IN FUND BALANCE - PY	\$ (272,892)
Total Reserves/Fund Balances	\$ 18,389,123

Total Liabilities and Fund Balance

	\$ 20,702,536
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General Fund Reserves

Account Description	Audited YE 2022	Audited YE 2023	Audited YE 2024	Adopted Budget FY 2025*	Adopted Budget FY 2026*
Beginning Fund Balance (Reserves)	9,033,098	6,237,564	9,585,872	9,432,523	9,168,418
Transfer from / to General Fund Reserves	2,247,916	3,060,930	-	-	-
Amount Budgeted/From Reserves GF, Conf, Beaf	(793,404)	-	(126,424)	(371,318)	(250,000)
Budget Amendment From Reserves	(385,000)	-	-	-	-
Total Available Fund Balance	10,102,610	9,298,494	9,459,448	9,061,205	8,918,418
Non Spendable-Pre Paid Expenses	71,269	127,833	32,933	107,213	107,213
Assigned to Uninsured Losses	80,000	80,000	80,000	80,000	80,000
Assigned to Compensated Absences	115,000	115,000	115,000	115,000	115,000
Assigned to Beautification, Scholarship, Public Safety	163,791	176,170	171,145	235,413	235,413
Assigned to Conservation Projects	431,990	431,989	431,981	364,587	364,587
Assigned to Emergencies	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Assigned to ARPA-2022, Restr. LGIS Surtax-2025	312,393			78,137	78,137
Restricted-Enforcement of FL Building Code		3,865,046	3,672,568	3,732,426	3,732,426
Unassigned Fund Balance (Reserves)	8,836,382	7,495,335	7,661,322	7,188,068	7,045,281
Total Fund Balance (Reserves)	\$ 11,010,825	\$ 13,291,373	\$ 13,164,949	\$ 12,900,844	\$ 12,758,057

*Estimated/Unaudited at time of this Report



TOWN OF JUPITER ISLAND BUILDING DEPARTMENT REPORT January 2026

To: Mayor & Town Commission
Through: Robert Garlo, Town Manager
CC: Kimberly Kogos, Town Clerk
From: Catherine Harding, Building, Planning and Zoning Director
RE: January 1, 2026-January 31, 2026
Date: February 12, 2026

There were 13 Building Permits issued with a construction value of \$304,077. and \$4,693. in permit fees collected. Our building inspectors conducted 90 inspections. There were 2 Certificates of Occupancy issued.

Year to date there were 17 permits issued with a total construction value of \$950,207. and \$ 14,424. total fees collected.

Code Compliance responded to 20 formal complaints. They consisted of 1 construction site maintenance, 1 illegal equipment, 3 vehicles in the right of way, 3 noise complaints, 2 illegal signs, 4 landscape maintenance issues, 1 work without a permit and 5 violations of the LDR's.

The Development Review Board met on January 8, 2026, to hear 2 applications.

161 North Beach Rd - demolish and replace an existing non-conforming house with a new residence.

7 South Beach Rd – modification to landscaping from previously approved IRC plan.

Both applications were approved with conditions. The Building Department received an appeal to the Board decision for 7 South Beach Road that will be heard at the February 25th Town Commission Meeting. A fee of \$1,000. was paid for the appeal.

The Local Planning Agency, LPA, met on January 6th with Kimley Horn to review and discuss the proposed Comprehensive Plan. A residents survey was sent out by Kimley Horn, and the results of that survey will be reviewed at the February 25th Town Commission Meeting.

CAH/2-12-26



TOWN OF JUPITER ISLAND PUBLIC WORKS DEPARTMENT REPORT

To: Mayor & Town Commission

Through: Robert Garlo, Town Manager

CC: Kimberly Kogos, Town Clerk

From: John Duchock, Public Works Director

Date: 2/13/2026

The following report is a brief summary of ongoing Public Works projects, as well as expected upcoming actions to be undertaken by the Department. Where appropriate, supporting budget and decision-making information is included for Commission consideration.

Blue Bag Recycling Pilot Program

Public Works has initiated a pilot program to assess interest and feasibility of providing blue recycling bags to residents through the Town's sanitation services. The intent of the program is to help residents consolidate recyclables into bags that can run all the way through the recycling stream without separation.

The pilot program was initiated on December 17, 2025 with sanitation drivers providing door hanger packets containing a 25-bag roll of blue recycling bags, along with a copy of the sanitation/recycling schedule for the Town and brief instructions on the use of the bags for recycling only. The pilot program was limited to the north sanitation route only, covering North Beach Road residences and a limited number of residences on South Beach Road. The trial program has been active for just under two months. To date Public Works estimates household use at two bags per recycling day, equating to an average of four bags per week. Based on observations to date, roughly 25% of households are utilizing the bags. Staff continues to monitor the level of use of the bags and will provide an update during future Public Works reports, along with a cost-benefit analysis to evaluate the pilot program.

Beautification Committee Report

The Beautification Committee met on February 9th, welcoming two new committee members – Mrs. Jody Bush and Mr. Hugh O'Kane. The committee held discussions regarding the ficus allée, including recent trimming of several trees and removal of one large ficus tree along the north side of Bridge Road. Removal of the tree was required due to extensive damage from hypoxylon canker. Town staff have solicited quotes to acquire, relocate, and plant two large strangler figs within the existing gaps along the

Bridge Road corridor. Alternatives for acquiring a mature trees from an off-island source, as well as to relocate trees from on island have been requested and will be evaluated before being presented to the Beautification Committee. After being considered by the Committee, staff will request spending authorization from the Town Commission.

Town staff and the Committee also reviewed a draft management plan for the allée. Following the recommendation of the Town's arborist consultant, King Tree Service, the Committee approved the recommended approach to replace dead/dying trees through natural attrition, rather than interplanting or replacement of all trees at once. The draft management plan is being finalized and will be presented for Committee consideration.

Lastly, the Beautification Committee briefly discussed the potential to form a not for profit, 501(c)(3), organization for the purpose of raising funds to support tree replacement along Bridge Road.



Jupiter Island Public Safety Department January 2026 Activity Report



Monthly Activity By Month

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD 2026
<i>Calls for Service</i>	187												187
<i>Arrests</i>	1												1

Traffic & Marine Activity By Month

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD 2026
<i>Traffic Stops</i>	121												121
<i>Vehicle Citations</i>	6												6
<i>Parking Citations</i>	3												3
<i>Vehicle Crashes</i>	3												3
<i>Marine Unit Activity</i>	21												21

Major Crimes By Month

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD 2026
<i>Robbery</i>	0												0
<i>Burglary</i>	0												0
<i>Theft</i>	1												1
<i>Auto Theft</i>	0												0
<i>Assault</i>	0												0
<i>Total</i>	1												1



Jupiter Island Public Safety Department January 2026 Activity Report



Other Crimes By Month

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD 2026
<i>Fraud</i>	1												1
<i>Drug Violations</i>	0												0
<i>Trespassing</i>	0												0
<i>Vandalism</i>	0												0
<i>Disorderly Conduct</i>	0												0
<i>Lewd & Lascivious</i>	0												0
Total	1												1

ALS Fire Rescue Responses By Month

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD 2026
<i>Medical Calls</i>	15												15
<i>Medical Average Response Time</i>	5.5 Mins												5.5 Mins
<i>Fire Calls</i>	15												15
<i>Fire Average Response Time</i>	4.8 Mins												4.8 Mins



Jupiter Island Public Safety Department January 2026 Activity Report



Criminal Activity

Domestic Disturbance / January 1, 2026; Officers responded to a domestic disturbance where two subjects had been drinking and got into an altercation that escalated into a physical confrontation. The subjects were separated prior to law enforcement arrival and through their investigation, the primary aggressor was identified and placed under arrest for domestic battery.

Traffic Arrest / January 9, 2026; while conducting a lawful traffic stop, it was determined the operator of the vehicle had an active warrant out of the New England area for Failure to appear in court, and had a final removal order issued by Immigration. The subject was detained and transported to the MC Jail for processing.

Traffic Arrest / January 17, 2026; while conducting a lawful traffic stop, the operator of the vehicle was issued a criminal traffic citation with a mandatory court appearance for attaching an unassigned tag.

Involuntary Commitment; Baker Act / January 20, 2026; Officers received a Physician initiated Involuntary Commitment order. Contact was made with the subject, and they were transported to the closest Baker Act receiving facility without incident.

Identity Theft / January 23, 2026; Officers responded to the PSD in reference to a report of identity theft. The subject reported they had received calls from their financial institutions related to unusual activity related to their accounts. Additionally, they had received mail correspondence from additional banks where new accounts and loan applications had been submitted without their authorization. There had been no financial loss at the time of the report, and the complainant had taken all the necessary steps to secure their identity. This was an information only report for future related issues.

Theft / January 20, 2026; Officers responded to a report of theft in the 200 block of South Beach Rd. The complainant reported several outdoor patio items were missing and that it may have occurred over an 18-month renovation project at their home. There are no suspects or additional information at this time.



Jupiter Island Public Safety Department January 2026 Activity Report



Hobe Sound Beach Statistics

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD 2026
<i>Calls for Service-Day</i>	4												4
<i>Calls for Service-Night</i>	2												2
<i>Patrols</i>	81												81
<i>Traffic Stops</i>	6												6
<i>Medical Calls</i>	1												1

Hobe Sound Beach Activity

DAYTIME 7am-7pm

Disturbance / January 11, 2026, 2:37 pm; Officers responded to a report of ongoing issues of harassment between several visitors at the pavilion of the beach. All subjects were ordered to cease and desist and order was restored.

Parking Problem / January 22, 2026, 2:22 pm; Officers responded to the public beach in reference to an illegally parked golf cart. Verbal warning was issued.

Medical Assist / January 24, 2026, 1:02 pm; Officers responded to the public beach in reference to a juvenile female shark bite victim. The subject was treated and turned over to MCFR and transported to Martin South.

Crash / January 24, 2026, 6:38 pm; Officers responded to the public beach parking lot in reference to a minor vehicle crash. The victim did not wish to file a report at the time of the incident.

NIGHTTIME 7pm-7am

Disabled Vehicle / December 14, 2025, 8:24 pm; Officers assisted with a disabled vehicle in the parking



Jupiter Island Public Safety Department January 2026 Activity Report



lot of the public beach.

Fireworks / December 31, 2025, 11:35 pm; Officers responded to fireworks at the public beach pavilion. The fireworks were disposed of, and the subjects were ordered to leave the area.

Notable Incident

Recent discussion surrounding a medical emergency at the Jupiter Island Yacht Club has understandably raised concerns among residents who witnessed the event. Any incident involving a medical emergency in a peaceful community setting is unsettling, and it is natural for those present to focus on response times and the well-being of the individual involved. While some accounts suggested the ambulance took as long as 45 minutes to arrive, official dispatch records confirm the transport ambulance arrived in 19 minutes from the time of the 911 call.

It is important to clarify that emergency medical care began within minutes. Jupiter Island Public Safety officers who are triple certified in law enforcement, fire service, and emergency medical care arrived quickly and immediately began providing Basic Life Support. At the same time, a Martin County Fire Rescue paramedic unit arrived and initiated Advanced Life Support treatment. Additional fire personnel were also present to assist, and the Life Star medical helicopter was placed on standby as a precaution. In other words, professional medical care was continuous from the earliest moments of the incident, and the patient was stabilized well before the arrival of the transport ambulance.

The 19-minute ambulance response was longer than any of us would prefer, and it is appropriate to acknowledge that concern. However, the timing did not delay or diminish the medical treatment the patient received. The dispatch system used by Martin County Fire Rescue sends the closest *available* ambulance based on priority and current call load. At the time of this incident, nearby ambulances were already committed to other higher-priority emergencies or hospital transport, requiring the next available unit to respond from Port Salerno.

While the continuity of care was never compromised, response times matter, and community expectations are both reasonable and understood. We are actively reviewing this incident with regional partners to identify opportunities to strengthen coverage and reduce the likelihood of similar delays in the future. Our shared goal remains clear: to provide the highest level of emergency care and the fastest, most reliable response possible for the residents and guests of Jupiter Island.



Jupiter Island Public Safety Department January 2026 Activity Report



Code Compliance- TOV Activity By Month

<i>Violation Type</i>	Jan 2026	Feb 2026	Mar 2026	Apr 2026	May 2026	Jun 2026	Jul 2026	Aug 2026	Sep 2026	Oct 2026	Nov 2026	Dec 2026	YTD 2026
<i>Parking in Right of Way</i>	20												20
<i>No Flag Persons Present</i>	4												4
<i>Working Outside Hours</i>	0												0
<i>Work with No Permit</i>	0												0
<i>All Other Violations</i>	1												1
<i>Total Violations</i>	25												25
<i>Officer patrols</i>	1,000												1,000

**MINUTES
TOWN OF JUPITER ISLAND
TOWN COMMISSION SPECIAL MEETING
TUESDAY, JANUARY 6, 2026**

TIME: Tuesday, January 6, 2026 – 12:00 PM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Anne Scott and Commissioners Marshall Field VI, Patricia Warner and Joseph Taddeo. Also present were Town Clerk Kimberly Kogos, Town Attorney Kyle B. Teal and IT Director Bill Sutton.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Mayor Townsend called the meeting to order at 12:00pm. She announced that Commissioner Warner will join the meeting shortly and Town Manager Garlo is not able to attend today due to health matters. She read the Town Vision Statement.

1. Mayor/Commissioner Comments*

Commissioner Taddeo commented on the Leaf Blower Ordinance and the differences between gas-powered and electric leaf blowers. He stated that landscape workers had noted their preference for battery-operated equipment, citing its lighter weight, lack of fumes, reduced headaches, and lower vibration.

Commissioner Field asked that Town Clerk Kogos keep Attorney Teal up to date regarding legislative matters during the current legislative session.

2. Public Comment*

There was no public comment at this time.

3. Amended Agreement with Kimley Horn

Director Duchock provided an update on the proposed amended agreement with Kimley Horn regarding the Comprehensive Plan Review. Discussion ensued regarding the process. The Commissioners agreed on a spending authorization cap of \$32,500.

MOTION: Commissioner Field/Commissioner Taddeo moved to approve the contract not to exceed \$32,500.

Discussion ensued regarding funds already paid in comparison to outstanding or inadequate receivables. Commissioner Field withdrew his motion and requested Director Duchock to discuss with the contractor. The agenda item was deferred to the January 16 Commission meeting.

4. Comprehensive Plan Survey Questions

a. Review and Discussion of Survey Questions

Mayor Townsend announced that comments and suggestions had been received from residents as well as Commissioners. The Commissioners agreed the survey questions should focus specifically on the Comprehensive Plan and not on additional matters at this time.

b. Confirm Final Survey Questions

After discussion of the submitted questions and suggestions, the Commission agreed on the following survey questions:

1. Are you a property owner?
2. Should the Town continue to explore the possibility of septic to sewer conversion?
3. Should the Town investigate gaining ownership, control and maintenance of South Beach Road?
4. In order to retain the current character of the Town, do you wish to keep density as close to the current level as possible?
5. Comments Section

Public Comment:

Resident Ann Geddes provided comment regarding ongoing and lengthy construction periods, as well as the increased number of vehicles.

5. Town Manager Transition Plan*

Mayor Townsend introduced Colin Baenziger and his associate, Jeff Durbin. She explained that Town Manager Garlo is not able to attend today's meeting but noted that he highly recommends Mr. Baenziger as he brings a specific skill set and knowledge of the Jupiter Island community.

Mr. Baenziger provided a presentation booklet to the Commissioners and noted that he has worked with the Town previously. He outlined his services and described the process used to identify the right candidate and best overall fit for the position. He also detailed the extensive vetting procedures for each applicant and noted that the full process typically takes about 90 days, with onboarding bringing the total timeline to approximately four to six months.

Vice Mayor Scott stated that she is comfortable working with Mr. Baenziger. Discussion followed regarding the possibility of researching additional firms for comparison purposes, and the importance of timeliness was noted.

MOTION: Commissioner Field/Vice Mayor Scott moved to accept the proposal presented and to engage with Colin Baenziger & Associates to conduct an executive search for a new Town Manager.

ACTION: Motion Passed 4-1 (Commissioner Taddeo dissenting).

6. Other Items*

Director Pazanski outlined the proposed changes to the Town Attorney engagement agreement as

follows:

- Beach Protection and Town Commission meetings will be scheduled on the same day to reduce travel requirements.
- The fee structure will shift from a straight hourly rate to a flat rate based on meeting length.
- A flat monthly retainer will cover all general business communications, including phone calls and emails.

Consensus was reached on the proposed changes.

Public Comment:

No additional public comment at this time.

Mayor Townsend adjourned the meeting at 2:01pm.

Respectfully submitted,

Kimberly Kogos, Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
FRIDAY, JANUARY 16, 2026**

TIME: Friday, January 16, 2026 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Anne Scott, and Commissioners Marshall Field VI, Patricia Warner and Joseph Taddeo. Also present were Town Clerk Kimberly Kogos, Town Attorney Kyle B. Teal and IT Director Bill Sutton.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Mayor Townsend called the meeting to order and read the Town Vision Statement. She thanked the Local Planning Agency for meeting to review the Comprehensive Plan. She noted that Commissioner Taddeo will not be able to join the meeting today until around 11:00 AM due to personal matters. She announced a quorum.

AGENDA APPROVAL AND COMMENTS*

A. Mayor/Commissioner Comments

Mayor Townsend referred to the Vulnerability Assessment workshop and clarified that assets under review is directed to Town-owned properties, not specifically personal properties.

a. Town Coffee Update

There was no Town Coffee scheduled for this month.

b. Commissioner Comments

Commissioner Field asked the Town Attorney to comment on governance when the Town Manager is not available. Mayor Townsend stated that staff has been working together to conduct Town business. Commissioner Field stated that one person should be in charge when the Town Manager is not available. Town Attorney Teal will provide a recommendation.

Vice Mayor Scott commented on the agenda and asked that agenda Items 10-14 follow Item 7.

c. Agenda Approval

Mayor Townsend suggested changing the order of the agenda so action items may be heard once a full membership is in attendance. She moved the standing reports to follow the legislative update.

MOTION: *Vice Mayor Scott/Commissioner Warner moved to amend the Agenda.*

ACTION: *Motion Passed 4-0.*

B. Public Comment (Non-Agenda Related)

None.

CONSENT ITEMS

1. Consent Agenda

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

- a. Minutes of the December 12, 2025, Special Town Commission Meeting re. RFP Submittals
- b. Minutes of December 16, 2025, Special Town Commission Meeting RFP Shortlist Interviews
- c. Minutes of December 17, 2025, Town Commission Meeting

MOTION: *Commissioner Field/Vice Mayor Scott moved to approve the Consent Agenda as presented.*

ACTION: *Motion Passed 4-0.*

PRIORITY MATTERS AND PRESENTATIONS

2. Legislative Update - Ken Pruitt*

Ken Pruitt of the P5 Group, greeted the Town Commission and recognized staff, followed by a review of current procedures. He provided an update of the first week of the legislative session noting the vast number of bills that have been filed in one week. He explained the prioritization process compared to the movement of the bills through the legislation, using SB 290 pertaining to gas-powered leaf blowers as an example. He explained that these bills are being monitored very closely.

Mr. Pruitt reported on Property Tax Reform and identified specific bills under consideration. He noted HB 209 would increase the homestead exemption to \$200,000, resulting in an estimated 18.5% reduction in property tax revenue to the Town. He further explained HB 203 would phase out property taxes over ten years, by 2037, resulting in an estimated 48% reduction in property tax revenue to the Town.

Mayor Townsend requested that Mr. Pruitt inform the Town Commission if a special meeting may be required to provide direction regarding legislative action. Mr. Pruitt confirmed.

Mayor Townsend mentioned that continued erosion of Home Rule was noted as a main focus. She also asked about homeowner insurance rise and if there is any action in this arena. Mr. Pruitt confirmed there is nothing major at this time regarding homeowner insurance.

COMMISSION ACTION ITEMS

This section heard after Staff Reports.

3. Ordinance No. 415 - Authority of Town commission regarding Development Review Board - 1st Reading

Mayor Townsend introduced the ordinance and Town Attorney Teal read Ordinance 415 by title.

Public Comment:
There was no public comment.

MOTION: *Vice Mayor Scott/Commissioner Taddeo moved to approve the 1st reading of Ordinance No. 415.*

ACTION: *Motion Passed 5-0.*

4. Ordinance No. 416 - Amending Town Code regarding Criteria for Variances - Fill - 1st Reading

Mayor Townsend introduced the ordinance, noting topic approval in July and referred to the minutes of that meeting.

Town Attorney Teal read Ordinance 416 by title.

Vice Mayor Scott stated she will not approve this ordinance nor the increase of fill. Discussion ensued regarding sea level rise and providing additional protection.

MOTION: *Commissioner Field/Commissioner Taddeo moved to approve the 1st reading of Ordinance No. 416.*

ACTION: *Motion Passed 4-1; Vice Mayor Scott voted in opposition.*

Public Comment:
There was no public comment.

5. Ordinance No. 417 - Amending Town Code regarding Criteria for Variances - IMP - 1st Reading

Mayor Townsend introduced the Ordinance as a companion tied to Ordinance 417. She noted topic approval in July and referred to the minutes of that meeting.

Town Attorney Teal read Ordinance 417 by title.

Vice Mayor Scott stated an intent not to support the ordinance, citing similar concerns and describing the decision about fill and height as arbitrary.

Public Comment:
There was no public comment.

MOTION: *Commissioner Taddeo/Commissioner Field moved to approve the 1st reading of Ordinance No. 417.*

ACTION: *Motion Passed 4-1; Vice Mayor Scott voted in opposition.*

Commissioner Field raised concerns regarding staff direction during the Town Manager's absence and referenced Charter provisions prohibiting Commissioners from directing staff. Commissioner Field emphasized the need for a clear procedural framework to avoid future governance issues and requested clarification on interim authority. Mayor Townsend stated the Town Attorney would provide an opinion on the matter. Discussion ensued regarding the role of the Assistant Town Manager as the appropriate point of contact in the Town Manager's absence.

MOTION: *Commissioner Field/Commissioner Taddeo moved to authorize Assistant Town*

Manager Duchock to act as Town Manager in the Town Manager's absence.

ACTION: Motion Passed 5-0.

Assistant Town Manager Duchock joined the dais.

6. Resolution No. 949 - Approving the Town of Jupiter Island 401 (a) for Special Risk Employees

Director Pazanski reviewed Resolution No. 949 approving adoption of the Town of Jupiter Island 401(a) plan for Special Risk Employees and noted the plan reflected changes previously approved through collective bargaining. Director Pazanski advised all related documents were now finalized.

MOTION: Vice Mayor Scott/Commissioner Field moved to approve Resolution No. 949.

ACTION: Motion Passed 5-0.

7. Comprehensive Plan Agreement Amendment

Assistant Town Manager Duchock explained the updated memorandum and proposed amendment to the agreement with Kimley-Horn, noting the schedule update following the Local Planning Agency workshop and initiation of the community survey.

Assistant Town Manager Duchock advised the consultant agreed to remove the fee for the first draft and proposed a reduced fixed fee of \$21,500 for one additional draft incorporating Local Planning Agency and survey feedback prior to the final draft. Discussion ensued regarding the need for the additional draft.

MOTION: Commissioner Field/Vice Mayor Scott moved to approve the agreement amendment as presented.

ACTION: Motion Passed 5-0.

Mayor Townsend reviewed comments and recommendations from the Local Planning Agency and provided direction to staff and Kimley-Horn regarding revisions to the Comprehensive Plan draft. Mayor Townsend noted the Local Planning Agency generally supported the draft and emphasized the Comprehensive Plan serves as guidance for future Land Development Regulations. Direction was provided to clean up “should” and “shall” language to ensure clarity and compliance prior to submittal to the State.

Mayor Townsend stated the Town’s intent was to protect against growth inconsistent with the Town’s Vision Statement, while not restricting property rights, and requested inclusion of a general policy statement reflecting this intent. Discussion occurred regarding the variance process and maintaining existing standards related to blocking views from rights-of-way, with consensus to maintain the status quo.

Mayor Townsend raised concerns regarding Policies 6.1.6.4 and 6.1.6.5 related to high-quality uplands. The Town Commission agreed to remove these policies.

Additional discussion occurred regarding Vision Statement language, including use of the term “seclusion.” The Town Commission agreed not to revise the Vision Statement.

The Town Commission recessed at 10:48 AM.

The Town Commission reconvened at 10:58 AM.

Mayor Townsend noted an additional Local Planning Agency comment regarding the Housing element, explaining clarification was needed where referenced materials were not yet available. She also reminded

residents the community survey remained open.

ADDITIONAL COMMISSION MATTERS

8. Development Review Board Variance Criteria Review

Mayor Townsend introduced the Development Review Board variance criteria review and referenced correspondence from Development Review Board Chair Judy Holden and Board Member Nancy Auth expressing support for the proposed revisions and noting improved clarity regarding when variances should and should not be granted.

Town Attorney Teal reviewed the proposed variance criteria and explained the revisions were intended to be more concise and easier to apply, emphasizing that hardships may not be self-created and that perceived loss of property value does not constitute a hardship. He clarified the criteria apply to lot or structural variances only and do not relate to permitted uses under zoning.

Vice Mayor Scott requested clarification of the term “use” and discussed the “reasonable exemption” language.

Development Review Board Chair Judy Holden stated the prior criteria were nebulous. She expressed appreciation for the clarity provided by the revised draft and for Town Attorney Teal’s guidance during Development Review Board meetings. Vice Mayor Scott and Mayor Townsend expressed positive comments regarding the Development Review Board and its leadership.

Chair Holden requested an additional meeting with the Development Review Board, Director Harding, and Town Attorney Teal to review the ordinance once finalized.

The Town Commission reached consensus to direct staff to bring the proposed variance criteria back as an ordinance for first reading in February.

9. Winter Construction Discussion*

Mayor Townsend introduced the Winter Construction discussion, noting the issue had been raised previously and was typically addressed as a noise ordinance rather than a construction regulation. Mayor Townsend asked for the Town Commission’s appetite for further action.

Town Attorney Teal advised a broad seasonal moratorium would be problematic under state law, including SB 180, and recommended postponing action until permissible options could be identified. Following discussion, the Town Commission directed Town Attorney Teal to return with options focused on nuisance reduction, traffic impacts, and quality-of-life considerations, consistent with applicable state law.

STANDING REPORTS

This section was heard directly following Agenda Item 2

10. Town Manager’s Report*

There was no report at this time.

11. Town Attorney Report*

Town Attorney Teal provided an update on the *Slan v. Town* case. He advised a new judge, Judge Bower, had been assigned, and a new case management order had been entered. Town Attorney Teal stated the order established a July trial period and a March 23 deadline for dispositive motions, and noted the Town intends to move for summary judgment.

Town Attorney Teal requested an attorney–client session in February, if needed, and the Town Commission agreed.

12. Financial Report

Director Pazanski presented the finance report and advised revenues were approximately 70 percent of projections due to early ad valorem tax collections, while expenditures were approximately 20 percent with no significant variances. Director Pazanski stated the annual audit was nearing completion and would be presented at the February 25 Town Commission meeting, following Finance Committee review on February 6.

Mayor Townsend requested a review of the impact on the Town in light of the Property Tax Reform scenarios. Discussion ensued regarding potential projections and budget impacts, noting that 48% of homes are homesteaded on the island.

Commissioner Taddeo joined the meeting at 9:43 AM.

Mayor Townsend requested clarification regarding what the Town can and cannot do to educate and inform residents regarding legislative bills once they have been assigned a number and will appear on the ballot. Town Attorney Teal stated he would provide written confirmation that the Town may educate residents regarding legislative bills and their potential impacts.

13. Building Department Report

Director Harding provided the Building Department report noting 8 building permits reflecting a construction value of \$1,150,233.90 and \$17,689.18 in permit fees collected. She noted 102 building inspections conducted, and she added that Code Compliance responded to 25 formal complaints.

Commissioner Field raised concerns regarding use of a vacant lot for construction parking. Director Harding advised commercial parking lots were not permitted. Discussion ensued regarding whether any compensation was involved, applicable regulations, and how existing rules were being enforced. The Town Commission directed Director Harding to research the matter and report back.

Vice Mayor Scott referred to the Development Review Board (DRB) meeting and asked Director Harding about property under development and inspections. Director Harding stated that a project can hire a private inspector, which is approved by the state via building code.

Vice Mayor Scott requested a written memorandum from the Building Department regarding the matter, including clarification on inspection frequency and the distinction between reasonable inspections and harassment. Discussion ensued.

Public Comment:

Resident Bob Rowden commented regarding the North Beach "Parking Lot" on the vacant lot and stated it is a major concern regarding neighborhood character and wants to know when it will go away. He suggested buffering at the very least.

commercial vehicle parking and noted the provision did not apply to temporary use. Commissioner Field requested a draft amendment to clarify and strengthen the ordinance language to ensure that temporary construction parking is limited to the specific construction site in question rather than any vacant lot. Mayor Townsend clarified that Director Harding will report on the current activity at the site, and Attorney Teal will work on strengthening the ordinance in question as needed.

14. Public Safety Department Report

Captain Scolly reviewed the Public Safety Activity Report highlighting major events including a drowning at Blowing Rocks. Commissioner Taddeo noted 14 emergency vehicles from neighboring agencies in response to the incident.

OTHER ITEMS

15. Meeting Dates

January 6, 2026 – Special Town Commission Meeting re. Comprehensive Plan Survey Questions and Town Manager Transition Plan – 12pm

January 7, 2026 – Local Planning Agency Workshop re. Comprehensive Plan Review and Survey – 9am

January 14, 2026 – Vulnerability Assessment Public Outreach – 9am

January 16, 2026 – Town Commission, SMRU and Beach District Meetings – 9am February 24, 2026 – Town Coffee with Commissioner Warner – 9am

February 25, 2026 – Town Commission Meeting – 9am

February 25, 2026 – Beach Protection – 1pm or Directly Following Town Commission Meeting

March 24, 2026 – Town Coffee with Mayor Townsend – 9am

March 24, 2026 – SMRU Board Meeting – 10am March 25, 2026 – Town Commission Meeting – 9am

March 25, 2026 – Beach Protection District Meeting – 1pm or Directly Following Town Commission Mtg

April 21, 2026 – Town Coffee with Commissioner Taddeo – 9am April 22, 2026 – Town Commission Meeting – 9am

April 22, 2026 – Beach Protection District Meeting – 1pm or Directly Following Town Commission Meeting

Meeting dates were reviewed. The Town Commission noted the following schedule: May 18 – South Martin Regional Utility meeting at 9:00 a.m.; May 19 – Town Commission and Beach Protection District meetings at 9:00 a.m. The Town Commission confirmed no summer Town Coffee meetings would be held, no Town Coffee meetings would occur in February or April, and the March Town Coffee meeting would remain scheduled.

16. Other Items*

Mayor Townsend referred to a letter of thanks received from the Apollo School and Kathy Spurgeon. She read the letter aloud.

Mayor Townsend referred to communication from resident Bonnie Shiralli pertaining to new construction and the changing neighborhood character, specifically structures constructed closer to the waterway, out of line with the neighboring homes, thus impacting site lines. Discussion ensued. Assistant Town Manager Duchock was asked to explain to Mrs. Schiralli that the property was built in compliance with the code and was approved by IRC which she chaired at that time.

Mayor Townsend adjourned the meeting at 11:45 AM.

Respectfully submitted,

Kimberly Kogos, Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
FINANCE ADVISORY COMMITTEE MEETING
FEBRUARY 27, 2025**

TIME: Thursday, February 27, 2025 – 2:00 p.m.

PLACE: Town Hall Conference Room

PRESENT: Chair Stephen Timbers and Committee Member Candace Bagby, Town Manager Bob Garlo, Finance Director Matthew Pazanski, and Town Clerk Kimberly Kogos.

REMOTE: Mr. Daniel Anderson, Mauldin & Jenkins

ABSENT: Committee Members Jay Wilson, Bill Brown, and Charles Brennan.

Committee Chair Timbers called the meeting to order at 2:00 p.m. He explained that the Committee does not have a quorum but will hear the presentation from Mr. Anderson, although no action will be taken.

1. Approval of the March 18, 2024, Meeting Minutes

Approval was expressed, but an official vote was not taken due to lack of quorum.

2. Review of the Draft Audited Financial Statement as of September 30, 2024

Mr. Daniel Anderson, Partner at Mauldin & Jenkins, LLC, greeted the Committee and provided a brief review of the firm. He began his review by explaining general information regarding the annual financial report, audit opinion, and required communications. He explained that the Town did not expend greater than \$750,000 in Federal or State Funds, thus a Single Audit was not performed. Director Pazanski noted that the current Beach Protection District Beach Renourishment Project costs significantly more than \$750,000 thus a Single Audit will be required next year. Discussion ensued regarding the time and cost required for a single audit.

Mr. Anderson continued his review of required communications including significant accounting policies, accounting estimates and relationship with Management. He noted that the firm received full cooperation from the Town's management and staff and had no disagreements regarding accounting issues or financial reporting matters. He explained there were a few minor audit adjustments and the finance department has addressed these matters.

Mr. Anderson reviewed the General Fund Revenues (greatest source is property taxes) and Expenditures (Public Safety followed by General Government). Chair Timbers asked how these compare to other municipalities. Mr. Anderson confirmed that both the Town's Revenues and Expenditures are in line with other municipalities. Discussion ensued regarding various expenditures.

Mr. Anderson reviewed the overall General Fund balance history followed by the South Martin Regional Utility Enterprise Fund. He explained the Enterprise Fund operating revenues and expenses, comparing 2023 to 2024. He also reviewed the last five years of governmental activities of the General Fund. Discussion ensued regarding the Defined Benefits Program and the plan management.

Chair Timbers asked about the audit findings and the process of the audit. Mr. Anderson provided brief details to explain the audit process that lasts approximately three months in total. He added that the audit revealed clean findings and all staff cooperated.

Committee Members had no further questions. Mr. Anderson was excused from the meeting.

Chair Timbers asked if Mr. Anderson and his team cooperated and were easy to work with. Director Pazanski confirmed and noted that the firm is very good and respected. Discussion ensued regarding the audit firm and the process of engaging with a firm.

Chair Timbers and Member Bagby expressed approval of the audit findings.

Chair Timbers referenced page 7 of the audit report titled Management's discussion and analysis. Discussion ensued regarding Defined Benefits and Defined Contribution. Discussion also ensued regarding funding sources for the Town including property taxes and FEMA funding.

3. Fund Balance Policy Review

Finance Director Matthew Pazanski explained the fund balance policy and explained that the Town's goal is to maintain an unassigned fund balance reserve in an amount equal to 90-180 days of the Town's current year operating budget. He stated that if the Unassigned Fund Balance at fiscal yearend falls below the targeted goal, the Town shall develop a restoration plan to achieve and maintain the minimum fund balance. He noted that if the Unassigned Fund Balance at fiscal yearend creates a surplus above the targeted goal, the Town may utilize the additional funds with commission approval for the offset of operating expenses in the subsequent budget year. Discussion ensued.

The Committee did not suggest any change in policy.

4. Debt – Swap Maturity

Finance Director Pazanski explained long-term debt and early pay off. Discussion ensued regarding the pros and cons of paying off the long-term debt. Chair Timbers opined that there is no significant gain of early pay off. Member Bagby agreed. Director Pazanski explained that he prefers keeping the money in the bank earning 4.5% interest which outweighs the debt.

The Committee agreed to maintain the current debt schedule.

5. Other Items

Director Pazanski announced that the findings of the Committee will be presented to the Town Commission at the March 21st meeting. There were no other items for discussion.

6. Adjournment

Chair Timbers adjourned the meeting at 3:09 pm.

Respectfully submitted,

Kimberly Kogos, Town Clerk

**MINUTES
BEAUTIFICATION COMMITTEE MEETING
NOVEMBER 10, 2025 – 11:00 A.M.
TOWN HALL CONFERENCE ROOM**

PRESENT: Committee Members: Staff: John Duchock, Assistant Town Manager
 Ken McBrayer Robert Garlo, Town Manager
 Judy Light Trenton Warren, Assistant Town Clerk
 Joyce Vicenzi Jason Coppock, Assistant Public Works
 Richard Redmond
 Debbie Textor

1. WELCOME

Director Duchock called the meeting to order at 11:04 a.m. and welcomed those present. He introduced the staff and Consultant Brian Fischer from King Tree Services. Chair McBrayer established a quorum.

2. APPROVAL OF MINUTES OF MEETING HELD MAY 7, 2025

MOTION: *Member Redmond/Member Light moved to approve the minutes of May 7, 2025.*
ACTION: *Motion Passed 5-0.*

3. COMMITTEE MEMBERSHIP DISCUSSION

Director Duchock informed the committee that Members Stephanie Flinn and Nancy Rowden have submitted their resignation. Member Redmond recommended Steven Bartram as a potential replacement candidate due to his educational and work background as a landscaper. Discussion continued among the members, but no other name was recommended.

4. TOWN HALL ENTRANCE – STRANGLER FIG PILOT PROJECT

Director Duchock explained that the trees at the Town Hall entrance had become sparse and weak over the last few years. He presented a report on the summer project that removed eleven of the non-native Ficus trees and replaced them with ten new Strangler Figs. He stated the purpose of this project was to act as a “pilot project” to introduce the new Strangler Figs to the residents. He clarified that the original inter-planting plan approved in May had become unviable.

Member Textor expressed some disapproval of the change in plans being made without the Committee approval. Director Duchock explained there was an attempt to create a meeting in June, but a quorum could not be established.

Member Light inquired about potential cross contamination of diseases. Consultant Fischer assured her the current choice of Ficus trees are very resistant to diseases.

Member Textor inquired about the number of Ficus trees needed. Director Duchock clarified 140 trees will be needed to complete the Town Hall and Bridge Road projects.

5. BRIDGE ROAD FICUS TREE REMOVAL (3 DEAD/DYING TREES)

Director Duchock informed the Committee that King Tree Service identified three dying trees currently infected with hypoxylon on Bridge Road. He presented several options for replacement including planting new young Strangler Figs or relocating larger Ficus trees currently in the Town’s nursery. Discussion ensued between the Members and Consultant Fischer on the best option.

Chair McBrayer encouraged using Beautification Funds to replace the trees as needed. He commented that the status of the trees has been very positive for the last several years. He recommended a slower approach to this project as a result. Consultant Fischer recommended replacing trees as they die instead of proactive removal when they display disease. He stated there is very little concern about the current longevity of the Ficus Trees on Bridge Road. He estimated the current trees are roughly 50 to 75 years old, and may live as long as 100 years old.

Member Textor inquired about the potential of the hypoxylon spreading to the other healthy Ficus trees. Consultant Fischer recommended removing the infected limbs to avoid spreading diseases to the other trees. He also suggested relocating trees from the island as much as possible, potentially even from private properties.

Member Redmond asked if there are any permitting requirements for relocating trees across the island. Director Duchock explained that if a Ficus tree were to be removed from a resident’s property, it would be included in their landscape plans.

The Committee ultimately recommended removing infected branches for now and replacing the trees with larger Strangler Fig trees from the nursery during the planting season next spring.

6. BRIDGE ROAD FICUS ALLEE MANAGEMENT PLAN OUTLINE DISCUSSION

Director Duchock reviewed the Plan Outline with the Committee. He also gave out copies to each member. He encouraged the Committee members to submit any comments or concerns to him as they review it. He outlined the current goal is to have a draft plan completed by February, with a final plan submitted to the Town Commission by April 2026.

7. TOWN HALL PLANTER BOXES

Director Duchock presented several photos of the new planter boxes for the outside of Town Hall. These boxes will be cube and rectangle shaped and will be placed above ground on the tile instead of the grass. He opened the floor to comments and suggestions from the Committee. Discussion ensued, and the Committee made these suggestions:

Member Light suggested the planters have each plant labelled with placards so that residents can see what species are being planted.

Member Textor recommended changing and planting new flowers along the fountain with support from the Jupiter Island Garden Club.

8. OTHER MATTERS

Chair McBrayer strongly urged the Committee to have more meetings to review the Ficus project as it unfolds. Director Duchock suggested the next meeting should be sometime in January once enough progress has been made on the project. The Committee tentatively set the next meeting for January 12, 2025 at 11am.

Member Light suggested posting an article about the Ficus trees in the Town Newsletter to alleviate worries or fears of the residents; informing them a plan is in place to replace them long term.

9. ADJOURNMENT

The meeting was adjourned at 12:14pm.

Respectfully submitted,

Trenton Warren
Assistant Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
LOCAL PLANNING AGENCY MEETING
MONDAY, NOVEMBER 25, 2024**

TIME: Monday, November 25, 2024 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Chair Trent Steele, and Board Members Scott Hughes, Kate Nelson, Laurie Gaylord, and Jim Hauslein, and Alternate Members Cynthia Keegan and Wendy Nolan. Also present were Town Attorney Thomas Baird, Building Department Director Catherine Harding, Assistant Town Manager/Beach Protection Director John Duchock, IT Director Bill Sutton and Town Clerk Kimberly Kogos.

CALL TO ORDER AND COMMENTS*

The meeting was called to order at 9:00 AM. The Committee members introduced themselves.

1. Minutes of the meeting held January 23, 2024

MOTION: *Hughes / Nelson moved to approve the minutes of the Local Planning Agency held on January 23, 2024.*

ACTION: *5-0 motion passed.*

2. Waterfront Setback Line Study Review and Discussion

The Town Commission is requesting the LPA provide recommendations on the selection and application of the Waterfront Setback Line Study criteria, thus enabling the consultant to advance further towards preparing a setback line that would be further reviewed by the LPA and Town Commission.

Chair Steele explained the purpose of today's meeting and summarized the Waterfront Setback Line (WFSBL) Study. He noted that the Town Commission at their last meeting had asked the LPA to provide recommendations on the selection and application of the WFSBL study criteria which would enable the consultant to advance further in preparing a setback line that will be reviewed again by the LPA and Town Commission. He mentioned that from the original group of setback criteria provided in the report, criteria numbers 1, 3 and 6 had been eliminated by the Town Commission and the task today is to review criteria numbers 2, 4, 5, 7.

Director Duchock provided an explanation of today's meeting and the WFSBL Study being presented. He introduced the Town's coastal engineering consultant, Jennifer Bistyga, Project Manager with Cummins Cederberg.

Ms. Bistyga greeted the Committee. Chair Steele asked for a brief summary of Cummins Cederberg credentials and confirmed that the organization has completed similar studies. Member Gaylord asked if Cummins Cederberg worked closely with the Department of Environmental Protection (DEP) and Ms. Bistyga confirmed.

Ms. Bistyga began her presentation. She explained that the Town's WFSBL is a line of prohibition which limits the encroachment of upland development into the beach dune system based on specific criteria. The criteria applied for the 2019 WFSBL were:

- 50' landward of the mean high water (MHW)
- 50' landward of the dune (+14')
- 50' landward of existing seawall/coastal structure
- Line of sight between closest habitable conforming buildings within 1,000'
- Average setback from MHW of closest conforming buildings within 1,000'

Member Gaylord asked how long the 50' measuring point had been used. Ms. Bistyga and Director Duchock confirmed that the 50' line has been used since the 2000 and 2019 studies for offset measurements. Director Duchock stated 50' is used as a standard along the state coastlines. He stated that other municipalities use different measuring points (i.e. Palm Beach uses less than 50'). Member Hughes explained that prior to the creation of the WFSBL, the Town used Line of Site as a measuring point, in order to maximize the residents' view. He added that when construction met critical mass and maintaining a line of sight became challenging, the Town opted to create the WFSBL.

Ms. Bistyga continued with the presentation explaining that Florida dune systems are controlled by local and state regulatory agencies, including the DEP. She stated that the DEP utilizes a line called the Coastal Construction Control Line (CCCL) as their governing line. She explained that the goal of the current study has been to be more aligned with the state's CCCL.

Member Hughes asked what conditions the CCCL creates in terms of a buildable structure. He noted that the CCCL does not restrict the location of a structure rather defines the strength or armament of a building. Ms. Bistyga stated that the CCCL was established in Martin County in 1985 and is a line of jurisdiction, not prohibition. She added that it defines the landward limit with the FDEP's authority to regulate construction. If a building is seaward of the CCCL, one must apply for specific permits. Ms. Bistyga continued to explain the criteria being applied for the new setback line study. Those include:

1. Line of Construction (LOC)/ Uniform Construction Line (seafoam green line)
 - a. Measure average distance between 2023 MHWL and seaward projection of major habitable structures within 1,000 ft of R monument
2. Frontal Dune Ridge
 - a. Identify dune ridge line with Geomorphon Landforms Tool (GIS)
 - b. Apply a 50' setback to ridge for WFSBL criterion
 - c. Heel (landward) line of dune falls within 50' dune setback
3. Townwide 30-Year Erosion Projection (30-YEP)
 - a. Long-term shoreline erosion predicted over a period of 30 years based on historical shoreline changes.

Chair Steele asked why not use the CCCL as the WFSBL? Ms. Bistyga noted that this could be the decision, but the CCCL is a very restrictive line. She stated that the recommendation is not to construct further west of the General Permit Line.

Ms. Bistyga explained the 2024 WFSBL criteria in more detail.

Discussion ensued regarding the various construction lines considered for a construction permit. Ms. Bistyga explained that the DEP reviews permit applications on a site-specific basis while the Town is developing the waterfront setback line on a town-wide basis.

Member Nelson asked if Cummins Cederberg had referred to the Comprehensive Plan and Town Vision in the recommendation. Ms. Bistyga explained that the project team is aware of these documents and looked at this criteria, but is basing the recommendations on the criteria presented. Attorney Baird noted that the Town is conducting a Comprehensive Plan review, and the two studies will be combining their information in some capacity.

Member Nelson asked if beach renourishment was considered in making the recommendation. Ms. Bistyga confirmed that the beach nourishment program is a factor in the formula and referred to the Development of Conceptual Townwide 30-Year Erosion Projection (YEP) presentation slide.

Ms. Bistyga defined the various lines along the preliminary maps. She reviewed the LOC as requested by Member Gaylord and confirmed that the DEP utilizes the minimum position where this current study has recommended using the average LOC position.

Chair Steele referred to his previous home along the 100 block which is close to the ocean and stated that it is helpful to give real world examples for better understanding. Discussion ensued pertaining to a new line potentially creating both non-conforming structures as well as new buildable envelopes.

Member Gaylord asked if the Town has reviewed the number of homes that would become nonconforming and vice versa. Director Duchock noted that the Town will be reviewing and providing that information.

Ms. Bistyga continued with the map review.

Member Hughes asked about today's recommended line versus the 2019 line in regard to the 300 block line, where there is a significant change in the current recommended line. Director Duchock explained that in 2019, the Town looked at the 14' dune elevation, and noted that the dune elevation dips down in the 300 block. He explained that today, the study is using a different methodology that includes the DEP's frontal dune which is not tied to an elevation.

Ms. Bistyga continued reviewing the preliminary maps. Discussion ensued regarding the nourished beach versus a non-nourished beach (in the 400 block and near Blowing Rocks).

Ms. Bistyga concluded her presentation.

Member Hauslien asked about the 2019 WFSBL. Director Duchock confirmed that the 2019 line reviewed both shorelines (ocean side and intracoastal side) while this current study focuses only on the ocean side. Member Hughes referred to the 2019 line and unintended consequences noting that the motivation at that time was to reduce the number of nonconforming structures, and there was no indication that they would be creating buildable sites. He stated that he is hopeful that this time, they would be able to inform property owners of any change and give them a chance to understand what those changes are.

Member Hauslien stated that he has heard that the recommended line helps some and hurts some. He explained that the residents who are negatively impacted do not benefit in any way from those who are positively impacted.

Chair Steele noted that there seems to be more comfort with westerly shifts versus the easterly shifts, especially considering erosion. He asked if there is a way to logically limit or justify not moving the line further east than it already is.

Member Hughes expressed appreciation for conservative views but focused on fairness. He stated that the Town has hired experts to analyze what is fair based on criteria provided by the Town Commission, and if the recommendation is not accepted, a valid explanation as to why it was rejected must be provided.

Chair Steele agreed but asked how much wiggle room is in this report, noting that the consultant stated that the recommended line at this point is not set in stone.

Member Nelson stated she would like to see a Line of Construction that does not incorporate non-conforming structures, and she recommends allowing construction westward of CCCL-GP (General Permit) line.

Member Gaylord asked for a list of oceanfront properties that were purchased since the 2019 line, and the potential impacts to them if the line changes. She read the Florida Statute that speaks to private property rights.

Member Hughes expressed concern over “cherry picking” the data in the report and opined that the two choices are to accept the report as is or simply reject it and stay with the 2019 line. He noted that this report creates buildable envelopes that do not currently exist and expressed concern over the risk the Town exposes itself to if moving the 2019 line.

Member Hauslien agreed that they must be very sensitive to private property rights. He noted that the report creates three different “buckets”:

- The lines seem to line up with each other
- The lines create non-conforming properties
- The lines create buildable envelopes

He expressed that the Commission must be careful and not penalize existing residents.

Chair Steele stated that this line goes west as well as east and will negatively impact some property owners. He noted that this report is purely objective using data points which cannot be argued.

Member Nelson questioned if it makes sense to wait until the comprehensive plan is reviewed. Member Hughes stated that there are time sensitive issues including the ZIP which expires in February.

4. Public Comment*

Resident Tucker Johnson referred to the Town’s consistent attitude toward pre-existing and non-conforming structures and finding a way to protect the homeowners in storm events and protecting them legally.

He stated that more priority should be placed on not creating a non-conformity where houses exist. He opined that perhaps it may be worth waiting and adding into the equation the value of not creating additional non-conformity where it is not necessary, because it places a burden on the homeowner and creates a potential loss of value on the property.

Member Hughes stated the 2000 line literally moved around houses to reduce creating non-conformity while the 2019 line did it with very few exceptions. He opined that the Town’s priority has always been to support the status quo.

Member Gaylord stated that the current line is very closely aligned to the 2019 line. She suggested approving the recommended line, or rejecting it and keep the 2019 line.

Member Hughes restated the desire to analyze the number of non-conforming homes the recommended line would create, as well as the number of buildable envelopes. He added that there is a front yard setback line and would like to analyze the impacts to those parcels where the potential line changes. Additionally, he suggested creating a new zoning district for beach homes.

Member Hauslien suggested keeping the 2019 line and keep the seafoam green line as well (keep 2019 and not penalize current homeowners).

Member Gaylord referred to the Cummins Cederberg Task 4 that is still to be completed and consists of creating the final maps and report. Director Duchock explained the scope of work and task process. He explained that the town is gathering feedback and public input, then the Commission will review that information and use that to shape a final line. He explained the process as it has evolved which will add another workshop and LPA meeting.

Chair Steele summarized by asking the committee if there were any criteria the committee would like to add to or delete from the current criteria.

Member Nelson recommended not permitting the creation of any non-conforming structures, referring to criteria #4. She stated, "If you look at the existing setback, it actually says, 'Every setback of closest conforming building'. I think our LOC for major...? [verbiage not clear]...should be *conforming* buildings, not 'all'...right now, it includes 'all'." She expressed how existing homes in the 600 block will not be conforming because they are in the dune...they would not qualify for a DEP permit.

Member Hughes suggested controlling such a situation with a policy shift in the LDRs which would say that permitting ability to improve their property would be limited in such a way that an expected "life span" is created that would change attitudes about existing structures. He emphasized treating everyone fairly across the board.

Chair Steele stated that the task before them is to decide if the criteria is what should be considered when creating the final line, or if there is something else that should be considered. Member Hughes expressed that the criteria is exactly what the Town Commission wanted and the Committee should support it.

Member Hauslien recommended using the criteria in such a way that would not create nonconforming structures and shrink building envelopes. He emphasized not to penalize homeowners relative to the 2019 line.

Member Hughes stated that he feels each homeowner should have the opportunity to see exactly how the recommended line would affect their individual property. In order to do that, he noted that the committee is requesting additional information:

- Properties that would become non-conforming
- Properties that are currently non-conforming that would become conforming
- Properties that would become buildable that are not currently buildable
- Properties that are currently buildable that would become not buildable due to loss of square footage.

Chair Steele noted that the Committee agrees on these recommendations.

Resident and LPA Alternate, Wendy Nolan, stated that she is concerned about eastward movement of permitted development, especially considering climate change. She expressed that dunes come and go, sharing that her property was washed out to the ocean years ago. She stated that she does not agree with adding buildable property closer to the water.

Chair Steele emphasized that this study is based on scientific criteria so no one can state that any specific property is receiving favor or is being penalized. Since the data is scientific, it is indisputable.

Member Nelson asked if the Town is engaged in an overall risk assessment. Director Duchock stated that the Town is beginning a vulnerability study that reviews the effects of sea level rise, among other risk factors including 100-year storm erosion. However, the study is focused on Town-owned property and assets versus private property.

Chair Steele again gained consensus on the comfort of the committee pertaining to the criteria that has been advanced by the Town and consultant for the purpose of redrawing the line, with the understanding that more information has been requested.

Chair Steele stated that the next comment is not on the agenda but is a matter that needs to be addressed. He stated that the committee is currently without a Vice Chair and asked the Commission to appoint a Vice Chair.

5. **Next meeting date - To be determined***

6. **Adjourn***

The meeting adjourned at 11:03am.

Respectfully Submitted,

Kimberly Kogos, Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
PENSION PLAN COMMITTEE MEETING
THURSDAY, DECEMBER 4, 2025**

TIME: Thursday, December 4, 2025 – 9:00 a.m.

PLACE: Town Hall – Conference Room

PRESENT: Chair J. Geddes (Ged) Parsons, Craig Donaldson, Finance Director Matthew Pazanski, and Assistant Town Manager/Beach Protection District Director John Duchock. Also in attendance were P. J. Gardner and Jimmy Robbins of AGW Capital Advisors.

Absent: Town Manager Robert Garlo

Chair Geddes Parsons called the meeting to order at 9:02 a.m. and established a quorum with four members present.

1. Approval of Minutes

- a. Minutes of September 11, 2025, Pension Board Meeting

Motion: Duchock/Pazanski moved to approve the minutes of September 11, 2025 Pension Board Meeting.

Action: Motion Passed 4-0.

2. AGW Capital Advisors, Inc. – Performance Review and Capital Markets Update

Advisor P.J Gardner began the discussion by reviewing the Capital Market indices for the second and third quarters. He noted inflation is appearing to cool off at around 3%, but may continue for a little longer. He stated the Federal Reserve delivered its first rate cut in nine months. He then reviewed the periodic table of investment returns, noting the rise and fall of each stock. He reported a year-to-date gain for the portfolio at roughly \$991,000 and encouraged its resilience in an otherwise shaky market. Finance Director Pazanski discussed the topic of property tax changes being proposed in the State Legislature and the lack of clarity and details being presented by Officials.

Mr. Gardner showed several charts displaying GDP growth distortion, and speculated the skewed results come from tariff effects. He discussed the effects of AI speculation has had on the stock market and which company or market would end up benefitting the most from the potential increase in productivity. He reviewed AGW's thoughts on the market, emphasizing several key points including: volatility has returned, discipline in diversification and rebalancing, and fixed income regaining its purpose. He gave the

portfolio rebalancing recommendations, noting only small selling/trimming of specific stocks overall.

Motion: Pazanski/Duchock moved to approve trimming recommendations from AGW.

Action: Motion passed 4-0.

3. Other Items

Director Pazanski began a discussion about the Actuarial Valuation Report as of October 1, 2025 (AVR), and referred to page 2, the Schedule of Contributions. He stated that the AVR is suggesting the contributions for the year could be reduced to \$285,296, while the average yearly contribution over the past 10 years was approximately \$430,000, and the Town budgeted \$475,000 for the current fiscal year. He requested the Committee provide a recommendation for the current year contribution as he was presenting the AVR to the Town Commission at the next meeting and believed the Town Commission would appreciate a Pension Committee recommendation as to the funding level. Conversation ensued related to the plan's variables and future expectations.

Committee Chair Parsons recommended the contributions be made at the current year's budgeted amount, \$475,000, and requested a motion.

Motion: Pazanski/Donaldson moved to approve the recommendation to keep the current year's budgeted amount of \$475,000.

Action: Motion passed 4-0.

4. Next Meeting

The Committee reviewed their schedules and tentatively set the next meeting on February 19, 2025 at 9 a.m.

The meeting was adjourned at 10:20 a.m.

Respectfully submitted,

Trenton Warren, Assistant Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND AND JOINT MEETINGS OF
THE TOWN 401A DEFINED CONTRIBUTION PLAN (DC) COMMITTEE
AND THE SOUTH MARTIN REGIONAL UTILITY (SMRU) 401A DEFINED
CONTRIBUTION PLAN (DC) COMMITTEE
THURSDAY, DECEMBER 4, 2025**

TIME: Thursday, December 4, 2025 – 11:30 a.m.

PLACE: Town Hall – Conference Room

PRESENT: Assistant Town Manager/Beach Protection District Director John Duchock, Member/Finance Director Matthew Pazanski, Member/Control Systems Specialist Dustin Lindholm, and Member/IT Director Bill Sutton. Also present were Mr. P. J. Gardner and Mr. Jimmy Robbins of AGW Capital Advisors.

ABSENT: Town Manager/Committee Member Robert Garlo

Assist Town Manager Duchock called the meeting to order at 11:03 a.m. He established a quorum with four members present.

1. Approval of Minutes – September 11, 2025, Jt. Meeting of the Town 401a DCP and SMRU 401a DCP Committee

Motion: Lindholm/Pazanski moved to approve the minutes of the September 11, 2025 meeting as presented

Action: Motion passed 4-0.

2. AGW Capital Advisors, Inc. – Performance Review and Capital Markets Update

Advisor P.J. Gardner began the meeting by reviewing the Fiduciary Investment Review Report. He discussed the scorecards of each asset in the portfolio for the third quarter, noting the strengths and weaknesses of each asset. He summarized the total plan allocations by investment types and stated the total combined value of the plans were currently at approximately \$18.8 Million as of September 30, 2025. He stated the overall growth of the plans was markedly good in an overall cautious market.

He then summarized the Portfolio Recommendations Report. He noted several key points that affect the portfolio including tariff uncertainty, the recent U.S. government shutdown, and persistent inflation at 3%. He reviewed the model portfolio risk/return profiles and made no new change recommendations to the current plans.

3. Withdrawal Requests

There were no withdrawal requests made in this quarter. The Committee briefly discussed whether it was still required for them to review withdrawal requests due to a new self-withdrawal feature being offered. The Committee concluded that until a change is made in the bylaws, they will continue to review withdrawal requests as required.

4. Member Appointment and Other Items

Director Duchock inquired about filling in the current vacant memberships. The Committee discussed the topic and decided to make the appointments during the next scheduled meeting.

5. Next Meeting

The Committee reviewed their schedules and tentatively set the next meeting for February 19, 2026 at 10 a.m.

The meeting was adjourned at 11:17 a.m.

Respectfully submitted,

Trenton Warren, Assistant Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
DEVELOPMENT REVIEW BOARD MEETING
THURSDAY, JANUARY 8, 2026**

TIME: Thursday, January 8, 2026 – 9:00 AM
PLACE: Town Hall Island Room -- 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Chair Judy Holden, Members Nancy Auth, Maria Bayazid, Truman Hobbs, Jennifer Madden, Christina Whitney, and Alternate Members Christina Gidwitz, and Eleanor Seaman. Also present were Town Attorney Kyle Teal, Building Department Application Coordinator Amy Vanilla, and Assistant Town Clerk Trenton Warren.

Call to Order and Comments

Chair Holden called the meeting to order and read the purpose statement of the Development Review Board. The board members introduced themselves and Chair Holden established a quorum.

1. Minutes of the Development Review Board Meeting held on November 6, 2025

Chair Holden requested a change on page 5 regarding Members Auth, Blazie and Whitney objecting on a variance and requested the specific criteria be listed.

MOTION: *Member Bayazid/Member Whitney moved to approve minutes of the November 6, 2025, as amended.*

ACTION: *Motion Passed 7-0.*

Assistant Town Clerk Warren swore in all parties interested in speaking during today's hearing including Attorney Jared Gaylord of Marc R. Gaylord P.A.; Bert Krebs of Innocenti and Webel; Jeremy Bowerman of Jeck, Harris, Raynor & Jones; Erin Boland of Cotleur & Hearing; and resident Anne Scott.

2. 161 North Beach, Hobe Sound, FL 33455, E-12 Island Core Residential District

The applicant is 161 North Beach, LLC, and is represented by Jared Gaylord, Esq. of Marc R. Gaylord, P.A.

This is a site plan approval for:

Demolition of an existing 3,060.6 square foot non-conforming residence and construction of a new 3,058.3 square foot residence, which will not result in an expansion of the non-conformity.

In accordance with Article X, Division V, Section 5.00, Standards for Approval of Variances, the applicant is requesting a variance to Article IX, Division II, Section 2.02 (c) (d) for Nonconforming buildings.

Ex-Parte Communication:

- *Chair Holden stated she visited the property, read the materials, and had no ex- parte communication.*
- *Member Whitney stated she visited the property, read the materials, and had no ex- parte communication.*
- *Member Hobbs stated he visited the property, but it was gated.*

- *Member Bayazid stated she visited the property, spoke with Director Harding, read the materials, and had no ex-parte communication.*
- *Member Auth stated she visited the property, read the materials, and had no additional ex-parte communication.*
- *Member Seaman stated she visited the property, spoke with Director Harding, read the materials, and had no additional ex-parte communication.*
- *Member Madden stated she visited the property, spoke with Director Harding, read the materials, and had no ex-parte communication.*

Building Specialist Amy Vanilla reviewed Director Harding's report on the application with the Board. She introduced the application and gave background information about the nonconformities on the properties. She listed Director Harding's requirements for building approval including a Department of Environmental Protection (DEP) approval, proof of septic tank approval from the county, and noted the Town Engineer report is still required. Chair Holden read a letter of approval from Margret B. Neelson, a neighbor of the property.

Attorney Jared Gaylord introduced himself representing the Idler family. He provided historical aerial photographs from the last thirty years to show the development history of the lot. He provided current photographs of the structure to emphasize the state of disrepair of the buildings on site. He displayed the property survey to gauge the waterfront setback line location in relation to the property. He stated the current structure is 3,061.8 square feet and is 15.1 feet from the road. He stated the property is legally nonconforming due to encroachment into the front yard setback, placement in front of the waterfront setback line, and a reduced southern side yard setback of approximately 25.1 feet where 30 feet is required. He presented the new proposed site plan with a 3,058.3-square-foot structure. He stated existing pilings may be salvageable, which could assist the DEP permitting process. He confirmed the proposed structure would maintain the same Initial Measuring Point and building height, with an overall height of 24 feet, compared to 23 feet 2 inches for the existing structure. He reviewed the existing and proposed landscape plans, detailing removal of invasive *Scaevola* and enhancement of native dune vegetation.

Chair Holden opened the floor to questions from the Board members.

Member Hobbs asked whether the nonconformities approved in the 1990s were subject to materially different regulations. Attorney Gaylord stated prior land development regulations were generally similar and noted the waterfront setback line was not formally mapped until approximately 2000. Director Duchock confirmed that waterfront setbacks were previously evaluated on a property-by-property basis and were later formalized to improve consistency.

Member Bayazid asked whether removed vegetation would be replaced and whether the hardscape area would expand. Attorney Gaylord confirmed the hardscape area would not increase. Mr. Krebs explained that removed *Scaevola* would be replaced with native dune vegetation. Member Bayazid also asked whether existing nonconformities must be reduced. Town Attorney Teal confirmed there is no requirement to reduce legal nonconformities, provided they are not increased.

Member Auth asked why the Board was reviewing the application prior to DEP approval. Town Attorney Teal explained DEP approval is required before issuance of Town permits, and Board approval allows issuance of a Town letter of conformity or no objection, with all approvals conditioned upon DEP approval.

Town Attorney Teal requested clarification regarding the variance request. Attorney Gaylord stated the request was submitted out of an abundance of caution due to changes in the Land Development Regulations governing nonconforming structures.

Alternate Member Seaman asked whether Board action would impact DEP review. Attorney Gaylord and Attorney Teal explained the DEP conducts an independent review but relies on the Town's conformity determination.

Member Madden asked whether a seawall exists. Attorney Gaylord stated the shoreline consists of riprap buried beneath sand from beach renourishment, with no formal seawall present.

Member Auth asked about missing items on the Coastal Construction Control Line (CCCL) checklist. Attorney Gaylord stated the checklist is part of the Town's staff review process and would be completed prior to DEP submission.

Chair Holden commented that the air conditioning unit should be enclosed for sound mitigation and the wood retaining wall should be replaced with a more substantial structure.

Attorney Gaylord explained the proposed exfiltration trench would provide approximately 4,956 cubic feet of stormwater storage and confirmed required sight triangles were shown on the plans.

Member Hobbs asked whether the structure could be relocated to improve compliance. Attorney Gaylord stated relocation would either increase waterfront setback nonconformity or impact neighboring views and would not align with Land Development Regulations.

Member Bayazid asked about construction parking. Attorney Gaylord explained a designated staging and parking area would be established east of the clusia hedge without removal, with fencing and monitoring in place.

Chair Holden reviewed the standards required for approval of the variance.

Chair Holden reviewed the standards applicable to replacement of a nonconforming structure. Member Hobbs questioned the applicability of standards related to destruction by casualty or act of God. The Board confirmed the proposed replacement would remain in the same location, maintain the same footprint and setbacks, and not increase nonconformity or floor area. Town Attorney Teal stated the standard requiring application within three years of destruction was not applicable, as no qualifying destruction had occurred.

Town Attorney Teal asked for clarification regarding the variance request. Following discussion, Chair Holden concluded a variance was not required and rescinded the Board's assessment of variance standards.

Chair Holden opened discussion on conditions.

Chair Holden summarized that the Board would consider approval of the demolition and replacement of the existing nonconforming structure in the same location, with no increase in setbacks or square footage.

MOTION: Member Madden/Member Hobbs moved to approve the demolition of the existing nonconforming structure and the proposed redevelopment, subject to the following conditions:

1. *The existing air conditioning equipment shall be enclosed to provide sound mitigation;*
2. *The existing wood retaining wall shall be replaced with a more substantial structure;*
3. *Landscape buffers along the roadway and southern property line shall be enhanced;*
4. *Required sight triangles shall be maintained to the satisfaction of the Building Department; and*
5. *All approvals shall be conditioned upon receipt of required Department of Environmental Protection approvals.*

ACTION: *Motion Passed 7-0.*

MOTION: *Member Madden/Member Hobbs moved to approve the replacement of the existing nonconforming structure in the same location, with no increase in floor area or nonconformity, finding the application met the standards set forth in Article IX, Division II, Section 2.02(d).*

ACTION: *Motion Passed 7-0.*

3. 7 South Beach, Hobe Sound, FL 33455, B-40 1-Acre Estate Residential District

The applicant is 7 South Beach, LLC, represented by Andrew Russo, requesting the following:

This is a site plan approval for:

A modification to the existing landscape/ hardscape plan of the previously approved IRC, which was approved on March 3, 2022.

Ex-Parte Communication:

- *Chair Holden stated she visited the property, read the materials, spoke briefly with property neighbor Anne Scott, and had no ex-parte communication.*
- *Member Whitney stated she drove by the property, spoke with Director Harding, read the materials, and had no ex-parte communication.*
- *Member Hobbs stated he visited the property, read the materials, and had no ex-parte communication.*
- *Member Bayazid stated she visited the property, spoke with Director Harding, read the materials, and had no ex-parte communication.*
- *Member Auth stated she visited the property, spoke with Director Harding, read the materials, and had no additional ex-parte communication.*
- *Member Seaman stated she visited the property, spoke with Director Harding, read the materials, and had no additional ex-parte communication.*
- *Member Madden stated she visited the property, spoke with Director Harding, read the materials, and had no ex-parte communication.*

Building Specialist Amy Vanilla reviewed the staff report and explained that the request involved approval of minor landscape and interior driveway refinements at 7 South Beach Road. She stated the refinements had been reviewed by the Town's arborist and were found to be consistent with the previously approved IRC plan and applicable impact review standards.

Chair Holden announced receipt of correspondence pertaining to the application. She read a letter from

neighboring resident Anne Scott requesting denial of the application and expressing concerns regarding retroactive approval and alleged violations of the Land Development Regulations. Chair Holden also noted a letter of support from Tanya and Glenn Beck of 5 South Beach Road and a response letter from Andrew Russo, manager of South Beach Road, LLC, stating the refinements were consistent with IRC approval, reviewed by the Town's arborist, and met impact review standards.

Attorney Jeremy Bowerman introduced himself on behalf of the owner and introduced property manager Andrew Russo and landscape architect Erin Boland. Attorney Bowerman summarized the request as approval of landscape and driveway refinements that maintained or increased buffer height, width, and density, with changes focused primarily on interior plantings.

Ms. Boland reviewed the revised landscape plan and described adjustments to interior landscaping, substitution of more salt-tolerant species, replacement of bamboo with palms for maintenance purposes, and modification of the driveway to a more rectilinear design without changing its function or square footage. She stated the perimeter buffers remained consistent with the IRC-approved plan and continued to screen the residence from the right-of-way.

Board members asked questions regarding driveway changes, visibility from South Beach Road, lighting impacts, buffering, and the timing of the refinements relative to approval. The applicant stated the residence was constructed as approved, the certificate of occupancy was delayed pending confirmation of landscaping, and the refinements were reviewed with Town staff and the Town's arborist. The applicant indicated willingness to address additional buffering, lighting review, and enclosure of mechanical equipment.

Chair Holden and several Board members expressed concern about work occurring prior to Board approval, visibility from the roadway, lighting intensity, and precedent for retroactive approval. Discussion followed regarding compliance and enforcement.

Town Attorney Kyle Teal advised that enforcement of violations occurs through the code enforcement process and that the Board's role was limited to determining whether the application met impact review standards. He stated the Board could approve the application with conditions or deny it and require resubmittal.

Mila Russo, speaking on behalf of the prospective buyers provided comments in support of the project.

Resident Anne Scott gave comments regarding the perceived degradation of the land development regulations and the lack of enforcement. She strongly requested the changes not be approved retroactively as that would cause the land development regulations to be viewed as guidelines instead of rules.

Owner Andrew Russo responded and stated willingness to comply with Board-imposed conditions.

Member Madden outlined proposed conditions for approval, including enhanced buffering along the front and interior areas of the property. She also recommended that Town staff review exterior lighting and conduct a follow-up inspection in six months to evaluate buffer growth. Member Madden stated that a Certificate of Occupancy should not be issued until these requirements have been satisfied.

Further discussion ensued among the Board members about whether a lack of punishment is prevalent and if the application should be denied as a form of enforcement. Attorney Teal stated the options presented are to either deny the application and force a new application be presented with acceptable changes, or to accept the application with the previously stated conditions. Discussion continued among the Board members and attorneys about the appropriate response.

MOTION: Member Madden/Member Hobbs moved to approve the application, finding that the plans and testimony presented met the standards set forth in Article X, Division II, Section 2.02, subject to the following conditions:

1. *Substantial additional buffering shall be added along the South Beach Road frontage and entrance to fully screen the residence from view from the roadway;*
2. *Additional buffering shall be added within the interior driveway island to further screen the entry columns;*
3. *Town staff shall review exterior lighting and require adjustments to achieve softer, compliant lighting;*
4. *Town staff shall conduct a follow-up inspection within six months to confirm buffer growth and effectiveness;*
5. *A concrete sound-attenuating enclosure shall be installed around the HVAC equipment, generator, and associated mechanical equipment; and*
6. *A Certificate of Occupancy shall not be issued until all required conditions have been satisfied, except for the six-month buffer review.*

ACTION: Motion Passed 4-3 with Members Seaman, Auth, and Bayazid voting in opposition.

4. Other Items*

- a. Next Meeting - February 5, 2026 - (Regular meetings to be held on the first Thursday of each month)

Chair Holden requested that the July and September meetings be moved to the second Thursday of the month.

- b. Other Matters

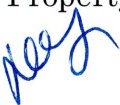
5. Adjournment

Chair Holden adjourned the meeting at 11:16 AM.

Respectfully submitted,

Trenton Warren, Assistant Town Clerk

TOWN OF JUPITER ISLAND

TO : Mayor and Commissioners
FROM : Danielle Losquadro, Senior Accountant
RE : Disposal of Property
DATE : 2/12/26 

In accordance with the Town of Jupiter Island’s Accounting Policy and Procedure Manual and Florida Statute 274.07, authority for the disposal of property shall be recorded in the minutes of the governmental unit. Property is defined as fixtures and other tangible personal property of a non-consumable nature.

Attached is a listing of items that have been identified as obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function or lost/stolen or unidentifiable. Upon receiving authority for disposal, these assets will be disposed of in accordance with established Town policies and procedures. Disposals will be recorded as required for auditing purposes.

Approved methods of disposal include public auction, donation, or scrapping, as appropriate.

Upcoming Town Meetings and Events
2026

Date	Day	Time	Event/Meeting	Location
February 5	Thursday	9am	Development Review Board	Island Room
February 16	Monday	All Day	Holiday - President's Day - Town Offices Closed	
February 19	Thursday	9am	Pension Board Meeting	Conference Room
February 19	Thursday	10:15am	Joint Town/SMRU Defined Contribution Plan Mtg	Conference Room
February 25	Wednesday	9am	Town Commission and Beach Protection Meeting	Island Room
March 5	Thursday	9am	Development Review Board	Island Room
March 24	Tuesday	9am	Town Coffee with Mayor Townsend	Conference Room
March 24	Tuesday	10am	SMRU Board Meeting	Island Room
March 25	Wednesday	9am	Town Commission and Beach Protection Meeting	Island Room
April 2	Thursday	9am	Development Review Board	Island Room
April 3	Friday	All Day	Good Friday - Holiday - Town Offices Closed	
April 22	Wednesday	9am	Town Commission and Beach Protection Meeting	Island Room
May 7	Thursday	9am	Development Review Board	Island Room
TBD			Pension Board	Conference Room
TBD			Joint Town/SMRU Defined Contribution Plan Mtg	Conference Room
May 18	Monday	9am	SMRU Board Meeting	Island Room
May 19	Tuesday	9am	Town Commission and Beach Protection Meeting	Island Room
May 25	Monday	All Day	Memorial Day Holiday - Town Offices Closed	

19-Feb-26

Key	
Changes from Previous Schedule	
Development Review Board	
Town Hall Closed	
Municipal Election	

Agendas posted on Town Website: www.townofjupiterisland.com prior to the meeting