

Agenda Item No. C - 1

**VILLAGE OF ROYAL PALM BEACH**  
Agenda Item Summary

**AGENDA ITEM: Approval of the minutes of the Council Annual Organization Meeting and Council Regular Meeting of March 21, 2024.**

**ISSUE: It is necessary for Village Council to approve all Village Council meeting minutes.**

**RECOMMENDED ACTION: Motion to Approve**

<b>Initiator</b>	<b>Village Manager Approval</b>	<b>Agenda Date</b>	<b>Village Council Action</b>
<b>Village Clerk</b>		<b>4/18/24</b>	

**VILLAGE OF ROYAL PALM BEACH  
MINUTES OF COUNCIL ANNUAL ORGANIZATION MEETING  
VILLAGE COUNCIL CHAMBERS  
THURSDAY, MARCH 21, 2024  
6:00 P.M.**

**Ways to Participate**

- In Person: Public may participate in person at the Village Meeting Hall, 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411.
- Computer, Tablet, Smartphone: Public may participate remotely by joining GoToWebinar from your computer, tablet or smartphone via [www.royalpalmbeachfl.gov/webmeetings](http://www.royalpalmbeachfl.gov/webmeetings).
- Telephone: Public may listen only via phone remotely by dialing United States +1 (562) 247-8422, Webinar ID: 436-457-971, Access Code: 581-225-234.

**PLEDGE OF ALLEGIANCE**

**SWEARING IN OF COUNCIL MEMBERS FOR GROUPS 1, 3 AND MAYOR**

The Village Clerk swore in Councilman Jeff Hmara, Councilwoman Selena Samios and Mayor Fred Pinto.

**ROLL CALL**

Mayor Fred Pinto  
Vice Mayor Jan Rodusky  
Councilman Jeff Hmara  
Councilwoman Selena Samios  
Councilman Richard Valuntas

Also, present was Vice Mayor Rodusky and Councilman Valuntas, the Village Manager, Village Attorney (Keith Davis), Village Attorney (Mitty Barnard) and the Village Clerk.

**REGULAR AGENDA**

**1. Resolution No. 24-03 appointing Diane DiSanto as Village Clerk.**

Councilwoman Samios made a motion to approve; seconded by Vice Mayor Rodusky. Mayor Pinto put the motion to a vote and it passed unanimously.

**2. Resolution No. 24-04 appointing Sharon Almeida as Village Treasurer.**

Councilwoman Samios made a motion to approve; seconded by Vice Mayor Rodusky. Mayor Pinto put the motion to a vote and it passed unanimously.

**3. Appointment of Council Liaison Officers for Recreation Advisory Board; Planning & Zoning Commission; and Education Advisory Board.**

The Village Council accepted liaison positions as follows: Recreation Advisory Board, Selena Samios. Councilman Valuntas nominated Councilwoman Samios who accepted the nomination, with the nomination approved by unanimous

vote of Council. Planning and Zoning Commission, Jan Rodusky. Councilwoman Samios nominated Vice Mayor Jan Rodusky who accepted the nomination, with the nomination approved by unanimous vote of Council. Education Advisory Board, Jeff Hmara. Councilman Valuntas nominated Councilman Hmara who accepted the nomination, with the nomination approved by unanimous vote of Council.

**4. Appointment of Council Liaison Officer for Central Palm Beach County Chamber of Commerce and Western Communities Council.**

Councilwoman Samios nominated Councilman Valuntas as the Central Palm Beach County Chamber of Commerce Liaison Officer who accepted the nomination, with the nomination approved by unanimous vote of Council.

Councilman Hmara nominated Mayor Pinto as the Western Communities Council Liaison Officer who accepted the nomination, with the nomination approved by unanimous vote of Council.

**5. Appointment of Voting Delegates for Palm Beach County League of Cities.**

Councilman Hmara nominated Vice Mayor Rodusky as the voting delegate and all other councilpersons as alternates who accepted the nomination, with the nomination approved by unanimous vote of Council.

**6. Appointment of Vice Mayor.**

Vice Mayor Rodusky nominated Jeff Hmara as Vice Mayor who accepted the nomination, with the nomination approved by unanimous vote of Council.

**ADJOURNMENT**

\_\_\_\_\_  
Mayor Fred Pinto

\_\_\_\_\_  
Diane DiSanto, Village Clerk

**VILLAGE OF ROYAL PALM BEACH  
MINUTES OF COUNCIL REGULAR MEETING  
VILLAGE COUNCIL CHAMBERS  
THURSDAY, MARCH 21, 2024  
6:30 P.M.**

**Ways to Participate**

- In Person: Public may participate in person at the Village Meeting Hall, 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411.
- Computer, Tablet, Smartphone: Public may participate remotely by joining GoToWebinar from your computer, tablet or smartphone via [www.royalpalmbeachfl.gov/webmeetings](http://www.royalpalmbeachfl.gov/webmeetings).
- Telephone: Public may listen only via phone remotely by dialing United States +1 (562) 247-8422, Webinar ID: 436-457-971, Access Code: 581-225-234.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mayor Fred Pinto  
Vice Mayor Jeff Hmara  
Councilwoman Selena Samios  
Councilwoman Jan Rodusky  
Councilman Richard Valuntas

Mayor Pinto called the meeting to order at 6:40 p.m.

All members of the Council were present along with the Village Manager, Village Attorney (Keith Davis), Village Attorney (Mitty Barnard) and the Village Clerk.

**REPORTS**

Mayor Pinto reported on the Transportation Planning Agency monthly meeting where an update was given on the 2045 Long Term Plan, he noted the Village was one of the 39 municipalities that the TPA received input from for their 2025 Strategic Plan. At that meeting, Division Zero Plan was also discussed and Council directed the Village Manager to look into a resolution and report back. Mayor Pinto reminded everyone that the Village did a Proclamation declaring March as Bicycle Month in the Village. The Village Manager added there is a Bike Rodeo planned at Commons Park on March 30<sup>th</sup> and reported on the special event as well as the bicycle pathways available throughout the Village.

Councilwoman Samios announced the Community Band will hold a concert at 7:00 p.m. on Tuesday, March 26<sup>th</sup> at the Cultural Center. She reported on the Seafood Festival held last weekend, thanked the coaches and volunteers for the Co-ed Volleyball program with 70 participants for grades 5 through 8, and announced that the large corporate pavilions are now available for rent at Commons Park. She attended the St Patrick's Day senior luncheon that had 130 participates, invited everyone to the Green Market held on Saturdays as well as the free Bike Rodeo at Commons Park scheduled for March 30<sup>th</sup> that includes a 3, 5 and 10 mile route.

Councilman Valuntas announced that Royal Palm Beach High School graduation is set for 1:00 p.m. on May 15, 2024. He also acknowledge and wished the FAU Owls basketball team well in the NCAA tournament.

Vice Mayor Hmara reported on the Education Advisory Board meeting where Crestwood Middle School was showcased with a mention of their two performing arts programs, the coral group and jazz ensemble who performed at the meeting. He added the school is also a Cambridge International School and offers a course on Financial Literacy. The next EAB meeting will be held on April 27<sup>th</sup> for interviewing college scholarship applicants and awarded by Council on May 18<sup>th</sup>. He announced the Early Childhood Adventures at the Recreation Center was awarded by the Palm Beach Post under their Community Choice Awards, the best pre-school and the best child-care facility in the County. Vice Mayor Hmara reported on a joint meeting with Treasure Coast and South Florida Regional Planning Councils where nine counties are represented. At that meeting, discussion was held on water quality and property insurance rates as well as cancellation of property insurance. He added that Congressman Jared Moskowitz has introduced HR 3525 that will establish a national disaster risk re-insurance program.

Councilwoman Rodusky reported that Palm Beach County Commissioner Baxter will be holding a Town Hall meeting on Tuesday, March 26<sup>th</sup> at 6:30 p.m. to discuss critical issues related to traffic congestion including the 40<sup>th</sup> Street North and 140<sup>th</sup> Avenue North extension. The meeting will be held at the Acreage Branch Library, 15801 Orange Boulevard and following the town hall meeting a Palm Beach County Commission meeting will be held at 9:30 a.m. on March 28<sup>th</sup> to follow up on those issues. The Royal Palm Beach Library will be giving away solar eclipse glasses from March 25<sup>th</sup> to April 7<sup>th</sup>, and on April 8<sup>th</sup> for approximately two hours and 26 minutes from 1:48 p.m. to 4:15 p.m. there will be a solar eclipse. She also participated in Read Across America at the Learning Center reading to kindergarteners and fifth graders.

The Village Manager announced that he is meeting with the County Engineer to discuss the traffic congestion and additional access needed to the acreage due to the increase of development in the surrounding areas. He shared several ideas for solutions and ideas for connections to have more access to the acreage. The Village Manager also followed up on an earlier comment regarding the completion of the corporate pavilions constructed in Commons Park. He said the monies used to construct the pavilions were from sales surtax and ARPA money.

The Village Attorney reported that he would be presenting the annual legislative update at the next meeting.

**PETITIONS – None**

**STATEMENTS FROM THE PUBLIC ON NON AGENDA ITEMS OR CONSENT AGENDA ITEMS – None**

**CONSENT AGENDA**

The Village Clerk read into the record the Consent Agenda as follows:

1. **Approval of the minutes of the Council Regular Meeting of February 15, 2024. (Village Clerk)**
2. **Approval and authorization to renew ProjectDox hosted Electronic Plan Review & Project Management system with Avolve Software Corporation for the amount of \$106,641.00. (Information Systems Director)**
3. **Approval and authorization, in accordance with established policy, to make a budget amendment for Fund 105 in the fiscal year 2023/2024 Budget. Said amendment to transfer a total of \$136,000 from Canal System Dredging Project (SW2301) to Earth Day Park Lake Bank Stabilization Project (EN2301). (Finance Director)**
4. **Approval of the bid award in the amount of \$176,506.00 and authorization for the Village Manager to execute a contract with the lowest responsive, responsible bidder for Earth Day Lake Bank Stabilization (EN2301) to Crosscreek Environmental Inc. (Village Engineer)**
5. **Approval of a Special Event Permit for the Village of Royal Palm Beach to hold a Bike Trail and Safety Rodeo at Royal Palm Beach Commons Park on Saturday, March 30, 2024, from 9:00 a.m. until 1:00 p.m. (Director of P & Z)**
6. **Fiscal Year 2023 Annual Comprehensive Financial Report (ACFR). (Finance Director)**
7. **Approval and authorization for the Village Manager to enter into a contract with Public Trust Advisors, LLC for Investment Management Services by piggybacking the City of Dania Beach's Contract/Request for Qualifications #22-008. (Finance Director)**
8. **Public hearing to approve Resolution No. 24-02, a Resolution of the Village Council of the Village of Royal Palm Beach, Florida, adopting the Village of Royal Palm Beach Watershed Master Plan; providing for implementation; and for an effective date. (Village Engineer)**

Councilwoman Rodusky pulled Item No. 6 for discussion and Vice Mayor Hmara pulled Item No. 7 for discussion.

Councilwoman Samios made a motion to approve the Consent Agenda less Item No. 6 and 7; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

Branden Lopez, Director for Marcum, LLC reviewed the Annual Comprehensive Financial Report and thanked Sharon Almeida and Shernett Lee for their support. Mr. Lopez referred to Page No. 1 the Independent Auditors' Report and reported that the Village has received an unmodified, clean opinion for the Fiscal Year ending September 30, 2023. He referred to the section of the ACFR's Management's Discussion and Analysis section that gives an overview of

the Village and comparison to the prior year. He said this audit is a financial statement and compliance audit, adding that this year was unique due to federal awards as well as a state award and referred to page 96 noting there were no issues identified.

Councilwoman Rodusky asked for a sense of financial position for the residents.

Mr. Lopez stated Village is healthy and the fund balance policy was in compliance and there were no issues identified with the unassigned, unrestricted fund balance. He said the one big change is with the positive market and reiterated the Village is very healthy as well as the fund balance.

Councilwoman Rodusky commented on the level of excellence in the Finance Department. The Finance Director thanked the Council, the finance staff and the auditors.

Councilwoman Rodusky made a motion to approve the Consent Agenda Item No. 6; seconded by Vice Mayor Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

The Finance Director explained there were some issues with the current investment advisor and felt it time for a change as well as new approach. She felt there was a potential to earn more interest and that is why she is proposing this change. She responded to a question from Council and explained how the money is being invested and in what term.

Vice Mayor Hmara made a motion to approve the Consent Agenda Item No. 7; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

## **REGULAR AGENDA**

- 1. Public hearing to consider Application No. 23-183 (VAR), an application by Kristina Dye, and Variance Order VC-24-01, the applicant is requesting variance approval to allow for a variance from section 26-62 to allow for a 5.75 foot rear pool setback where village code requires eight (8) feet, a variance of 2.25 feet, for a property located at 3564 Haldin Place. \* (Director of P & Z)**

This was quasi-judicial and the Village Attorney (Mitty Barnard) swore in all who will speak on this item and asked for ex-parte disclosures. The Director of P & Z stated the applicant is seeking a 2.25 foot variance to the rear setbacks. He showed an illustration of the positioning of the pool and the property noting it backs up to the water treatment facility. He reviewed the criteria for granting a variance noting this subdivision has previously received several variances for rear pool setbacks. Staff and the Planning and Zoning Commission recommended denial.

Joseph Dye, Owner, presented a graphic of his property, reviewed the variance request and asked for approval. He too noted the property abuts up to the wastewater treatment facility with no traffic in the rear.

Councilwoman Samios received clarifications on the pool size as well as the property and house size.

Keith Jordano, representing Indian Trail Improvement District questioned if this variance is in the M-1 canal easement and confirmed it would not need approved by ITID.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

2. **Public hearing for Second Reading and Adoption of Application No. 23-137 (ZTEXT) and Ordinance No. 1043, an application by Urban Design Studio on behalf of Baptist Health South Florida Inc., amending the Village's Zoning Code to amend Sections 26-22, 26-75.7 and 26-89 of the Village Code to add a definition for the term "Integrated Care Center", to allow for Integrated Care Centers as a Special Exception Use within the General Commercial (CG) zoning district, and to provide for supplemental land use regulations for this use, for a property located at 450 S. State Road 7. \* (Director of P & Z)**

This was quasi-judicial and the Village Attorney (Mitty Barnard) swore in all who will speak on this item and asked for ex-parte disclosures. She also stated the Mayor read into the record Ordinance No. 1043 by title only. The Director of P & Z reviewed Section 26-22 Definitions. to allow for Integrated Care Centers as Special Exceptions, as well as the supplemental land use text amendments. The Local Planning Agency and staff recommended approval.

Lentzy Jean-Louis of Urban Design Studio representing the applicant was available for any questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Vice Mayor Hmara made a motion to approve; seconded by Councilwoman Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

3. **Public hearing to consider Application No. 23-186 (SCPA), an application by Bar Education, Inc., and approval of Ordinance No. 1044 on first reading. The applicant is seeking a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation of one parcel totaling 0.235± acres from the Village's Open Space (OS) land use designation to the Village's Industrial (IND) land use designation, for a property located on 6846 Seminole Palms Drive. Agent: Heather Jo Allen, Esq., of Bar Education, Inc. (Director of P & Z)**



The Village Attorney (Mitty Barnard) read into the record Ordinance No. 1044 by title only. The Director of P & Z gave a history of the property and stated the purpose for this map amendment is to assign the appropriate land use designation. The buyer intends to incorporate this parcel into its existing academic institution located at 300 and 400 Royal Commerce Park and provide additional parking for the institution. The proposed map amendment is compatible with adjacent land use and consistent with the Village's Comprehensive Plan. The Planning and Zoning Commission and staff recommended approval.

Andrea Keiser of Keiser Legal, PLLC representing the applicant was present for questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 4. Public hearing to consider Application No. 23-164 (SPM, SE, AAR), an application by Jonas Perez Mananet of Bar Education, Inc., and adoption of Resolution No. 23-52 confirming Council action. The applicant is seeking Site Plan Modification, Special Exception approval to allow for a College Use as part of the existing "Private Academic Institution", and Architectural approval to modify the wall signage on the northern façade of the 300 Building, for a property located at 300 and 400 Royal Commerce Road. \* (Director of P & Z)**

This was quasi-judicial and the Village Attorney (Mitty Barnard) swore in all who will speak on this item and asked for ex-parte disclosures. The Director of P & Z stated the application is to modify the use of the 300 Building to allow for a college use as part of the existing "Private Academic Institution" in lieu of the existing middle school use, modify the number of students and wall signage. He said the special exception is compatible with the adjacent land uses, consistent with the Comprehensive Plan, complies with development regulations and meets all requirements for the Industrial General zoning district. The Planning and Zoning Commission and staff recommended approval.

Andrea Kaiser of Keiser Legal, PLLC representing the applicant gave a brief history of the school, and reviewed the site plan modifications to update for the early learning development and training center. This opportunity will allow for training a skilled work force in early childhood development and modify an imposed condition of approval to allow for 356 students. The proposed changes also include transition from a middle school use to a college use. She reiterated that the changes will be to allow preschool through college and instead of a maximum of 299 full time students which include 75 middle school students, there will be 356 full time students which is 206 preschool students

and a maximum of 150 college students. She added that the college size classes will be less than 25 students at a time. She showed the proposed wall signage that is consistent with the existing Primrose School.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilwoman Samios confirmed the hours of operations for the preschool is 7:00 a.m. – 6:00 p.m. and the college classes are held only in the morning and after 5:00 p.m.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**5. A public hearing to consider Application No. 23-129 (CONTR) and Ordinance No. 1042 on First Reading, an application by Urban Design Studio, seeking the De-Annexation of a parcel of land totaling 3.742± acres more or less, located on the north side of Weisman Way approximately 1,780 feet west of Sansburys Way. (Director of P & Z)**

The Director of P & Z stated if the de-annexation is approved the land would revert back to unincorporated Palm Beach County. The parcel is currently vacant and the purpose for the de-annexation is to consolidate this property with others in order to master plan all properties collectively within unincorporated Palm Beach County. He noted this property was part of a 90.5 acre annexation of the Sawgrass Center into the Village by Ordinance No. 319 in 1989 and is only contiguous to the Village at the extreme northwest corner of the parcel. The Local Planning Agency and staff recommended approval.

Lentzy Jean-Louis of Urban Design Studio representing the applicant showed the surrounding Palm Beach County unincorporated properties noting only 37' of the site property is contiguous to the Village. He reviewed the Master Plan that is planned for Palm Beach County.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilwoman Samios stated her issue was the charging for event parking even though they are getting the extra property.

Councilwoman Rodusky received clarification from the Village Manager on the benefits of de-annexing this site. He further explained the proposed development of the property and how de-annexing will eliminating other issues with the two jurisdictions.

Councilwoman Samios made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**6. Public hearing to consider Ordinance No. 1038 on First Reading, amending Village Code Section 15-2 to add a new definition for the term “Artificial Turf”; Section 15-141 to eliminate the current prohibition on the use of Artificial Turf; and add a new Section 15-144 Artificial Turf to establish certain performance standards for Artificial Turf. (Director of P & Z)**

The Director of P & Z stated staff is proposing the addition of a new definition of the term Artificial Turf and read the definition into the record. Also, to amend the general landscape requirements to include the use of artificial turf and/or ground cover. And to add an entirely new section for performance standards to be limited to location of artificial turf which shall be limited to residential lots when located in the rear yard and side yard areas only, behind the front façade of the adjacent home or structure and screened from public view, and as part of a Village owned recreation or amenity area, or in a multifamily residential of mixed use development as part of a recreation of amenity area. He said that a building permit will be required prior to installation, treated as pervious surface area and shall not occur within 2.5 feet of existing rear and side property lines and shall not alter approved shared drainage plans. The Director of P & Z added that the artificial turf must meet minimum material standards, water permeability rate, and manufacturer’s warranty and be lead and pesticide free. Also the turf must meet minimal material standards and certain installation, maintenance and repair standards. The Local Planning and staff recommended approval.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Mayor Pinto confirmed there are residents interested in installing artificial turf.

Bill Ryan representing Forever Lawn of Palm Beach is a local synthetic turf company stated his support of this Ordinance, however, stated concerns about the verbiage regarding pet turf and the pile height. He reported that his company has been developing the canine turf for 20 years, gave additional information and recommended the height be set at 7/8”. He asked for the consideration of the Village to review that requirement and gave further details.

A further discussion on the pet turf and product was held and clarification was given on where the artificial turf would be allowed in a residential area.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**7. Public hearing to consider Ordinance No. 1041 on First Reading, amending Village Code Chapters 4, 15, 16 and 20 at multiple sections to replace all references to former Occupational Licenses with the current reference to Business Tax Receipts. (Director of P & Z)**

The Village Attorney (Mitty Barnard) read Ordinance No. 1041 into the record by title only. She said this is to conform the ordinance with a recent change to state law which preempted the regulation of occupational licenses to the state. The existing code had antiquated references to occupation licenses and this is to update the code to business tax receipt language. This is a housekeeping measure to keep the Village in compliance.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilwoman Samios made a motion to approve; seconded by Councilwoman Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**ADJOURNMENT**

\_\_\_\_\_  
Mayor Fred Pinto

\_\_\_\_\_  
Diane DiSanto, Village Clerk