

Agenda Item No. C - 1

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

**AGENDA ITEM: Approval of the minutes of the Council Regular Meeting of June 20, 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>7/11/24</b>	

**VILLAGE OF ROYAL PALM BEACH  
MINUTES OF THE COUNCIL REGULAR MEETING  
VILLAGE COUNCIL CHAMBERS  
THURSDAY, JUNE 20, 2024  
6:30 P.M.**

**Ways to Participate**

- In Person: Public may participate in person at the Village Council Chambers, 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 (631) 992-3221, Webinar ID: 536-517-859, Access Code: 273-215-687.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

**LEGISLATIVE UPDATE FROM REPRESENTATIVE JERVONTE EDMONDS**

Representative Edmonds presented the attached Florida Legislative Session Review.

**REPORTS**

Mayor Pinto reported on the Transportation Planning Agency meeting where discussions were held on upgrades and the expansion of Palm Beach International Airport as well as approval on the Transportation Improvement Plan although not approved by representatives of West Palm Beach due to the inclusion of the State Road 7 project.

Councilwoman Rodusky reported on the Florida League of Cities and their Policy Committee signups. She announced their Annual Conference is scheduled for August 15<sup>th</sup> – 17<sup>th</sup>, noting the Keynote Speaker is Richard Florida. She mentioned that the Royal Palm Beach Monopoly type board game is now available at WalMart for \$19.99.

Vice Mayor Hmara reported on the recently held Young at Heart Senior Prom, Memorial Day Observance, and announced that Dr. Shakeica Robinson is the new Royal Palm Beach High School Principal. He reported that the National League of Cities is celebrating their 100<sup>th</sup> anniversary, are visiting 100 cities in 100 days, visiting Royal Palm Beach on May 20th. He announced that the Sweet Corn Festival usually held at the Fairgrounds may be moving to Commons Park. A discussion ensued on the logistics as well as their commitment in future years. The Village Manager further explained the special

event process as well as clarification given by the Village Attorney on the rental of the stage. The event is currently scheduled for Sunday, April 27, 2025 from 11 a.m. – 5 p.m. The Village Manager received consensus from Council to co-sponsor the event.

Councilman Valuntas acknowledged the residents in attendance and thanked them for their participation.

Councilwoman Samios announced that a park dedication for Crestwood North Park will be held in August. She invited everyone to attend the many July 4<sup>th</sup> Celebrations and events. She said that the Solid Waste Authority is holding their Business Power Network tomorrow, a free event, at the Embassy Suites where small business opportunities are available. She announced that the Palm Beach County Library system is holding a summer reading program, bingo, and offering a free lunch/snacks for children 18 and younger. Councilwoman Samios encouraged everyone to pick up their Hurricane Booklet and thanked all the residents that participated in the Citizen Summit. She congratulated Councilwoman Rodusky for being reinstalled on the Palm Beach County League of Cities Board. She too reported on the Young at Heart Prom, YAH luncheon, and the Memorial Day Observance. She attended the CAFCI scholarship presentation and acknowledged the students' success. Also attended "Our Community Cares Event" held by an organization that serves the 65+ communities of Wellington and Royal Palm Beach for free. If you need service or want to volunteer go to [ourcommunitycaresfl.org](http://ourcommunitycaresfl.org) for more information.

The Village Manager welcomed everyone to our new Council Chambers and Village Hall, announced that the Cypress Hall building in the former Council Chambers will be open soon for rentals of 50 to 60 persons, and the post office in the Village Hall will be opening soon.

Keith Davis, Esq. reported on the Florida League of Cities and National League of Cities meetings and announced that this year Florida will be hosting the 89<sup>th</sup> Annual International Municipal Lawyers Association Conference in Orlando. He continued to report that the Southern District entered a preliminary injunction prohibiting the State from enforcing the legislation that changed the Council's Financial Disclosure reporting from Form 1 to Form 6. He confirmed that the Council is required to file a Form 1.

#### **PETITIONS – None**

#### **STATEMENTS FROM THE PUBLIC ON NON AGENDA ITEMS OR CONSENT AGENDA ITEMS**

#### **STATEMENTS FROM THE PUBLIC ON NON AGENDA ITEMS OR CONSENT AGENDA ITEMS**

Mayor Pinto received approximately 64 public comment cards submitted from Madison Green residents in opposition to the Madison Green Golf Lodge/Hotel project. He acknowledged the residents' concerns and confirmed receiving many emails from residents opposed the Golf Lodge/Hotel. Mayor Pinto further

explained the process that needs to occur. The Village Manager added that an application had been submitted and is in the Technical Staff Review process but has not yet completed that TSR process.

Vice Mayor Hmara reported as a resident of Madison Green that the owner of the property recently held an informational meeting at the clubhouse for concerned property owners.

The following residents gave public comment regarding opposition to the proposed Golf Lodge/Hotel, safety issues and condition of the current golf course:

Michael Axelberd of 2963 Fontana Place

Chuck Loomis of 1734 Annandale Circle

Craig Fialkowski of 1547 Fiddlewood Court

Brian Feeny of 1546 Fiddlewood Court

Steve Behrens of 2774 Misty Oaks Circle

Lainie Guthrie of 2309 Ridgewood Circle, made public comment stating her concerns and the hope that the Village Council works with the owner. She did not support townhomes or condos on that property, but again stressed the ability of Council to work positively with the landowner for all parties involved.

Todd Teitel of 2047 Reston Circle made public comment on the opposition of the Golf Lodge/Hotel as well but asked for clarification on the by-laws and the stipulation after 5 ½ years that the golf course does not need to stay a golf course.

The Village Attorney (Mitty Barnard) confirmed there is an association declaration document that the golf course would remain for a specified amount of time, lapsing in approximately five years. She further added that the Village approved the declaration documents when they were created but the Village is no longer involved from that prospective. The Village Manager added that any future changes to the golf course would require Village Council approval.

Mayor Pinto confirmed there were no comment cards for the Consent Agenda and closed public comment.

## **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 May 16, 2024. (Village Clerk)**
- 2. Approval and authorization for the Village Manager to enter into a Professional Services Agreement for Grant Writing Services with RMPK Funding. (Director of Parks and Recreation)**
- 3. Adoption of Resolution No. 24-14, a resolution of the Village Council of the Village of Royal Palm Beach, Florida, updating the Village's Public Participation Rules and Procedures to include general meeting decorum rules and policies and a process for addressing and**

handling disruptions during public meetings; providing an effective date, and for other purposes. (Village Attorney)

4. **Approval of bid award and authorization for the Village Manager to enter into contract with Landshore Enterprises, LLC, the lowest responsible, responsive bidder, in the amount of \$2,138,653.38 for CIP PW1806, Canal Bank Stabilization. Funding for the capital project is from ARPA Fund 105-4100-541.63-51. (Director of Public Works)**
5. **Approval of a special event permit for the Village of Royal Palm Beach to hold its Annual Star Spangled Spectacular at Royal Palm Beach Commons on Thursday, July 4, 2024 from 2:00 p.m. until 10:00 p.m. (Director of P & Z)**
6. **Approval of a special event permit for the Village of Royal Palm Beach to hold the Palm Beach Shakespeare Festival at Royal Palm Beach Commons on July 25, 26, 27, and 28, 2024 from 6:00 p.m. until 10:00 p.m. (Director of P & Z)**
7. **Approval and authorization for the Village Manager to enter into an Agreement with the Palm Beach Shakespeare Festival, Inc. in the amount of \$20,000.00 for the production of four (4) performances of Shakespeare's "King Lear" in Commons Park, July 25-28, 2024. (Strategic Plan G-3PA06) (Director of Parks and Recreation)**
8. **Approval and authorization for the Village Manager to execute a First Addendum to Agreement for Professional Auditing Services with Marcum, LLP to renew the agreement for an additional five-year term commencing retroactively as of October 1, 2023 through September 30, 2028. (Finance Director)**
9. **Adoption of Resolution 24-15, a resolution of the Village Council of the Village of Royal Palm Beach, Florida, approving and authorizing, in accordance with established policy, to make a budget amendment for Fund 302 in the fiscal year 2023/2024 Budget. Said amendment to transfer a total of \$582,421 from Fund 302 fund balance to Veterans' Park Splash Pad Project (PR2307). (Finance Director)**
10. **Approval of the bid award in the amount of \$875,621.00 and authorization for the Village Manager to execute a contract with the lowest responsive, responsible bidder for Veterans Park Splash Pad Design Rebuild (PR2307) to Weller Pools LLC. (Village Engineer)**
11. **Approval and authorization for the Village Manager to execute Consultant Services Authorization No. 02A with REG Architects, Inc to provide Architectural Services for the Cultural Center Porte-Cochere, Project Number PR2401. The cost for said services shall not exceed \$43,000.00. (Village Engineer)**

Councilwoman Samios pulled Consent Items 3, 9 and 10.

Councilwoman Samios made a motion to approve the Consent Agenda less Items #3, 9 and 10; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

The Village Attorney (Keith Davis) explained the state law regarding public comment for Item #3 noting this Resolution adds rules of decorum, civility and professionalism in order to maintain and conduct Village business.

Councilwoman Samios made a motion to approve the Consent Agenda Item #3; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

The Village Manager stated Items # 9 and #10 are a budget amendment for and as well as the Veterans Interactive Park Fountain. He reported that the interactive fountain has been out of service for some time, explained the complex piping system and noted it has been out for bid three times with only one bid received. Staff recommended, in the future, rebid this project once it is newly redesigned and to reject all bids at this time.

Councilman Valuntas made a motion to reject all bids received for the splash pad and that at some point in the future have it redesigned and rebid; seconded by Councilwoman Samios. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

The Village Attorney stated the Consent Agenda Item No. 9 is now moot.

## **REGULAR AGENDA**

### **1. Presentation of the Palm Beach County Fire Rescue Annual Report by District Chief Amanda Vomero.**

District Chief Amanda Vomero presented the attached 2023 annual report. Mayor and Council members thanked her and congratulated the department on its successes.

### **2. Public hearing to consider Ordinance No. 1040 on second reading, amending Village Code Section 22-3 to add a new definition for the term “Engineering Permit”; Section 22-4 to clarify the applicability of regulations; and add a new Section 22-5 Engineering Permits to provide regulations regarding the requirements and process for obtaining an Engineering Permit within the Village and at Section 2-75.29 to add an appeal process for appeal of Village Engineer decisions regarding Engineering Permits. (Director of P & Z)**

The Village Attorney (Mitty Barnard) read Ordinance No. 1040 into the record by title only. She stated this is to codify the existing process for engineering permits.

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

Councilwoman Rodusky 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.

**3. Public hearing for first reading and approval of Ordinance No. 1048, amending Chapter 21.7 Streets, sidewalks and other public places. Article I. In General. to add entirely new Sections 21.7-1. Definitions., 21.7-2. Prohibited use of public road rights-of-way and 21.7-3. Enforcement and penalties. to regulate and prohibit certain activities in Village rights-of-ways. (Community Development Director)**

The Village Attorney (Mitty Barnard) noted the Mayor read into the record the title of Ordinance No. 1048 as it exists in Regular Agenda Item No. 3. The Village Attorney stated this is essentially to eliminate vendors from selling products from within the rights-of-ways, causing them to cross into the traffic creating a safety hazard.

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 requested clarification on what is considered a roadside vendor.

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

**4. Public hearing for first reading and approval of Ordinance No. 1049, amending Chapter 23. Traffic and Vehicles. to add entirely new Sections 23-19. Stopping, standing and parking in designated areas. to prohibit such activity in fire lanes and other designated areas where signs, street or curb markings prohibit. (Community Development Director)**

The Village Attorney (Mitty Barnard) noted the Mayor read into the record the title of Ordinance No. 1048 as it exists in Regular Agenda Item No. 4. She explained the ordinance intends to address activities not in rights-of-ways but on privately owned property in areas where there are designated markings, specifically fire lanes, as well as other no parking areas. This prohibits stopping, standing and parking in designated areas and allows PBSO or Code Enforcement to enforce violations through the civil citation process.

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 received clarification on the citation process from Captain Naujoks of the PBSO.

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

**5. Approval and authorization for the Village Manager to enter into a First Addendum to Artist Agreement for Art in Public Places New Village Hall with artist Beth Nybeck. (Public Arts Professional)**

The Village Manager explained there are two requests, one to change the completion date of the sculpture from June 2024 to November 2024 and to approve a different payment schedule. The Public Arts Professional added the payment schedule includes payment of \$30,000 upon commencement of Phase III, \$35,000 when sculpture is 50% complete, \$25,000 when sculpture is 100% complete and final payment of \$10,000 at close out of all required building permits that include the art piece, foundation and lighting. The Village Manager also noted a date has not be scheduled for the artist to attend a Village public event for input.

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 received clarification on the original contract and the Village Attorney said that early on in discussions about this contract, a performance bond was introduced to guarantee completion; however, the artist was not amendable to providing it.

Councilwoman Rodusky stated her concern with not having a date set for the artist to engage in a community event. A discussion ensued with the community engagement for the wording and if doing it in person was necessary. The Public Arts Professional added the artist felt that engaging with the public in person was part of her artistic process. Councilman Valuntas expressed concerns about the payment schedule and the risk to the Village should the sculpture not be completed.

Councilwoman Rodusky made a motion to approve with a condition that the payment of \$30,000 be made at the time of commencement of Phase III and providing the Village a time certain date before July 31, 2024 to perform the public outreach; seconded by Councilwoman Samios. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4 – 1 with Councilman Valuntas dissenting.

**6. Public hearing to consider Application No. 24-021 (AAR), an application by Pierce Haggard on behalf of R. P. Logistics, LLC, the applicant is seeking Architectural Approval to change the finish of the approved art in public places sculpture from a polished stainless steel finish to a metallic paint finish, for a property located at 100 Aldi Way. \* (Public Arts Professional)**

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 Public Arts Professional stated the applicant is requesting to change the approved



sculptures finish from polished stainless steel to a Sherwin Williams DTM Wash Primer and KEM 4000 Silver Metallic Top Coat paint. He showed a digital rendering of the sculpture that was installed as approved.

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

Pierce Haggard of RP Logistics, LLC responded to a question from Councilman Valuntas explaining that the proposed metallic paint matches the three bars that are currently located on the building. Mr. Haggard added that the artist suggested that the color match the building and explained the maintenance of the sculpture.

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

- 7. Adoption of Resolution No. 24-13, a resolution of the Village Council of the Village of Royal Palm Beach, Florida, accepting the dedication of roadway Tract R-2 and the access easement (AE-3) located on Tract R-2 to the Village of Royal Palm Beach, as shown on the plat of Tuttle Royale, recorded at Plat Book 133, Pages 101-113 of the public records in and for Palm Beach County, Florida; further accepting certain required improvements; further providing for maintenance requirements; providing an effective date; and for other purposes. (Village Engineer)**

The Village Engineer made the presentation showing the roadway network accepting plat dedications and easements. He showed the drainage responsibilities that includes the park tract noting the Village will only be responsible for maintaining the drainage infrastructure as it relates to water quality. He further explained their onsite drainage responsibilities noting the Village would be responsible for maintaining the asphalt, base rock, curbing, roadway signage and striping. He explained the HOA responsibilities include maintenance of the landscaping, lighting, paver areas and any decorative monument signs. The Village Attorney referred to page 2 of the backup material noting the bond has been submitted with a reduction of the bond amount from \$1,484,552.50 to \$836,976.88.

Brian Tuttle of Main Street at Tuttle Royale, LLC, and owner was available 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.

Brian Tuttle announced and invited everyone to a grand opening ceremony of the roadway at 10:00 a.m. on Saturday, June 29, 2024 and thanked the entire staff for their efforts.

- 8. Public hearing to consider Application No. 20-87, and approval of Resolution No. 24-12 confirming Council action. The applicant is seeking two easement abandonments for property located on the south side of Southern Boulevard and west of State Road 7. Applicant: Brian Tuttle of Main Street at Tuttle Royale, LLC. (Director of P & Z)**

The Village Attorney explained these two different easements were in place when there were no roadways, and now that regular agenda R – 7 has been approved and public roadways are open, they are no longer needed.

Brian Tuttle of Main Street at Tuttle Royale, LLC, and owner was available 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.

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

## **ADJOURNMENT**

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Mayor Fred Pinto

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Diane DiSanto, Village Clerk