

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 October 20, 2022.

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

RECOMMENDED ACTION: Motion to Approve

Initiator	Village Manager Approval	Agenda Date	Village Council Action
Village Clerk		11/17/22	

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
THURSDAY, OCTOBER 20, 2022
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.royalpalmbeach.com/webmeetings.
- Telephone: Public may listen only via phone remotely by dialing United States +1 (631) 992-3221, Webinar ID: 568-215-003, Access Code: 345-461-463.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

PRESENTATION BY SKIP MILLER, VICE CHAIR OF THE HOUSING LEADERSHIP COUNCIL REGARDING THE HOUSING BOND

Skip Miller of the Housing Leadership Council provided and made a presentation on the Housing Bond and answered questions from the Council and public.

REPORTS

Councilman Hmara reported on the Florida League of Cities Transportation and Intergovernmental Relations Policy Committee that includes affordable housing. He reported on the Palm Beach Transportation Planning Agency meeting where discussions were held on a recent vehicle accident on the railroad tracks in West Palm Beach. Also at that meeting staff gave a presentation on the local initiatives for transportation alternatives, State Road modifications program and reported on the additional funds available. Councilman Hmara added that the Executive Director of Palm Tran Clinton Forbes gave an update on initiatives for Palm Tran specifically in the Glades area, announced two Palm Tran bus drivers were FDOT Drivers of the Year and that on Election Day all Palm Tran fees will be waived. Councilman Hmara reported on the Education Advisory Board meeting where Cypress Trail Elementary was showcased and reported that they are the only Title One Elementary School in Palm Beach County to be an "A" rated school for the past five years.

Councilman Valuntas reminded everyone to vote on November 8th.

Vice Mayor Samios reported on the Recreation Advisory Board meeting where discussions were held on the changes at Todd Robiner Park, automated bicycles at Commons Park, pathway lighting and security cameras at Commons Park and replacement of the playscape at Veterans Park. She announced that Youth and Adult teams are looking for participants. There are also 18 senior programs available with 12 being free. She invited everyone to attend Concert/Food Trucks at Commons Park on Friday, October 21st as well as the Green Market at Village Hall every Saturday from 9:00 a.m. – 1:00 p.m. She announced the Village along with American Legion Post 367 and Unit 367 Auxiliary will host a Veterans Day Breakfast and Observance at 10:00 a.m. on November 11th at the Cultural Center, please RSVP at 561-790-5196. She added that October is Domestic Violence Awareness Month with resources available at ywcapbc.org website and a 24 hour hotline 561-640-9844 or 1-800-973-9922. She too reminded everyone that November 8th is Election Day with polls open from 7:00 a.m. – 7:00 p.m. Vice Mayor Samios announced that on November 1st the Women's Chamber of Commerce is holding a Lunch and Learn with Superintendent Mike Burke and Johnathan Brown from the Housing Authority as well as Chelsey Reed reporting on transportation.

The Village Manager announced that the payroll specialist has been promoted from within to the Village's Public Information Specialist position.

PETITIONS – None

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

Adam David Lynd, Anthony Tiritilli, Kevin O'Grady, Ryan Hallihan, Warren Duber-Newmark and Brian Tuttle provided public comments on the Tuttle Royale Project.

Jacob Hampu, Retired Marine Corp Veteran and Founder of Unified Dream referred to Consent Agenda Item #4 and asked for consideration for a discount or waiver, or partnership with the Village for the use of only one half of the great lawn in Commons Park for the scheduled November 12th event. He also asked for consideration to install beginner concrete pads on the north side of the disc golf course.

The Village Manager clarified the event is using only half of the great lawn at Commons Park and suggested Council consider adding a half rate fee to the Schedule of Fees and Charges. The Village Attorney announced that Councilman Hmara has a Voting Conflict with this consent agenda item.

CONSENT AGENDA

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

1. **Approval of the minutes of the First Public Budget Hearing of September 8, 2022, Final Public Budget Hearing of September 15, 2022 and Council Regular Meeting of September 15, 2022. (Village Clerk)**
2. **Approval and authorization to renew annual software licensing and technical maintenance support with Superion Public Sector, Inc. in the amount of \$66,500.00. (Information Systems Director)**
3. **Approval and authorization for the Mayor to execute the “2023 Municipal Election Vote Processing Equipment Use and Elections Services Agreement” by and between the Palm Beach County Supervisor of Elections Office and the Village of Royal Palm Beach. (Village Clerk)**
4. **Approval of a Special Event Permit for Unified Dream to hold a Disc Golf Tournament and honoring celebration on the great lawn at Commons Park on Saturday, November 12, 2022. (Director of P & Z)**
5. **Approval and authorization for the Village Manager to execute the Second Addendum To Agreement for General Planning and Development Review Services to extend the Professional Services Agreement with Urbana, LLC for the second and final one-year renewal term, beginning November 22, 2022 and ending November 21, 2023. (Director of P & Z)**
6. **Approval and authorization for the Village Manager to enter into an agreement with Haverland AG Innovations, Inc. (f/k/a Sto Landscape Services, Inc.) for annual turf maintenance services at the Katz Soccer Complex at a cost not to exceed \$64,236.00 and by piggybacking the Village of North Palm Beach term contract by Resolution #2019-51, which is currently in effect through October 1, 2023. This item is budgeted in account #001-7200-572-34-90. (Director of Parks & Recreation)**
7. **Approval and authorization, in accordance with established policy, to make a budget amendment for Fund 302 in the fiscal year 2022/2023 Budget. Said amendment to transfer a total of \$1,150,000 from Undesignated Fund Balance to Corporate Picnic Pavilion (PR2105) (Finance Director)**
8. **Approval of the bid award in the amount of \$2,246,296.00 and authorization for the Village Manager to execute a contract with the lowest responsive, responsible bidder for the Corporate Picnic Pavilions (PR2105 / PR2308) to All Site Construction Inc. (Village Engineer)**
9. **Approval and authorization, in accordance with established policy, to make a budget amendment for Fund 408 in the fiscal year 2022/2023 Budget. Said amendment to transfer a total of \$75,000**

**from Undesignated Fund Balance to Street Sweeper (PW2303)
(Finance Director)**

- 10. Approval and authorization to purchase one (1) Johnston 5006 Compact Sweeper from Pat's Pump & Blower in an amount not to exceed \$273,155.00 by piggybacking the Florida Sheriffs Association Cooperative Purchasing Contract #FSA20-EQU 18.0 Specification #384. (Director of Public Works)**
- 11. Requesting ratification of the emergency purchase of a van from Duval Ford in the amount of \$59,394.00 by piggybacking the Florida Sheriffs Association Cooperative Purchasing Program. Funding source is from CIP Project PW22TR, Truck Replacement. (Director of Public Works)**

The Village Attorney suggested Council, if interested in proceeding with the discussion regarding the fee schedule for Half of the Great Lawn at Commons Park, to amend the Consent Agenda to add a number 12 and add a 50% fee for use of 50% of the great lawn. The Village Attorney clarified that Councilman Hmara would not have a conflict with amending the fee schedule.

Councilman Valuntas made a motion to add Consent Agenda Item No. 12 which would create a 50% fee for an applicant for rental of the great lawn for utilization of half of the great lawn at Commons Park; seconded by Councilman Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed 4-0.

Councilman Hmara pulled Consent Item #4 for discussion, stated his conflict and recused himself at this point from the meeting.

Vice Mayor Samios pulled Consent Item #7 for discussion.

Councilman Valuntas made a motion to approve the Consent Agenda less Item #4 and #7; seconded by Vice Mayor Samios. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed 3-0.

Vice Mayor Samios stated for the record there is currently a non-profit rate in the schedule of fees and charges. Councilman Valuntas made a motion to approve Consent Agenda Item No. 4 with the newly created 50% fee for the use of 50% of the great lawn in Commons Park as created by Consent Agenda Item No. 12; seconded by Vice Mayor Samios. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed 3-0.

Vice Mayor Samios confirmed Consent Agenda #7 and the budget that includes sales tax money to fund the second pavilion with the first pavilion being funded with the ARPA funds. The Village Engineer confirmed there was no grant money received for this project.

Vice Mayor Samios made a motion to approve the Consent Agenda Item #7; seconded by Councilman Valuntas. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4-0.

REGULAR AGENDA

1. **Public hearing to consider Application 22-100 (SPM, AAR) an application by Coteleur and Hearing and Resolution 22-28 confirming council action. The applicant is seeking site plan modification and architectural approval to construct a 5.77± acre recreation public park with multi-disciplinary athletic courts, open space, four (4) outdoor pavilions, a restroom facility, and a playground, for a property located at 900 Crestwood Boulevard. Agent: Donaldson Hearing of Coteleur and Hearing.* (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 P & Z Director stated the applicant is seeking site plan modification and architectural approval for a 5.77 recreation site that includes multi-disciplinary athletic courts (basketball, pickleball, tennis and volleyball), open space, four outdoor pavilions, restroom facility and a playground. The applicant is also seeking architectural approval for various buildings and landscaping. The P & Z Director stated that the modification and approval is in conformance with the Village's requirements for these types of recreational public parks and consistent with the requirements of the Single-Family Residential Zoning District. The Planning and Zoning Commission and staff recommended approval.

Donaldson Hearing of Coteleur and Hearing representing the Village made a presentation and reported on all details taken into consideration while designing this park. He showed the site plan, noting sensitive consideration was given to how the park was laid out. The site plan also included lighting, emergency access points and landscaping. Also discussed was the maintenance responsibilities of the surrounding landscape buffer, areas of open space along the buffer, the height of the buffer and additional sound buffers that could be added to the fence. Mr. Hearing reported on the construction schedule with completion the beginning of 2024.

Mayor Pinto confirmed that the buffer will be enhanced. Vice Mayor Samios confirmed there is only a pedestrian walkway with no vehicle access except for emergency vehicles that requires a lock box.

After confirming with the Village Clerk and the Village Manager there were no additional public comments. Mayor Pinto read into the record the two comments cards submitted earlier in the meeting that included addressing an additional sound barrier and berm.

A discussion ensued with regard to adding vegetation to the existing berm as well as the costs of adding additional sound vinyl slates to the fence should the Homeowner's Association approve.

Vice Mayor Samios made a motion to approve with the addition of the Village Manager meeting with the Homeowner's Association regarding additional sound

barrier options; seconded by Councilman Valuntas. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4-0.

- 2. Public hearing to consider Application 22-95 (SE) an application by Enterprise Leasing Company of Florida, LLC, and adoption of Resolution 22-27 confirming council action. The applicant is seeking a special exception use approval to allow for an "Automobile Rental Agency" to operate in a different tenant space/bay (10231 Southern Boulevard) than previously approved (10381 Southern Boulevard) within the Village Shoppes Shopping Center; and situated within the General Commercial (CG) zoning district and located at 10231 Southern Boulevard. Agent: Michael E. Wood, of Michael E. Wood Consultant. * (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 P & Z Director stated the applicant is seeking to move the current Enterprise Rent a Car location to a new location within the same shopping center with an additional ten fleet parking spaces in the rear as well as an interior car wash in the bay. The P & Z Director confirmed compatibility is consistent with adjacent land uses, the General Zoning district and conforms to all Village standards. The Planning and Zoning Commission and staff recommended approval.

Michael E. Wood of Michael E. Wood Consultant representing Enterprise Rental Car 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 Samios confirmed the car wash in the bay is more environmental sensitive and no additional vehicles will be added in the front of the shopping center.

Vice Mayor Samios made a motion to approve; seconded by Councilman Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4-0.

- 3. Public hearing for first reading and approval of Application 22-25 and Ordinance No. 1031, an application by the School District of Palm Beach County, regarding a Text Amendment to Chapter 20. Signs. of the Village Code of Ordinances to amend Sections 20-1 and 20-57 to add a definition for the term School Board Informational Sign and to allow for school board informational signs on school board owned properties with operating high schools as a matter of right within the Public Ownership (PO) district subject to additional regulations. *(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 and read into the record the title of Ordinance No. 1031.

Michael C. Owens, Senior Planner representing the Palm Beach County School District asked for consideration to allow the informational signs and 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 Samios clarified this is for the high school only and questioned the lighting regulations for the signage. The Village Attorney (Mitty Barnard) confirmed that the applicant has provided additional regulations that apply to limit the lighting.

Councilman 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 4-0.

4. Approval of Resolution No. 22-30 confirming council action, for the purpose of repealing Resolution No. 13-32 and replacing it with Resolution No. 22-30 which identifies certain village owned properties for the placement of temporary noncommercial signs associated with a definite event. (Village Clerk)

The Village Attorney referred to the recently changed sign code relating to content based signage and this is repealing an old Resolution that specifically referenced political campaign signage and updating an exhibit included in the Election Packet to make that language consistent. A discussion ensued with regard to all types of signage and events and the Village Attorney clarified this is specific to those associated with a definite event and only for Village-owned property.

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 Councilman Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4-0.

5. Appointment of two residents to the Recreation Advisory Board. (Council Liaison)

Vice Mayor Samios made a motion to appoint Alternate Alyssa Freeman to a regular seat with term expiring March 2023; appoint Robert Birch to a regular seat with term expiring March 2024 and appoint Sean Fitzpatrick to the Alternate seat with term expiring March 2023; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed 4-0.

**6. Appointment of one resident to the Education Advisory Board.
(Council Liaison)**

Councilman Hmara made a motion to appoint Kathleen A. Greer to a regular seat expiring March 2023; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed 4-0.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk