

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 January 19, 2023.**

**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>02/16/23</b>	

**VILLAGE OF ROYAL PALM BEACH  
MINUTES OF COUNCIL REGULAR MEETING  
VILLAGE MEETING HALL  
THURSDAY, JANUARY 19, 2023  
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: 983-714-195, Access Code: 519-089-922.

**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 along with Village Manager, Village Attorney (Mitty Barnard) and the Village Clerk.

**RECOGNITION OF DEPUTY SHERIFF ALBERTO RIVAS**

Mayor Pinto recognized Deputy Rivas as PBSO Deputy of the Year 2022 and the Village Clerk read into the record Deputy Rivas's accomplishments.

**REPORTS**

Councilwoman Rodusky stated that starting January 17<sup>th</sup> Veterans Affairs announced that any Veteran in suicidal crisis can go to either a VA or Non-VA health care facility for emergency health care at no cost. This includes inpatient or crisis residential care for up to 30 days and outpatient care for up to 90 days. For further information the email address is [VACFBNP@va.gov](mailto:VACFBNP@va.gov) and the website is [www.va.gov/cfbnp](http://www.va.gov/cfbnp).

Councilman Hmara reported on the Martin Luther King, Jr. Birthday Celebration held in partnership with CAFCI at the Cultural Center. He reported on the Education Advisory Board where Western Academy Charter School was showcased. He announced their accomplishments, noting there are presently 575 students along with a STEAM program. A ribbon cutting ceremony will be held at the school Saturday, January 21<sup>st</sup>. Councilman Hmara also reported on the Palm Beach County Legislative Session in Tallahassee where the Florida Regional Council Association also met and discussed Affordable Workforce Housing.

Vice Mayor Samios attended the Young at Heart Luncheon where it was announced that Florence Kusmierek was celebrating her 100<sup>th</sup> birthday. She reported on the Business Development Board meeting where Wall Street South was the topic. She said that Palm Beach County salaries are the highest in the State of Florida, averaging \$68,000 per year; however, with the Wall Street South staff relocating to Palm Beach County their average salary is \$500,000 per year. She also noted education was of concerns as well as transportation. She announced that the South Florida Fair is on until January 29<sup>th</sup>. She thanked CAFCI and the Cultural Council for sponsoring the Martin Luther King, Jr. Birthday Celebration. She invited everyone to attend the Friday night concert/food truck event at Commons Park featuring a Carlos Santana Tribute Band as well as the Green Market on Saturdays at Village Hall. She announced a Daddy/Daughter dance with the theme of a Winter Wonderland at 6:00 p.m. on January 27<sup>th</sup> at the Cultural Center and a movie/food truck night at Commons Park on Saturday, January 28<sup>th</sup> featuring the movie Cruella.

The Village Manager received consensus from the Council to make a change in the budget to allow Council tuition reimbursement since the travel and per diem is not being used. He also gave an update on the Sunset Isles annexation.

**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 December 15, 2022. (Village Clerk)**
2. **Approval of a special event permit for the Village of Royal Palm Beach to hold “West Fest” at 11600 Poinciana Boulevard, the Royal Palm Beach Commons Park on Friday, February 17, 2023 from 5 p.m. to 10:00 p.m., Saturday, February 18, 2023 from 12:00 p.m. to 9:00 p.m. and Sunday, February 19, 2023 from 12:00 to 6:00 p.m. (Director of P & Z)**
3. **Authorization to reject all bids received and opened at 3:30 p.m. on Wednesday, November 30, 2022 for the Heron Parkway Drainage Improvements – PW1903. (Director of Public Works)**
4. **Approval and authorization for the Village Manager to execute an addendum to extend Architectural Services provided by DHGA Design-FL, LLC for two years. (Village Engineer)**
5. **Approval and authorization for the Village Manager to sign a Lease Agreement between the Village of Royal Palm Beach and Verdex Construction, LLC, for the use of unoccupied space within the David**

**B. Farber building for storing construction materials to be used in the Village Hall construction. (Village Engineer)**

- 6. Consideration of the approval and authorization for the Village Manager to enter into an Agreement for Furniture Assembly Labor Services with WRK LAB, INC. for assembly and installation labor services for the Village Hall Office Furniture project. This agreement piggybacks off GSA Contract #47QSMA21D08PQ at the installation services unit rates provided therein. The total cost under the agreement shall not exceed \$122,728.32 funded under project EN2304 Village Hall Office Furniture. (Village Engineer)**
- 7. Approval to contract with Dell Authorized Partner, KDT Solutions, for the upgrade of core hardware and software assets, including host servers, data storage array, switches, routers, virtualization and server operating system software at main voice-data-communications hubs, new Village Hall and DBF colocation datacenters. Current datacenters core hardware, and software assets are end of life, do not meet future performance demands, and will not support 10G Local Area Network (LAN) backbone at core datacenters. KDT Solutions hardware, software, licensing, and implementation purchase will be made under Dell Marketing State contract 43211500-WSCA-15-ACS in the amount, not to exceed, \$95,000. (Information Systems Director)**
- 8. Approval and authorization for the Village Manager to enter into an agreement with OpenGov for the implementation of new budget software. (Finance Director)**

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

## **REGULAR AGENDA**

- 1. Public hearing to consider Variance Application No. 22-143 (VAR), an application by Custom Pool Construction Services, the applicant is requesting a Variance from Section 26-62 to allow for a three (3) foot rear setback where Village Code requires eight (8) feet, a Variance of five (5) feet for a pool, for a property located at 1320 Whitcombe Drive. \*(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 gave a presentation on the applicant's request noting this would allow for a three foot rear setback in lieu of eight feet for a pool. He reviewed the code that allows Council to grant variances. Letters have been sent out to property owners within 300' and have received no objections. The Planning and Zoning Commission and staff recommended denial. The P & Z Director provided additional information noting that a previous variance has been granted in this

subdivision and if the variance would be granted the rear property would still maintain a safe three foot walking pathway.

Armando Presti, Property Owner submitted the attached letters into the record from his physicians as well as two letters from next door neighbors in support of the variance. He explained the need to install the therapy pool due to his extensive health issues and respectfully requested the variance.

Greg Pry of Custom Pool Construction also testified on the need of the additional space to construct the therapy pool.

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 depth of the therapy pool. A discussion ensued and it was confirmed there will be continued access to the pond in the rear of the house.

Councilman Hmara 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.

- 2. Public hearing for second reading and adoption of Ordinance No. 1034 and approval of Application No. 22-124 (RZ), an application by Urban Design Studios, the applicant is seeking a Rezoning of ten (10) tracts of land totaling 31.846± acres, more or less, from the Village's General Commercial (CG) zoning district to the Village's Mixed Use Social Center (MXS) zoning district and for five (5) tracts of land totaling 9.289± acres from Palm Beach County's Agricultural Residential (AR) zoning district to the Village's Mixed Use Social Center (MXS) zoning district, located on the south side of Southern Boulevard approximately 7/10 of a mile west of State Road 7. Agent: Lentzy Jean-Louis, Urban Design Studio. \*(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 gave a presentation on the applicant's request noting this is the second reading of this ordinance. This proposed rezoning is consistent with the Comprehensive Plan, Zoning Code, compatible with adjacent future land uses and meets all relevant concurrency level of service standards. The Local Planning Agency 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.

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

3. **Public hearing to consider Application 22-152 (AAR), an application by Robert Fehre on behalf of R. P. Logistics, LLC. The applicant is seeking Architectural Approval for the installation of a Stainless Steel Sculpture to fulfill the Art in Public Places requirement for a property located at 1131, 1141, 1151 & 1161 N. State Road 7. \*(Public Art 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.

Robert Fehre, Artist made a presentation on behalf of the Aldi Way Warehouse Project describing the art work "Transcendence" as a stainless steel sculpture with a concrete base and lighting element. He reported the art piece would be fabricated in February and installed in June.

Michael Landford of RP Logistics complimented their choice of artist and look forward to completing the project.

The Village Manager asked what the art represents. The artist, Robert Fehre responded it was inspired by the owner having three daughters as well as being abstract.

Council applauded the owner for choosing a local artist as well as the design.

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 this will structure will be permitted and will meet the wind and hurricane codes.

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

4. **Public hearing to consider Application No. 22-154 (AAR), an application by Mario Lopez Pisani on behalf of the Village of Royal Palm Beach. The applicant is seeking Architectural Approval for the acquisition and Commission of Public Art (photographs) for the Cultural Center located at 151 Civic Center Way. [Postponed to a time certain of January 19, 2023 at 6:30 p.m. at the December 15, 2022 Regular Council Meeting] \*(Public Art 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 Art Professional began his presentation by reviewing the public art requirements for the Cultural Center. He reviewed Xan Padron's accomplishments and the selection criteria used to select this artist. He showed digital rendering of some of his artwork and reported on Council's first review that recommended using residents as subjects of the art work. Staff recommended approval for one original commission of a time lapse series that will be created in the Village and

one 30" x 57" "We the People" framed time lapse photograph in the artist inventory for a total cost of \$25,000.

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 confirmed the flag that is being purchased is from his inventory and part of an original series. It was also confirmed that the artist would be in the Village to take pictures at a public event either in February or March for the second piece and notifications will be placed in various locations to make attendees aware pictures are being taken.

Councilwoman Rodusky 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.

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

Councilman Hmara made a motion to appoint Paula Wilson to an Alternate seat expiring March 2024; seconded by Councilwoman Rodusky. 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