

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 18, 2024.

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		2/15/24	

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE COUNCIL CHAMBERS
1050 ROYAL PALM BEACH BOULEVARD
THURSDAY, JANUARY 18, 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.
- Telephone: Public may listen only via phone remotely by dialing United States +1 (415) 655-0052, Webinar ID: 602-706-835, Access Code: 382-020-196.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

PRESENTATION BY THE PALM BEACH TRANSPORTATION PLANNING AGENCY ON THE VISION 2050 LONG RANGE TRANSPORTATION PLAN

Nathan George, Long Range Transportation Plan Coordinator provided an update noting this 25-year plan is required by the federal government to be updated every five years. He said that currently the Transportation Improvement Plan includes \$4.1 billion to fund projects stretching from Palm Beach County to Miami-Dade County. He explained the goals of the plan are to be safe, efficient, connected, resilient and multi-modal. The next LRTP workshop open to the public is scheduled for 3:00 p.m. to 5:00 p.m. on Friday, January 26th at the Royal Palm Beach branch library at 500 Civic Center Way. Visit www.palmbeachtpa.org/lrpt for additional information. Mr. George gave the attached presentation.

REPORTS

Councilwoman Samios gave an update on Palm Beach County Day in Tallahassee where Agricultural Commissioner Wilton Simpson discussed Rule and Family Land Protection. Steven Fielder with My Safe Florida Grant Program gave an update as well. She said although there are no monies available now but interested residents may go to the website to register at myfloridasafehome.com. She also reported on a meeting with Tasha Carter, Insurance Consumer Advocate with the CFO's office regarding homeowners insurance, Senate Bill 76 regarding paying claims in a timely manner and a grant that is available for lower income seniors. She announced the Friday night concert series this week is featuring Crazy Fingers a Grateful Dead tribute

band, Green Market and Bazaar is every Saturday at Village Hall and West Fest will be held Friday, February 16 through Sunday, February 18th. She thanked the Central and Hispanic Chambers of Commerce for the holiday party as well as CAFCI for presenting the 22nd Annual Martin Luther King, Jr. celebration.

Councilman Valuntas also acknowledged the success of the Winter Fest in December and thanked staff. He too attended the Martin Luther King, Jr. observance and thanked CAFCI for their involvement.

Councilman Hmara reported that Florida Legislative Action Day will be held on January 29, 30 and 31 where municipal Home Rule will be protected. He announced that every Monday there is a 9:00 a.m. call in to hear breaking news on the committee meetings as well as a newsletter called *On Tap at the Cap*. He reported on an incident in his neighborhood and was so impressed with all the first responders, he recognized and thanked them for their professionalism and passion. He also reported that the temporary homeless shelter near the South Florida Fairgrounds will be closing at the end of the month and that a new shelter will be opening and having a ribbon cutting ceremony in Palm Springs at 11:00 a.m. on Monday, January 29th and invited anyone interested to attend.

Vice Mayor Rodusky announced that the South Florida Fair is in town and thanked the fair's trustees and scholarship program. She shared that three Royal Palm Beach High School students were awarded fair scholarships on Sunday and congratulated the winners, Nirvani Balkaran, Keegan Henderson and Tyler Wink.

PETITIONS - None

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

Stephanie Citerman spoke on behalf of the National Council of Jewish Women announcing that January is Human Trafficking Awareness Month and explained labor, sex trafficking of minors and sextortion. She further reported on the information available while noting that Florida is ranked number three in the nation on reports of human trafficking. She referred anyone that needs more information to go to the website at www.ncjwpalmbeach.org or call 561-790-7440.

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 November 16, 2023 and Council Regular Meeting of December 7, 2023. (Village Clerk)**
- 2. Approval and authorization for the Mayor to execute the "2024 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)**

- 3. Approval of a special event permit for Hellspawn Skate to hold a skateboarding event at Preservation Park, located at 100 Sweet Bay Lane on Saturday, January 27, 2024, from 4:00 p.m. to 9:00 p.m. (Senior Planner)**
- 4. Approval of six (6) special event permits for Our Lady Queen of the Apostles Catholic Church to hold a fish fry at 100 Crestwood Boulevard on February 16, 2024, February 23, 2024, March 1, 2024, March 8, 2024, March 15, 2024 and March 22, 2024 from 5:00 p.m. to 7:00 p.m. (Senior Planner)**
- 5. Ratification of Consultant Services Authorization (CSA) No. 04 with Erdman Anthony to provide Municipal Engineering Services for Bridge Slope Stabilization Project PW1806. The cost for said services shall not exceed \$137,080.00. (Director of Public Works)**
- 6. Approval and authorization for the Village Manager to enter into a Professional Services Agreement for Architectural Design Services with REG Architects, Inc. for various projects in the Village of Royal Palm Beach. (Village Engineer)**
- 7. Approval and adoption of Resolution No. 24-01, a resolution of the Village Council of the Village of Royal Palm Beach, Florida, expressing support for the extension and continuation of the Palm Beach County One-cent Sales Surtax to fund local infrastructure projects through December 31, 2036; providing an effective date; and for other purposes. (Village Manager)**

Councilwoman Samios pulled Item No. 7 for discussion.

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

The Village Manager explained the resolution in Consent Agenda Item No. 7 is to express the support for the extension and continuation of the Palm Beach County One-Cent Sales Surtax to fund local infrastructure. He gave a history of the sales tax and how it is divided between the School District of Palm Beach County, Palm Beach County and the 39 Palm Beach County municipalities. This resolution is only showing support to the County for the Village's interest to have it continued and placed on the ballot. The Village Manager reported the Village has collected approximately 21 million dollars up to this point and all monies have been used for capital projects.

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

REGULAR AGENDA

- 1. Discussion and consideration of whether to revise the Village's Code of Ordinances to allow Large Family Child Care Homes within the Village's residential zoning districts where the Village Code currently only allows Family Child Care Homes with a maximum of six (6) children. (Director P & Z)**

The Director of P & Z gave a brief history of this item and the public comments that were made by a resident related to the Village's restriction on the number of children currently allowed in Family Child Care Homes within the Village and the potential inconsistency with Palm Beach County regulations which were purported to allow more children. He stated that the Florida Department of Health regulates licensed Family Day Care Homes in 62 of Florida's 67 counties and Palm Beach County is one of the 67. He reported on the Attorney General Opinion 2003-34 which addressed the preempt local regulations of family day care facilities. He explained residential childcare can be classified as a "Family Childcare Home" or a "Large Family Childcare Home" with the primary distinction being the number of children allowed. The former allows up to six children and the "large" designation allows up to 12 children. Both types must be licensed and inspected. He added to qualify and become licensed as a Large Family Childcare Home, a provider must successfully operate for at least two years as a Family Childcare Home at the location where they wish to operate as a Large Family Childcare Home. The Director reviewed the distinctions between the two regarding staffing requirements, background screening, staff training, supervision of the children, health and safety. The Director stated that staff did not support any revisions to the existing Village Code and reported on his findings that show both types of childcare homes within Palm Beach County resulted in less than five percent being Large Family Childcare homes and the Village's code is consistent with other municipalities. He added that large childcare homes are more closely related to a commercial use.

Martha Smith of 171 Martin Circle and Terrica Johnson who brought up this issue in December noted she was caught off guard when she could only service six children in Royal Palm Beach instead of 12 as she had done previously in the Pahokee area. They both stated their support and reasons to allow for a Large Family Childcare Home at their residence in order to serve twelve instead of only six children.

A discussion ensued and questions were answered but most of the council was not swayed. Councilman Valuntas commented he would have used a residential childcare facility if the opportunity was available when his children were young.

The Village Attorney cautioned that once a large childcare facility is allowed, it would be hard to shut down and that even if the Village code was to be changed they must adhere to Palm Beach County as well and clarified it would include the two-year site specific rule regarding the operation period previously reported by the Director. The Village Attorney offered different options on changing the zoning ordinance.

Councilman Valuntas made a motion to change the ordinance to allow a Large Family Childcare Home and allow up to 12 children. The motion failed with no second. At this point, Mayor Pinto stated that they were not able to support the request and no further action will be taken.

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

Councilman Hmara, Council Liaison made a motion to appoint Sergio Herrera to the alternate seat with term expiring 2024; seconded by Councilman Valuntas. Mayor Pinto put the motion to a vote and it passed unanimously.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk