

Agenda Item No. C - 1

VILLAGE OF ROYAL PALM BEACH
Agenda Item Summary

AGENDA ITEM: Approval of the minutes of Council Regular Meeting of May 18, 2023.

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
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Village Clerk		06/15/23	
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**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
THURSDAY, MAY 18, 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.
- Telephone: Public may listen only via phone remotely by dialing United States +1 (415) 655-0052, Webinar ID: 325-187-347, Access Code: 384-421-887.

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), Village Attorney (Mitty Barnard) and the Village Clerk.

PRESENTATION OF \$1,000 SCHOLARSHIP AWARDS TO TEN ROYAL PALM BEACH GRADUATING SENIORS: SARAH AHMED (ROYAL PALM BEACH COMMUNITY HIGH SCHOOL); SANJANA BALKARAN (ROYAL PALM BEACH COMMUNITY HIGH SCHOOL); CHLOE CARPENTER (ROYAL PALM BEACH COMMUNITY HIGH SCHOOL); SAMUEL DORCELUS-CETOUTE (ROYAL PALM BEACH COMMUNITY HIGH SCHOOL); DAPHNA EDOUARD (ROYAL PALM BEACH COMMUNITY HIGH SCHOOL); ADONTE JAKUSIK (ROYAL PALM BEACH COMMUNITY HIGH SCHOOL); ROBERT LEBRUN (SEMINOLE RIDGE COMMUNITY HIGH SCHOOL); SOPHIA MADDEN (ROYAL PALM BEACH COMMUNITY HIGH SCHOOL); KAIYA STEGALL (BEREAN CHRISTIAN SCHOOL); JANA WALLACE (SEMINOLE RIDGE COMMUNITY HIGH SCHOOL)

Mayor Pinto turned to Councilman Hmara who welcomed the scholarship award winners and their families and friends stating the pride with which the Village of Royal Palm Beach gives these scholarships to some of the most successful students living in the Village. Councilman Hmara recognized the Education Advisory Board for their diligent work throughout the selection process. Councilman Hmara announced and members of the Education Advisory Board acknowledged each of the students and Mayor Pinto presented the checks on behalf of the Village Council.

PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK

REPORTS

Vice Mayor Rodusky congratulated CAFCI on the success of Cultural Diversity Day; announced that May is Mental Health Awareness Month. Reminder that the 211 Help Line and 988 Crisis Line and Suicide Prevention Line is available. June 5th kicks off the summer reading program at Royal Palm Beach Library.

Councilman Hmara reported on the Education Advisory Board meeting announcing that Royal Palm Beach High School graduation is scheduled for May 24th. At that meeting, an update was given on new legislation affecting the schools and reported on the changes. The EAB Board also recognized high school senior Javier Rivas, Student Council President, for his participation this year.

Councilman Valuntas reported on the Central Chamber of Commerce meeting where an update was given on the legislative session as well and the Live Local Act. The Village Attorney (Keith Davis) further explained the Live Local Act.

Councilwoman Samios congratulated all the student scholarship recipients. She reported on the Citizen Summit and thanked the residents that participated; attended the Kool Runnings Ice Cream opening as well as Cultural Diversity Day. She announced that a new playground structure has been installed at Veterans Park; new shade structures have been installed at Todd Robiner Park and Preservation Park playgrounds; new electronic message boards have been installed around the Village. She invited everyone to the Food Truck/Billy Joel Tribute Concert on Friday, June 2nd, a 55+ Senior Prom is scheduled for Friday, May 26th 3 p.m.- 7 p.m. at the Cultural Center and summer basketball camp, sand volleyball camp, indoor volleyball camp, early childhood adventure summer camp are available. She did note that the summer camps are full. She directed everyone for more information to the Village's website www.royalpalmbeachfl.gov.

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 April 20, 2023. (Village Clerk)**
- 2. Approval to purchase fireworks and pyrotechnician services from Zambelli Fireworks Manufacturing Co., for the annual display at the July 4th Celebration being held at Royal Palm Beach Commons Park in the amount of \$50,000.00, with such purchase being in accordance with Procurement Guidelines set forth in Village Code Sub-Section. 10-98(d). (Director of Parks & Recreation)**

3. **Approval of a Special Event Permit for Southern 441 Nissan to hold a Sales Event and BBQ on Saturday, May 27, 2023 through May 29, 2023 from 11:00 a.m. until 4:00 p.m. (P & Z Director)**
4. **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 Tuesday, July 4, 2023 from 1:00 p.m. until 10:00 p.m. (P & Z Director)**
5. **Approval and adoption of Resolution No. 23-15, a resolution of the Village Council of the Village of Royal Palm Beach, Florida, authorizing the Mayor to execute Amendment 002 to the Interlocal Cooperation Agreement with Palm Beach County concerning the Village's participation in the Urban County Program related to the administration of funds from the Community Development Block Grant ("CDBG") and Home Investment Partnerships Program during Federal Fiscal Years 2024-2026; providing an effective date; and for other purposes. (Village Manager)**
6. **Approval and authorization for the Village Manager to enter into an agreement with Texas Aquatic Harvesting, Inc. for harvesting services to remove floating vegetative debris from the Village canal system by piggybacking the South Florida Water Management District (SFWMD) Contract No. 4600004694 for Mechanical Harvesting. (Director of Public Works)**

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. **Presentation of the Palm Beach County Sheriff's District 9 Annual Report by Captain Ulrich Naujoks.**

Captain Ulrich Naujoks acknowledged this is his 10th year in presenting the annual report and introduced Harry Hook, Criminal Analyst who assisted with this report. He presented the attached 2022 Annual Report. The Mayor and Council stated their appreciation and thanked him.

2. **Public hearing to consider Application No. 23-040 (MCIC) an application by Crossroads R2G Owner LLC and adoption of Resolution No. 23-16. The applicant is seeking Modification to a Council Imposed Condition (MCIC) to amend the timeline for the installation of the required Public Art, for a property located at 1180 Royal Palm Beach Boulevard. Agent: Janna P. Lhota of Holland & Knight LLP. * (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 this request is to amend Condition 2.B due to timing

constraints associated with the earlier completion of the Publix renovation, the owner has requested additional time to receive approval for the commission and to install the public art piece, which is being created by international artist Wenquin Chen. The proposed modification will extend the timeline for installation of the public art piece to six months after Council approval and to bond twice the fee of the public art requirement. Staff recommended approval adding that the applicant agreed to the additional Condition of Approval. The Village Attorney (Mitty Bernard) clarified, in the event that there would be a default, by the applicant, the modification would bond the artwork at two times the value of the piece in order for the Village to purchase and install replacement artwork.

Jana Lhota of Holland & Knight, LLP representing the applicant gave a brief history of the reconstruction of Publix and provided a presentation on the required public art. She gave a timeline on the efforts with different artists to satisfy this requirement and showed the approved art piece being created by international artist Wenquin Chen. Ms. Lhota confirmed she was aware of the requirement for resubmittal.

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 Rodusky inquired as to why a local artist was not used and why the platform Saatchi was used to search for the public art piece. She asked moving forward that local artists be sought before looking outside the area. Councilwoman Samios asked the Village Attorney for clarification on the three options for the revised condition of approval. Clarification was also given that another MCIC would be required to extend the six months.

Sonya Hene of RPT Realty added the Publix is scheduled to open within a month.

Councilman Hmara made a motion to approve Res. No. 23-16 - MCIC to modify Condition 2B to allow for installation of the public art within six months of Council approval of Application No. 23-040 with the condition the applicant provide a performance bond in the amount of twice the certified cost estimate of \$107,570.00 for the required public art; seconded by Councilman Valuntas. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4 – 1 with Vice Mayor Rodusky dissenting.

3. Public hearing for first reading and approval of Ordinance No. 1033, amending Chapter 23. Traffic and vehicles. at section 23-16. Manner of parking vehicles upon streets, public rights-of-way, publicly owned parking spaces, vacant lots and swales; penalties. to clarify the swale parking restrictions within the Village and add additional regulations to address parking of vehicles on publicly-owned property. (Community Development Director)

The Village Manager stated this ordinance amends part of the Village Code regarding vehicle parking clarifying and adding that the swale parking restrictions for the adjacent property owner will not permit parking in the swale

for more than 24 hours. He said this was the only change made to the previously presented Ordinance. 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.

Councilwoman Samios felt that it was not fair for the residents to only be allowed parking for 24 hours as opposed to 48 or 72 hours. The Village Manager explained the reasoning for the 24 hour restriction.

Vice Mayor 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.

4. Annual review, evaluation and merit pay determination for the Village Manager.

Mayor Pinto stated that in accordance with Village Code Section 2-2(b) and the Village Manager's contract, the Council shall review and evaluate the performance of the Manager at least once annually.

Councilwoman Samios reviewed all the evaluation standards, noting his leadership attributes to the longevity of staff and thanked the Village Manager.

Councilman Valuntas ranked the criteria areas as well as noting the majority of the areas were marked with a five. He also acknowledged the longevity of staff.

Councilman Hmara reviewed all the evaluation standards, he too noted that long term employees is the primary evidence that says good leadership creates a good environment and result. He also referred to the strategic plan and communication to the Council is 24/7 and felt the Village Manager does an outstanding job.

Vice Mayor Rodusky referred to the strategic plan and the four areas and stated his uniqueness of looking to the future and leadership outside the Village is recognized and important. She stated her score was 4.95.

Mayor Pinto agreed with all comments made by the Council and felt the context for leadership is the outcomes that are achieved and the strategy that is consistent every day with the vision. He said that the Village is maintaining the standard of excellence.

Councilman Valuntas made a motion to approve a 5% merit increase; seconded by Councilman Hmara. Mayor Pinto put the motion to a vote and it passed unanimously.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk