

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 September 21, 2023 and Council Regular Meeting of October 19, 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
Village Clerk		11/16/23	

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
THURSDAY, SEPTEMBER 21, 2023 – 6:41 P.M.
IMMEDIATELY FOLLOWING THE FINAL PUBLIC BUDGET HEARING**

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: 990-369-571, Access Code: 345-100-165.

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 (Mitty Barnard) and the Village Clerk.

**PRESENTATION BY GINA A. LEVESQUE, CFE, INTAKE AND COMPLIANCE
MANAGER FROM THE PALM BEACH COUNTY COMMISSION ON ETHICS**

Ms. Levesque provided a brief presentation about the goals of the department to monitor and support the 12,000-plus elected officials, public employees, advisory board members and lobbyists in the County and to enhance the public trust of government. She introduced the newest staff member, Elizabeth Martin who will be doing all of the Community Outreach.

REPORTS

Mayor Pinto reported on the Transportation Planning Agency meeting where discussion was held on the 2025 TIP and 2050 Vision. Mayor Pinto also officially welcomed the Sunset Isles community into the Village. The Village Manager reported that on June 13, 2023 the Palm Beach County Commission approved the annexation and a welcome packet will be put together for the new residents.

Councilwoman Samios attended the Progress Palm Beach County Economic Summit where discussion was held on the trade industry noting the average age of employees in Palm Beach County is 39.5. She added that soft skilled employees are in need. Also discussed was work force, affordable housing, and the 200 million dollar bond available to developers. She reported that the Women’s Chamber of Commerce will hold a discussion on the impact of affordable housing on October 12th where Habitat for Humanity and Palm Beach County Leadership and a Developer will sit on the panel. The Village’s Green Market will start on October 14th around Village Hall, Rock N Fall

Festival will be held on October 6th and 7th at Commons Park and she thanked long time employee Lou Recchio, Director of Parks and Recreation who is retiring. She wished Mayor Pinto a Happy Birthday.

Councilman Hmara reported on the Education Advisory Board where the Western Academy was showcased noting this was the first school in the Village with a STEAM program. The Palm Beach County School District Police Chief Sarah Mooney reported on initiatives in place for student and school safety. Councilman Hmara also announced that Paula Wilson is the new Education Advisory Board Chair and encouraged anyone interested to attend the board meetings held the second Monday of the month. He reported on the Florida League of Cities Legislative Policy Committee meeting in Orlando where the Live Local Act was discussed as well as other issues. He also announced that the next Read for the Record event is set for October 26th. This year's book is *With Lots of Love* by Jenny Torres Sanchez. This is a national event where thousands of volunteers read the same book to children across the country on the same day and is locally hosted by the Literacy Coalition of Palm Beach County.

Vice Mayor Rodusky announced that September is National Hispanic Heritage Month. She also reported that if previously registered for a Vote by Mail ballot you must re-register, the Supervisor of Elections have cleared all the records. Vice Mayor Rodusky added that there is a Ballot Trax App now available to track your ballot as well. The Supervisor of Elections is in need of poll workers and if interested visit the website votepalmbeach.gov. She also announced that the SHINE (Serving Health Insurance Needs of Elders) Program training is being offered by the Palm Beach County Library. For more information go to pbclibrary.org.

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 August 17, 2023. (Village Clerk)**
- 2. Approval and authorization for the Mayor to execute the First Addendum to Interlocal Agreement for Administrative Services between the Palm Beach County Transportation Planning Agency and Village of Royal Palm Beach. (Village Manager)**
- 3. Approval of bid award and authorization for the Village Manager to enter into contract with Horizon Air Conditioning, Inc., the lowest responsible, responsive bidder, in the amount of \$84,792.00 (annual cost) for Air Conditioning (“A/C”) Monthly Maintenance. Funding**

for the A/C Monthly Maintenance is budgeted in FY24 Public Works Operating Budget. (Director of Public Works)

- 4. Adoption of Resolution No. 23-39. A Resolution of the Village Council of the Village of Royal Palm Beach, Florida adopting a revised Schedule of Fees and Charges; specifically repealing Resolution 22-34; providing that this Schedule of Fees and Charges shall be available for inspection at all times at the Village Hall during regular business hours; providing an effective date; and for other purposes. (Village Clerk)**
- 5. Approval to purchase two (2) polygon shelter pavilions at Crestwood Park North in an amount not to exceed \$125,000.00 by piggybacking Clay County term contract #18/19-2, from Rep Services, Inc. this project (PR2102) is budgeted in account #301-7200-572-63-92. (Director of Parks & Recreation)**
- 6. Approval to purchase a playground apparatus from Miracle Recreation Equipment Co. and have it installed at Crestwood Park North. The purchase amount shall not exceed \$150,000.00 through Sourcewell contract # 010521-LTS. (Director of Parks & Recreation)**
- 7. Authorization to reject all bids received and opened at 3:00 p.m. on Wednesday, August 30, 2023 for Custodial Services. (Director of Parks & Recreation)**
- 8. Approval and authorization for the Village Manager to enter into a Professional Services Agreement for Municipal Engineering Services with Erdman Anthony for various projects in the Village of Royal Palm Beach. (Village Engineer)**
- 9. Approval and authorization for the Village Manager to enter into a sports lighting equipment and services agreement with Musco Sports Lighting, LLC for Crestwood North Park. The cost for said services shall not exceed \$204,376.00 and funds will come from projects PR2102. (Village Engineer)**
- 10. Approval and authorization to renew annual software licensing and technical maintenance support with Superior Public Sector, Inc. in the amount of \$67,000. (Information Systems Director)**
- 11. Approval of a special event permit for the Village of Royal Palm Beach to hold "Rock n Fall Fest" on Friday, October 6, 2023 from 5:00 p.m. to 10:00 p.m. and Saturday, October 7, 2023 from 1:00 p.m. to 9:00 p.m. at Royal Palm Beach Commons. (P & Z Director)**
- 12. Approval of a special event permit application for Catskill Haunts of FL, LLC to hold a "Haunted House" on Friday and Saturday nights from October 6, 2023 through the month of October 2023 at Royal Palm Beach Commons. (P & Z Director)**

13. **Approval of a seasonal vendor permit for Our Lady Queen of the Apostles Catholic Church to hold their Annual Pumpkin Patch Fundraiser at 100 Crestwood Boulevard from October 14, 2023 through October 31, 2023. (P & Z Director)**
14. **Approval of a special event permit for the Village of Royal Palm Beach to hold a Green Market and Bazaar at Village Hall every Saturday, beginning October 14, 2023 through April 27, 2024 from 9:00 a.m. to 1:00 p.m. (P & Z Director)**
15. **Approval to purchase six (6) skyway shade structures through Rep Services Inc. in the amount of \$116,516.60 with pricing through Clay County Contract #18/19-2. Effective through May 27, 2024. (Director of Parks and Recreation)**
16. **Approval and authorization for the Village Manager to execute the “Third Addendum Lease Agreement” between the Village and Eats and Teas Cafe, LLC now doing business as Parkside Cafe and Catering LLC, to provide for the first one (1) year renewal term beginning October 1, 2023 and ending September 30, 2024. (Director of Parks and Recreation)**

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

REGULAR AGENDA

1. **Public hearing pursuant to Sec. 163.3225(1), Florida Statutes, by the Village Council to consider Application No. 23-081 (DA) requesting approval of an amended and restated Development Agreement between the Village and the Developer to revise the minimum unit sizes and average unit sizes to accommodate two (2) additional units for the Tuttle Royale Pod 3 multifamily development located approximately 0.27 miles west of the State Road 7. Agent: Lentzy Jean-Louis of Urban Design Studio. (P & Z Director)**

The P & Z Director stated the original Development Agreement was approved in 2019 and recorded in the official records of Palm Beach County. He said this request is to revise the minimum unit sizes and average unit sizes to accommodate two additional units for the Tuttle Royale Pod 3 Multifamily development. The P & Z Commission and staff recommended approval.

Lentzy Jean-Louis of Urban Design Studio representing the applicant was present for any 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 Samios confirmed this is a minor change in the average number of units, not size.

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 unanimously.

- 2. Public hearing to consider Application No. 23-047 (SCPA), an application by HM2V, Inc., and approval of Ordinance No. 1037 on second reading. The applicant is seeking a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation of one parcel totaling 0.235± acres from the Village's Open Space (OS) land use designation to the Village's Industrial (IND) Land Use designation, for a property located on 6846 Seminole Palms Drive. Agent: Vincent Kafer of HM2V, Inc. (P & Z Director)**

The P & Z Director stated the property is currently vacant and recently sold by the Village to Paint Lux. The applicant stated in their justification statement that the ultimate goal is to develop the property for the purpose of enlarging the existing Paint Lux facility parking lot. He added there will be no storage of any material and or equipment or disabled vehicles of any kind. The P & Z Commission and staff recommended approval.

Vincent Kafer of HM2V, Inc. representing the property owner was present for any questions.

The Village Attorney read into the record Ord. No. 1037 by title only.

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 No. 23-044 (RZ), an application by HM2V, Inc., and approval of Ordinance No. 1039 on first reading. The applicant is seeking a rezoning approval to rezone a 0.235± acre parcel from the Village's Open Space (OS) zoning district to the Industrial General (IG) zoning district, for a property located at 6846 Seminole Palms Drive. Agent: Vincent Kafer of HM2V, Inc. * (P & Z Director)**

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 Director of P & Z stated the applicant is seeking rezoning on the vacant property. The applicant stated in their justification statement that the ultimate goal is to develop the property for the purpose of enlarging the existing Paint Lux facility parking lot. He added there will be no storage of any material and or equipment or disabled vehicles. The P & Z Commission and staff recommended approval.

Vincent Kafer of HM2V, Inc. representing the property owner was present for any questions.

The Village Attorney read into the record Ord. No. 1039 by title only.

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

Councilman 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.

- 4. Public hearing to consider Application No. 22-63 (ZTEXT) and Ordinance No. 1036 on second reading, an application by Royal Palm Brewing Company, amending the Village Code to amend Sections 26-75.2 and 26-89 to eliminate the current prohibition on outdoor seating and patron congregation directly abutting residential zoning districts which would allow for such use subject to variance approval and increase the square footage limitation for brewpubs and microbreweries from 5,000 to 6,000, specifically requested for a property located at 543 N. State Road 7, Suite 103. * (P & Z Director)**

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 Director of P & Z stated this is a text amendment to eliminate the current prohibition on outdoor seating and patron congregation directly abutting residential zoning districts. It will also allow for such use subject to variance approval by Council and increase the square footage limitation for brewpubs and microbreweries from 5,000 to 6,000 square feet. He reviewed a summary of the proposed text amendments. The P & Z Commission and staff recommended approval.

Jeff Shetka, business owner presented a letter from neighboring Bella Terra community in support of the request to keep the outdoor seating, reviewed the noise and sound levels, relationship between truck traffic and size of brewing operation. He gave details on how the business operates and earns revenue.

George Shetka, business owner reviewed the distribution offset with outdoor seating, why the brewery moved west and not east, the amount of added square footage, and gave a detailed description of the nano brewery. He explained that a nano brewery makes less than 2,000 barrels of beer annually, and has a restaurant license as well. He gave a conclusion noting the application was submitted 546 days ago with submittal fees of \$9,000 and ask for final 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 received clarification on the special exception use of brewpubs being adjacent to residential, the amount of square footage being requested, amount of food sales vs. beer sales and the extensive time

processing the request as well as the fees associated with it. A discussion ensued with regard to the amount of square footage originally requested and further expansions and it was confirmed this approval will be for all brewpubs throughout the Village.

Councilman Hmara made a motion to approve; seconded by Vice Mayor Rodusky. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4 -1 with Councilwoman Samios dissenting.

5. Public hearing to consider Variance Application No. 23-107 (VAR) and approval of Variance Order VC-23-04, an application by Royal Palm Brewing Company requesting Variance approval from Sec. 26-75.2(b)6. of the Village Code to allow for a 189 square foot outdoor seating area directly abutting a residential zoning district, for a property located at 543 North State Road 7, Suites 103, 106 and 107. * (P & Z Director)

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 Director of P & Z stated this is a variance request and reviewed the variance criteria. The P & Z Commission recommended approval. Staff recommended denial.

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 why staff's recommendation was denial.

Vice Mayor 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 4 - 1 with Councilwoman Samios dissenting.

6. Public hearing to consider Application No. 22-64 (SE), an application by Royal Palm Brewing Company, and adoption of Resolution No. 23-22 confirming Council action. The applicant is seeking special exception use approval for a "brewpub not to exceed six thousand square feet of gross floor area subject to section 26-75.2", for a property located at 543 North State Road 7, Suites 103, 106 and 107. * (P & Z Director)

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 Director of P & Z stated this request is to expand the brewpub. He reported currently the brewpub occupies 2,679 square feet within suite #103 and the applicant is proposing to expand into suites 106 and 107 for an additional 2,300 square feet which will bring the brewpub to a total of 5,268 square feet. He stated that staff determined that the proposed Special Exception conforms to Village standards. The P & Z Commission 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.

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

- 7. Public hearing to consider Application No. 23-054 (SE) an application by Fernando Osorio of Milestone Motors and adoption of Resolution No. 23-36 confirming Council action. The applicant is seeking special exception use approval for a 2,072 square foot “automobile and/or water craft repair and/or services” within the Industrial General (IG) zoning district, for a property located at 530 Business Parkway, Bays 2 and 3. * (P & Z Director)**

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 Director of P & Z stated the applicant is seeking a special exception use to permit an automobile and/or water craft repair and/or services. He reviewed the criteria for approving a special exception. The P & Z Commission and staff recommended approval.

Fernando Osorio and Jonathan Osorio, owners were 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 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.

- 8. Public hearing to consider Application 23-063 (SPM, AAR), an application by Kingswood Academy – Royal Palm, and adoption of Resolution No. 23-38 confirming Council action. The applicant is seeking a site plan modification and architectural & aesthetic review approval for the conversion of a vacant retail building into a child day care centers with modifications to the building paint, color, landscape additions and signage, for property located at 10245 Okeechobee Boulevard within the Cobblestone Village Shopping Center. * (P & Z Director)**

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 Director of P & Z stated the applicant is proposing to redevelop the currently vacant 11,200 square foot CVS building into a child day care center that will serve 240 children and 24 staff members. The proposed improvements include reconfiguring the drive through, access parking spaces and circulation drive into a 16,000 square foot outdoor play area. The outside play area will be treated with artificial turf, include a tot lot, splash pad, little tike car track, jungle gym and shade canopies and wash stations. The current dumpster will be relocated to the northeast and will include a new enclosure as well as landscape treatments. Staff stated this conforms with the Village code and meets the requirements for the zoning district. He stated that architectural

approval is also being requested and showed the elevations and landscape plans. The P & Z Commission recommended approval. Staff recommended approval as well with a slight change in Condition No. 2C to read “all signage shall meet the Village code requirements for signage” and remove the word dimensional.

John Schmidt of Schmidt Nichols representing the applicant stated this is their fourth location, will serve 240 children and agreed to all conditions of approval including the amended 2C.

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 stated concerns regarding the play area and its proximity to Okeechobee Blvd. Mr. Schmidt responded in addition to the fencing there will be an additional 50 to 60 feet separating the space from the road.

Councilwoman Samios also expressed worries about the exhaust and air quality from the busy roadway. Mr. Schmidt reported that staff had similar concerns and an air quality review was done with the readings fairly low and very good air quality standards but it will continue to be monitored. A further discussion ensued with regard to parking and drop offs and pickups. It was also confirmed that additional bathrooms will be installed.

Councilwoman Samios made a motion to approve with the two additional conditions of approval with regard to the signage and air quality added by staff; seconded by Vice Mayor Rodusky. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

9. Public hearing to consider Landscape Waiver Application No. 22-70 (LW) and Approval of Order LW-23-04, an application by Centerpoint Integrated Solutions, LLC for consideration of two (2) landscape waivers as follows: (a) a waiver from Sec. 15-133 (d) to eliminate the single terminal islands and (b) a waiver from Sec. 15-133 (e) to eliminate the double terminal islands, for a property located at 10501 Southern Boulevard. Agent: Parker Lange, of Centerpoint Integrated Solutions. * (P & Z Director)

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 Director of P & Z stated the applicant is requesting two landscape waivers 1) to eliminate single terminal islands and allow for planting of the required plantings in adjacent landscape areas; and 2) to eliminate the double terminal islands and allow for the required plantings in adjacent landscape areas. The applicant is proposing a 2.6 acre paved parking area that will serve as a storage area for the auction vehicles and will be void of any striping or terminal landscape islands. He showed the existing site plan, the proposed landscape waivers areas and reviewed the applicant’s justification statement. Staff stated their reasons and reviewed criteria for not supporting this request. The P & Z Commission and staff both recommended denial.

Christina Bilenki, Esq. of Dunay, Miskel and Backman LLP representing the applicant was present along with other representatives from CarMax.

Brian Pulsifer, Carmax Design & Development Group gave an overview of the company and its operation, reviewed the proposed expansion, parking areas, Phase I and Phase II of the project. He noted that the landscaping is not being reduced but relocated to the perimeter of the property to provide a buffer.

John Thatcher of CenterPoint Integrated Solutions, LLC, and agent for CarMax also gave an overview of the property, parking locations and reviewed the landscaping addressing the non-public parking area and the landscape waivers.

Ms. Bilenki, Esq., gave a history of the property, discussed the designated zoning district, and reviewed the staging area as well as the proposed landscape details noting it would be moved into the perimeter area but noted the request is not asking for less landscaping only the positioning requirements. She referred to other dealerships in the area and pointed out their parking area needs and flexibility as well.

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

After a lengthy discussion and clarifications were made on the parking areas with terminal islands, staging area, maximum flexibility of moving around vehicles, travel lanes, safety as well as the visual perimeter landscaping including the wall.

Ms. Bilenki, Esq. respectfully asked the Council for permission to pull this item and the companion item, Regular Agenda Item No. 10, and work with staff at the Technical Staff Review level on alternative site plans. The Village Council agreed to table the request but did not set a future hearing date.

Councilman Valuntas made a motion to postpone and send back through the Technical Staff Review process; seconded by Vice Mayor Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 10. Public hearing to consider Application No. 22-71 (SPM, AAR) an application by Centerpoint Integrated Solutions, LLC. and adoption of Resolution 23-28 confirming Council action. The applicant is seeking site plan and architectural approval in order to construct a standalone building which will be utilized for a vehicle auction use, for a property located at 10501 Southern Boulevard. Agent: Michael Carr of Langan Engineering. * (P & Z Director)**

Councilman Hmara made a motion to postpone this item and send it back through the Technical Staff Review process; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 11. Appointment of one regular member to the Planning & Zoning Commission for a term ending March 2024 and one alternate member to the Planning & Zoning Commission for a term ending March 2025. (Council Liaison)**

Vice Mayor Rodusky made a motion to appoint Kara Dery, who currently serves as Alternate #1, to the regular seat with a term expiring in March 2024 and move and appoint Kamar Williams, who currently serves as Alternate #2, to the Alternate #1 seat with a term expiring March 2025; seconded by Councilwoman Samios. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
THURSDAY, OCTOBER 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.
- Telephone: Public may listen only via phone remotely by dialing United States +1 (415) 655-0060, Webinar ID: 751-149-819, Access Code: 180-472-262.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Mayor Pinto requested a moment of silence for the victims of the Israel-Hamas conflict.

All members of the Council were present along with the Village Manager, Village Attorney (Keith Davis) and the Village Clerk. Vice Mayor Rodusky was attending remotely.

INFORMATIONAL UPDATE BY CLINTON B. FORBES, EXECUTIVE DIRECTOR OF PALM BEACH COUNTY PALM TRAN

Mr. Forbes gave an update on the bus routes in Royal Palm Beach and throughout the County. He stated their mission is to provide opportunity of access to everyone. Mr. Forbes presented the attached recommendations that included Fixed-Route Service Efficiencies, Operational Efficiencies, and Connection Efficiency Project (CEP) – Paratransit Service.

Mr. Forbes answered questions and clarified concerns with the proposed changes received from the Council and the Village Manager.

REPORTS

Councilman Hmara reported on the Education Advisory Board where Royal Palm Beach Elementary, an “A” rated school, was showcased. He announced Read for the Record will be held on October 26th, the book *With a Lots of Love* will be read to the students. He also reported on the Florida League of Cities Legislative Policies Committee meeting where discussions were held on transportation needs and challenges. Councilman Hmara also reported on the Forum Club meeting where U.S. Transportation Secretary, Pete Buttigieg, attended as well as the Transportation Secretary of Florida, Jared W. Perdue, where multi-modal transportation was discussed. Councilman Hmara announced that he was once again appointed to sit on the U.S. Navy Academy Candidate Selection Board where twenty applicants will be interviewed.

Councilwoman Samios reported on the Rock N Fall Festival where an estimated 10,000 – 20,000 people attended. She congratulated staff on the success and mentioned a Royal Palm Beach resident Joe Noto, who is a Nashville star, performed. She announced that Catkills Haunted House is open Friday and Saturday nights through October, a Foreigner Tribute Band on Friday, October 20th and Pat Benatar Tribute Band on November 3rd will be at Commons Park. The Green Market and Bazaar is every Saturday around Village Hall. She reported that Youth Athletics are up and running and are looking for volunteers. She reminded everyone of the free senior congregate meal program at noon, Monday – Friday at the Recreation Center. Councilwoman Samios reported that the Young at Heart has sold out its 275 memberships. She invited everyone to attend the free Community Band Concert on October 24th at the Cultural Center. Also available at all of our government buildings is the fall Community Connection with event information or visit royalpalmbeachfl.gov.

The Village Manager reported on a request by H. L. Johnson Elementary School to use the amphitheater at Commons Park. He advised that a co-sponsorship with the Village would be required as well as a Special Event Permit and that the Village would not provide audio and lighting. He added that the school would be responsible for those expenses which average \$1,000. A discussion ensued with regard to the Interlocal agreement with the school district that includes a shared agreement for use Monday – Thursday with other facilities in the Village but not the park. The Village Manager was directed to contact the school in regard to the use of the Cultural Center in lieu of the park. It was the consensus of the Council to co-sponsor the event with Special Event application approval.

The Village Attorney announced an Affordable Housing Symposium will be held at the TPA Office on October 27th from 8:00 a.m. – 3:00 p.m. where the Live Local Act will be discussed.

PETITIONS – None

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

Steve Panse of 1722 Annandale Circle asked for consideration to allow for a cargo utility trailer that has been modified to house four kayaks in the RV and Boat Storage lot.

A discussion ensued and the Village Manager explained the property was given to the Village at no cost but agreements and strict requirements were put in place by the Catholic Church and FPL. The Village Attorney was directed to look into the deed restrictions on the agreements and report back on the legal issues.

James Day, thanked the Council and staff for their kind support during the very difficult time in which he lost his wife, Vickie Day, a long-time employee of the Village.

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 14, 2023 and the Final Public Budget Hearing of September 21, 2023. (Village Clerk)**
- 2. Approval and authorization, 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 \$100,000 from New Village Hall Furniture Project (EN2304) in Fund 303 to Village Hall Construction Project (EN2104) in Fund 302. (Finance Director)**
- 3. Approval and authorization for the Village Manager to enter into a contract with Clean Space, Inc. for Custodial Services for the new Village Hall in an amount not to exceed \$5,238.21 per month and \$57,620.31 per year for the initial term and to eliminate an open Custodian position in the Public Works Department. (Public Works Director)**
- 4. Approval and authorization for the purchase and installation of artificial turf from Play Space Services, Inc. in an amount not to exceed \$150,000.00 by piggybacking Clay County Contract/Request for Proposal #18/19-2, effective through May 27, 2024. The turf will be installed in the Commons Park (west) playground. (Director of Parks & Recreation)**
- 5. Approval of a special event permit for Amber's Animal Outreach to hold a Christmas Fundraiser at the Community Animal Hospital of Royal Palm Beach on Saturday, December 16, 2023 from 2:00 p.m. to 5:00 p.m. (Director of P & Z)**
- 6. Approval and authorization for the Village Manager to execute an addendum to Extend Landscape Architect Services provided by Cotleur & Hearing for two years. (Village Engineer)**
- 7. Approval and authorization for the Village Manager to execute an addendum to Extend Surveying Services provided by Langan Engineering & Environmental Services Inc. for two years. (Village Engineer)**
- 8. Approval and authorization for the Village Manager to execute an addendum to Extend Electrical Services provided by Smith Engineering Consultants Inc. for two years. (Village Engineer)**
- 9. Approval of the bid award in the amount of \$700,942.00 and authorization for the Village Manager to execute a contract with the lowest responsive, responsible bidder for Village Meeting Hall Renovations (EN2202) to All-Site Construction. (Village Engineer)**

10. **Approval and authorization for the Village Manager to execute an addendum to Extend Stormwater Engineering Services provided by CDM Smith Inc for two years. (Village Engineer)**
11. **Approval and authorization for the Village Manager to execute an addendum to Extend Geotechnical & Environmental Engineering Services provided by Terracon Consultants Inc. for two years. (Village Engineer)**

Councilman Hmara pulled no. 9 for discussion.

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

The Village Manager gave an overview of the project and the intended renovations of the Village Meeting Hall to accommodate as a small party venue.

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

REGULAR AGENDA

1. **Public hearing to consider Application No. 23-044 (RZ), an application by HM2V, Inc., and approval on second reading of Ordinance No. 1039. The applicant is seeking a rezoning approval to rezone a 0.235± acre parcel from the Village's Open Space (OS) zoning district to the Industrial General (IG) zoning district, for a property located at 6846 Seminole Palms Drive. Agent: Vincent Kafer of HM2V, Inc. * (P & Z Director)**

The Village Attorney read into the record Ordinance No. 1039 by title only. This was quasi-judicial and the Village Attorney (Keith Davis) swore in all who will speak on this item and asked for ex-parte disclosures. The Director of P & Z stated the applicant is seeking rezoning on the vacant property. The applicant stated in their justification statement that the ultimate goal is to develop the property for the purpose of enlarging the existing Paint Lux facility parking lot. He added there will be no storage of any material and or equipment, disabled vehicles of any kind will occur. The P & Z Commission and staff recommended approval.

Vincent Kafer of HM2V, Inc. representing the property owner was present for any 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 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.

Mayor Pinto recognized Lou Recchio, Parks & Recreation Director for his 30 years of service and the Council and staff each wished him well on his retirement.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk