

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 December 19, 2019.

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		01/16/20	

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
THURSDAY, DECEMBER 19, 2019
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

All members of Council were present; along with the Village Manager, the Village Attorney and the Village Clerk.

Mayor Pinto received consensus to move Regular Agenda Item No. 13 to No. 1.

REPORTS

Mayor Pinto reported on the Transportation Planning Agency meeting citing the history of the long-planned State Road 7 extension and its removal from the long-range transportation plan. He announced the transition for the TPA has been completed and the next meeting will be held in February with hopes that State Road 7 extension will be readdressed.

Councilwoman Samios thanked staff for the Winter Festival. She also thanked the Village Attorney for their services throughout the year. She attended the Economic Forum where Ananth Prasad, the President of the Florida Transportation Builders Association, reported on the overall transportation for the State of Florida that included three new roadways near the Tampa area that will connect the turnpike and Interstate 75. She wished everyone a Happy Healthy Holiday.

Councilman Valuntas congratulated the Mayor, Councilman Hmara and Councilwoman Samios on their reelection without opposition. He also reminded everyone of the upcoming 2020 Census and encouraged everyone to participate.

Councilman Hmara gave addition information on the upcoming 2020 Census. He reported on "Read for the Record" and gave the plaque to the Village Clerk for display. Councilman Hmara reported on the Education Advisory Board where this month the spotlight was on H.L. Johnson Elementary School and announced they are an "A" rated school, recognized the Principal and explained the STEM and STEAM programs that are available. Councilman Hmara reminded everyone there are 10 scholarships available for residents of Royal Palm Beach senior, directed interested students to the website for the application and announced the deadline for submittal is February 14th with interviews scheduled for Saturday, April 4th.

Vice Mayor Rodusky reported on the Issues Forum where the four areas of focus were regional transportation, network and mobility plan, housing, sea-level rise, water issues and hurricane preparedness. The Forum will discuss the regional transportation network at a Summit next year. She also wished everyone a Happy Holiday.

PETITIONS - None

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

Roger Movaitis of 167 Ponce de Leon Street stated his concerns and reported on speeding and drivers running stop signs on Ponce de Leon Street. Mayor directed him to meet with the Village Manager.

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 21, 2019. (Village Clerk)**
- 2. Adoption of Resolution No. 19-38. 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 19-26; 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)**
- 3. Adoption of Resolution No. 19-35. A Resolution of the Village of Royal Palm Beach supporting the prohibition of underage drinking and encouraging retailers, vendors and other providers of alcohol to voluntarily post signs detailing the prohibition of and penalties related to underage drinking. (Village Manager)**
- 4. Adoption of Resolution No. 19-36. A Resolution of the Village Council of the Village of Royal Palm Beach, amending the Village of Royal Palm Beach Pension Plan to provide for an update to those provisions of the Plan that regulate the composition of the membership of the Pension Committee; providing an effective date; and for other purposes. (Finance Director)**
- 5. Approval of the Village Manager to execute a Foreclosure Registry Services Agreement by and between ProChamps and the Village of Royal Palm Beach, piggybacking off a competitively procured Clay County Agreement dated June 25, 2019. (Director of Community Development)**

Councilman Hmara made a motion to approve the Consent Agenda; seconded by Vice Mayor Rodusky. Mayor Pinto put the motion to a vote and it passed unanimously.

REGULAR AGENDA

13. Authorization for the Village Manager to purchase 180 Sandpiper Avenue, Royal Palm Beach, Florida and demolish the structure. (Village Manager)

The Village Manager stated the property was identified and presented at the Budget Workshop as the Village's highest priority for improving pedestrian, bicycle and boat access to Commons Park, the Recreation Center, Village Hall, Crestwood Middle School and Cypress Trails Elementary School. He read the mission statement that says the Village will provide Service & Facilities to Create an Aesthetically Pleasing, Active and Connected Hometown-Family Community. Bringing public spaces closer to where our residents live improves both the public space and the real estate value of the community resulting in residents with a greater attachment to the community. He explained the Village's Comprehensive Plan that commits to developing a safe bicycle and pedestrian transportation system accessible to all major public and private facilities increasing existing facility capacities. He said the purchase of 180 Sandpiper will immediately provide an additional ½ acre access to Bobbie Jo Lauder Park and boat access to Commons Park. The Village Manager further explained that with future approvals and construction of a bridge across the canal connecting to the FPL pathway, more than 6,000 residents living in the SE quadrant of the Village will have a shorter and more direct offstreet pedestrian and bicycle route to walk or ride to Commons Park. This connection will make the walk or bike ride up to two miles shorter than driving to Commons Park. The connection will also provide shorter and more direct offstreet pedestrian and bicycle access to the Sandpiper residents to the restaurants and retail shops on State Road 80. He added that with additional future approval and purchases of property in Counterpoint along the FPL powerlines a future offstreet pedestrian and bicycle route could connect more than 2,500 residents in neighborhoods off of State Road 7 to Commons Park. This connection will make the walk or bike ride for these residents up to four miles shorter than driving to Commons Park. Counterpoint residents would also gain a quick off-street route to Seminole Palms Park and commercial plazas on State Road 80. The Village Manager continued to report that the purchase would facilitate reducing the parking and traffic burden at Commons Park during major events by being able to provide parking at Seminole Palms Park, where people could either walk or be shuttled to Commons Park, it would provide pedestrian and bike connectivity from the FPL pathway which freely moves bike and pedestrian traffic from the north end of the Village to the south end to Commons Park without the intolerable need to cross existing driveways. He said this is a step in the long-term plan of providing more non-motorized options to the public. Additional connections to Commons Park and the FPL Pathway will only further motivate people to get out of their cars and focus on creating and expanding our non-motorized system. He stated this shows a commitment of the Village improving off-road pedestrian transit when applying for new grants. In addition, this provides safer, more direct and numerous pedestrian transit options to younger residents to better participate in after school activities like sports, clubs, community service and activities at the Recreation Center. He continued his report saying that increasing the usability of the FPL Pathway will increase its public use along with added lighting would make the area safer for those who use it and for those who live around it. Lastly, he said giving the public easier access to Commons Park will

increase participation at events, creates an image of being a family-focused-pedestrian and environmentally friendly Village and since the Village is mostly built-out, the improvements to the Village will come from better utilizing the space we have. Purchases like this is a great way to prepare the Village residents for the future. Staff is recommending the purchase of 180 Sandpiper Avenue for \$320,000.00, along with reasonable closing costs. Due to the condition of the structure, \$60,000 was reduced from the appraised value as a comparison to other recent sales resulting in an appraised value of \$253,000. He added that it is staff's intent to demo the structure and pursue grants for constructing a bridge and walkway from the FPL pathway to Commons Park. The plans and grant application would be presented at future public hearings.

Mayor Pinto asked for public comment and the following residents stated their opposition to the purchase:

Mike Gershberg of 287 Sandpiper Avenue opposed.
Randy Shank of 173 Grouse Lane opposed.
Randall Ives of 10627 Misty Lane opposed.
Gisele Bracciale of 107 Swan Parkway West opposed.
Beau Marburger of 189 Sandpiper Avenue opposed.

Councilman Valuntas responded to a comment from a resident regarding the cost of the property. The Village Manager explained the approved process to acquire these certain identified parcels. He reported that property was appraised at \$253,000 in the current condition; the owner purchased the property for less and does not have it on the market to sell. The Village Manager added this is a good price for a willing seller/willing buying mainly because it is the number one property identified as a key piece of property to connect to Counterpoint Estates, Nautical Lakes, Seminole Lakes, the County park and all the residents south of State Road 7 and State Road 80.

Continued public comment as follows:

Jessica Brent of 200 Martin Circle opposed.
Roman Bracciale of 227 Sandpiper Avenue opposed.
Stefanie Adams of 165 Sandpiper Avenue opposed.

Councilwoman Samios read into the record an email from Tracie Biery of 292 Sandpiper who opposed.

Lisa Marburger of 189 Sandpiper Avenue opposed.

Jessica Okeefe of 108 Heron Parkway stated her support.

Arthur Charping of 165 Sandpiper Avenue opposed.

Mayor Pinto confirmed there was no other public comment and closed public comment.

The Village Manager reported on the residents fear when the Village purchased Commons Park as well as the access point at 109 Heron Parkway. He said the purchase of this property will improve values and the Village will do everything to mitigate the impact. He said making these connections is very important to keeping the Village relevant going forward to the next generation.

Vice Mayor Rodusky referred to the Citizen Summit regarding resident's expressing their desire to having access to Commons Park. Discussion ensued with regard to resident concern when purchasing the property at 109 Heron Parkway to access the park. Councilman Hmara also felt there would be a benefit in providing more lighting in the area.

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

Vice Mayor Rodusky invited everyone to attend the upcoming Citizen Summit.

1. Presentation and Approval for the Village Manager to enter into a Professional Services Agreement for Village Hall Architectural & Engineering Design Services with REG Architects, Inc. (Village Engineer)

The Village Engineer gave a brief recap on moving forward with a new Village Hall. He reported on the RFQ and the process involved in choosing REG Architects, Inc. The Village Engineer introduced Rick Gonzalez, AIA, President/Principal Architect for the firm. Mr. Gonzalez gave a presentation noting that there will be input workshops during the process. He introduced the REG Architects team, announced the Team Consultants, reviewed the capabilities of his company and showed several projects that the firm has completed that included hurricane proofing. Mr. Gonzalez reviewed the project approach for the Village, showed several site plan options as well as conceptual sketches.

Mayor Pinto opened and closed public comment with no response.

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 unanimously.

2. Approval and authorization for the Village Manger to execute Consultant Services Authorization No. 1 with REG Architects, Inc. to provide Architectural & Engineering Design Services for the Village Hall Construction. The cost for said services shall not exceed \$448,139.00. (Village Engineer)

The Village Engineer stated this item is for advertising design services and survey work. He noted that the time line for the Notice to Proceed for Construction is August 2021.

Mayor Pinto opened and 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 Variance Application No. 19-096 (VAR), an application by Freda Laurent, and Variance Order VC-19-15, the applicant is requesting a Variance from Section 26-79 for a shed to

allow for a reduced side yard setback of 1.04 feet in lieu of the 10 foot side setback as required by code, for a property located at 61 Sparrow Drive. (P & Z Director)*

This was quasi-judicial and the Village Attorney swore in all who will speak and asked for ex-parte disclosures. The Development Review Coordinator (Kevin Erwin) stated the applicant is requesting a variance to allow for a side yard setback of 1.04 feet in lieu of the 10-foot side setback resulting in a variance of 8.96-feet. He reviewed the criteria for granting a variance. He said the applicant reported that the shed has been in this location for the past 20 years due to the 25-foot drainage and maintenance easement located in the rear yard and the location of other existing structures on the property. He said the property owners assert they both have health conditions and the current location allows them the most practical access, is the minimum variance that allows reasonable access and safety for them. He reported that the required notice of the variance was sent to all residents within a 300-foot radius of the subject property and did not receive any responses either supporting or objecting to the application.

Staff recommended denial. The P & Z Commission recommended approval.

Mayor Pinto opened and closed public comment with no response.

A discussion ensued with regard to the code 20 years ago, it was brought to light that a code enforcement officer had cited it yet when the current homeowners purchased the property it was existing.

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 unanimously.

4. Public hearing to consider Variance Application No. 19-0079 (VAR), an application by Greg Maffet, and Variance Order VC-19-14, the applicant is requesting a Variance from Section 26-79(4) (D); to allow for a reduced rear yard setback of 11.6 feet for an existing pergola in lieu of the required 20-foot rear setback as required by code, and a variance from Resolution No. 95-39 allowing for an 8.6-foot encroachment into a 20-foot lake maintenance easement where the Resolution allows a 7-foot encroachment, for a property located at 101 Royal Court. (P & Z Director)*

This was quasi-judicial and the Village Attorney swore in all who will speak and asked for ex-parte disclosures. The Development Review Coordinator stated the applicant is requesting a variance for an existing pergola to allow for an 11.6-foot rear yard setback. In addition, is seeking a variance from Resolution 95-39 to allow for an 8.6-foot encroachment into a 20-foot lake maintenance easement where it only allows a 7-foot encroachment. The applicant asserts that the reduced setback is necessary because of the layout of all of the existing structures on the property, it was constructed at the end of the existing pool, is a support structure for host plants for butterflies and the plants and vines provide a source of food and nectar for native pollinator insects which improves the environment. The applicant further asserts that this is the minimum variance that will allow for reasonable use of the property and denying the

applicant an amenity commonly enjoyed by other property owners. The Development Review Coordinator reviewed the criteria for granting a variance noting the Village sent out the required notice to all residents within a 300-foot radius of the subject property and did not receive any responses either supporting or objecting to the application. The applicant provided a letter of support from the neighbor closest to the pergola. Staff recommended denial and the P & Z Commission recommended approval.

Greg Maffet of 101 Royal Court explained the reasons for his request and asked for approval.

Mayor Pinto opened and closed public comment with no response.

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 Councilman Valuntas dissenting.

5. Public hearing to consider Variance Application No. 19-0072 (VAR), an application by Danielle Moore, and Variance Order VC-19-13, the applicant is requesting a Variance from Section 26-79(4) (D); to allow for a reduced side and rear setback for an existing pergola in lieu of the required 7.5 foot side yard setback and 15 foot rear setback as required by code, for a property located at 11614 Oleander Drive. (P & Z Director)*

This was quasi-judicial and the Village Attorney swore in all who will speak and asked for ex-parte disclosures. The Development Review Coordinator stated the applicant is requesting a variance for an existing pergola with a 1.5-foot side yard setback and a 1-foot rear yard setback. He referenced the criteria for a variance and said the applicant asserts that the reduced setback is necessary because of the layout of all of the existing structures on the property, constructed on an existing concrete slab and is needed for shade. The applicant further asserts that this is the minimum variance that will allow for reasonable use of the property and prevent code from denying the amenity commonly enjoyed by other property owners. He reported that the Village sent out the required notice to all residents within a 300-foot radius of the subject property and did not receive any responses either supporting or objecting to the application. He added the applicant has submitted three letters of support from her neighbors. Staff recommended denial and the P & Z Commission recommended approval.

Danielle Moore, owner at 11614 Oleander Drive asked for approval.

Mayor Pinto opened and closed public comment with no response.

Councilwoman 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 - 1 with Councilman Valuntas.

6. Public hearing for consideration of Application No. 19-100 (MCIC) an application by Lennar Homes, LLC and adoption of Resolution No. 19-37 confirming Council action. The applicant is seeking a Modification to a Council Imposed Condition (MCIC) to allow for an

amended phasing plan regarding the timing of the construction for the recreation site, for a 385-unit single-family residential Planned Unit Development (PUD) located at the northwest quadrant of Crestwood Boulevard and the M-1 Canal. (P & Z Director)*

This was quasi-judicial and the Village Attorney swore in all who will speak and asked for ex-parte disclosures. The Development Review Coordinator stated the applicant is requesting a Modification to a Council Imposed Condition to allow for the construction of the Recreation Site to occur prior to the issuance of the 281st Certificate of Occupancy where currently the condition requires the construction of the Recreation Site to occur prior to the issuance of the 151st Certificate of Occupancy. The original approval of the site plan required that the Recreation Site be constructed prior to the completion of the Phase I which included the 193 homes south of Whitcombe Drive. The applicant received a Building Permit on September 13, 2019 to construct the Recreation Site and it is currently under construction. Staff recommended approval.

Jennifer Vail of WGI, agent for the applicant, reported the building permit was pulled in September and that the Clubhouse and Recreation Center is under construction with anticipated completion in the fall of 2020. She reported that the developer has sold 140 homes to date and 115 are under construction.

Mayor Pinto opened and 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.

7. Public hearing to consider Application No. 17-0036 (PP), and application by Urban Design Kilday Studios, and adoption of Resolution No. 19-14 confirming Council action. The applicant is seeking Preliminary Plat approval for a 156.258 ± acre parcel of land located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (U.S. 441). Agent: Erin Wohlitka of Urban Design Kilday Studios. (P & Z Director)

The Development Review Coordinator stated the applicant is proposing to plat the 156.258± acres as eight separate tracts. The property is being platted in order to allow for a Planned Commercial/Residential Development, is consistent with the proposed development of the site, and conforms to the platting requirements of Village Code. It is also consistent with the currently approved Site Plans for Pod 2, Pod 3, Pod 4 and the Site Plan for Erica Boulevard. The Planning and Zoning Commission and staff recommended approval.

Mayor Pinto opened public comment:

Dale Carothers of 10355 Acme Road the owner of the nearby Carothers outparcel voiced concerns about retaining access to their property during and after construction. She said the parcel is in the process of being sold and developed into an assisted living facility and urged the Village to ensure that they have proper access and it be included in the preliminary plat.

The Village Manager responded that the Village is not opposed to accepting an application that included all parcels contiguous to the canal. He reported that all property owners have not agreed to be part of the plat and because of that the Village has assured there will be a 60' right-of-way maintained and further explained the access.

Chip Carlson of 2377 Crawford Court, Lantana, representing resident Dale Carothers referred to the plat explained the issues with the easement and stated they have legitimate concerns with the nature and the quality of the access. He also referred to the subdivision regulations regarding a public road.

The Village Manager stated staff is recommending approval and the easements have been worked out by the Village Attorney and the Developer. If the developer would like to propose a different easement after coordinating with the adjacent property owners that are not part of the plat between now and final plat approval, staff will facilitate those conversations. He said the Village is in no position to force any of the property owners to meet.

Brian Tuttle, Developer followed up with an explanation noting that he agreed to give away land and according to the Village staff and Attorney, access is guaranteed in writing. The Village Attorney confirmed the property owner has access.

Chip Carlson again stated his concern that the 30' right-of-way is not provided on the plat for a third party to construct the roadway.

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.

8. Public hearing to consider Application No. 17-0005 (13-18 UU) (MP, SE) an application by Urban Design Kilday Studios, and Resolution No. 19-13 confirming Council action. The applicant is seeking Master Plan approval and Special Exception Use approval for a Planned Commercial/Residential Development (PCD) located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (U.S. 441). Agent: Erin Wohlitka of Urban Design Kilday Studios. (P & Z Director)*

This was quasi-judicial and the Village Attorney swore in all who will speak and asked for ex-parte disclosures. The Development Review Coordinator stated the applicant is seeking a Master Plan and Special Exception Use approval for a 156.258± acre property in order to provide a representation of the applicant's overall vision for the development. In addition, the applicant is seeking a Special Exception Use approval for a Planned Commercial/Residential Development (PCD). The Master Plan contains six pods, two of which are proposed to be developed as multi-family residential, two of which are proposed to be developed as commercial uses, one of which is proposed to be developed as single-family residential, one of which will be deeded to the Village for use as a public park and a tract that will be developed as an internal roadway. The individual Pod applications and the Traffic Performance Standard Ordinance (TPSO) letter Pod 2 will include 401 apartment units on 29.36 acres, Pod 3 will include 318 apartment units on 23.95 acres, Pod 4 will include 100 single

family units on 33.75 acres, Pod 6 may include up to a maximum 341,000 square feet of commercial uses on 31.85 acres, Pod 7 includes up to a maximum 1,500 student charter school on 10.17 acres and Pod 8 includes a 10.7 acre public park as well as includes Erica Boulevard (aka Phase 4 Lowes Rd) on 11.2 acres of roadway connecting to State Road 7. Overall, the proposed Master Plan and Special Exception Use for a Planned Commercial/Residential Development (PCD) is in conformance with the Village's requirements. The Planning and Zoning and staff recommended approval.

Mayor Pinto opened and closed public comment with no response.

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

9. Public hearing to consider Application No. 18-0019 (13-18 YY) (SP, SE, AAR) an application by Schmidt Nichols and Resolution No. 19-12 confirming Council action. The applicant is seeking Site Plan, Special Exception Use, Architectural approval for a 77,674 square foot "Public and Private Academic Institution" (Charter School) on a 10.174± acre parcel, located on the west side of 106th Avenue South, south of Acme Road. Agent: Josh Nichols of Schmidt Nichols. (P & Z Director)*

This was quasi-judicial and the Village Attorney swore in all who will speak and asked for ex-parte disclosures. The Development Review Coordinator stated the applicant is requesting Site Plan, Special Exception Use and Architectural Approval for a "Public and private academic institution" located on a 10.174± acre parcel of land. The development will consist of a 77,674 square foot school building, parking lot, drive-aisles, buffers, signage, a 9,574 square-foot gymnasium building and associated landscaping. The applicant is requesting Special Exception Approval to allow a public academic institution (charter school) in a General Commercial (CG) Zoning District. These tracts consist of several single-family homes on large tracts. The applicant is proposing a public charter school which will ultimately accommodate grades K-12 with a maximum proposed number of students being 1,500 as well as 80 staff and faculty. The school will also provide athletic fields and a 9,574 square foot gymnasium. The project is proposed to be developed in three phases. The first phase will be a 40,532 square foot, two-story building which houses grades K-8 and the second phase will be a two-story, 37,142 square foot high school building. The third and final phase will be the 9,574 square foot gymnasium. The principal access to the school is proposed to be located off of Erica Boulevard to the north and will allow right-in and right-out only access. A secondary access from Lulfs Road to the east will provide full access to enter or leave the site from either direction. The request is compatible with adjacent land uses, consistent with the Village's Comprehensive Plan and conforms with the General Commercial (CG) development standards in Section 26-89. He stated the landscape plan meets all Village requirements. The applicant is also seeking Architectural Approval for the building architecture, color, materials and signage and is in conformance with the Village's requirements for the General Commercial (CG) Zoning District. The Planning and Zoning Commission recommended approval. Staff recommended approval with an

added condition that the gym begin construction within 24 months of the school reaching an enrollment of 1,200 students.

Councilwoman Samios voiced concerns about a sports-themed school lacking a proper gymnasium and asked why they would not be starting it earlier.

Josh Nichols of the planning firm Schmidt Nichols provided details to the plan stating that it is a financial model and that Phase one where the gym is located will be a recreational area, there will be two basketball courts and a soccer field. The cafeteria would also be available at certain points of the day as well. The concept behind the phasing is to allow student enrollment to stabilize prior to taking on the cost of the building the gym.

Mark Rodberg, the developer behind the chain of Maverick charter schools in Florida addressed the Council's concerns and explained the flexibility during building phases and their desire to build out the whole campus upon demand. After further discussion, he committed to commence the gymnasium within 12 months of reaching the 1,200 student threshold.

Vice Mayor Rodusky requested clarification on the theme of the school, having heard it is a "sports school", a SLAM school as well as a STEM or STEAM school.

Kendall Artusi stepped in to provide insight and reported that the K – 8 program of Somerset Academy program is a STEM or STEAM-based program. She added that the high school program would be a sport leadership management or SLAM school. Ms. Artusi explained that this strategy has worked across the country at other charter schools with great success.

The Village Attorney spoke from experience on the project.

The following comment cards were submitted in support of the project:
Andy Morzell of 1306 Summerwood Circle, Wellington supported.
Ed Ferguson of 3421 S. Flagler Drive, West Palm Beach supported.
Lauren Hollander of 8668 Native Dancer Road, Palm Beach Gardens supported.
Karen Hardy of 14535 73rd Street N., Loxahatchee supported.
Courtney Hardy of 161 Parkwood Drive, Royal Palm Beach supported.
Richard Hardy of 14535 73rd Street N., Loxahatchee supported.
Leicha SanMiguel of 8624 Wakefield, Palm Beach Gardens supported.

Mayor Pinto closed public comment.

Councilman Hmara made a motion to approve with the added condition to commence the gymnasium within 12 months of reaching the 1,200 student threshold; seconded by Vice Mayor Rodusky. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

10. Public hearing for first reading and approval of Ordinance No. 999, amending Chapter 22. Subdivision of Land. to modify the requirements for Park and Recreation Land Dedication or payment of fees in lieu thereof. (P & Z Director)

The Village Attorney read into the record Ord. 999 by title only.

The Development Review Coordinator stated this is to clarify that 50% of the land to be dedicated to the Village as public open space/facilities for park and recreational purposes instead be provided as private on-site open space/facilities for park and recreational purposes within the proposed multi-family residential development. These on-site amenities allow residents to recreate within their own community without having to drive or walk long distance for recreational facilities. The Village Manager further explained the requirement.

Mayor Pinto opened and 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.

11. Public hearing for first reading and approval of Ordinance No. 1000, amending Chapter 26. Zoning. to modify the requirements for Park and Recreation Land Dedication or payment of fees in lieu thereof. (P & Z Director)

The Village Attorney read into the record Ord. No. 1000 by title only.

Mayor Pinto opened and closed public comment with no response.

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

12. Public hearing for second reading and adoption of Ordinance No. 993, amending Chapter 21.7, Article II. Right-of-way Regulations, to conform this article to recent state law changes regarding communications facilities and especially wireless facilities that may be placed or maintained in the Villages rights of way. (Village Attorney)

The Village Attorney read into the record Ord. No. 993 by title only.

Councilman Valuntas referred to a letter received from Janna P. Lhota of Holland and Knight LLP and confirmed we have addressed their concerns.

Mayor Pinto opened and 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.

14. Appointment of Lynda Walker to the Pension Plan Board. (Village Manager)

The Village Manager reported that all 25 members in this plan were notified of the opening and only received one applicant and recommended the appointment of Lynda Walker.

Mayor Pinto opened and closed public comment with no response.

Councilwoman Samios made a motion to appoint Lynda Walker to the Pension Plan Board; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk