

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 May 21, 2020 and Council Special Meeting of June 4, 2020.

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		07/16/20	

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL - VIRTUAL
THURSDAY, MAY 21, 2020
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

All members of the Council were present; Councilwoman Samios and the Village Attorney joined via virtual "GotoMeeting". The Village Manager and Village Clerk were also present.

The Village Attorney read the Executive Orders that allows for virtual meetings. Mayor Pinto reviewed protocol to follow during this virtual meeting, reporting that prior notice was given to residents to provide written comments to the Village Clerk on tonight's agenda items up until 5:00 p.m. on Wednesday, June 20, 2020. He instructed any resident that has joined tonight's "GotoMeeting", and has a question, to type into the chat line their name, address and Agenda Item for recognition.

PRESENTATION OF \$1,000 SCHOLARSHIP AWARDS TO TEN ROYAL PALM BEACH GRADUATING SENIORS: ALLISON ALLIANIC (CARDINAL NEWMAN HIGH SCHOOL); DYLAN BALKARAN (ROYAL PALM BEACH HIGH SCHOOL); CHLOE CALDERON (ROYAL PALM BEACH HIGH SCHOOL); SEBASTIAN FERNANDEZ (DREYFOOS SCHOOL OF THE ARTS); PAIGE HOUCK (ROYAL PALM BEACH HIGH SCHOOL); SAVANAH IMAN (SEMINOLE RIDGE HIGH SCHOOL); PAIGE KERCHEVILLE (SEMINOLE RIDGE HIGH SCHOOL); JAIDEN MANUEL (ROYAL PALM BEACH HIGH SCHOOL); KENJELA MULLINGS (SUNCOAST HIGH SCHOOL); OLIVIA SORDELET (ROYAL PALM BEACH HIGH SCHOOL)

Mayor Pinto congratulated the scholarship award winners and turned to Vice Mayor Hmara, as liaison for the Education Advisory Board, which screens applicants for the awards to announce the presentation. Vice Mayor Hmara said the award winners must maintain a minimum 3.0 GPA and be actively engaged in their schools and the community. He thanked the Education Advisory Board for their diligent work throughout the selection process. He recognized the students' major accomplishments and presented the names of the scholarship recipients for the Class of 2020. Vice Mayor Hmara congratulated each of them and wished them the very best in the future.

PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK

REPORTS

Mayor Pinto acknowledged the 94,566 fatalities to date due to the COVID-19 virus and asked for a moment of silence in reverence and recognition of their loss.

Councilwoman Samios thanked Feeding South Florida for their continued food drive every Wednesday from 9:00 a.m. to 11:00 a.m. at Commons Park. She gave an update on the Discover the Palm Beaches round table discussion regarding tourism and future economic recovery. Councilwoman Samios thanked U.S. Sugar for their corn distribution at Commons Park as well as staff members.

Councilman Valuntas expressed his appreciation to the school districts and their efforts in distance learning. He reported on his positive experience with his three children attending three different schools. He also acknowledged the Village employees for their efforts during this difficult time.

Vice Mayor Hmara reported on the drive-thru that took place for the seniors at Royal Palm Beach High School where Principal Armas presented them with their caps, gowns and other senior items. Vice Mayor Hmara also reported on Feeding South Florida food distribution at Commons Park, acknowledged everyone involved, staff, PBO and thanked all the volunteers.

Councilwoman Rodusky thanked Maria Landron the Village's Census Intern who has done a fantastic job. The Village Manager added that she did get the highest response in the County for cities our size. Councilwoman Rodusky reported on a telephone call received from a resident living on Meadowlark Drive regarding the half paving of the street in lieu of the entire street being paved because of the water main replacement. The Village Manager responded the County was required to pave to the middle of the road and 6 – 12 months the roadway will not be noticeable or show any difference from side to side. The Village Engineer added that entire Meadowlark roadway resurfacing is scheduled for 2022 and in order to repair structural repairs as well.

The Village Attorney congratulated Vice Mayor Hmara in concluding his term as President of the Palm Beach County League of Cities.

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 Organization Meeting of March 19, 2020, Council Regular Meeting of March 19, 2020 and Council Regular Meeting of April 2, 2020. (Village Clerk)**
- 2. Approval and authorization for the Mayor to execute a Traffic Control Jurisdiction Agreement between Shoma at Royal Palm Beach Condo Association and the Village of Royal Palm Beach. (Village Engineer)**

3. **Adoption of Resolution 20-06, a Resolution of the Village Council of the Village of Royal Palm Beach, Florida, approving an application to the Transportation Alternatives Grant Program through the Palm Beach Transportation Planning Agency for the installation and modification of curb ramps and sidewalk connections in the La Mancha and Saratoga Pines subdivisions to meet current ADA standards, and committing to fund ongoing operations and maintenance through the useful life of the project; authorizing the Mayor or Village Manager to execute all necessary documents; providing an effective date; and for other purposes. (Village Engineer)**
4. **Approval and adoption of Resolution No. 20-09. A resolution of the Village Council of the Village of Royal Palm Beach, Florida, authorizing the Mayor to execute Amendment 001 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 2021-2023; providing an effective date; and for other purposes. (Village Manager)**

Councilman Valuntas made a motion to approve Consent Agenda; seconded by Councilwoman Samios. Mayor Pinto put the motion to a vote and it passed unanimously.

REGULAR AGENDA

1. **Public hearing to consider Variance application 20-22 (VAR), an application by Diane Cosgrove, and Variance Order VC-20-3, the applicant is requesting a variance from sec. 26-79 to allow for a reduced rear setback of 15 feet where village code requires 20 feet, a variance of five (5) feet, in order to construct an addition, for a property located at 121 Cypress Crescent. * (P & Z Director)**

This was quasi-judicial and the Village Attorney swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated the applicant is requesting a Variance to allow for a reduced rear yard setback of 15-feet for the principal structure in lieu of the 20-foot rear yard setback. The applicant would like to construct an addition to the existing house for a nursery with a bathroom and closet that is necessary to accommodate their growing family. It is the applicant's position that the requested variance is the minimum variance which will allow reasonable use of the property and that the variance will not confer on special privileges. The P & Z Director reviewed the code that allows Council to grant variances. The Village sent out the required mail notice to all residents within a 300-foot radius of the subject property, notifying property owners of the variance request and did not receive any responses either supporting or objecting to the application. The applicant provided two letters from adjoining neighbors supporting the variance request. Staff did not support this variance and explained.

Diane Cosgrove owner of the property asked for approval.

After confirming with the Village Clerk no comment cards had been received, Mayor Pinto closed public comment with no response.

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

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

Captain Ulrich Naujoks thanked the Council, Department Heads, the Community and all employees at District 9 and presented the attached 2019 Annual Report. The Mayor, Council and Village Manager stated their appreciation and thanked him as well.

3. Appointment of one resident to the Planning & Zoning Commission. (Council Liaison)

Councilwoman Rodusky, Council Liaison made the motion to reappoint David Leland for another three-year term with term expiring in 2023; seconded by Councilman Valuntas. Mayor Pinto put the motion to a vote and it passed unanimously.

4. Appointment of two residents to the Recreation Advisory Board. (Council Liaison)

Councilwoman Samios, Council Liaison made the motion to reappoint Shenoy Raghuraj and Sandy Rubin to regular seats for another two-year term expiring in March 2022; seconded by Vice Mayor Hmara. Mayor Pinto put the motion to a vote and it passed unanimously.

5. Appointment of three residents to the Education Advisory Board. (Council Liaison)

Vice Mayor Hmara reported that two members wished to be reappointed but one did not. A new applicant did apply for a seat on the EAB board but has since withdrawn his application for personal reasons. Direction was given to the Village Clerk to re-advertise the opening.

Vice Mayor Hmara, Council Liaison made the motion to reappoint Pamela Shetka to a regular seat for another two-year term expiring in March 2022; appoint Alternate Lisa Ryan to a regular seat for a two-year term expiring in March 2022; seconded by Councilman Valuntas. Mayor Pinto put the motion to a vote and it passed unanimously.

6. Discussion on COVID-19 effects. (Village Manager)

The Village Manager gave an update on the changes that have occurred over the last two months. He said that the Village is in the process of reevaluating all the planned events as well as the effects of COVID-19 on the 2021 budget. Because experts tell us that the population is not safe until there is a vaccine or

the majority of the population has been infected, openings and restarts of activities will be based on that activity's ability to follow CDC guidelines. At the beginning of the COVID-19 crisis, the Village closed facilities, stopped programs and activities, initiated remote work, furloughed employees at reduced pay, installed clear barriers at work station, increased cleaning of high touch areas and handed out PPE's to protect the residents and staff. He reported that the Village created the Coronavirus (COVID-19) Webpage with links to useful websites, local food resources, operational updates and online links to do business with the Village. Staff has participated in hundreds of online meetings with other agencies, organizations, customers and staff. The Village Manager added the last two months have been a challenge to the Village's mission statement of "providing services and facilities to provide an aesthetically pleasing, active connected community" and will be in the future. He reported that parks are now open, Village services continue uninterrupted, summer maintenance schedule is in place and facility maintenance continues. Programmed activities were stopped and the ability to keep our community connected was limited to the information provided through Council meetings, the VECTOR, Village Voice, our webpage and a few key responses on Facebook. He addressed moving forward will include practicing social distancing, wearing masks, washing your hands frequently and trying to avoid touching your face. He reported that Phase I openings for Palm Beach County was on May 11, 2020, beaches opened May 18, 2020, with the most recent orders allowing restaurants, recreation buildings and gymnasium to be open at 50% capacity. The Village Manager said the Village is looking into allowing Special Event Permits for temporary outdoor seating at no cost to restaurants, brewpubs and microbreweries. He added that Palm Beach County has been awarded CARES Act funding for businesses impacted by COVID-19 up to \$25,000. Public spaces in Village buildings will be open June 1st, as well as the Recreation Center, Cultural Center and Sporting Center at Commons Park opening with limited capacity and necessary restrictions. Meeting with Village Hall employees will be by appointment. Walk-up customers will be welcomed by a Ring doorbell and all customers entering public buildings are required to wear a facemask. The Post Office at Village Hall will not be open because CDC restrictions cannot be controlled. All Village Parks are open from Sunrise to Sunset, Dog Parks are open, sports fields, playgrounds and pavilions remain closed. The Driving Range is open as well as the tennis, basketball and racquetball courts. All indoor programmed activities at Village facilities remain canceled. The Planning & Zoning Board meeting will be conducted on June 9th with a limited agenda as well as on June 23rd. All meetings will be conducted with "GoToWebinar". The Village Manager reported that all Village essential services and functions continue without interruption during regular business hours including building and code enforcement inspections. The Village Council meeting will be held on June 18th and the Budget Workshop is scheduled for Tuesday, July 7th. He said that conversations regarding what can open and when continue and until the population is safe from the virus, openings and activities will be based on the activities influence on the rate of new infections and the ability to follow CDC guidelines.

He reported on the financial impact that COVID-19 has had on businesses and employment in general. Sixty percent of the Village revenue is based on consumption, and that is down. He reported that revenue collections this year are off by a couple million dollars and the revenues expenditures are off by a million and half. Although both revenues and expenditures are down, in the

long run, it will mean dipping into the Village's reserves to make up the difference. He explained the service differences between the impact now and between 2008 and 2011 are due to CDC guidelines for activities. He referred to the proposed budget where assumptions were made through the next school year and will be evaluated at the next Strategic Planning Session in March 2021 and that budget adjustments will be made if needed. All large events have been cancelled for this year, including the July 4th celebration, Rocktoberfest, Winterfest and Seafood Festival. The 4th of July of 2021 will be budgeted. He reported that senior activities will be limited with only the board meetings being budgeted in order to keep engaged. He said that at this time youth sports are unknown. The Cultural Center rentals will be limited to a 50% capacity and contractors providing activities will be at a limited capacity as well due to social distancing. He said that maintenance of the facilities will remain the same. The timing of the Capital budget will be adjusted as necessary. The Village Manager reported that since the Recreation Center can be opened at 50% capacity, summer camp will begin on June 15th once a program is developed with limits of up to five rooms and a maximum capacity of 90 children. The Village Manager concluded saying that the Village will be different from in the past but going forward will keep within the CDC guidelines.

Councilman Valuntas confirmed that it will be a requirement to wear a mask entering Village buildings. Councilwoman Rodusky questioned the food truck she has recently seen parked in the park and the Village Manager responded no Food Trucks have been approved at this time; however, the Food Truck/Movie and Food Truck/Concert nights in the park will continue with social distancing. She also asked for clarification on the miscommunication on the Walmart site not being approved as a testing site. The Village Manager stated they would not agree to hold the residents of Royal Palm Beach harmless and to indemnify the residents for their wrongdoing or negligence. He further explained, the Special Events permit process, that has an inclusive hold harmless and indemnity that protects the Village and its residents, security, testing fees and other issues at that site.

Julie Londoño, representing the owner of Crossroads Shopping Center asked for information and consideration for sidewalk sales. The Village Manager responded there is already a process in place for sidewalk sales and directed her to contact him directly at the office (790-5162). Vice Mayor Hmara questioned the enforcement of social distancing and masks. The Village Manager responded that masks are recommended and when receiving services inside our buildings we have the right to make it mandatory but no rights to make it mandatory to people out in the public. Each store owner can make it mandatory on their property. He reiterated that masks are the greatest protection people have over the next few months. Vice Mayor Hmara asked who to contact if someone observes violations of social distancing or capacity violations at restaurants. The Village Manager responded that Code Enforcement would be the first to contact in order to educate the business and secondly, the PBSO.

Mayor Pinto closed public comment with no other response.

7. Annual review, evaluation and merit pay determination for the Village Manager. (Village Attorney)

The Village Attorney 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. He added that this is the second year of the Village Manager's Fifth Employment Agreement and one of the provisions indicates that Village agrees to consider the grant of a merit pay during the annual performance review which amount, if granted, shall not increase the base salary but should be paid in a lump sum within 30 days from the date of the grant. He acknowledged that the Mayor has distributed the proposed objective criteria.

Councilwoman Samios thanked the Village Manager for all that he does. She said he has led the community well throughout the year, but especially over the past few months, creating new policies to control COVID-19 and adjusting the budget for this year. She said he makes sure that the Village is prepared, answers residents questions, keeps the Village on track as far as the budget, specifically the reserves.

Councilman Valuntas appreciates the hard work that the Village Manager is doing especially during these trying times. He referred to the evaluation form which provided categories to grade the Village Manager i.e. employee relations, image, long-range planning, financial management, communications with the Council and completion and direction of capital projects of which he received high marks in all categories from Councilman Valuntas. He mentioned the success of the strategic planning sessions.

Vice Mayor Hmara reviewed the categories as well, recognizing the staff and leadership of the Village Manager. He specifically addressed the Manager's success with Capital Improvement Projects, felt the image category was positively displayed at the 60th Anniversary celebration of the Village. He added that the Village has a positive image as well as throughout the County. He said as far as long-range planning the strategic planning process has been successful. In financial management, Vice Mayor Hmara said that the Village is among the soundest communities in Palm Beach County and has an overall excellence in communication with the Council. Vice Mayor Hmara felt he does an outstanding job for the Village.

Councilwoman Rodusky stated the Village Manager makes this exercise easy and felt that the he does an excellent job. She cited his overall stewardship view about the Village, reducing risk, creating safety, being prudent with the financial and physical assets. She appreciated the foresight that he had with this COVID-19 pandemic and was pleased with all his anticipation of issues during the crisis.

Mayor Pinto said he could not agree more with all the comments of the Council members. He said when things are going well it is easy to move through the water, but when you have a storm like we are living right now with this COVID-19 situation, the Village Manager has given us the ability to sustain and keep this community moving in the right direction. Mayor Pinto added although the Village was fortunate to have him, it is clear that the Village will face financial conditions in preparing the 2021 Budget. A great evaluation notwithstanding, Mayor Pinto asked that in consideration of prevailing financial conditions, if the Council would consider a 3 percent merit increase rather than

5 percent. The Village Manager added that had been the procedure in previous years when revenues were soft.

After a discussion regarding the prevailing financial condition, all council members except Councilman Valuntas agreed that 3 percent would set a more realistic example for budget planning next year.

Councilwoman Samios made a motion to approve a 3% merit increase; seconded by Councilwoman Rodusky. Mayor Pinto put the motion to a vote and it passed 4 – 1 with Councilman Valuntas dissenting.

The Village Manager thanked the Council and recognized staff and the Department Heads for their hard work.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF THE COUNCIL SPECIAL MEETING
VILLAGE MEETING HALL
THURSDAY, JUNE 4, 2020
3:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

All members of the Council were present; Councilwoman Samios, Councilman Valuntas and the Village Attorney joined the meeting virtual “GotoMeeting”. The Village Manager and Village Clerk were also present.

Mayor Pinto explained the Governor’s Order regarding capacity in restaurants during this COVID-19 pandemic. In trying to assist local businesses the Village has provided an application for Special Event Permits that allows for temporary outdoor seating.

REGULAR AGENDA

- 1. Approval of a Special Event Permit for Royal Palm Brewing Company, LLC. to allow for temporary outdoor seating at 543 N. State Road 7, Suite 103 during normal business hours due to Covid-19 occupancy restrictions. (P & Z Director)**

The Director of P & Z stated the applicant is requesting approval to allow temporary outdoor seating for the brewpub. Currently, the Executive Order limits the occupancy for restaurant establishments to 50% of the restaurant establishment’s maximum occupancy. The applicants are proposing temporary outdoor seating with a total of seven tables and 19 chairs. The restaurant establishment has a maximum capacity of 82 occupants and the proposed temporary outdoor seating of 19 chairs is below the allowable 50% of the maximum occupancy. He showed the temporary outdoor seating arrangement and location which complies with recently established Conditions of Approval for Special Event Permits for Temporary Outdoor Seating. Staff recommended approval which complies with all conditions of approval.

Mayor Pinto confirmed the applicant had no comment.

Councilwoman Samios confirmed the table spacing will be six feet apart indoors and out as well as temporary fencing installed on the sidewalk. She also confirmed the outdoor seating will not impede on the business next door or

parking lot. Mayor Pinto confirmed that there is no requirement to remove it nightly.

Mayor Pinto confirmed with the Village Clerk that no comment cards were submitted prior to the deadline and that no other comment cards were received. Mayor Pinto closed public comment.

Councilwoman Samios confirmed that each application would have to be reviewed individually due to different site plans and capacities.

Vice Mayor Hmara made a motion to approve with conditions; seconded by Councilwoman Rodusky. Mayor Pinto put the motion to a vote and it passed unanimously.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk