

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 August 20, 2020 and First Public Budget Hearing of September 8, 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		09/17/20	

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
*FACE MASK MUST BE WORN INSIDE VILLAGE MEETING HALL
THURSDAY, AUGUST 20, 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 along with the Village Manager and Village Clerk. The Village Attorney joined via virtual “GotoWebinar”.

Mayor Pinto reviewed the protocol to follow during this virtual meeting and instructed any resident that has joined “GotoWebinar”, and has a question, to use the raise your hand button. The chat line will not be used or monitored. He said the Council will be taking virtual public comment for each agenda item and gave instructions. Mayor Pinto also reported the meeting can be viewed live on Comcast Channel 18 or streamed at www.royalpalmbeach.com/utube.

REPORTS

Councilwoman Samios reported on the upcoming school year as well as the Palm Beach County Library programs available (free live homework help online, chatting with kids about being online and E-Books/audiobooks) and referred everyone interested to the www.pbclibrary.org . She said that the Palm Beach County Community Service Department Fair Housing Project has contracted with the Legal Aid Society of Palm Beach County (561-655-8944 ext. 328) to provide free legal representation if faced with eviction. Councilwoman Samios recognized Royal Palm Beach resident, Julie Labes who was featured in the South Florida Sun Sentinel’s “What I Love About the City They Call Home”. She congratulated Village Attorney’s Jennifer Ashton and Mitty Bernard on being awarded the AV Rating and who join fellow Village Attorney Keith Davis and Councilman Richard Valuntas in this distinction.

Vice Mayor Hmara reported on the Palm Beach County League of Cities Board meeting that included an update on the Palm Beach County Syringe Exchange Program, presentation of the FLC legislative bills to Senator Bobby Powell and State Representative Rick Roth. He reported on the Florida League of Cities Annual Virtual Conference where seven resolutions were approved and a slate of new officers were sworn in. Vice Mayor Hmara reported on the annual organizational Education Advisory Board meeting and announced the September meeting will showcase Royal Palm Beach High School. He reported that Feeding South Florida has been holding a Food Drive at Commons Park for the past 18 weeks and recognized and thanked all the volunteers.

Councilwoman Rodusky announced two openings on the Planning and Zoning Commission and urged any resident interested to visit the website and submit an application to the Village Clerk by September 9th in order to be appointed at the Council Regular Meeting of September 17th. She also reported that the New Capstone Assisted Living Facility and Memory Care community is the first center of its kind to install State of the Art Sanitation Solutions and explained the system.

The Village Attorney reported the State of Florida has extended the ability to conduct virtual meetings through the end of September 2020.

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 June 18, 2020, Council Budget Workshop Meeting of July 7, 2020 and Council Regular Meeting of July 16, 2020. (Village Clerk)**
2. **Approval and authorization for the Village Manager to execute the “Fifth Addendum to Independent Contractor Agreement between the Village and Early Childhood Adventures LLC” for the provision of additional early childhood educational programs to the community at large. (Parks and Recreation Director)**
3. **Approval and authorization for the Mayor to execute the Fifth Addendum to the Law Enforcement Service Agreement by and between the Palm Beach County Sheriff’s Office and the Village of Royal Palm Beach. (Village Manager)**
4. **Approval and authorization for the Village Manager to enter into an agreement with Property Works, the lowest responsive responsible bidder in an amount of \$48,878.56 for Parks Maintenance Service. (Parks and Recreation Director)**
5. **Approval and authorization for the Village Manager to execute the First Addendum to the Food and Beverage Services Agreement with Sweetcravings Cafe, LLC, to postpone the commencement date of the agreement in response to Covid-19 to January 1, 2021, or whenever Commons Park opens at full capacity, whichever occurs first. (Parks and Recreation Director)**

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 Application 20-65 (SPM, AAR) an Application by HCC RPB II, LLC and Resolution 20-18 confirming council action. The applicant is seeking Site Plan Modification and building and landscape Architectural Approval for a 1.56 acre parcel of land, located on the northwest corner of Southern Boulevard and Cypress Head Avenue. Agent: Lauren McClellan, of JMorton Planning & Landscape Architecture. * (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. Mayor Pinto stated for the record that the Council received a letter from Ethan Mann, President of Park Central HOA, Cypress Key Homeowners Association. The P & Z Director stated the applicant is requesting Site Plan Modification, Building and Landscape Architectural Approval for a 1.56-acre commercial portion of the 35.23-acre Mixed Use Development. The applicant is proposing changes to the previously approved vested site plan for the commercial component of the project and to convert the approved 120 student, 12,500 square foot daycare facility within Building C to a 12,100 square foot Medical/Professional Office. In addition to changing the use, the building footprint is being modified and the parking lot and access driveway has been adjusted to accommodate the proposed building. The minor adjustment of the driveway has resulted in the removal of an on-street parking space and the revised parking lot has added 40 spaces to meet the increased parking requirement of the office use. The proposed site meets the requirements for the Mixed Use Development (MXD) Zoning District with parcel size, parcel width, setbacks, landscape setbacks, maximum building height, maximum commercial floor area ratio and parking. He showed the new configuration of the egress/ingress, architectural and landscape plan. The P & Z Commission recommended approval with the condition that the applicant make contact with the HOA to attempt to eliminate their concerns of the relocated access drive. Staff recommended approval.

Jennifer Morton, representing the applicant made a presentation showing the approved site plan and access point that currently align with the townhouses across the street. She showed the proposed site plan that includes a reduction of 400 square feet, 75 parking spaces, landscape buffering and connectivity including the access point. She reported on the HOA's desire to move the access point to the median divided driveway but due to traffic circulation and from an engineering perspective it is recommended to have the access off Park Central. She reiterated the access has already been approved on Park Central.

Ethan Mann, resident of 12039 Park Central and President of the Park Central at Cypress Key Homeowners Association stated opposition to the increased traffic and entrance directly across from the townhomes. He requested the entrance be moved to the north-south section of Park Central that has direct access to Southern Boulevard. He noted when the plan was approved no residents were living there to object.

Jesus Nieves, resident of 12037 Park Central also stated opposition to the entrance directly across from the townhomes and cited safety reasons.

The Village Manager gave a history of the mixed use development noting that the roadways are private and owned by the Homeowner's Association with a cost sharing between the commercial and residential property owners. He

reported that the concept from the original developer included a signal at State Road 80 and the main entrance and further explained the traffic study/design for that development.

Councilman Valuntas confirmed certain pedestrian connections in the development and asked for clarification on the reasoning for not moving the entrance. The Village Manager reported on the traffic flow at this time and the ability in the future should a signal not be installed to reconfigure driveways within the site. Additional discussion and clarification was held on the current traffic flow.

Mayor Pinto confirmed there were no additional public comments and closed public comment.

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

- 2. Public hearing to consider Application 19-124 (FP) an application by Wantman Group, Inc. and adoption of Resolution No. 20-16 confirming Council action. The applicant is seeking final plat approval for the plat of “Crestwood North Replat Two”, in order to allow for certain portions of the “Crestwood North Replat” to be subdivided into single-family lots to be consistent with the approved site plan, for a development located at the northwest quadrant of Crestwood Boulevard and the M-1 canal. Agent: Wantman Group, Inc. (P & Z Director)**

The P & Z Director stated the applicant is requesting final plat approval to subdivide the northwest portions of the “Crestwood North Replat” into single-family lots to be consistent with the approved site plan and lies within the Single-Family Residential (RS-3) Zoning District. The Final Plat contains all information as required by code Section 22-24 Final plat requirements and code Section 26-86 (4) Site development standards. Staff recommended approval.

Doug Murray representing the applicant was available for questions.

Dave Neuweiler, 211 Monterey Way stated his concerns and asked for clarification on the future hedge maintenance of the berm. The Village Manager gave his contact information in order to respond.

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

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

- 3. Public hearing for second reading and adoption of Ordinance No. 1003 approving Application 19-120 (LSCPA) an application by Jess R. Santamaria, seeking a change of land use designation for four parcels of land totaling 12.28± acres, more or less, from the Village’s Commercial (COM) land use designation to the Village’s Multifamily**

Low Density Residential (MFL), located approximately 850 feet north of Okeechobee Boulevard and approximately 500 feet west of Royal Palm Beach Boulevard. Agent: Maria Bolivar of WGI. (P & Z Director)

The P & Z Director said the applicant is seeking a Large Scale Future Land Use Map Amendment to change the Land Use Designation for four parcels of vacant land totaling approximately 12.28± acres of land from Commercial (COM) Land Use Designation to Multi-Family Low Density Residential (MFL) Land Use Designation with the ultimate goal to develop the property for 100 townhouse dwelling units with a proposed density of 8.14 units per acre. Staff considered compatibility with adjacent land uses, consistency with the Village's Comprehensive Plan and whether the action requested will exacerbate any existing public facility capacity deficits in regards to the roadway network, is consistent with sanitary sewer, solid waste, drainage, potable water, recreation and open space. The amendment is consistent with the Traffic Circulation element. The applicant has provided a School Capacity Availability Determination letter that concludes there will be a negative impact on the public school system. The property owner shall contribute \$166,688 dollars to the School District of Palm Beach County prior to the issuance of first building permit to address the school capacity deficiency generated by this development. Staff recommended denial given that the proposed future land use map amendment is incompatible with the adjacent commercial uses, fails to identify how the residential use will be sufficiently buffered from the existing commercial uses, fails to identify how it will not negatively impact the existing commercial uses and fails to identify how it will protect the health, safety and welfare of pedestrians and bicyclists along the residential entrance drive. The proposed land use amendment package is consistent with the requirements of Chapter 163 of Florida Statutes, concerning the requirements for the processing of future land use amendments and staff did not receive any letters of objection from any of the review agencies. The Local Planning Agency recommended approval.

Mayor Pinto entered into the record that 15 letters in support of this project have been submitted, as well as an independent market study and a petition with 925 signatures in support of this project.

Doug Murray of WGI representing the owner of the property reported on previous approvals from the Local Planning Agency, Council and that no comments have been received back by the State. He was available for questions.

Councilwoman Samios supported the change from commercial to residential but stated her concerns and issues moving forward with the recreation space, open space, parking, landscaping, entrance and buffers.

Councilman Valuntas agreed with all the concerns stated as well and did support the change from commercial to residential as well.

Vice Mayor Hmara acknowledged the serious challenges of moving forward with this project as well.

Councilwoman Rodusky noted she was in opposition of this change at the first reading of the ordinance; however, in light of the market study submitted, letters of support and petition she now supported the change from residential to commercial and she too acknowledged the many issues moving forward as well.

After confirming with the Village Clerk and the Village Manager there were no other comment cards received, Mayor Pinto closed public comment.

The Village Attorney read into the record Ord. 1003 by title only.

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

4. Public hearing for second reading and adoption of Ordinance No. 1002 approving Application 19-127, an application by Kimley-Horn, regarding a Zoning Text Amendment to Chapter 26 of the Village's Zoning Code to allow Electric Vehicle Charging Stations as accessory uses within certain Zoning Districts and establish supplemental regulations for these electric vehicle charging stations. Agent: Marisa-Ann Lopez Gedeon, Kimley-Horn. (P & Z Director)

The P & Z Director stated this is to allow for electric vehicle charging stations as accessory uses within certain zoning districts within the Village. It was also clarified this will be for public use. The Local Planning Agency and staff recommended approval.

Marisa-Ann Lopez Gedeon of Kimley-Horn representing the applicant was 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.

The Village Attorney read into the record Ord. 1002 by title only.

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

5. Public hearing for second reading and adoption of Ordinance No. 1001 approving Application 19-129, an application by Camilo Mendez Larino, regarding a Zoning Text Amendment to Chapter 26 of the Village's Zoning Code to allow adult day care centers as a permitted use in the CG - General Commercial Zoning District and establish supplemental regulations for these facilities. Agent: Camilo Mendez Larino. (P & Z Director)

The P & Z Director stated this is to allow adult care centers as a permitted use in the CG-General Commercial Zoning district and provide supplemental regulations for these facilities. The Local Planning Agency and staff recommended approval.

Alterraon Phillips, Esq. representing the applicant was 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.

The Village Attorney read into the record Ord. 1001 by title only.

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

6. Public hearing for second reading and adoption of Ordinance No. 1004 amending Chapter 20. Signs. of the Code of Ordinances of the Village of Royal Palm Beach at Article IV. Permitted Signs. at Sec. 20-57. Public Ownership District (PO) or other Village-owned property. in order to increase the size limitation for freestanding monument signs on Village-owned property. (P & Z Director)

The P & Z Director stated this ordinance is to increase signs from the current 30 square feet to 42 square feet with a maximum height of 7' and 8' in width. This size limitation is for freestanding monument signs on Village-owned property. The Local Planning Agency 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.

The Village Attorney read into the record Ord. 1004 by title only.

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

7. Public hearing for first reading and approval of Ordinance No. 1005, amending Chapter 17. Offenses and Miscellaneous Provisions. at Section 17-13. Public Parks. in order to modify the hours of operation for public parks within the Village to be consistent with existing policies and procedures. (Parks and Recreation Director)

The Village Manager stated the current ordinance states the park hours are from sunrise to sunset. He explained that because sunrise or sunset are not specific times, the change to specific times is for law enforcement purposes in the parks. He added the ordinance proposes the time to be from 8:00 a.m. to 9:00 p.m. to make time for bathrooms to be opened by staff but there is also the option of opening the parks at 6:00 a.m. with signage noting the bathroom hours. He added that the current temporary County Ordinance in effect due to COVID-19 would need to be rescinded in order for the new specific times to become effective.

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

A discussion ensued with regard to the hours of opening during winter months, specific parks (i.e. ballparks, Commons Park, neighborhood parks, County parks) and during events.

The Village Attorney read into the record Ord. 1005 by title only.

Councilwoman Samios made a motion to approve the current schedule at Vivian A. Ferrin Memorial Park and modification of hours at all other parks to be revised by staff; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

8. Approval of the conceptual design for the Southern Blvd. and Royal Palm Beach Blvd. intersection entry feature. (Village Engineer)

The Village Engineer made the presentation reporting this project was a result of the 2019 Strategic Planning meeting, added to the CIP with design funding in 2019-2020 and construction funding in 2020-2021. The approved project funding is \$200,000 and in October 2019 Cotleur & Hearing was hired to re-design the existing entry feature at the corner of Southern Boulevard and Royal Palm Beach Boulevard. He reported there was a six member committee who independently evaluated and ranked the design option and presented the two top ranked concept options.

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 discussion was held on the cost, palm fronds, color options and logo location on the gateway. Vice Mayor Hmara made a motion to approve Option 2; seconded by Councilman Valuntas. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

9. Appointment of two members to the Education Advisory Board. (Council Liaison)

Vice Mayor Hmara, Council Liaison made the motion to appoint Brittany Lee to a regular seat for the remaining two-year term expiring in March 2022; appoint DK Nelson as an Alternate for the remaining two-year term expiring in March 2022; seconded by Councilwoman Rodusky. Mayor Pinto put the motion to a vote and it passed unanimously.

10. Appointment of one resident to the Palm Beach County Water Utilities Advisory Board as provided by Resolution R-2006-0867 concerning the composition of this Advisory Board. (Village Manager)

The Village Manager stated that the sale of the utility provides for a representative to serve on the Palm Beach County Water Utilities Advisory Board and that William Nuss who is currently serving wished to be reappointed for a three year term ending July 2023.

Councilwoman Samios made a motion to appoint William Nuss to the Palm Beach County Water Utility Advisory Board; seconded by Vice Mayor Hmara.

Hearing no discussion or public comment, 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 FIRST PUBLIC BUDGET HEARING
VILLAGE MEETING HALL
*FACE MASK MUST BE WORN INSIDE VILLAGE MEETING HALL
1050-A ROYAL PALM BEACH BOULEVARD
TUESDAY, SEPTEMBER 8, 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 along with the Village Manager and Village Clerk. The Village Attorney joined via virtual "GotoWebinar".

Mayor Pinto reviewed the protocol to follow during this virtual meeting and instructed any resident that has joined tonight's "GotoWebinar", and has a question, to use the raise your hand button. The chat line will not be used or monitored. He said the Council will be taking virtual public comment for each agenda item and gave instructions. Mayor Pinto also reported the meeting can be viewed live on Comcast Channel 18 or streamed at www.royalpalmbeach.com/utube.

Mayor Pinto opened the Public Hearing

PUBLIC HEARING

- 1. Announce that the proposed operating millage rate necessary to fund the budget is 4.97% above the rolled-back rate of 1.8291 mils.**

The Mayor announced that the proposed operating millage rate necessary to fund the budget is 4.97% above the rolled-back rate of 1.8291 mils.

- 2. Announce the proposed operating millage rate is 1.9200 for the General Fund.**

The Mayor announced the proposed operating millage rate is 1.9200 for the General Fund.

- 3. Summary of the tentative budget.**

The Finance Director gave a summary of the 2020-2021 budget showing the total budget of \$50,718,776 with 49% for General Operating, 44% Capital Projects, 4% for reserves and 3% stormwater utility. He stated the budget highlights are as follows: property values up again and projected this year at

8.6%, the tax rate of 1.92 has been maintained and there are staff changes in Clerk's Office, Community Development, Planning & Zoning, Public Works, Parks and Recreation departments. The Finance Director reported the use of 2.6 million dollars in reserve to balance the budget. All Strategic Plan Initiatives have been incorporated into the budget.

He gave the Ad Valorem Tax overview which shows the Village's property values, including new construction, have increased 8.6% as follows: Prior year value – \$2.970 billion; current year value – \$3.224 billion with an increase of \$254 million. The Finance Director stated the budget is proposing to maintain the operating millage rate at \$1.92 mils per thousand.

He showed the impact of the total proposed millage rate of \$1.9200 on homes valued from \$156,000.00-\$204.00, \$219,000.00-\$324.00 and \$283,000.00-\$447.00 all-encompassing the homestead exemption.

The General Fund Revenue Summary is \$24,912,103 with property taxes generating 23%, other taxes and fees 21% which totals 44% of the revenue stream. Licenses and permits are 12%, intergovernmental revenues at 15%, charges for services 1%, fines 2%, miscellaneous revenues 4%, and current year fund balance at 22%. The expenditure summary is \$24,912,103 with personal services at 43%, contractual services 39% which is comprised of mainly the PBSO, other charges and services 15%, commodities at 3%; and other operating expenses, department capital outlay and grants and aids are less than 1%. The expenditure summary shows merit adjustments are programmed at an average of 2.25% for all employees. A cost of living adjustment of 2.0% is included based on the 12 month running average from April 2019 – March 2020. Medical insurance cost premiums are based on market projections.

The expenditure summary shows the following position additions/deletions/reclassifications are as follows: Village Clerk, Community Development and Public Works – Position reclassification of the Admin Assistant II to Senior Admin Assistant; Human Resources Department – Position reclassification of the Human Resources Director to Director of Human Resources and Risk Mgmt.; Public Works – Position reclassification from GMI to GMII. Position additions include Public Works – Custodian. Position deletions include Planning & Zoning – Development Review Coordinator; Code Enforcement – Code Enforcement Inspector III; Engineering – Part-time Intern; and Parks and Recreation – Program Supervisor, two Facility Attendants, p/t Program Coordinator (seniors), p/t Admin Assist I, four Program Coordinators and four p/t Facility Attendants.

The Finance Director stated that the Stormwater Utility Fund Revenue Summary is \$1,337,668 which is funded 83% by the stormwater utility fees and 17% Fund Balance. The expenditure summary is \$1,337,668 which is 52% for personal services, contractual services less than 1%, other charges and other charges and services 37%, commodities 3%, other operational expenses less than 1%, and transfers 8%.

The Finance Director reviewed the Capital Improvements Funds – CIP at \$24,546,822. The Recreational Facilities Fund is 7%; Beautification Fund is

less than 1%; Impact Fee Fund 20%; Sales Surtax 48%; General Capital Improvements Fund 16%, Utility less than 1% and Reserves 9%.

4. Comments from the public - None

5. Council adoption of proposed operating millage rate of 1.9200 for fiscal year 2020/2021.

Vice Mayor Hmara made a motion to adopt the proposed operating millage rate of 1.9200 for fiscal year 2020/2021; seconded by Councilman Valuntas. Hearing no discussion or public comment, Mayor Pinto put the motion to a vote and it passed unanimously.

6. Council adoption of tentative Budget for fiscal year 2020/2021.

Councilwoman Samios made a motion to adopt tentative Budget for fiscal year 2020/2021; seconded by Vice Mayor Hmara. Hearing no discussion or public comment, Mayor Pinto put the motion to a vote and it passed unanimously.

7. Announce final budget public hearing – Thursday, September 17, 2020 – 6:30 p.m.

Mayor Pinto announced the final budget hearing will be held at 6:30 p.m. on Thursday, September 17, 2020 in the Village Meeting Hall.

8. Close public hearing.

COMMENTS FROM THE COUNCIL - None
ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk