

Agenda Item No. C - 1

**VILLAGE OF ROYAL PALM BEACH**  
Agenda Item Summary

**AGENDA ITEM: Approval of minutes of Council Regular Meeting of March 19, 2009 and April 2, 2009.**

**ISSUE: It is necessary for Village Council to approval all Village Council meeting minutes.**

**RECOMMENDED ACTION: Motion to Approve**

<b>Initiator</b>	<b>Village Manager Approval</b>	<b>Agenda Date</b>	<b>Village Council Action</b>
<b>Village Clerk</b>		<b>5/07/09</b>	

**VILLAGE OF ROYAL PALM BEACH  
MINUTES OF COUNCIL REGULAR MEETING  
VILLAGE MEETING HALL  
THURSDAY, MARCH 19, 2009  
IMMEDIATELY FOLLOWING COUNCIL ANNUAL ORGANIZATION  
MEETING**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mayor David A. Lodwick  
Vice Mayor Matty Mattioli  
Councilman David Swift  
Councilman Fred Pinto  
Councilwoman Martha Webster

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

**PRESENTATION OF 15 YEAR SERVICE AWARD TO DAVID SWIFT**

Mayor Lodwick made the presentation and thanked Councilman Swift for his dedication to the Village and its residents. He acknowledged his years of service and recognized his accomplishments during his tenure as Councilman.

Councilman Swift reflected on the past and thanked the present Council for working well together. He also acknowledged and thanked the Village Manager and staff for their part in the success of the Village.

**REPORTS**

Mayor Lodwick 1) asked the Senior Planner for an update on the recent SWA meeting. The Senior Planner reported that the SWA have postponed the designation of the new disposal site for six months to allow for input from the public and government entities to further address their concerns. Since the initial meeting, the SWA has now recommended the Hundley site for consideration. Mayor Lodwick stated that both sites under consideration have approval from this Council. Councilwoman Webster reported on Commissioner Santamaria's monthly meeting with regard to the SWA site and stated that the postponement was also due to the possibility of a land swap with the SFWMD for a new environmentally agreeable site. 2) reported on the MPO meeting held today, reviewed the list of projects for funding and noted that Royal Palm Beach was sixth on the list to receive funds. The Village Engineer added that additional meetings will be held in order to formalize agreements. Councilman Swift thanked the Mayor and staff

for their efforts in receiving these funds. Vice Mayor Mattioli clarified that the CIP landscaping projects will be completed but not with stimulus money. Councilman Mattioli asked if the shovel ready projects had part in the decision making. Mayor Lodwick replied yes.

Councilman Pinto asked how many jobs will be generated. Mayor Lodwick explained there were no criteria on defining a job; however, the Village Engineer added the federal government estimates twenty-eight jobs will be created per one million dollars.

Councilman Swift reported that a local gas station advertised a lower price then actually charged when using a credit card.

Councilwoman Webster 1) reported on a ribbon cutting event at a new store called Deals; 2) congratulated Capt. Coleman on his best burger win at West Fest.

The Village Attorney reported that the Town of Loxahatchee Groves has voted to join in the effort of the Village and will be filing a separate petition supporting the construction of Roebuck Road.

**PETITIONS - None**

**STATEMENTS FROM THE PUBLIC**

Alexis Polo, General Manager of Costco and resident, asked for consideration on behalf of his members to change Chapter 4, Section 4-3 in the Code of Ordinances with regard to the sale of alcohol on Sunday mornings. A specific time was not requested; however he noted that Costco opens at 10:00 a.m. on Sundays. He stated many residents/patrons have made the request to allow for earlier sales on Sunday and noted that Costco had approximately 32,000 members in the area.

The Village Attorney stated that the municipalities have the right to regulate the hours of sales for alcohol. She noted it is strictly a policy decision.

The Village Manager reported on meetings from Costco's corporate office and explored options on how to make the request to change the ordinance. He too concluded that it is a policy decision. He added that the Village of Wellington has the similar limitations; however, West Palm Beach and Palm Beach County do allow alcohol sales at 10:00 a.m. on Sunday.

A discussion ensued with regard to directing staff to further explore the options of opening the sale of alcohol at an earlier hour on Sunday;

however, Mayor Lodwick asked for a consensus of Council for the direction and did not get one.

### **CONSENT AGENDA**

The Village Clerk read the Consent Agenda into the record as follows:

- 1. Approval of minutes of Council Regular Meeting of February 5, 2009 and February 19, 2009. (Village Clerk)**
- 2. Approval and authorization to purchase one (1) dump truck from Duval Ford, Inc. in an amount not to exceed \$34,284.00 by piggybacking the Florida Sheriff's Association and Florida Association of Counties (FAC) Contract No. 08-16-0908. (Director of Public Works)**

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

### **REGULAR AGENDA**

- 1. Presentation by Captain Coleman - PBSO - District 9 Law Enforcement Service Yearly Review.**

Captain Coleman introduced Mayor Tony Araujo, Captain Simon Barnes, Lieutenant David Combs, and Criminal Justice Planner C.J. Jacobs.

He reported that Jaime Fortwangler was 2008 Law Enforcement Officer of Year and originally worked out of District 9, Street Team. He also noted that the Street Team received a Unit commendation for their work. Deputy Lori Schector received a Crisis Intervention Deputy of the Year award for western Palm Beach County.

He reviewed the PBSO Western Regional Bureau organization chart under the command of Major Araujo. He noted that District 15 should include Loxahatchee. He reviewed the PBSO District 9 organizational chart and noted that a majority of the original RPB police department have moved up in rank or retired. He showed and reviewed the sector assignment chart. He reported that the training hours have been increased to 5,787 hours of specialized training and described some of the specialized courses. He reviewed the community outreach initiatives along with a new program "Business Partnership Program". He added that some of the special events that they participate in include project graduation and Westfest along with the early release program held by the Parks and Recreation department.

Captain Coleman stated that the Citizen Observer Patrol has 15 volunteers and have volunteered 3,939 hours of patrol time. He noted that two out of three of their vehicles have been replaced by new fuel efficient Ford Focuses. Additionally, since the merger thirty one vehicles have been replaced.

Captain Coleman reported on the Police Athletic League (PAL) and attendance showing there was an increase of 450 participates along with networking with Cabana Colony and the Glades. He stated that the Youth Intervention Program was funded by grants and mainstream PBSO. He stated that Selena A. Lamotte, BSW works directly with the youth and their families. He explained what Project Lifesaver is along with its equipment which allows a family to place a wristband on patients with Alzheimer's disease, Down syndrome and autism in order to locate them quickly if lost.

Captain Coleman gave an update on the mobile data project. He added that by the end of this year every marked vehicle will have a digital mobile video and explained it function.

He reviewed the data on the calls for service and reported an increase of 3,000 from last year. He assured everyone that District 9 is adequately staffed and able to handle the calls. He noted that there were 2,700 false alarms last year and over 1,100 residents have applied for the alarm permit. He reviewed the District 9 Support Statistics with bicycle deputies providing 469 hours of patrol. He stated that there were 2,650 requests for fingerprinting services. Captain Coleman stated there are two marine units available, one for volunteers and one for the officers.

Captain Coleman reported on the traffic issues stating that traffic crashes reduced from 1,507 to 1,183. The number of traffic citations issued increased to 12, 680 from 10,467 from last year. He noted that the road patrol deputies also issued more warning tickets this year; 9,327 up from last year's total 8,393. He stated that the number of DUI arrests remained constant, with three traffic deaths.

The Uniform Crime Reports statistics were reviewed and Captain Coleman noted that forcible sex offenses were down 63.6%, robbery down 7%, a slight increase in aggravated assaults from 94 in 2007 to 97, burglaries were down 15.6%. Captain Coleman said larcenies account for 71 percent of all crimes in the Village and it was his number one concern. On the positive side, the number of shoplifting arrests increased by 95 percent last year from 249 in 2007 to 487. Of those, 75 percent were adults. He added that shoplifting accounts for 40 percent of all larceny crimes and that most of the arrested shoplifters live outside the Village.

Captain Coleman recognized some of the accomplishments of the Street Team. He also noted that in the Detective Bureau, Detective Mitchell McCranels was awarded the Detective of the Year for District 9. He also reported that the major crime clearance rate was a higher-than-average at 32 percent. He also reviewed the forfeiture activities and 2009 Goals for his District. He contributed the success of District 9 to the officers, residents, Council, and Village staff and thanked everyone involved.

Mayor Lodwick and Council thanked Captain Coleman, Major Araujo and their entire staff for their partnership and professionalism. Councilman Swift asked if the Council could help in assisting in the big box store larcenies. Captain Coleman stated he is reviewing studies in order to address the situation. Councilman Pinto asked for a comment on the state of gangs in the community. Captain Coleman responded stating Operation Gangbusters has been formed along with partnerships with the federal government which have led to many gang leaders in the area being incarcerated. He noted they are being proactive on the gang activity and meetings are being held regularly with the children in the area.

**ADJOURNMENT**

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Mayor David A. Lodwick

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Diane DiSanto, Village Clerk

**VILLAGE OF ROYAL PALM BEACH  
MINUTES OF COUNCIL REGULAR MEETING  
VILLAGE MEETING HALL  
THURSDAY, APRIL 2, 2009  
7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mayor David A. Lodwick  
Vice Mayor Matty Mattioli  
Councilman David Swift  
Councilman Fred Pinto  
Councilwoman Martha Webster

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

**PROCLAMATION FOR EQUAL HOUSING OPPORTUNITY**

**REPORTS**

Mayor Lodwick 1) asked for an update from Captain Coleman on the recent drug bust in Royal Palm Beach. Captain Coleman reported that prescription drug use was on the rise and 350 persons died last year in Palm Beach County as a result of drug overdose. He stated that oxycoedine (an opiate base) is the new drug of choice. Captain Coleman gave a report on the recent arrest of sixteen people apprehended and charged with “doctor shopping” and obtaining and selling pharmaceutical drugs in Royal Palm Beach. He acknowledged and thanked the PBSO District 9 street team for being instrumental in the drug bust.

Councilwoman Webster reported on a telephone conversation with Senator Aronberg regarding Senate Bill 614 which would require pharmaceutical dispensers to use biometric scanning devices such as fingerprints or retinal scans to identify people attempting to fill prescriptions for certain controlled substances. She said biometrics would offer more security and privacy than electronic cross-referencing, which has been recommended in another bill pending in Tallahassee. She asked that the Council support this legislation. Mayor Lodwick stated there will be some challenges with the privacy act and HIPPA laws. Councilman Swift agreed and also supported the idea of sending a letter of support to our legislature. A discussion was held on working with the legislature and doctors to implement a check system. Councilman Swift made a motion to direct the Village Attorney to prepare a letter of support for Senate Bill No. 614 with regard to a Prescription Drug Monitoring

System; seconded by Councilman Mattioli. Mayor Lodwick put the motion to a vote and it passed unanimously.

Mayor Lodwick reported that the Florida League of Cities Fraud Special Investigative Unit received an award and thanked CFO Sink for sponsoring the award; 2) he also reported on a meeting with Michael McAuliffe, State Attorney and invited him to speak at the second Council meeting in May with an overview of the State Attorney's Office and vision for keeping the community safe; and 3) thanked Senator Atwater for meeting with him during his recent visit to Tallahassee.

**PETITIONS - None**  
**STATEMENTS FROM THE PUBLIC**

Jon Schmidt, Ideal School, submitted the attached First Voluntary Status Report with regard to the Ideal School. He reported that the project has construction and Technical Review Committee approval. He stated the construction should be underway by July and completed by the start of the school year.

At this point, Mayor Lodwick recognized the Director of Community Development and staff for their dedicated service to the contractors and community.

**CONSENT AGENDA**

The Village Clerk read the Consent Agenda into the record as follows:

- 1. Approval of minutes of Council Regular Meeting of March 5, 2009 and Council Annual Organization Meeting of March 19, 2009. (Village Clerk)**
- 2. Approval and authorization in accordance with established policy to make a budget amendment for Fund 303 in the fiscal year 2008/2009 Budget. Said amendment to transfer from CIP Reserve to project EN09/03 (50<sup>th</sup> Anniversary Art) the remaining \$20,000 received from CVS for this project to cover the cost of the site work. (Finance Director)**
- 3. Approval of a Special Event Permit for the First Baptist Church of Royal Palm Beach to hold an Easter Egg Hunt on Sunday, April 12, 2009 from 10:30 a.m. to 1:30 p.m. and a Church Picnic on Sunday, April 19, 2009 from 1:30 p.m. to 4:30 p.m. at 10701 Okeechobee Boulevard. (Senior Planner)**

4. **Approval and authorization for the Village Manager to execute “Third Amendment to Three-Year Lease Agreement Concession Operations at “Café on the Green”, Veterans Park to provide for a one-year agreement extension. (Director of Parks and Recreation)**
5. **Approval and authorization for the Village Manager to enter into a Consultant Services Authorization No. 42 with Erdman Anthony to perform a traffic study for Victoria Groves. (Village Engineer)**
6. **Adoption of Resolution No. 09-06. A resolution of the Village Council of the Village of Royal Palm Beach, Florida, approving the Village’s application for a Transportation Enhancement Project Grant from the Metropolitan Planning Organization of Palm Beach County to fund and support the construction of on and off street bike paths along Crestwood Boulevard from Royal Palm Beach Boulevard to Saratoga Boulevard; authorizing the Mayor or Village Manager to execute all necessary documents; providing an effective date; and for other purposes. (Senior Planner)**

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

#### **REGULAR AGENDA**

1. **First reading and approval of Ordinance No. 818 requesting the rezoning of a 6.132 acre parcel of land, located south of Civic Center Way and west of Royal Palm Beach Boulevard, from the Office Commercial (CO) zoning district to the Public Ownership (PO) zoning district. Second reading and adoption is scheduled on April 16, 2009. (Senior Planner)**

This was quasi-judicial and the Village Attorney swore in all who speak. Mayor Lodwick stated this will correct a zoning error that has been in place since the Village purchased the property. He stated the property has public buildings on it and the change will properly designate it as public ownership.

Vice Mayor Mattioli made a motion to approve; seconded by Councilman Pinto. The Village Attorney read Ordinance No. 818 into the record by title only. Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously.

**2. Appointment/reappointment of two residents to the Planning and Zoning Commission. (Village Clerk)**

As Council liaison to this Board, Vice Mayor Mattioli made a motion to reappoint, Richard E. Durr and Jackie Larson; seconded by Councilman Swift. Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously.

**3. Appointment/reappointment of five residents to the Education Advisory Board. (Village Clerk)**

As Council liaison to this Board, Councilman Pinto recommended reappointments of Ellen J. LaVoie, Una James and Deborah Still. Councilman Swift made a motion to approve; seconded by Vice Mayor Mattioli . Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously. Councilman Pinto also recommended Dr. Elaine Ealy and Miranda Russell for new appointments to the Board, Vice Mayor Mattioli made a motion to approve; seconded by Councilman Swift. Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously.

**4. Reappointment of five residents to the Recreation Advisory Board. (Village Clerk)**

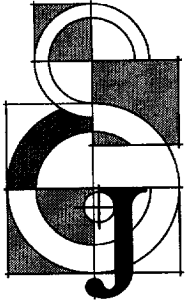
As Council liaison to this Board, Mayor Lodwick recommended reappointment of John Ruffa, Brian Newsholme, Phyllis Katz, Tony Smith to regular seats and Jay Boodheshwar to the alternate seat; Vice Mayor Mattioli made a motion to approve; seconded by Councilman Pinto. Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously.

Councilwoman Webster asked if the Education Advisory Board will be reorganizing in April and asked to make a presentation with regard to the Literacy Coalition. Councilman Pinto responded stating the reorganization will be held April 27<sup>th</sup> and once a formal list of projects is compiled it will be presented to Council for approval.

**ADJOURNMENT**

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Mayor David A. Lodwick

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Diane DiSanto, Village Clerk



**Jon E. Schmidt and Associates**  
Landscape Architecture and Site Planning

April 2, 2009

Village Council  
Village of Royal Palm Beach  
1050 Royal Palm Beach Blvd  
Village Hall  
Royal Palm Beach, FL 33411

RE: Ideal School; April 2, 2009, First Voluntary Status Report to Village Council

To the Honorable Mayor David Lodwick and Village Council Members:

Pursuant to Resolution No. 08-53, we are writing to provide the 1<sup>st</sup> Voluntary Status Report of the above-referenced project, as follows:

Our firm received the time extension at the January 15, 2009, hearing with deadlines and milestones.

- TRC Approval Received on February 23, 2009
- Construction Documents Approved on March 5, 2009
- Currently Conducting Construction Estimating and Contractor Selection
- On schedule to be under Construction by the July 2, 2009, Village Council Hearing, which will be confirmed in the 2<sup>nd</sup> Voluntary Status Report to Village Council.

We have enclosed supporting documents for your reference. Please feel free to contact our office if you have any questions or require any additional information Thank you.

Very truly yours,



Jon E. Schmidt  
President

JES/tde

enclosures



# Village of Royal Palm Beach, Florida

1050 Royal Palm Beach Boulevard Royal Palm Beach, Florida 33411

Telephone (561) 790-5131 Fax (561) 790-5129 E-mail: bobrien@royalpalmbeach.com

Bradford O'Brien  
Senior Planner

February 23, 2009

Jon E. Schmidt  
Jon E. Schmidt & Associates  
2247 Palm beach Lakes Blvd.  
Suite 101  
West Palm Beach, FL 33409

RE: Ideal School, Minor Site Plan Modification 67 (D) (SPM) Administrative Approval

Dear Jon:

Village staff has reviewed your minor site plan amendment application and found that it meets the requirements of the Village Code. This intent of this site plan amendment is to reconfigure the parking lot and playground area. In addition the easternmost access point to Seminole Palms Drive has been eliminated. This access area needs to be restored to a standard swale configuration. Please note that all previous conditions of approval associated with this project remain in full force and effect. A copy of the Administratively Approved plan which has been date-stamped February 23, 2009 is attached for your records.

If you have any additional comments or questions concerning this letter, please feel free to contact me directly at (561) 790-5131.

Sincerely,

Kevin Erwin,  
Development Review Coordinator  
Planning and Engineering Department

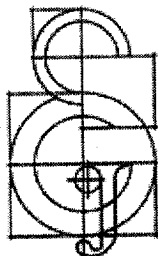
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**Jon E. Schmidt**

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**From:** Jon E. Schmidt  
**Sent:** Tuesday, March 31, 2009 10:30 AM  
**To:** Bradford O'Brien (bobrien@royalpalmbeach.com)  
**Cc:** Chris Wax  
**Subject:** FW: Ideal School



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**From:** Matthew Harold [mailto:mharold@craigasmith.com]  
**Sent:** Thursday, March 05, 2009 2:15 PM  
**To:** Jon E. Schmidt  
**Subject:** FW: Ideal School

Matthew G. Harold, P.E.  
Craig A. Smith & Associates  
7777 Glades Rd., Suite 410  
Boca Raton, FL 33434  
(O) (954)782-8222 / (561)791-9280  
(F) (954)786-8927 / (561)791-9818  
(C) 561-312-3244  
[www.craigasmith.com](http://www.craigasmith.com)

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**From:** Ray Liggins [mailto:rliggins@RoyalPalmBeach.com]  
**Sent:** Thursday, March 05, 2009 10:06 AM  
**To:** Matthew Harold  
**Subject:** RE: Ideal School

confirmed

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**From:** Matthew Harold [mailto:mharold@craigasmith.com]  
**Sent:** Thursday, March 05, 2009 9:42 AM  
**To:** Ray Liggins  
**Subject:** Ideal School

Mr. Liggins,  
This is just a quick confirmation e-mail that we discussed the Ideal School approval and that the Village has

4/2/2009

approved the construction drawings as long as your additional notes and letter are adhered to (mainly concerning the Eastern Driveway cut removal).

Thank you – It's refreshing to see a municipality pursuing progress instead of red tape.

Matthew G. Harold, P.E.  
Craig A. Smith & Associates  
7777 Glades Rd., Suite 410  
Boca Raton, FL 33434  
(O) (954)782-8222 / (561)791-9280  
(F) (954)786-8927 / (561)791-9818  
(C) 561-312-3244  
[www.craigasmith.com](http://www.craigasmith.com)