

# REGULAR CITY COUNCIL MEETING AGENDA

# RIVIERA BEACH, FL 33404 January 18, 2017 6:00 PM

# NOTICE

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THE PROCEEDINGS SHALL CONTACT THE OFFICE OF THE CITY MANAGER AT 561-845-4010 NO LATER THAN 96 HOURS PRIOR TO THE PROCEEDINGS; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICES 1-800-955-8771 (TDD) OR 1-800-955-8770 (VOICE) FOR ASSISTANCE.

MAYOR

THOMAS A. MASTERS

# CHAIRPERSON

# TERENCE "TD" DAVIS - DISTRICT 5

# CHAIR PRO-TEM

KASHAMBA L. MILLER-ANDERSON - DISTRICT 2

COUNCILPERSONS

LYNNE L. HUBBARD - DISTRICT 1

TONYA DAVIS JOHNSON - DISTRICT 3

DAWN S. PARDO - DISTRICT 4

# ADMINISTRATION

# DANNY D. JONES, INTERIM CITY MANAGER

# CLAUDENE L. ANTHONY, CMC, CITY CLERK

# ANDREW DeGRAFFENREIDT, III, CITY ATTORNEY

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting, such interested person, at own expense, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105.

#### LOBBYING - ORDINANCE 4001 - ADOPTED SEPTEMBER 2011

Lobbyist registration and reporting forms are available for you online and in print. Forms can be obtained in the Office of the City Clerk & in the Council Chambers. Registration and reporting forms shall be submitted to the Office of the City Clerk.

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM; PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF PRIOR TO THE ITEM BEING TAKEN UP BY CITY COUNCIL FOR DISCUSSION. MEMBERS OF THE PUBLIC SHALL BE GIVEN A TOTAL OF THREE (3) MINUTES TO SPEAK ON ALL ITEMS LISTED ON THE CONSENT AGENDA. MEMBERS OF THE PUBLIC WILL BE GIVEN THREE (3) MINUTES TO SPEAK ON EACH REGULAR AGENDA ITEM. IN NO EVENT WILL ANYONE BE ALLOWED TO SUBMIT A COMMENT CARD AND SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

#### CALL TO ORDER

Roll Call

Invocation

Pledge of Allegiance

#### AGENDA Approval:

Additions, Deletions, Substitutions

**Disclosures by Council** 

Adoption of Agenda

#### Comments From the Public on Consent Agenda (Three Minute Limitation)

CONSENT AGENDA

ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILPERSON SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

#### **MINUTES**

1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD, DECEMBER 21, 2016.

#### **RESOLUTIONS**

- 2. RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT BETWEEN THE CITY AND SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO ACCEPT COOPERATIVE FUNDING PROGRAM FUNDS IN THE AMOUNT OF \$150,000 FOR FISCAL YEAR 2016-2017 FOR THE SINGER ISLAND SOUTH RECONSTRUCTION PROJECT; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO APPROPRIATE A BUDGET AND APPROPRIATE FUND BALANCE FROM 140-1123-538-0-6304 IN THE PAVING AND DRAINAGE CONSTRUCTION FUND IN THE AMOUNT OF \$150,000; AND PROVIDING AN EFFECTIVE DATE.
- 3. RESOLUTION NO. \_\_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM MEDITERRANEA PALM PROPERTY SUBSIDIARY, LLC, FOR 236 TOWNHOME UNITS AND 152 SINGLE FAMILY UNITS IN THE MEDITERRANEA PLANNED UNIT DEVELOPMENT, LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE, AT 4046 WOODS EDGE CIRCLE; PROVIDING SPECIFIC CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.
- 4. RESOLUTION NO. \_\_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PLAT APPLICATION FROM MEDITERRANEA PALM PROPERTY SUBSIDIARY, LLC, FOR THE MEDITERRANEA PLANNED UNIT DEVELOPMENT LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE; AND PROVIDING FOR AN EFFECTIVE DATE.

#### COMMUNITY BENEFITS REQUESTS ON CONSENT

5. HEART, HEALTH, HEALING MINISTRIES, INC. - \$500 -

COUNCILWOMAN LYNNE L. HUBBARD - TO DEFRAY EXPENSE OF VARIOUS HEALTH TESTS OFFERED TO THE RIVIERA BEACH RESIDENTS.

#### END OF CONSENT AGENDA

#### PETITIONS AND COMMUNICATIONS FOR FILING

#### AWARDS AND PRESENTATIONS

#### **PUBLIC HEARINGS**

#### ORDINANCES ON SECOND READING

6. ORDINANCE NO. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 23, "PUD PLANNED DEVELOPMENT UNIT DISTRICT". SECTION 31-494. "PROPERTY DEVELOPMENT STANDARDS FOR THE R-PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT", IN ORDER TO PROVIDE FOR UPDATED RESIDENTIAL DEVELOPMENT STANDARDS TO PROMOTE CREATIVE DESIGN AND LAND USE: PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

# <u>COMMENTS FROM THE PUBLIC - 7:30 PM Non-Agenda Item Speakers (Three</u> <u>Minute Limitation</u>)

Public Comment should be restricted to issues, matters, or topics pertinent to the City of Riviera Beach. Please be reminded that the City Council has adopted "Rules of Decorum Governing Public Conduct during Official Meetings", which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker or attendee removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

Public Comments shall begin at 7:30 PM unless there is no further business of the City Council, which in that event, it shall begin sooner. In addition; if an item is being considered at 7:30 PM, then comments from the public shall begin immediately after the item has been concluded.

#### **REGULAR - OLD BUSINESS**

<u>REGULAR</u>

ITEMS TABLED

**DISCUSSION AND DELIBERATION** 

7. DISCUSSION REGARDING SUPPORTING THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. (SFPMFA) COMMEMORATION OF THE CITY OF RIVIERA BEACH 94TH ANNIVERSARY.

# **BOARD APPOINTMENTS**

8. REAPPOINTMENT OF LIBRARY ADVISORY BOARD MEMBERS.

DISCUSSION BY CITY MANAGER

DISCUSSION BY CITY ATTORNEY

CITY COUNCIL COMMITTEE REPORTS

STATEMENTS BY THE MAYOR AND CITY COUNCIL

**ADJOURNMENT** 

#### CITY OF RIVIERA BEACH CITY COUNCIL AGENDA ITEM SUMMARY

**Meeting Date:** 1/18/2017

Agenda Category: CONSENT

#### Subject: MINUTES OF THE CITY COUNCIL MEETING HELD DECEMBER 21, 2016

# Recommendation/Motion: APPROVE THE MINUTES OF THE CITY COUNCIL MEETING HELD DECEMBER 21, 2016

Originating Dept	OFFICE OF THE CITY CLERK	Costs
User Dept.	ALL	Funding Source
Advertised	No	Budget Account Number
Date		
Paper		
Affected Parties	Not Required	

Background/Summary:

Fiscal Years
Capital Expenditures
Operating Costs
External Revenues
Program Income (city)
In-kind Match (city)
Net Fiscal Impact
NO. Additional FTE Positions
(cumulative)

#### **III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments:

C. Department Director Review:

Contract Start Date				
Contract End Date				
Renewal Start Date				
Renewal End Date				
Number of 12 month terms this renewal				
Dollar Amount				
Contractor Company Name				
Contractor Contact				
Contractor Address				
Contractor Phone Number				
Contractor Email				
Type of Contract				
Describe				
ATTACHMENTS:				
File Name	Description	Upload Date	Туре	
21DEC16.docx	MINUTES OF THE CITY COUNCIL MEETING HELD DECEMBER 21, 2016	1/6/2017	Minutes	
REVIEWERS:				
Department	Reviewer	Action	Date	
City Clerk	Robinson, Claudene	Approved	1/6/2017 - 1:44 PM	
Purchasing	Mealy, Dean	Approved	1/6/2017 - 1:58 PM	

Jones, Danny

Approved

1/11/2017 - 5:22 PM

City Manager

# CITY OF RIVIERA BEACH PALM BEACH COUNTY, FLORIDA CITY COUNCIL MEETING MINUTES MUNICIPAL COMPLEX COUNCIL CHAMBERS WEDNESDAY, DECEMBER 21, 2016 AT 6:00 P.M.

(The following <u>may</u> contain unintelligible or misunderstood words due to the recording quality.)

[Before meeting chatter]

[Gavel]

# CALL TO ORDER

**CHAIRPERSON DAVIS:** Good evening everyone. Welcome to the wonderful City of Riviera Beach. Tonight, we're getting ready to conduct our December 21<sup>st</sup> City Council meeting.

# ROLL CALL

# INVOCATION

CHAIRPERSON DAVIS: Madam Clerk, roll call, please.

**CITY CLERK ANTHONY:** Mayor Thomas Masters. [Pause]. Chairperson Terence Davis?

CHAIRPERSON DAVIS: Here.

**CITY CLERK ANTHONY:** Chair Pro Tem KaShamba Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Present.

**CITY CLERK ANTHONY:** Councilperson Lynne Hubbard? [Pause]. Councilperson Tonya Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Here.

CITY CLERK ANTHONY: Councilperson Dawn Pardo?

**COUNCILPERSON PARDO:** Present.

**CITY CLERK ANTHONY:** Interim City Manager Danny Jones?

**INTERIM CITY MANAGER JONES:** Here.

**CITY CLERK ANTHONY:** City Clerk Claudene Anthony is present. Assistant City Attorney Lina Busby?

# ASST. CITY ATTORNEY BUSBY: Here.

### CHAIRPERSON DAVIS: Thank you.

# PLEDGE OF ALLEGIANCE

**CHAIRPERSON DAVIS:** We'll stand and pause for a moment of silence as the Pledge will be led by Vice Chair Miller-Anderson.

[Moment of silence]

CHAIR PRO TEM MILLER-ANDERSON: I pledge allegiance...

**ALL:** ...to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.

CHAIRPERSON DAVIS: Thank you.

# ADDITIONS, DELETIONS, SUBSTITUTIONS

**CHAIRPERSON DAVIS:** Mr. Jones, do we have any additions, deletions or substitutions?

**INTERIM CITY MANAGER JONES:** Yes, we do. Deletions, we'd like to delete Item No. 3. We'll bring it back for the next regular meeting.

CHAIRPERSON DAVIS: Okay.

**INTERIM CITY MANAGER JONES:** And, under Community Benefits, we have Item No. 5A, 5B and 5C.

**CHAIRPERSON DAVIS:** Okay. Let the record reflect that Councilperson Hubbard has now arrived on the dais. Okay. Back to Mr. Jones. So, 5A, B and C.

**INTERIM CITY MANAGER JONES:** Yes. They're all Community Benefit.

CHAIRPERSON DAVIS: And deletions, Item no. 3, from the Consent.

**INTERIM CITY MANAGER JONES:** Item No. 3.

CHAIRPERSON DAVIS: Okay.

DISCLOSURES BY COUNCIL

CHAIRPERSON DAVIS: Any disclosures by the Council?

**CHAIR PRO TEM MILLER-ANDERSON:** Yes. I met with the representatives from., for Item No. 6.

# COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

**COUNCILPERSON PARDO:** I also met with representatives and the Director of the Housing Authority on Item No. 6.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

**COUNCILPERSON DAVIS JOHNSON:** I also am disclosing that I met with Mr. Brian Finney of the HTGC group and Housing Authority Board President, Mr. Thomas.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON HUBBARD: Mr. Chair, I too met with them.

**CHAIRPERSON DAVIS:** And I also have met with the same Housing Authority and as well as the HTGC Group, as well. Any other disclosures by any Members of the Board? [Pause].

#### ADOPTION OF AGENDA

**CHAIRPERSON DAVIS:** Can I have a motion to adopt the Agenda?

COUNCILPERSON DAVIS JOHNSON: So moved.

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIRPERSON DAVIS: Madam Clerk.

**CITY CLERK ANTHONY:** Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

**CITY CLERK ANTHONY:** Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

# CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Thank you.

# **CONSENT AGENDA**

**CHAIRPERSON DAVIS:** Before approving Consent, would anyone like to have any Items removed from Consent before a motion is taken to approve?

COUNCILPERSON PARDO: Well, um, yes. Mr. Chair?

CHAIRPERSON DAVIS: Yes.

**COUNCILPERSON PARDO:** I just want, um, I have a question on Item B., 5B.

CHAIRPERSON DAVIS: Sure.

**COUNCILPERSON PARDO:** So, we'll pull that.

CHAIRPERSON DAVIS: Item 5B.

COUNCILPERSON PARDO: Yes, please.

**CHAIRPERSON DAVIS:** Anyone else? Can I have a motion to approve Consent with Item 5B being pulled?

COUNCILPERSON PARDO: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Thank you. Madam Clerk.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Councilperson Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

# <u>ITEM 5B</u>

CHAIRPERSON DAVIS: 5B. Madam.., Councilperson Pardo.

**COUNCILPERSON PARDO:** Okay. So, this is \$3,125 to Southeast Florida Public Market Fair Association for Scholarships. Okay. So, can you tell me how residents can go about receiving information on these scholarships? And I'm asking that because I've been in.., I guess, the past week or so I've, I've gotten several calls from residents. I guess the, the seniors have received their letters of acceptance to a lot of colleges.

# CHAIRPERSON DAVIS: Mhmm.

**COUNCILPERSON PARDO:** And people are now looking for scholarship money for their kids. So, you know, they're aware of Roseanne Brown's and I gave them other things, Florida League of, uh, Palm Beach County League of Cities they can look at. And then, when I saw this Item, I went on the Southeast Florida Public Fair Association and I didn't see anything about the scholarships. And there's...

#### CHAIRPERSON DAVIS: Well...

COUNCILPERSON PARDO: ... nothing in the back so how do they go about finding ...

CHAIRPERSON DAVIS: Well...

COUNCILPERSON PARDO: ...out about this ...

CHAIRPERSON DAVIS: Well, they have two...

COUNCILPERSON PARDO: ...money?

**CHAIRPERSON DAVIS:** Well, they have two options. Just like if you watched the.., well, I don't know if you was here that night. Last year, we gave and committed to giving scholarships to a group of students from Riviera Beach that chose to take a negative issue and when someone was gettin' shot and so, one of the parents who I work with amongst my office as a volunteer, decided to put out a public survey to talk about how did that situation impact you and what would you do differently? And, the South Florida Public Market Fair decided to offer scholarships to those kids because they wanted to support those kids for doing someth'.., a wonderful job with being positive and influential to the community. And they had committed moving forward to offer scholarships. And two of the students, specifically, are going to Tuskegee University which is out of state tuition. As we all know, it's very expensive and this organization wanna find a way to give back to the community and they support it and they've been giving dollars to those kids. And moving forward, they

wanted to open up an opportunity for many others so, if anyone wanted to contact that organization, they can call me and I can feel free to give 'em out the information so when they get.., there's a application process they can apply for when those scholarships are issued out every year, that they can have an opportunity to [inaudible].

COUNCILPERSON PARDO: Okay. So that...

**CHAIRPERSON DAVIS:** But the scholarships spec'.., are specifically for books.

**COUNCILPERSON PARDO:** Okay. I didn't see that in the backup. And, um, alright. So that information will also be on the Southeast Florida Pubic Market Fair Association website?

CHAIRPERSON DAVIS: Well, I will not speak for them at this time but what I...

**COUNCILPERSON PARDO:** Are they here?

**CHAIRPERSON DAVIS:** ...will do is get the information... I will give you their contact if you wanna reach out to 'em, feel free to do so.

COUNCILPERSON PARDO: Well. Thank you.

**CHAIRPERSON DAVIS:** Thank you. Anyone got any other questions? [Pause]. Thank you.

CITY CLERK ANTHONY: [Inaudible].

**CHAIRPERSON DAVIS:** It was, it was a add-on so I will allow someone to come speak and ask the question. Ms. Bonnie Larson.

[Inaudible dais comments]

**MS. B. LARSON:** Bonnie Larson. That was, [stammer], my question also that Ms. Pardo asked about why are we giving money to an association for scholarships? Because..., why don't we make it easy for everybody and just have some... Roseanne Brown's been doing it for years. Why don't we leave all the money in her pocket and then all the residents will know, if you want a scholarship, here's where you go rather than going to five different associations and asking for money. Also, it's a strange amount of money, \$3,125. The scholarship..., when she comes here, I think she says they're \$1,000 scholarships. But, my question is, no one's gonna know this. This is a, a separate association. How is anybody even gonna know to go to them? And, like I said, why don't we just consolidate the whole thing. If Roseanne Brown is your choice, have her be the scholarship progra'..., person and then everybody in Riviera Beach who's got kids, go through Roseanne Brown.

CHAIRPERSON DAVIS: Thank you.

**MS. B. LARSON:** Just a question.

**CHAIRPERSON DAVIS:** Just to answer that question, Ms. Larson. What I'm trying to do, at least with my funds, anytime I have an opportunity to give funds to help kids in Riviera Beach to.., the area that I grew up in, and that I so love, I will give everything I have. So there is no specific amount when you're trying to do something positive.

We got to find a way to get our local non-profits more active. Because, as a government entity, it's not our responsibility to take the sole responsibility of helping our kids but to support the local non-profits around us. Because what's been happening in the history of Riviera Beach, people been coming to the City for government..., for ha'..., for help. No, we need to help our, our local non-profits that are doing their jobs, with the JAYS Ministries, the Bridges, and all these different organizations and let's direct people, traffic to those organizations. And we have to find a way to support them instead of the Ci'..., instead of us solely doing it as a government. We need to find our community partners and support those community partners. And now it's time, you know, we start changing the way we do business in..., not that the City Scholarship Fund doesn't work but if you have another scholarship that's out there giving scholarships specifically for books. You know, you can never go wrong for trying to do the right thing.

Thank you. Madam Clerk, roll call, please.

**CITY CLERK ANTHONY:** We need a motion on the floor, please.

CHAIRPERSON DAVIS: Can I have a motion to approve this Item.

CHAIR PRO TEM MILLER-ANDERSON: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Madam Clerk.

**CITY CLERK ANTHONY:** Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

**CITY CLERK ANTHONY:** Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

**CITY CLERK ANTHONY:** Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

# CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Thank you so much.

# END OF CONSENT AGENDA

# PETITIONS AND COMMUNICATIONS FOR FILING

**CHAIRPERSON DAVIS:** Now that Consent has been approved, now, we'll go down to Petitions and Communications for filing.

# CITY CLERK ANTHONY: None.

# AWARDS AND PRESENTATIONS

CHAIRPERSON DAVIS: Do we have awards and presentations?

CITY CLERK ANTHONY: None.

# 6. <u>ITEM NO. 6</u>

#### PUBLIC HEARINGS

CHAIRPERSON DAVIS: Item No. 6, public hearings.

CITY CLERK ANTHONY: RESOLUTION NO.\_ARESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING \$551,000 (LOCAL MATCH), IN THE FORM OF A GRANT, TO THE RIVIERA BEACH HOUSING AUTHORITY TO BE USED AS A TAX CREDIT INCENTIVE FOR A 79 UNIT AFFORDABLE HOUSING RENTAL COMMUNITY ("HERON ESTATES PHASE II") LOCATED AT 2003 W. 17TH COURT (PARCEL CONTROL NUMBER 56-43-42-31-01-000-0010) TO COMPLY WITH THE LOW INCOME RENTAL HOUSING TAX CREDIT INCENTIVE REQUIREMENT UNDER THE FLORIDA HOUSING FINANCE CORPORATION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do we have a motion?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Staff, you have a presentation?

**PRINCIPAL PLANNER SPRADLEY:** Yes, sir. Good evening, ladies and gentleman. Deandre Spradley, Principal Planner and basically, this is similar to the program that the Council approved for the project that was located on Broadway but just for the public, I will do a general overview of the project under the William E. Sadowski Affordable Housing Act. There is a program called the Florida Housing Finance Corporation and, underneath that particular program, there.., they provide funding for the maintenance and development of affordable housing. And within the Florida Housing Corporation, there's a multi-family rental program that offers financing in the form of zero to low interest loans to builders of affordable housing. And in order to qualify for these particular funds, the developer must do new construction or substantial rehabilitation.

Within the multi-family rental program, there is the Low-Income Housing Tax Credit program and the Heron Estates, Phase 2, which is formerly known as Ivy Green, they are proposing to do 79 affordable units. One of the requirements under the Low-Income Housing Tax Credit program, they must obtain a local tax incentive grant, basically, about 9% of the total construction value in order to qualify for the funding. However, the Housing Authority, they are going after additional points under the local government areas of opportunity and underneath that particular program, there is a minimum of \$551,000 versus the \$75,000 that was presented for the other developers. Contingent upon approval, this particular fund will come from the general fund account. The Housing Authority, they have a partnership with the CRA and they plan on reinvesting the \$551,000 back into the CRA. And prior to that being..., let's say that this particular development does go through and they are awarded the funds, Staff is requesting that before any funds are allocated, that a interlocal agreement between the City, the CRA, and the Riviera Beach Housing Authority will be established.

This is just the proposed site plan. The Phase 1, currently is under site plan review by Staff and that is for the senior housing. And, at this particular time, if Council has any questions, and I do see representatives from the Housing Authority that are here to answer any questions and I believe that they also have a presentation as well.

**CHAIRPERSON DAVIS:** Okay. Would the Board like to review the Housing Authority presentation?

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible]...

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Ah, Vice Chair.

CHAIR PRO TEM MILLER-ANDERSON: I said that would be great for the public sake.

**CHAIRPERSON DAVIS:** Okay. Let's please... And, Councilperson Pardo. Let's see the Board's presentation as well.

**MR. D. THOMAS:** Good afternoon, Council. I'm Delvin Thomas, the Chair of the Housing Authority, the President of Heron Estates Senior. I'm happy to stand before you tonight to come to you with a plan, a plan that we've been working on for the past 10 years. Since Ivy Green has been torn down. A plan to bring our residents back to the City of Riviera Beach that we lost to other cities because there wasn't housing here for 'em.

Let me introduce some of our members. One of our current sitting members is Jessica Thurmond that's one of our newest commissioners. Vice Chair Jeffrey Jackson to my right. My other two commissioners, Art Cobb and Rance Gatti weren't able to be here tonight and our Director, he is out of the country on his 30<sup>th</sup> anniversary with his wife so that's his vacation so... [Chuckle].

# CHAIRPERSON DAVIS: [Chuckle].

**MR. D. THOMAS:** But he would love to be here. I'm sure he's probably watching us on the internet right now. Our development partner, HTG, which is Brian Finney, Misner Group, Mr. Rawn Davis and our architect, Mr. David Lawrence, have all worked hard and, and worked long and late nights with us and long Board meetings to get this plan approved. I'm gonna pass this over to my Vice and he will fill you in on further development plans.

#### MR. J. JACKSON: Good evening.

# CHAIRPERSON DAVIS: Good evening.

# CHAIR PRO TEM MILLER-ANDERSON: Good evening.

**MR. J. JACKSON:** As Mr. Thomas said, I'm Jeffrey Jackson. I live in the community of Thousand Oaks. But, once I was appointed to the Board, I saw an opportunity to do something really iconic for the community, something that the community deserve. A lot of those people was displaced over in that area and we need to do something about that. The City..., the citizens in Riviera Beach need to have some place that they could really be proud of. And in that, we want to move this project forward.

I came on the Board and, and learned a lot from the commissioners. One is sitting among you today and she left the Board with some pretty straightforward instructions and we're committed to those instructions and some of her concerns, and later became my concerns cause I saw the need and she was right on point, we need to have strong local participation. We're gonna ensure that that happens. We're gonna move forward with projects in the coming months to leave no stone unturned with ensuring everybody have the ability to participate. We're gonna help them participate because we recognize the fact that everybody can't respond to, and be responsive to RFQ's, maybe they don't understand the process. It's, it's in depth, it's intimidating in some cases and we need to help 'em with that and we're gonna ensure that we're gonna do that and that's something we're gonna be bearing the burden of.

The other thing we want to do is we wanna ensure the partners we use focus on apprenticeship programs to create streamlines of opportunity for not only today but in the future. And lastly, we want to ensure that we have lines of communication, streamlines of communication with you, the Board, to ensure that we're moving forward with, not only our goals and objectives, but the goals and objectives and, and the vision that you all have cause you our, our leaders and, and we wanna move forward in that light.

Along the way, if there are any questions, we'd be happy to jump in. But for brevity sake, I'm gonna let you get to this presentation. I think you'll enjoy it.

**MR. B. FINNEY:** Good evening. My name is Brian Finney. I'm the Vice President of Development for the Housing Trust Group and have been very, I've been very fortunate to be selected by the Housing Authority to be their development partner. And what we'd like to do, as quickly as possible, is to take you through a brief.., slides of, of, of the project and, and it's concept. [Pause]. And, it's going slow.

That is, as, as Staff had previously mentioned, that, that is, that is the Site Plan that, that we're currently processing for approval. Again, it shows, to the right, to my right, that L-shaped building will be the senior structure which would be 101 units. To the left and sur'..., surrounding the structure, would be the 79 units of family townhomes. They will all be rental. Those, those units will all be made available, everything on the site will be ma'..., on the family side, will be made available for working families. This is not a purely public housing project, this is for working families. And of course, the seniors, most will be retired and receive support.

There are some floor plans and, unfortunately, we, we.., it's not clear but if I can just run through these really quickly I can give you a description of what the bedrooms are, um, and the sizes and I think that'd be probably a more instrumental discussion. [Pause]. This would be our main entrance of our structure. And you'll look at that structure as you're proceeding, heading down Congress Avenue, headed south, um, you will see that. And at night, when it's lit up, it is quite an imp'.., it will be quite an impressive, if you will, introduction to the site. It, it, it will be very impressive when it's done. And I'm gonna take a ch'... Is it now we wanna show the, uh...

**UNK:** Animation.

**MR. B. FINNEY:** Yeah. We, I, we'd like to take a, a quick moment to show you the animation of the project. It, it's quite informative and then I'll get back to my presentation.

[Pause]

**MR. B. FINNEY:** I'm glad he's here cause I would a messed that up.

**MR. D. LAWRENCE:** Good evening. My name's David Lawrence with David Lawrence Architecture. This is, uh, you're taking an animation walk around the building. We're now coming up, as you saw in the previous drawing images of the front entrance so you're coming around to the, the front entrance. [Pause]. Then we're going to turn west, go down the west side of the building. [Pause]. That's our covered canopy entrance there and our main atrium space. [Pause]. And these are units, as you can see some of 'em have little, little bay windows and some of 'em have balconies. This, uh, spot here, where we're pulling around to stop, that's..., they're two secondary entrances. As you can see, that there's open breezeways so it will allow light into the corridor areas. [Pause]. Now, we're gonna go around the building. [Pause]. Back where we came and then... [Pause]. As you can see, the building is three stories, one and two bedroom units. [Pause]. Now, we're coming along..., we're kinda gonna be paralleling Congress, as we head south along the project. [Pause]. This is one of the,

the.., another secondary entrance there. Kinda like the one we saw before. [Pause]. [Inaudible] go with the design concept with something is more, you know, the colors are vibrant, excited and we think the design is a more leading-edge design, contemporary design. This is the south end of the project, also another entrance. Now we're coming around to the water feature and the... So, a lot of these units will look out onto the water feature. [Pause]. That we'll see in a second. [Pause]. In this area over here, that's the back end of the entry area, that's the community center there. This is just a little sculpture and.., with benches. And we're flying through the air here so you're getting a little bit of an aerial view of the project. [Pause]. And, down here you can see the pool with a little covered canopy and a jacuzzi area right there. [Pause]. This is the generator and this is the Public Works part, you know, for the maintenance areas. And there's those cor'.., into those corridors. Oop. Sorry about that. [Pause].

And that's it.

**MR. D. THOMAS:** One important item to note is that what you just saw now was a, a, a snapshot of the senior housing, the 101 units. This is not a plan. This is a concept, a project that is fully funded. We don't have to come back to you for any more money for this..., for this. This is done. We expect to close on our financing on this project in July or August this year. So it's not a concept, this is real.

**CHAIRPERSON DAVIS:** Please get a little closer to the mic.

**MR. D. THOMAS:** I'm sorry.

CHAIRPERSON DAVIS: Yeah. There you go. That's fine.

**MR. D. THOMAS:** Again, this is not a concept, this is real. We plan to close on this phase in July or August of 2017. This is happening now. Again, we've gone through that, [inaudible] have seen it. And I've lost my presentation. So, [chuckle], let me, let me, let me go by.., let, let me hit some, some high points.

First and foremost, the second phase of which we're asking your support will be seventy'..., seventy'..., 79 units will cost approximately \$7.9M..., excuse me, \$17.9M. We have financing commitments if we are approved from..., for equity, Raymond James. We have debt, debt commitments from Chase in, uh..., and we have another entity, I forget the name but we do have our financing in place. Now, for the record, we guarantee, HTG will guarantee 100% of the project's financings. The Housing Authority will receive a ground lease and once our guarantees are burnt off, which is, our compliance guarantees are burned off, our funding guarantees are gone and we pay back all the debt, we will give the property to the Housing Authority. It'll be a \$1 transaction. So, essentially what we would be doing, is building an asset base of the Housing Authority. We're good at developing, we're good at building, we believe the Housing Authority will be able to manage the project moving forward.

The renderings that you, you've, you've.., we've shown you tonight came out of a community process. We met with Housing Authority Board and the members of the Board indicated the amenities package, indicated the colors.., the color schemes that

you're gonna see. So this is purely a transparent and, uh, and a very interesting process. And Ms. Shepherd of.., Shepherd of course, was there to guide us through replacing the housing that was once there.

In a minute, I'm gonna call Ron Davis up and, and Ron is gonna talk more about what we plan to do in terms of our local participation. We've ex'.., we've spent extended.., extended amount of time trying to figure out and, and trying to find the best ways to achieve tho'..., that agenda. We are a now at the stage where it is best to have those discussions. Because previously, we spent four years on trying to identify the best transaction and trying to get the resources necessary to begin Phase 1 and now we're talking about Phase 2. We're passed the transaction phase now. Now, we come back from talking about raising capital to investing capital and then to begin our community engagement process. As we stand here now, we have plans, as we move forward on the first phase, to do preliminary announcements on the availability of, of project work at Heron Estates for the senior building. We expect to kick that off at the, at the end of February, early March. That'll be our prelim'..., preliminary announcements because we are in the process of, once the site plan is approved, we're gonna start doing our building plans. Once we've finalized our building plans, or close to finalizing our building plans, that's when we're gonna start the outreach to reach out to folks to work on the project.

With that being said, let me invite Mr. Davis up to talk more about our procurement. Ron.

**MR. R. DAVIS:** Thank you. Good evening, Members of the Council. I'm Ron Davis. I'm President of the Mosnar Group which is a local minority owned real estate development advisory firm. And it's my pleasure to be here to talk to you about this project and one of the roles that I will play specifically, has to do with local hiring and local contracting opportunities. I know that this a issue of high priority to Members of the City Council and to the community. I've spoken with many of you, almost all of you, individually about it and our commitment to attaining the goals, not only the Housing Authority in Section 3 but also the goals of the City of Riviera Beach. Ms. Hubbard sat on that Housing Authority Board as we went through this process early on. We made commitments then and those same commitments we hold to today.

We will be very aggressive in outreach to local firms, very aggressive. We're going to utilize other locals to assist us in our process, we're going to be having outreach meetings, we're gonna be working with churches and other community organizations, we're gonna be working through the office of, of..., the county's office of Small Business Assistance to make sure we get in touch with all of the available minority firms and local small businesses in this area. We're going to be doing this very aggressively and to be monitoring and reporting that to you on a regular basis. Mr. Finney mentioned that we're gonna start this process next spring or so, however, we have informally started the process already. I have already spoken to several Riviera Beach contractors, several Riviera Beach firms to..., about getting involved in this project. This project will have a significant construction budget and for..., it's gonna be one of the most significant

projects of this type in the City of Riviera Beach that will impact the African American community, in particular.

So, we have been very aggressive. As I said, we have already.., I have personally already met with and reaching out to local firms. We'll go for Riviera Beach firms first and to meet as much of the goal as possible. Beyond that, we will then spread out to the greater West Palm Beach area second. And thirdly, we'll spread out to the balance of Palm Beach County. So that is our plan and we make that commitment to you. We are looking at.., the Housing Authority has very ambitious participation goals. I think it was around 80% at one t'.., uh, at a, at one time. But we know and they know that that's a, that's a goal that we'll, we'll work towards. I think the City Council typically hovers around 30% or so. I th'.., I know that we can reach that goal and we'll.., and do better but we certainly will work with local, Riviera Beach firms first.

Do you have any questions about that? I'd be more...

# CHAIRPERSON DAVIS: Thank you.

**MR. R. DAVIS:** ...than happy to respond.

**CHAIRPERSON DAVIS:** Thank you Mr..., Mr. Davis. Does anyone have any questions for Mr. Davis or this, this particular group or the Housing Authority?

**COUNCILPERSON PARDO:** Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Pardo.

**COUNCILPERSON PARDO:** I have a question for Staff. Okay. So, I guess this is for Deandre or City Manager. So, what we're doing tonight is saying either aye or nay that we're gonna put up the whatever amount, \$550,000 for this. But, this project still has to go to Planning & Zoning, it still has to get approval from Staff. Correct?

**INTERIM CITY MANAGER JONES:** Yes.

**COUNCILPERSON PARDO:** Okay.

**INTERIM CITY MANAGER JONES:** Yes.

COUNCILPERSON PARDO: Alright. I...

**INTERIM CITY MANAGER JONES:** It does.

**COUNCILPERSON PARDO:** Right. So it hasn't been to Planning & Zoning yet?

PRINCIPAL PLANNER SPRADLEY: No, [inaudible]...

**INTERIM CITY MANAGER JONES:** Not this phase.

PRINCIPAL PLANNER SPRADLEY: Not this...

## **INTERIM CITY MANAGER JONES:** No.

PRINCIPAL PLANNER SPRADLEY: ...particular...

**INTERIM CITY MANAGER JONES:** Not this phase.

**PRINCIPAL PLANNER SPRADLEY:** ...project has not gone to Planning & Zoning Board yet. But, upon approval, it.., we will be presenting it to the Planning & Zoning Board, as well as City Council for approval.

**COUNCILPERSON PARDO:** Okay. So when are you anctic'.., anticipating them going to Planning & Zoning?

**PRINCIPAL PLANNER SPRADLEY:** Well, they'll.., this particular project, what they're doing now is basically applying...

COUNCILPERSON PARDO: So, it...

PRINCIPAL PLANNER SPRADLEY: ....for the....

COUNCILPERSON PARDO: ...won't be going...

PRINCIPAL PLANNER SPRADLEY: ...grant portion...

**COUNCILPERSON PARDO:** ...to Planning & Zoning until they get the credits?

CHAIRPERSON DAVIS: February.

**PRINCIPAL PLANNER SPRADLEY:** Right. Like, they haven't even submitted the site plan application for, um, the second phase. Wait, wait. My apologies. They have submitted site plan application for that particular phase but right now, what they're trying to do is just basically...

**COUNCILPERSON PARDO:** Yeah. I understand that.

PRINCIPAL PLANNER SPRADLEY: ....apply...

**COUNCILPERSON PARDO:** I just wanna know what's going on, on the City side. So have...

PRINCIPAL PLANNER SPRADLEY: They have...

**COUNCILPERSON PARDO:** ...they gone to Planning &...

PRINCIPAL PLANNER SPRADLEY: ...outstanding comments...

COUNCILPERSON PARDO: ....Zoning yet?

**PRINCIPAL PLANNER SPRADLEY:** Right. They have outstanding comments that they need to address before they go further.

**COUNCILPERSON PARDO:** Okay. Thank you.

PRINCIPAL PLANNER SPRADLEY: Mhmm.

**CHAIRPERSON DAVIS:** Any other questions by any Members of the Board?

COUNCILPERSON HUBBARD: I have a couple comments.

CHAIRPERSON DAVIS: Commissioner Hubbard.

COUNCILPERSON HUBBARD: Welcome gentlemen. Good to see all of you again. The.., my concern with this.., and I won't say that it's a concern, what I'd like to see happen is that those items that speak to local participation and local contractors are done on the front end and is a part of..., an enforceable part of the agreement and with the understanding that, um, in 2018 or whenever you guys get the money, if that's not a.., if that's not a viable part, one that has been worked through or attained, that that, that that, that has consequence. We need to, as the Chair said, to do business a different way and we have to get our agreements and our assurances in writing and we have to get them on the front end. And, as Mr. Ron Davis mentioned, this will have a great impact on the African American community and I know you gentlemen know how to go beyond 30%. 30%, let me say this, doesn't interest me. It's not satisfactory to me. As soon as we can get around to that, we have to fix that on our end as well because I'm not interested in giving anyb'... having 30% of something that already belongs to me. So, if we have a vested interest in this project at the tune of a half a million dollars. I wanna have a vested interest... I want our residents to have a. a vested interest in it as well.

So, I don't want you to think that we ca'.., that we can sign in this agreement at the tune of 30%. That has to be much higher, you know, before we issue our half a million dollars.

**MR. J. JACKSON:** May I, Commissioner Hubbard? Maybe Mr. Davis thought I was teasing but I was.., we were serious about that. We, we.., he [stammer], it's not just a, a goal, it's something we wanna do, it's something we, we need to do. We need to be..., and I understand 30..., 80% is a lot but we certainly need to be up in that neighborhood and, and I was.., on this worst day I'm thinking above 50% but, uh, so, that's our goal. You, you spoke to it many times. We heard you and we're gonna..., I think we can achieve it. And we'll put together some things to ensure that we achieve it. And, and I've gone to conferences and seen how it's been duplicated in some other places, Tampa, St. Pete. Some of you were at tho'..., that same conference sitting beside me and, and so we learned how it can be done. I know it can be done.

**COUNCILPERSON HUBBARD:** Absolutely. So., and, and that's, that's, um, that's my only, you know, that, that's my only concern is that Staff., Mr. Jones, if we.., when we

go into agreement, when we draft our agreements, that those things are in writing and above the l'..., you know, above where we sign for signature..., our signatures.

**INTERIM CITY MANAGER JONES:** Understood. That agreement...

COUNCILPERSON HUBBARD: Thank you.

**INTERIM CITY MANAGER JONES:** ...would have to come back before the Board, ma'am.

COUNCILPERSON HUBBARD: Okay.

**INTERIM CITY MANAGER JONES:** So you'll get...

COUNCILPERSON HUBBARD: Thank ...

**INTERIM CITY MANAGER JONES:** ... you'll get an opportunity to see it.

**COUNCILPERSON HUBBARD:** Thank you, sir.

**CHAIRPERSON DAVIS:** Alright. Any other Commissioners have any questions for this organization and the Housing Authority?

COUNCILPERSON DAVIS JOHNSON: No question for me.

CHAIRPERSON DAVIS: Vice Chair?

CHAIR PRO TEM MILLER-ANDERSON: No.

**CHAIRPERSON DAVIS:** One thing I would like say, di'..., you know, when you own the property, which the City does for this particular organization, the Housing Authority, it gives us the flexibility to put those guidelines in place. So, when we're doing future development on any property that we own in the City, keep those things in mind, that the fact that you own the property allows you to put those demands in place.

Alright. Madam Clerk, roll call, please.

[Inaudible background comment]

CHAIRPERSON DAVIS: Oh, I'm sorry. Ms. Bonnie Larson then Margaret Shepherd.

[Inaudible dais comment]

CHAIRPERSON DAVIS: [Inaudible].

**MS. B. LARSON:** First, I'd... Bonnie Larson. First, I'd like to say that's the best visual presentation I think we've ever had on any property. We should require everybody does something like this so that we can see it. So that was good.

I have a couple questions. Okay. They talked about the first phase being 101 units for senior units and then they mentioned something about the size, they were gonna tell us the size but I guess they forgot that. So, what is the size of those units? What age do you consider seniors and what is the income level required to be a senior in a 101 units? Then they said there would be 79 townhomes. Are the townhomes somewhere else on the property or are they part of this building or what makes 'em a townhome versus an apartment unit?

And also, what is.., when we build something like this.., well, they build something like this, we need to keep in mind hurricane season. Are we requiring hurricane shutters or some kind of wind resistant glass? Are we requiring that for these people on all our projects?

Thank you. But if you could, if you could [stammer], explain, like I said, the age, the income level and the townhouse situation.

Thank you.

**CHAIRPERSON DAVIS:** Thanks, Ms. Larson. Those are good questions. Ms. Margaret Shepherd.

**MS. M. SHEPHERD:** Margaret Shepherd, Riviera Beach. This is a great day in the City of Riviera Beach. I was the second to the last to leave Ivy Green over in the senior building. The senior building, as Ms. Larson asked, was hurricane proof. When a hurricane came to Ivy Green, the senior building stayed stabilized in that building. I wanna say to this Board and to the Housing Authority, they have given me the opportunity to be a volunteer and walk them through what happened in Ivy Green. I radicalized and radicalized for over a year and I know Ms. Pardo remember and I know Ms. Hubbard remember, it took a year but I made sure that the federal government came in and seized their property and tore it down. So I'm proud of this particular Authority, the Board, the CEO and all of 'em and to you to be a part of the new Ivy Green, the Heron Projects.

They asked me about the building and the color and I think that this particular entity got it right, even down to the color that we had picked. And I think it was yellow, salmon and blue. So, he sh'..., he did show us a picture of that. Whether they do that coloring, I'm not sure but I wanna say that I lived through that horrible day in Ivy Green. Right down to the very day. And I'm very proud that they're articulating and asking how was it? 'Oh, Ms. Shepherd, how did they do it?' And they are articulating for us to come back. Will I go back? Not quite sure but I am a senior and I will have that option with my lease to go back. I ask you all to please consider this particular project. As you said, you own that piece of property. And it's a prime piece of property and I ask you to make it a prime housing development that people will understand that this is a federal project, it's a HUD project, make it where people wanna come back and be proud. As far as the townhouses, the young ladies that have four or five children in those townhouses, I hope you bring it back because they deserve also a place to stay. As

you see in Stonybric'.., brook.., if this building was up, they would have a place to come to.

So, I ask you to please consider it and I know Ms. Hubbard, she sat on that Board and she's gonna make it right also. I have, I have, uh, faith in her and I have faith in you.

[Beep]

**MS. M. SHEPHERD:** And I have faith in this Board that we're gonna make what? America great again.

[Laughter]

**MS. M. SHEPHERD:** Or make the City great again.

**CHAIRPERSON DAVIS:** Could you all please respond to some of the questions that Ms. Larson asked? I think she asked some very valid questions about the seniors age and...

**MR. D. LAWRENCE:** Again, David Lawrence. I wrote down some of these answers. I'm gonna address the architectural questions and then Mr. Finney will address the income level issues. The size of the senior units, the one bedrooms are 737 sq. ft. The two bedrooms are seven hundred and.., I'm, I'm sorry, 973 sq. ft. The townhouses are one, two and three bedroom depending on where they are. The one bedrooms will be for assisted living, uh, or, you know, not assisted living but if you're disabled, that, it's a one-story unit. The other units that she was asking what they are, they are a townhouse, a two-story townhouse style unit. There's [stammer], with surface parking. As far as the issue of hurricane resistance, these buildings will be designed at the current code. The windows they have, will have impact-resistant windows. These are going to be very robust, very safe buildings. They'll be made out of concrete block. These are v'..., gonna be very safe, very resistant, um, buildings for hurricane.

And I'll., now, I'll let him address the age levels.

**MR. B. FINNEY:** Yes. Just as, as a follow up. The, the, the senior definition for this project is 62 and above. So, it will be available to individuals of si'..., at age 62 years old and above. Also, the, the rents are 60% of the median income. What does that mean? Alright. Generally...

# COUNCILPERSON PARDO: [Inaudible].

**MR. B. FINNEY:** ...our rents will start on the senior component at around \$400 to \$500 per month and the sen'.., and the family transaction, depending on the size of the room and the number of people in the units, the rents will be \$900 and below.

**CHAIRPERSON DAVIS:** Thank you. Any questions by any Member of the Board before we call the question?

MR. F. LOZMAN: I have a card.

CHAIRPERSON DAVIS: It came.., I'm sorry, sir but it came after the Item was read.

**MR. F. LOZMAN:** It's at your discretion to let me make my comments.

**CHAIRPERSON DAVIS:** Right now, I just wanna move forward with the meeting. You can address it in public comment, Mr. Lozman.

**MR. F. LOZMAN:** That's pretty pathetic.

CHAIRPERSON DAVIS: Okay. Madam Clerk, roll call, please.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Ch'... Yes?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Okay. [Chuckles]. Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Thank you.

[Inaudible dais comments]

#### 7. <u>ITEM NO. 7</u>

CHAIRPERSON DAVIS: Item No. 7.

#### CITY CLERK ANTHONY: AN ORDINANCE...

[Clapping]

CITY CLERK ANTHONY: ...NO.\_AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA...

**UNK:** Thank you, Chair.

CITY CLERK ANTHONY: ... ENACTING...

UNK: Thankyou, Council.

CITYCLERKANTHONY: ...A MORATORIUM FOR A PERIOD UP TO SIX MONTHS AS THE FILING AND/OR RECEIVING OF ANY APPLICATION FOR SITE PLANS FOR SINGLE PRICE OVERSTOCK/DISCOUNT STORES WITHIN THE CITY; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON DAVIS JOHNSON: So moved.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Properly moved and second. Staff?

**INTERIM CITY MANAGER JONES:** Well, as you know, Mr. Chair, this a second read for this Item and we had no additional comments or questions submitted to the Community Development Department.

[Inaudible dais comments]

**INTERIM CITY MANAGER JONES:** We're asking that you consider the Item.

CHAIRPERSON DAVIS: [Inaudible]. Say that again.

**INTERIM CITY MANAGER JONES:** This is a second read on this Item.

CHAIRPERSON DAVIS: Okay.

**INTERIM CITY MANAGER JONES:** We did not receive any additional comments or questions from the public concerning this Item. We just ask that the Board consider this Item for approval.

**CHAIRPERSON DAVIS:** Okay. I have two public comment cards. Mr. Lozman, where's he at.

CHAIR PRO TEM MILLER-ANDERSON: Right there.

CHAIRPERSON DAVIS: Did you want Item 7 or 8? Because it...

MR. F. LOZMAN: Item 8.

CHAIRPERSON DAVIS: 8? Okay. Ms. Larson.

**MS. B. LARSON:** Bonnie Larson. Question for our City Manager. How many of these stores do were presently have in the City? Item No. 2, I'm wondering should we ban this type of, of...

[Chuckle]

**MS. B. LARSON:** ...store completely? We have so many. We'll be.., we'll know how many in a minute here. Because we're just startin' to look like a Dollar City. And thirdly, if you still go with it at some point, can we, at least, ban it from our major streets so when people come in to make an investment in Riviera Beach, the first thing they see is gonna be dollar store, dollar store, Family Gen'... We have so many of 'em on Broadway right now and our other major streets. Can we do that?

So, those are my questions. How many do we have now, um, can we ban it completely and if not, can we at least ban it from certain of our major streets?

Thank you.

**CHAIRPERSON DAVIS:** Thank you, Ms. Larson. That's the end of public comment for Item No. 7. Do we have any questions by any Members of the Board? [Pause]. Here, none. Madam Clerk, roll call, please.

**CITY CLERK ANTHONY:** Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

**CITY CLERK ANTHONY:** Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Thank you.

8. <u>ITEM NO. 8</u>

CHAIRPERSON DAVIS: Now we move on to Item No. 8.

CITY CLERK ANTHONY: ORDINANCE NO.\_\_\_AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ENACTING A MORATORIUM FOR UP TO ONE-YEAR AS TO THE FILING, RECEIVING AND PROCESSING OF ANY APPLICATION OR PERMIT FOR THE ESTABLISHMENT, DEVELOPMENT OR OPERATION OF A MEDICAL MARIJUANA DISPENSARY OR MEDICAL MARIJUANA TREATMENT CENTER AS DEFINED HEREIN, PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do we have a motion?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

CHAIRPERSON DAVIS: Do we have a second?

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Properly moved and second. Staff.

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Good afternoon, Council and Staff. Jeff Gagnon, Assistant Director of Community Development. This is a second read of this Ordinance. It was approved on December 7<sup>th</sup> unanimously. It's been effective. To date, we've had a few interested parties so, again, this will allow us time to develop regulations in conjunction with any sort of medical marijuana dispensary or medical marijuana treatment center in the City.

**CHAIRPERSON DAVIS:** Okay. Let's go to public comment card. We got one. Mr. Fane Lozman.

Fane Lozman, 4901, 5101, 5241, 5251 and 5301 North Ocean Drive. MR. F. LOZMAN: The City of Ft. Lauderdale had an item on its Agenda today involving a marijuana moratorium and it was 180 days. They needed 180 days to get their acts together, to come up with the proper land use regulations and then they were going to, uh, go forward with it. There's no reason it's gonna take 365 days. That's just a random number that has been thrown out there. That's not what other municipalities are doing. Why should you care? Hey, I have no confidence in Jeff Gagnon. You'll learn in the coming months why. You'll probably end up firing him when you see what happens with the Harbor Point project. But, the point is, the voters passed this amendment. They voted to allow medical dispensaries for marijuana. Now, why is that important? One of the reasons it's, it's important is a lot of young children that have seizures need marijuana to control their seizures. You know, there's some staunch Republicans that are anti-drug who've changed their, their tone of marijuana when they looked at the medical research regarding young children and seizures. There are numerous chemotherapy people that use marijuana to control nausea and, and symptoms. So, by depriving them of this opportunity to get this product in our City, what are you encouraging? To buy from drug dealers on the street? To go to other municipalities?

Whether you like it or not, the voters voted for this Item and to sit here and throw it in the hands of a guy who's a smug, obnoxious guy...

CHAIRPERSON DAVIS: Please, please.

**MR. F. LOZMAN:** ...that isn't gonna cut it. I'm gonna tell you the way it is. Look at him smiling here.

CHAIRPERSON DAVIS: Mr. Lozman, Mr. Lozman. Direct...

MR. F. LOZMAN: Okay?

CHAIRPERSON DAVIS: ... your comments to the public in the microphone but not...

MR. F. LOZMAN: But...

CHAIRPERSON DAVIS: ...[inaudible]...

...my comments can be directed to this man. We need a new leader MR. F. LOZMAN: for the community development director position. Mary McKinney's been gone, what, seven or eight months? Yet, he's still running the show, he can get this done in 180 days just like other municipalities around South Florida. 365 days is mocking what the voters approved. There's people in this community that meet the definition, that have the medical conditions that need this product. And to put it in this guy's hand, 'Oh, it's gonna take 365 days.' Say it takes 720 days. He obviously doesn't know what he's doing or he can get it done in 180 days like all the other municipalities. You should say, 'No. We're not gonna take a year for this. We're gonna do it in six months.' That's what this Board should do from a leadership perspective. Not just because somebody showed up and said it's gonna be a year. That isn't gonna cut it, that's not acceptable. That's not the standard of leadership we expect from the Community Development Department and the City Manager can independently look and say, 'How long is Ft. Lauderdale taking? 180 days. How long are other municipalities taking?' They're not taking a year. And that random year is just unacceptable.

[Beep]

CHAIRPERSON DAVIS: Thank you. Thank you.

COUNCILPERSON PARDO: [Inaudible].

**CHAIRPERSON DAVIS:** Staff, [inaudible]. With this being a one year moratorium, do we have the capacity to be able to lift this moratorium at any given time that we choose to, within the year?

**INTERIM CITY MANAGER JONES:** Yes.

**CHAIRPERSON DAVIS:** Okay. Alright. Any questions for Staff by any Board Members. Oh, and let the record reflect the Mayor's on the dais. Any questions by any of the Board Members for Mr. Gagnon? [Pause]. Here, none. Madam Clerk.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

**CITY CLERK ANTHONY:** Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Thank you.

9. <u>ITEM NO. 9</u>

**CHAIRPERSON DAVIS:** Now we will move to Item No. 9.

CITY CLERK ANTHONY: ORDINANCE NO.\_\_AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING CHAPTER 25 OF THE CITY'S CODE OF ORDINANCES ENTITLED "FLOOD PREVENTION AND PROTECTION", AND ENACTING A NEW CHAPTER 25, ENTITLED "FLOODPLAIN MANAGEMENT", IN ORDER TO PROVIDE FOR CURRENT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, TO PROVIDE FOR ADMINISTRATION OF SAID CHAPTER, TO PROVIDE DEFINITIONS, TO PROVIDE FLOOD RESISTANT DEVELOPMENT STANDARDS, AND TO ADOPT CURRENT FLOOD HAZARD MAPS; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

COUNCILPERSON PARDO: So....

COUNCILPERSON DAVIS JOHNSON: So moved.

COUNCILPERSON PARDO: ...moved.

# COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Properly moved and second. Staff.

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Once again, good evening, Mayor and Council. Jeff Gagnon, Assistant Director of Community Development. This is the second reading of this Ordinance. It was approved on first reading on December 7<sup>th</sup>. This is in association with the CRS certification which is associated with our flood plans in the City and also flood discounts, as far as flood insurance is concerned. I also wanted to take this opportunity to mention, on the record, that the community rating system annual report is currently available for anyone in the audience in the back of the room. I'll also make it available to City Council in hard copy and digital form tomorrow, as soon as possible but there's a requirement as part of the recertification process to also make note of that report. So, I wanted to make sure that that was on the record as well.

**CHAIRPERSON DAVIS:** Thank you. Is there any cost savings to this?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:	I'm sorry, sir?

**CHAIRPERSON DAVIS:** Will there be any pot'.., future cost savings?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Um...

CHAIRPERSON DAVIS: [Inaudible].

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...currently the rating provides for an approximate 5% savings...

CHAIRPERSON DAVIS: Okay.

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...based on the current rating. That could be approved.., improved over time...

CHAIRPERSON DAVIS: Mhmm.

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...resulting in further potential savings for City residents.

**CHAIRPERSON DAVIS:** Thank you. Any questions by any Members of the Board before we go to public comment cards? [Pause]. We have one public comment card for this Item, No. 9, that's Mr. Fane Lozman.

**MR. F. LOZMAN:** Fane Lozman. One of the things that I know Ms. Larson expects, and I expect, is attention to detail. Attention to detail when Items come before you or there's the senior housing project, how much per sq. ft.? Can we maximize the density? Flood plan, or flood, uh, the exact technical term, the [pause], the flood prevention and protection. Attention to detail. I was talking to ERM, Environmental Resource Management, those people over there, where is the flood map? Where is the discussion regarding one of the

most significant flooding issues in the City, that I have not seen addressed in the backup and that's the flooding of A1A. No discussion about that. Singer Island, in high tides and king tides water comes up over my properties onto A1A. When you drive down A1A, you'll see seaweed up on the road. Now, on the east side, where the condos are, they've built seawalls, they dump sand every year. They've done things to protect the erosion on the east side. Where is the protection on the west side?

Attention to detail. You're gonna do a flood map, you're gonna do flood issues, you need to deal with the whole City. Not like, 'Oh, well, we're gonna blow off the northwest corner of Singer Island because I own property and Taylor owns property and we, we don't care about them.' There is an issue that has to be addressed, water coming up over the [inaudible]. You say, 'Well, why is water coming up on A1A? It didn't 10 years ago.' One of the reasons why is the width of those properties has shrunk significantly. My main lot has probably shrunk 30 to 40 feet from what it was three years ago. So, water rushes up, comes on the road, dumps some seaweed and people kinda pretending, you know, like a leaking roof, we're not gonna deal with it. That needs to be addressed. I haven't seen that addressed in the backup for Item No. 9. I haven't seen anybody talking about it. But I know there are people who are concerned about it and it needs to be addressed.

And that's why we need to get somebody to replace Ms. McKinney. Somebody that will have the professionalism to run that department and care what goes on. Not somebody who just mocks people from, from..., that own property in Singer Island cause there's nothing else to do. I'm not gonna sit here and tolerate anytime an issue comes up dealing with a guy who, I believe, is incompetent. And that's been the history of this City, having incompetence in different departments whether it was the former City Manager in the Water Department or now this gentleman who's not qualified to run the department. You know, we need to get a real person in there that has a real experience base to deal with major issues that the City needs to address. Miami Beach has raised..., Miami Beach has put \$500M into raising their roads. Why? Because of flooding. What have we done on Singer Island? We...

[Beep]

**MR. F. LOZMAN:** ...haven't done anything.

**CHAIRPERSON DAVIS:** Thank you. So that's the end of public comment for Item No. 9. Do we have any questions or concerns by the Board? [Pause]. Here, none. Madam Clerk, roll call, please.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

**CITY CLERK ANTHONY:** Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Thank you.

# **ORDINANCES ON FIRST READING**

#### 10. <u>ITEM NO. 10</u>

CHAIRPERSON DAVIS: Now we move forward to Item No. 10.

CITY CLERK ANTHONY: ORDINANCE NO.\_\_AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, ENACTING A MORATORIUM FOR A PERIOD UP TO SIX MONTHS AS THE FILING AND/OR RECEIVING OF ANY APPLICATION FOR SITE PLANS ALONG THE BROADWAY CORRIDOR FROM SILVER BEACH ROAD TO THE MUNICIPAL LIMITS AND ALONG THE BLUE HERON BOULEVARD CORRIDOR FROM SINGER ISLAND TO THE MUNICIPAL LIMITS; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; AND PROVIDING AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do...

COUNCILPERSON DAVIS JOHNSON: So moved.

COUNCILPERSON HUBBARD: Second.

**CHAIRPERSON DAVIS:** Properly moved and second. Staff, you have a presentation?

**PRINCIPAL PLANNER SPRADLEY:** Good evening, ladies and gentlemen. Deandre Spradley, Principal Planner. This Ordinance is in response to the City Council request from the last meeting and, basically, this will prohibit the filing of any site plan applications along the Broadway and Blue Heron corridor until the Council have your vision and we will participate in your vision and we want to make sure that the future development is going consistent with your vision. And this is the first reading on it.

CHAIRPERSON DAVIS: Thank you, sir.

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Pardo.

**COUNCILPERSON PARDO:** Okay. So, for Mr. Jones, is this something that we're going to address at the retreat in January?

**INTERIM CITY MANAGER JONES:** Yes. This will be part of the retreat in January. I'll coordinate with Mr. Evans to make sure we have the right facilitator to kinda guide us in the direction of setting a vision in the direction for the Broadway and Blue Heron corridor.

**COUNCILPERSON PARDO:** Okay. And then, um, maybe you should suggest to him also that everyone receive the Broadway corridor plan that I believe Treasure Coast did for us so we can, you know, everyone can see that.

Okay. My other statement is, I'm looking at a copy of the public hearing notice that was published in the Palm Beach Post...

PRINCIPAL PLANNER SPRADLEY: Yes, ma'am.

**COUNCILPERSON PARDO:** And you said it was up to one year.

**PRINCIPAL PLANNER SPRADLEY:** Yes, ma'am. And it was the request of, I believe, the City Manager and it could've come through a couple other Council Members that, rather than doing a full year, we're doing it for six months instead.

**COUNCILPERSON PARDO:** Okay. Alright. So, you know, it's just.., it's just not consistent with the backup. But, up to, I would.., I guess covers it.

**INTERIM CITY MANAGER JONES:** Yeah.

**COUNCILPERSON PARDO:** But, I would thi'..., you know, going forward it...

INTERIM CITY MANAGER JONES: Well, Staff...

COUNCILPERSON PARDO: ...[inaudible] needs to be...

**INTERIM CITY MANAGER JONES:** ... originally drafted the...

**COUNCILPERSON PARDO:** .....cons'... Right. It needs to just be consistent.

**INTERIM CITY MANAGER JONES:** We were on a short window for the publication. They wrote the Resolution and the publication for one year. In reviewing it and, and discussing it with other Members, the.., we were gonna address this issue in January so there was no need for the, the one year.

**COUNCILPERSON PARDO:** Yeah. And I think it's sending a better message...

**INTERIM CITY MANAGER JONES:** Yes.

**COUNCILPERSON PARDO:** ...that it's only up to six months instead of a year. But, just for consistency purposes, you know...

### **INTERIM CITY MANAGER JONES:** Yes.

**COUNCILPERSON PARDO:** ....going forward, just everything should be uniform.

Thank you.

#### PRINCIPAL PLANNER SPRADLEY: Okay.

**CHAIRPERSON DAVIS:** Do we have any questions by any other Members of the Board? [Pause]. Here, none. Oh no, one public comment card. Two cards. No. Ms. Bonnie Larson.

MS. B. LARSON: Bonnie Larson. The citizens of Riviera Beach had a vision, we had a plan back at the charrette in 2008. The vision was to have retail, etc., all along Broadway so we have a downtown core. You've designated the south end for Marina stuff and where are we gonna have a downtown if not on Broadway? That's the perfect place to have it. It's the only place to have it. We have a couple large tracks, workers are coming up now, which have been leveled to trailer parks, so that was residential. That's.., those large parcels are the only places available to put in a restaurant, enough room for a restaurant, a retail store. We need those things. And, and you notice everybody who has come here wanting to build residential on those former trailer parks, they've said.., when you've said to them, 'Remember, this is our retail area,' they've said, 'Ah, let somebody else do it. Let the next, let the next person do it.' No. This is our only downtown. And Riviera Beach, from day one, what they had on Broadway was retail. It was always retail and then one lot behind it was a residential. A lot of cities did it that way and it was great because you knew where the stores were. We shopped at, like, four or five.., where the pawn shop is now, there were four or five businesses in there. We shopped at four of them. I was thinking about that the other day. You know, it was wonderful to be able to shop right there. And it is the only area we have for retail. And, like I said, those big parcels, we really have to be careful about how they go. Cause if you start putting in residential, low income..., or, any kind of residential, right on Broadway, that's all it's every gonna be. We will never have a downtown area. We will never have stores again.

Another thing we need to research is the parking. I think the parking requirements were probably made in 1954 or something along that area because, when they were talking about putting that [pause] an apartment complex there, where City Trends is, right behind there, it was like one and a half parking spots per unit. People have four or five kids. Kids today have cars. Where are they gonna park? You can't okay a project with that limited parking. This is 2016, everybody's got a car. Kids have cars, where we never had cars, they have cars now. Where are they gonna park? Does this mean you ca'..., you can't even have company come over, with the parking. The parking is a big, big issue and this is the time to address that.

So, think about that. We want restaurants, we want stores and we want parking for even the stores. Have you looked at the Dollar Store recently? They've got to do something about that sign. They have almost crushed the.., they crushed our landscaping there. That thing is, like, this far from, from our sign. I don't even know how they're gonna paint if they

have to paint there. So, we can't have.., we can't bring in things like this. We need to upgrade and we need to plan and look to the future. Like I said, everybody's got a car. You wanna have company over, you can't live someplace and say, 'No, you can't come over to our place, we don't have parking.' And, if you have parking, limited parking, like is in the, in the rules right now, you're gonna have a lot of problems there when you come home...

[Beep]

**MS. B. LARSON:** ... from work and someone's in your spot, guess what's gonna happen.

Thank you.

CHAIRPERSON DAVIS: Thank you, Ms. Larson. Mr. Lozman.

**MR. F. LOZMAN:** Fane Lozman. On the last Item, we talked about attention to detail. Okay? If you look at the Ordinance before you, it says, 'Whereas, pursuant to §163.391, Florida statutes, at least once every seven years,' at least once every seven years, 'each local government in the State of Florida shall evaluate the Comprehensive Plan to determine if Plan amendments are necessary to reflect changes.' At least once every seven years. And then as you go further down the back up, it says the last time the City's Comprehensive Plan was updated was October 6<sup>th</sup> of 2010. Well, that's more than seven years. Okay? It's seven years and two or three months. And, at the bottom of the Ordinance page...

**UNK:** It's 2016.

**MR. F. LOZMAN:** ...it says at the very bottom, it says, 'Whereas, the City of Riviera Beach's Comprehensive Plan and land development regulations which is a part of the City's Code of Ordinances, needs updating.' Okay? So, it goes back to attention to detail and leadership. This should've been updated within the seven day window. We're updating it seven years and two months after the fact. Okay? Why wasn't it updated year six? There's some municipalities update it in year five. Why are we always after the fact? Where is the profession' [stammer], Why..., oh, our water had no chlorine for five years, we're gonna get to it. Why are we getting to something after the fact? Where is the accountability? It says right there, seven years. It doesn't say seven years and two months, it doesn't say by the time it gets done it may be eight years. It doesn't say eight years.

So, that is what we talked about before, the community.., we need a new community development director who will have the attention to detail to get these things done. I mean, that is frustrating. Now, where's the legal lady? There she is. Has anybody bothered to ask her, what is the City's liability for all those applications that have been put in? Won't they argue we're grandfathered in? We have our site plan application in? I don't know the answer to that. Let me say, we have our site plan application under the old Comp Plan and now you're gonna change it.., say you change it, we say no dollar stores on the Broadway corridor. What happens to these people that have their site plans in? Do they have a claim

of, of taking against the City for taking away their development rights? They bought a lot in good faith, knowing on the old Comp Plan they could put a dollar store on there and now, seven years and two months later or six months later, you're changing the rules to take away their development rights to put their dollar store there? What is the liability for people that have a pending site plan application? No one's addressed that.

You know, these are, these are things that need to be addressed cause they cost money and they're not fair. And, you know, why didn't legal weigh in to discuss those things? Why did.., why...

[Beep]

**MR. F. LOZMAN:** Why aren't we holding somebody accountable for missing this, for missing the seven year window? Those are questions you should ask in a leadership capacity.

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Thank you. Um...

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Yes. Yes.

**COUNCILPERSON PARDO:** Okay. Can we have Mr. Gagnon [chuckle] address that seven year because it re'.., it isn't.., we're not past the seven years. We're still in 2016.

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** No. It was last amended in October of 2010, so...

**COUNCILPERSON PARDO:** Right.

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...it's something that will be coming in the very near future. However...

COUNCILPERSON PARDO: We still...

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ....we're still...

COUNCILPERSON PARDO: ...have until...

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...within that timeframe.

**COUNCILPERSON PARDO:** Correct. Okay. Thank you.

CHAIRPERSON DAVIS: Alright. Any other questions from any Members of the Board...

CHAIR PRO TEM MILLER-ANDERSON: Yes.

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# CHAIRPERSON DAVIS: ...after hearing...

### CHAIR PRO TEM MILLER-ANDERSON: I...

CHAIRPERSON DAVIS: ... public comment? Vice Chair.

**CHAIR PRO TEM MILLER-ANDERSON:** Regarding the comment with those who may have already put in their plans, how does that impact them? Mr. Gagnon or Mr. Jones?

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Historically, if the site plan has been submitted and in process, it ultimately could be a Council decision or directive whether or not to move forward or if the proposal is just opposite of the direction City Council wishes to proceed, then I believe there are capabilities of City Council to stop, review, and approval of the process. Again, that may entail other legal discussions, however, I believe there are ways of stopping developments even if they have applied, so long as we don't remove all potential development from any particular parcel. So, there, there are mechanisms to stop...

#### **INTERIM CITY MANAGER JONES:** Mhmm.

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...certain types of development from moving forward.

**INTERIM CITY MANAGER JONES:** And every case will be independently evaluated and weighed and discussed with legal prior to taking.., any action taken.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Thank you.

CHAIRPERSON DAVIS: Thank you.

COUNCILPERSON PARDO: It...

**CHAIRPERSON DAVIS:** Any other questions [sic] any other Members of the Board?

**COUNCILPERSON PARDO:** Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Pardo.

**COUNCILPERSON PARDO:** Okay. So, Jeff, can you tell us, is there anything pending?

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** There are a few applications that are in process currently.

COUNCILPERSON PARDO: Mhmm.

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** There's one that comes to mind, there's a retail proposal at the intersection of Blue Heron Boulevard and

Avenue L. It's being presented as a retail proposal, however, the end user is intended to be a dollar store type of use.

**COUNCILPERSON PARDO:** Okay. So we just put a moratorium on that? So...

# ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Right.

COUNCILPERSON PARDO: Anything else?

[Inaudible dais comment]

### ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Right.

### CHAIR PRO TEM MILLER-ANDERSON: [Chuckle].

[Inaudible dais comments]

**ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Outside of this moratorium, on 2525 Lake Drive, so that'll be outside of this moratorium. The timeframe for the City moving forward with any sort of library discussions, I think will fall outside of this as well. And again, the intentions are to allow just a brief period of time for Council to discuss direction moving forward.

COUNCILPERSON PARDO: Okay.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: And...

**COUNCILPERSON PARDO:** So, right now what's pending is the dollar store?

[Chuckles]

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Can you think of any other [inaudible]...

[Inaudible background comments]

**COUNCILPERSON PARDO:** You know, there's been rumors about the Broadway and Blue Heron, the old bank site but...

**INTERIM CITY MANAGER JONES:** Those are just...

COUNCILPERSON PARDO: ...they haven't...

**INTERIM CITY MANAGER JONES:** ... discussions, I think...

COUNCILPERSON PARDO: Just...

**INTERIM CITY MANAGER JONES:** ...at this time.

COUNCILPERSON PARDO: ...discussions right now?

**INTERIM CITY MANAGER JONES:** Discussion...

COUNCILPERSON PARDO: Nothing...

**INTERIM CITY MANAGER JONES:** ...at this time.

**COUNCILPERSON PARDO:** ...is coming through? Okay. Thank you.

**CHAIRPERSON DAVIS:** Any other questions from any Members of the Board? [Pause]. Madam Clerk, roll call, please.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Thank you.

### **REGULAR - OLD BUSINESS**

### REGULAR

11. <u>ITEM NO. 11</u>

**CHAIRPERSON DAVIS:** Now we're gonna go down to regular old business. Item No. 11.

**CITY CLERK ANTHONY:** There is no old business, Mr. Chair. We're now on the regular Agenda which is...

CHAIRPERSON DAVIS: Oh yes, regular business. Item No. 11.

CITY CLERK ANTHONY: Okay. RESOLUTION NO.\_A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING BID NO. 822-16 TO B & B UNDERGROUND CONSTRUCTION, INC., OF WEST PALM BEACH, FLORIDA FOR THE RECONSTRUCTION OF WEST 6TH AND WEST 7TH STREET BETWEEN AUSTRALIAN AVENUE AND THE AVENUE P CANAL IN THE AMOUNT OF \$829,417.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBERS 140- 1123-543-0-6301, 461-1127-541-0-6301, AND 413-1430-533-0-6301 AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON DAVIS JOHNSON: So moved.

CHAIRPERSON DAVIS: Do we have a motion? Do we have a second?

COUNCILPERSON PARDO: Second.

CHAIRPERSON DAVIS: Properly moved and second. Staff.

**INTERIM CITY MANAGER JONES:** Mr. Mealy, [stammer]. This is a bid, Bid No. 8221.., 822-16. It's a part of the City's streets and road improvement project. This will be awarding that bid to the B&B Underground.

CHAIRPERSON DAVIS: Okay. Anybody have any questions for Staff?

**COUNCILPERSON PARDO:** Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Pardo.

**COUNCILPERSON PARDO:** Okay. So, address the apprenticeship.

PURCHASING DIRECTOR MEALY: Good evening, Council and Mayor. The apprenticeship program was put in place by the, uh, was suggested by the previous director and was approved by the previous Council. The stipulation for the apprenticeship program is controlled by the Department of Education and DOE does a apprenticeship program through different trade schools. Those trade schools are union With that being stated, they will only supply.., and I checked various affiliated. disciplines, plumbing, HVAC, electrical. They only will supply apprentice'... apprentices to union firms. So, if a vendor bids on this project and they are non-union, the DOE will not supply an apprentice to the non-union shop. So, we have an Ordinance that is in place but the mechanics of, of how we got there are not..., weren't really thought out and we need to come back and re'.., actually readdress the, the, the Ordinance, the way it's written for apprenticeship program because it, it... Florida is a right-to-work state. You don't have to be a union shop in order to do business in this state.

So, with that being stated, the four firms that bid on this job are all non-union. DOE, in, in.., as much as they said they'd like to give us an employee or an employee or two or recommend an employee or two to the awarded vendor, they will not do it because the firm does not pay union dues to the local Chapter. So it's a Catch 22. Nobody's willing to participate in a program if the, if the other side is not paying dues.

**COUNCILPERSON PARDO:** So is.., did you guys reach out to the unions?

PURCHASING DIRECTOR MEALY: Yeah. I, I...

COUNCILPERSON PARDO: Are they...

PURCHASING DIRECTOR MEALY: ....spoke...

COUNCILPERSON PARDO: ...aware?

**PURCHASING DIRECTOR MEALY:** I spoke to the coordinator, Dennis Parker, who's the local representative for the plumbing union.

**COUNCILPERSON PARDO:** Right.

PURCHASING DIRECTOR MEALY: [Stammer] actually, plumbing...

**COUNCILPERSON PARDO:** [Inaudible].

**PURCHASING DIRECTOR MEALY:** ...slash pipefitter union in Palm Beach County. He was referred to me by the Department of Education. He stated that he cannot [stammer] provide a name for an apprentice to a non-union shop. So, I gave him the name of the four vendors that actually had submitted bids. He said none of these four firms were union shops, therefore, they could not provide an apprentice to participate in the program. And we, as a City, do not have the legal authority to say only union firms can bid on jobs, it is a right-to-work state.

**COUNCILPERSON PARDO:** Correct. But there are, and we learned this when, when we were doing the Marina project. We had an electrical firm that had an apprenticeship program. I believe they were based over in West Palm on, um, Northpoint Parkway. So, they went through that whole, you know, they had apprent., apprentors...

**PURCHASING DIRECTOR MEALY:** Yeah. Some electrical.., [stammer], depends on what discipline we're talking about.

COUNCILPERSON PARDO: Mhmm.

PURCHASING DIRECTOR MEALY: A lot of the...

**COUNCILPERSON PARDO:** They were non-union.

**PURCHASING DIRECTOR MEALY:** Some are non-union but the State DOE was very emphatic that they would not supply a prentice to a non-union shop. So, I, like I said, I gave him the name of the four firms that bid on this. DOE, I talked to him, I talked to the regional vice present of the sh'.., of the union shops, they all stated the exact same thing. As much as they'd like to help participate, [stammer], because they have paid the.., paid for these [stammer]...

COUNCILPERSON PARDO: Right.

PURCHASING DIRECTOR MEALY: ...young men...

COUNCILPERSON PARDO: [Inaudible].

**PURCHASING DIRECTOR MEALY:** ...or young ladies, to actually learn a trade, they're union dues were used to pay for that. So therefore, they will only supply people to firms that actually are paying dues into a local Chapter.

**COUNCILPERSON PARDO:** Okay. So I agree. That needs to be tweaked.

PURCHASING DIRECTOR MEALY: It does...

COUNCILPERSON PARDO: [Inaudible]...

**PURCHASING DIRECTOR MEALY:** ...need to be tweaked and we'd like to come back to that at the workshop next.., in, in January.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Commissioner Hubbard.

CHAIPERSON PARDO: I can't support [inaudible].

**COUNCILPERSON HUBBARD:** Even if we can't use the union apprentices and union trainees, there are other methods where we can have trainees on, on the job or insist that they hire trainees on the job. I know that the North Tech [inaudible] school over on North.., on Garden Road, they have a Palm Beach County School District training program there, as well as the union has a training program going on there as well. As the.., just people who are applying and local people who want to learn the plumping and pipefitting trade, we still can insist that some of the local employees are hired to work on this project so that they can learn the business.

So, I mean, there's more than one way, I think, to skin a cat.

CHAIRPERSON DAVIS: I don't like...

COUNCILPERSON HUBBARD: No skinnin' of cats?

**INTERIM CITY MANAGER JONES:** And we will, we will make that a request of...

[Inaudible dais comment].

**INTERIM CITY MANAGER JONES:** ....B&B.

**COUNCILPERSON PARDO:** Can't we make it a demand?

CHAIRPERSON DAVIS: We, we can wash the cat.

[Inaudible dais comments]

[Chuckles]

**INTERIM CITY MANAGER JONES:** Our Ordinance specifically states, 'A State approved apprentice program.' So, if we're gonna make those kinds of demands, it would be under a state approved apprentice program but if we're looking for a hybrid and we're trying to increase the opportunities for local citizens, I'm pretty sure we can work with them to accommodate the City.

**COUNCILPERSON HUBBARD:** We have more than one Ordinance, don't we?

[Inaudible dais comment]

**COUNCILPERSON HUBBARD:** That one that speaks to that, we can't seem to comply with that so let's talk about our other Ordinance, like, our local preference Ordinance and things of that nature. So, we wanna use the Ordinance that can best yield us what we're looking for.

CHAIRPERSON DAVIS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: No. She, she hit point.

CHAIRPERSON DAVIS: Okay. Public comment.

**COUNCILPERSON PARDO:** That's a good question?

CHAIRPERSON DAVIS: We have one, one public comment card. Mr. Lozman.

[Inaudible dais comment whisper]

CHAIRPERSON DAVIS: Yeah. He had two of 'em. [Inaudible].

**MR. F. LOZMAN:** Fane Lozman. See, you should let me talk about No. 6. Um, if you look at the backup, it talks about \$22M was raised by the City and \$1.3M, I believe, was a grant from DEP, of which \$500,000 from DEP goes to this project. At the end of the day, there's nothing to stop you from rejecting the bid. Just say, 'You know, glad.., we're glad you recommend that stuff but we're gonna reject it because we're gonna have, going forward,' I know the Mayor wants to put people back to work, like Mr. Trump does. We

wanna have bonus points for local contractors. So, if you live in the City and you support this City and you have your, uh, pay tax to the City, you're gonna get bonus points when it comes to bid. Now you say, 'How can you do that?' That's unprecedented.' No it is not. Because, when Viking wanted to redevelop the Marina, they were given bonus points for the RFP process in 2008 because their building was next door to the Marina. So they got five or ten extra points versus the other bidders.

As a taxpayer in this City and other taxpayers, and I know Ms. Hubbard shares my views, we want local contractors to get these jobs. Now, maybe they can't compit" on.., compete on the scale of the West Palm Beach firm, but we can make 'em competitive by giving them bonus points for being in the City. You know? You don't have to accept the bid. You can say something, you know, 'We're gonna reject that bid. We're gonna go out for bid again.' And now, we're gonna have a new criteria to do it. You make it seem like you're just stuck because Staff tells you to do something, you're like deer in a headlight. 'Staff says to do it. Okay, great. We gotta do it.' No, you don't. You don't have to do that at all. You were elected by the residents of this City. You should try to support the residents of this City, the firms in this City and you should say, 'No. We're not gonna give this contract to B&B,' or, in the alternative, we'll give 'em \$500,000 on the DEP side and the other balance we're gonna give the bonus points where a Riviera Beach firm can get it. And to say no, that can't happen. No. I, I don't believe that. I think you can have a hybrid, you could have two contractors working on it. But, again, it's kind of like, why would you ever want a project that's funded with municipal bonds floated by the City to go to somebody outside West Palm Bea'..., to go, to go to somebody outside the City without putting up one helluva fight to stop that from happening? Why? Because you're afraid to question Staff, you're afraid to reject the bid?

That's what the vote should be, we reject the bid. We don't, we don't like Staff's opi'.., we reject it and we're gonna come back with, with a more stringent criteria to try to have our own local contractors participate in this project. That's all.

CHAIRPERSON DAVIS: Thank you for your comment.

[Beep]

**CHAIRPERSON DAVIS:** That's the end of public comment.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Hubbard.

**COUNCILPERSON HUBBARD:** Question to Mr. Da'.., Mr. Jones. The.., what language do you suspect that you can use in this particular contract to demand that they have 'x' amount of [stammer], local participation in it? You know, I notice that a lot of people say that our goal is to try to obtain, you know, local participation but we want to see how we can.., this is almost \$1,000,000, how that we get at least some, some.., that we can get some local participation in on this project?

**INTERIM CITY MANAGER JONES:** You use the word goal and demand.

**COUNCILPERSON HUBBARD:** No. I say that's what we normally see in our contracts that they should have a goal of 30%. We don't want that word.

**INTERIM CITY MANAGER JONES:** I understand. And I think Staff could go back and negotiate with the contractor for those opportunities where we know Riviera Beach residents can be hired. Certain components of this job will require that they hire additional labor and staff and we could go and negotiate with the company to do that and bring back the result to the Council.

**COUNCILPERSON HUBBARD:** And when you say negotiate, what do you really mean?

**INTERIM CITY MANAGER JONES:** Well, it wasn't stated in the prior RFP document that way. And what w'.., what I said earlier, maybe we can develop some type of hybrid with the company. If the apprenticeship portion can't be made or met because it doesn't exist under a state approved program, then we can go back and talk with them and see what we can agree to between the contractor and the City to get us [pause], to accomplish the goals of the City which is to, to improve employment in the City and have those dollars turnover in the City.

**COUNCILPERSON HUBBARD:** What.., to that last point, what do you think that it's going to take for you to get Staff not to put out bids that doesn't speak to your last comment?

**INTERIM CITY MANAGER JONES:** I think it's gonna require some policy changes in the beginning. And we have to notify those who are participating in the process, at the beginning of the process, here's what's required and here's what we're going to accept.

**COUNCILPERSON HUBBARD:** Not, um, the end user. My question was, what is it going to take for you to get Staff to understand what we're saying, what our goal is to not to put out RFP's that don't have that in it from the beginning?

**INTERIM CITY MANAGER JONES:** It's just gonna take, number one, a clear policy direction in how we do business in the City of Riviera Beach. And when we let an RFP or any type of bid proposal, we do so with our policies that guide us. So, we're asking that..., and another component of the retreat is that we go back and look at the goals of the Council and we make Ordinance and policy revisions to accomplish those goals. That way, everyone who's participating, in the process, understands before we ever put it on the street, what we're looking to achieve.

CHAIRPERSON DAVIS: Exactly.

COUNCILPERSON HUBBARD: Okay.

**CHAIRPERSON DAVIS:** Any other question by any other Members of the Board? [Pause]. Madam Clerk, roll call, please.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

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CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: No.

CITY CLERK ANTHONY: Chair Davis.

CHAIRPERSON DAVIS: Yes.

**CITY CLERK ANTHONY:** That motion is approved with Councilperson Pardo dissenting.

CHAIRPERSON DAVIS: Thank you so much.

### **COMMENTS FROM THE PUBLIC**

**CHAIRPERSON DAVIS:** Now we're gonna move down to public comments, at this time. So, public comment should be rest'...

[Inaudible dais comment]

CHAIRPERSON DAVIS: That come after public comment.

CHAIR PRO TEM MILLER-ANDERSON: Oh, okay.

CHAIRPERSON DAVIS: It's 7:30 now.

CHAIRPERSON DAVIS: Public Comment should be restricted to issues, matters, or topics pertinent to the City of Riviera Beach. Please be reminded that the City Council has adopted "Rules of Decorum Governing Public Conduct during fficial Meetings", which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker or attendee removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

**CHAIRPERSON DAVIS:** We all have three minutes. The first person we have will be Philip Dukes.

**DR. P. DUKES:** Dr. Philip Dukes, 1217 Avenue U, City of Riviera Beach. Once again, I would like to thank Councilwoman Pardo for her gifts to Operation Restore. I wanna thank Mayor Masters also for his donation. And I'm asking the other Council peoples to also to give, persons to give. Excuse me. I'm really asking each one of you to give \$1,000 and the reason I'm asking is because our youth in Riviera Beach are being socialized to a culture of

violence and thug life, fueled by drugs and gangs. This is something that is germane all over America in the African American community. Our goal is to create a new and higher standards in the African American community as we change our comm'..., community environment. Operation Restore rejects the ideology and philosophy that wherever poor people are you gotta have crime and violence. This is because of apathy and lawlessness. Our program is the missing link between the community youth programs and the police department. You see, when these kids go in these programs that we set up, and we got some good programs in Riviera Beach, they come back into their community and they see thug life dominating, in our neighborhoods, when we stand against this.

We're the only culture that have to face death for our youth. It doesn't happen in North Palm Beach, it's not in Palm Beach Gardens. It's germane to the African American community. Why? Because of our predecessors not doing their jobs. I'm asking you, don't follow the footsteps of some of our negative predecessors in our City who didn't want to invest in our community. 85 to 90% of all gun violence done in any county in America comes out of the African American community. Why? Because we allow drug dealing and thug life. You, you, you go look at the data. You got some of the studies, 85 to 90%. We can change that, if we would just stand and close all dope houses in our City. We can lead the nation in this because the nation on a national level doesn't have any answers. They wanna take up guns. Guns are not killing people, people are.

Also, we found \$250,000 to put sand on the beach on Singer Island, which was probably needed because of erosion and people's property. They probably needed that money. I want you to take that same ideology, mindset and help Operation Restore change our community atmosphere. See? If we can put sand on the beach and find money for that, we can stop killing in the street. But we can't do it through putting out nickels and pennies and a little bit here and a little bit there. These are our children that are dying. Then when they die, we go to the church and we cry. They come in here and they cry and we still don't..., won't follow vision to change our community. Cause it can happen. Some people think it can't happen. But there are no white drug dealers in North Palm Beach. There are no white gangs, they don't shoot up their neighborhoods. I'm just asking you to help us...

[Beep]

**DR. P. DUKES:** ...as we begin to change the community atmosphere on the west side.

Thank you so much.

**CHAIRPERSON DAVIS:** Mr. Dukes, as we move forward, so you're acceptin'.., still accepting toys for Christmas, is that what you're...

DR. P. DUKES: Yes. We...

CHAIRPERSON DAVIS: ...asking for?

**DR. P. DUKES:** ...we, we still do that.

**CHAIRPERSON DAVIS:** So, I'll, I'll bring something by.

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DR. P. DUKES: Alright.

CHAIRPERSON DAVIS: To, to drop off.

**DR. P. DUKES:** Thank you so much.

**CHAIRPERSON DAVIS:** But, in North Palm Beach, a lot of those places have commercial license and they're finding ways to get around the process.

DR. P. DUKES: I [inaudible]...

**CHAIRPERSON DAVIS:** Cause they have access to [inaudible] planes and ships and things like that.

DR. P. DUKES: Yeah. But when you...

**CHAIRPERSON DAVIS:** And, the cities like North Palm Beach and other.., not saying North Palm has that...

DR. P. DUKES: Right.

**CHAIRPERSON DAVIS:** ... but when you talk about Riviera Beach, we're not the ones finding planes and hidden ships.

**DR. P. DUKES:** And you're absolutely right but when you start.., if you will give me a time to come to your Agenda and explain to you, drugs coming in the country is not the problem. The problem is the retail market in our community which I used to be the prince of.

CHAIRPERSON DAVIS: I agree.

[Chuckles]

**CHAIRPERSON DAVIS:** Alright, Prince. [Laughter]. Not Purple Rain either. [Laughter]. Ms. Ernestine Gorden.

**UNK. AUDIENCE:** You're so crazy.

CHAIRPERSON DAVIS: Then Fane Lozman.

**MS. E. GORDEN:** Good evening.

CHAIRPERSON DAVIS: Good evening.

**MS. E. GORDEN:** [Inaudible] Councilman. What I come to talk about is that.., I just wanna camp on what the young lady over there said about, in Riviera Beach, we doesn't have any activity. For example, Broadway is so dead. Have you ever walked down Broadway? Just walk and look around Broadway? Start up almost from McDonald up there and just walk and just look around? It is so dead. And you have stores a 'lil bit one here, here, there, you don't see much activity. All of that area over the where you got the mobile

homes and everything over there, you're talking about building low rental house' or whatever. Well, have you ever thought about a theater? We don't have a theater here in, in Riviera Beach. Where do we have to go. When we go to church, um, they have activity. If you had a theater, the kids can, can perform or whatever the case may be and act and get 'em off the street. Give 'em somewhere [stammer], uh, something to do. They see other kids striving and trying to improve. The, the other one you think, say maybe you call 'em, address him as a thug which he's a human being, maybe he would lift hisself up and do what he see what the other kid.

You don't have anything for these kids to do. All you do is sit and talk about put this up, a dollar store here and whatever you can get for yourself. Think about these kids. [Pause]. Think about 'em because these young people.., the young.., especially the male, black males, they are dying every day. Think about hat. You have the power in your hand to improve they life but why don't you do it sometime and quit thinkin' about your own selfish self and what you can get for yourself and think about these young kids. They didn't ask to come here. Some of 'em [stammer] can do better, their parent's educate 'em and then leave. They leave Riviera Beach and go somewhere else to live which I don't blame 'em. But, the point is that some [inaudible], or some of 'em always be left behind. Give 'em a chance and a opportunity, please.

Thank you.

CHAIRPERSON DAVIS: Thank you, Ms. Gorden. Fane Lozman.

**MR. F. LOZMAN:** Fane Lozman. That was really well said, the prior speaker. Um, I think it gives everybody up there something to think about. You know, the prior Council was obsessed about the Marina. For five years, that's all they talked about was the Marina. Nobody talked about what went on the west side.

I was at a County Commission meeting recently and the State of Florida... Okay. Let's, let's step back a second. Along Singer Island is a mile and a half stretch of beach where their gonna do dune restoration, with sand, 50,000 cu. ft. of sand, you know, I don't know, a million something. And, the State of Florida says out of that mile and a half, there's only two public access points to get in there. There's a access point on the south and an access point on the north and Channel 12 did two stories about this and you can go look it up on the Channel 12 website. So, the State of Florida said, 'Wherever there's an access point, we will use state funds for the first half mile cause we consider that to be public beach. But in the middle half mile, there's no public access, that was the public access that was closed off at the Via Delfino that I'm trying to get opened up again. So, the State of Florida says, 'We are not going to have our money go there because there's no public access to get there.' The easement that were there is closed off. Yet, the City and the county is saying, 'Well, we're gonna go ahead and do that half mile because it would be foolish not to do it.' Well, I'm not gonna let that half mile be done and there'll be a legal challenge to stop any City money, or county money, from doing that middle half mile because we're not gonna take county... City funds and county funds and renourish a piece of private property. Otherwise, everybody on the west side should put a sandbox in their backyard and say, 'Hey, let's go dump some sand in there.' You don't take public funds to make improvements to private

property. Now I know that's a little bit technical but the state of Florida is not letting any of their grant money go for that middle, that middle half. So, when Reverend Dukes talked about the beach renourishment, I just want you to know, Reverend Dukes, the money that could be going to the west side is going to make improvements to a half mile stretch of private property in the, in the middle of Singer Island.

Now, Ms. Pardo showed up there. You know, I made some comments about Ms. Pardo. I just want people to know that we are still get leads, most of 'em we haven't been able to confirm but we still have a \$100,000 reward for information on Ms. Pardo involving any alleged political corruption, illegal payoffs and bid rigging. Now, I know the State Attorney, I talked to the public corruption person last week. They're still deep involved in their investigation. I'm disappointed they haven't made any charging decision by now but I'm keeping my fingers crossed.

Finally, Tho'.., Cedrick Thomas, his one anniversary's coming up. The, uh, there's an FDLE complaint filed by the police union. He can be filed.., fired for any reason but once his one year probation period's up...

[Beep]

**MR. F. LOZMAN:** ...then it's gonna be very hard to get rid of him. Somebody needs to deal with this before his one year probation's up in February.

CHAIRPERSON DAVIS: Ms. Mary Brabham.

**MS. M. BRABHAM:** Ms. Mary Brabham, Riviera Beach. Thank you, residents, for coming out on December the 15. The voice and the call has been placed out and we thank you from the north, south, east and west. These peoples are asking for a special exception. The word special except should indicate that something is wrong here. We, as residents and other leaders, we are ashamed that any elected official would entertain...

### MAYOR MASTERS: That's right.

**MS. M. BRABHAM:** ...something like this coming into this City. We're ashamed. We feel and know that you're better than this. They went down in West Palm Beach and West Palm Beach and West Palm Beach said no. Yes, they said no. Those tank gallons would totally exceed 400,000 gallons. Stop saying that this bleach. This is no ordinary bleach, residents. I think you all got the word, this is no ordinary bleach here. You're dealing with hydric chloric chemicals and these are gas chemicals. You have a whole community, the City of Riviera Beach will be impacted with this. If some of you are not pushing it, we know that there are other outsiders that are pushing this.

The impact and environmental study have not been done. If we had not come in there on last Thursday, this woulda been a done deal here. Our property value, every life here is at stake and I think the residents are well aware of. Stop this travesty. Two months ago when they called Ms. Brabham, Ms. Brabham said no cause she had already done her research. I don't sit at the devil's table and we're hoping that our leaders respect the entire City. Yes, we have ammonia on the north side over there, we have it on the west side and the east.

Everywhere. They are appalled with this that you would even entertain this here. This is.., this is.., these are gases. These are gases that, that, that will corrode.., cor'.., those tanks will cause corrosive. I saw the stuff is contaminated from Solitron and our water and stuff. If you're usin' this here for our water, we' been chlorinating our water. Stop this travesty.

Those closed containers, we live in a heated environment. They would explode and when they, and when they explode, heat.., and they will cause a fire, with an evolution of chlorine. World War II used this, that killed our American soldiers and British soldiers. When I spoke about the gas this is another form of gas. Ms. Debbie Isaac, you all labored with that for \$1.75 and changing her title. What, what...

[Beep]

# MS. M. BRABHAM: ...nonsense is that?

Residents, Happy Holidays, Merry Christmas, Happy New Year and stay on God. These peoples are taking some of these peoples over in Tampa to see it. You strong men, stand up and be accounted for, for your precious City here. And tell those peoples there to stay over in Tampa.

# CHAIRPERSON DAVIS: Thank you.

**MS. M. BRABHAM:** They won't even be monitored by, by.., they'll be monitored over in Tampa. And only our fire department and our police will only come for alarm and fire department. It's written here in the documents. We live in a heated, heated City here.

CHAIRPERSON DAVIS: Thank...

MAYOR MASTERS: Mr....

MAYOR MASTERS:...you. Thank you.

MS. M. BRABHAM: Thank you.

CHAIRPERSON DAVIS: Margaret Shepherd.

MAYOR MASTERS: Mr. Chair, while she's...

CHAIRPERSON DAVIS: Margaret Shepherd.

MAYOR MASTERS: ... while she's coming. Ms. Brabham, I totally support...

CHAIRPERSON DAVIS: [Inaudible].

**MAYOR MASTERS:**...the advocacy on your part, on your behalf and the residents. I think it is shameful that they want to come into this City and I, I, I'll stand with you 100%.

Thank you.

# CHAIRPERSON DAVIS: [Chuckle].

**MS. M. SHEPHERD:** Margaret Shepherd. And I do live at 167 East 23<sup>rd</sup> Street, here in the great City of Riviera Beach. I've been there this March for three years. It's no secret where I'm at. I wanna go on record by saying, Reverend Davis preached a wonderful message, it took a miracle. And Ms. Pardo and Mrs. Tonya Davis Johnson and to Bruce, uh Mr..., not Bruce but Mr. Gagnon and to all the women and men in the City of Riviera Beach, I wanna put you on notice that God is about to work a miracle. To have someone to accuse you of something, no basis, no, uh, realistics of how a system work. They're gonna be held accountable for the deeds that they have set before this City. To bother a senior citizen, 71 years old in April and a seven'..., 17 year old girl that has been your model here in the City of Riviera Beach. She won two fashion pageants, she model, she was given a plaque for mother and daughter of the year. We have been your eyes and ears in the City of Riviera Beach ever since the day Summer Shepherd-Thomas was born.

But I'm good with it and I'm ready. It was a gentleman reached out to me who's an attorney and he heard the story and he said, 'Ms. Shepherd, I will take this case on.' So you will see us soon, we're getting all the data, document and evidence cause we're ready to do battle. When you talk about somebody, it's good to say whatever you have to say. That's your prerogative. But make sure that you have all the evidence in order. And so I'll read [inaudible] this because it's slander, it's deframing Summer's character. I am her prelimintary guardian. I had to go to court to be her prelimintary guardian. Just cause I'm grandmother, I can't make decisions but let me read what they wrote to me. 'Date of action, a household member has left the home and no longer can be a part of these benefits but, if you go to the Housing Authority, Summer can stay in my home until she's 25 years old, going off to college. I will make it clear when you make some type of slanderous remarks, you make sure that you don't send someone from the fraud division and someone from the.., let me get it right. Let me get it right. [Pause]. Dave Aronberg's office, the State Attorney office, from the Public Corruption Division. I wanna set you a motion. I wasn't afraid cause the one thing...

[Beep]

**MS. M. SHEPHERD:** ... I know, my mother taught me one thing, keep all your data, document and evidence in place. I wanna say to Mr. Lozman, and all that is in this corruptive mood.., God is gonna take care of you. So I ask you all one thing, just be ready to settle down cause Mr. Lozman is outta here. And it's, it's really comin' outta his pocket. He shall not and he will not come here and talk to the residents or women in this City. I want you all to know the men is in our.., in our corner. I'm sick of him.

Thank you. Let's make America great again. Thank you.

COUNCILPERSON HUBBARD: Ms. Shepherd?

CHAIRPERSON DAVIS: [Inaudible]...

**COUNCILPERSON HUBBARD:** Do you know how America got great in the first place?

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**UNK. AUDIENCE:** [Inaudible] slavery.

**MS. M. SHEPHERD:** I'm talking about our City, not the world. Let's make America great again and our great City. Let's get rid of this foolishness in our City and move forward. That's what I'm talkin' about, Ms. Hubbard. Yes, I know we're talking about slavery.

Thank you, young lady. Have a blessed new year.

CHAIRPERSON DAVIS: Ms. Bonnie Larson.

COUNCILPERSON HUBBARD: Merry Christmas.

**CHAIRPERSON DAVIS:** And then Tommy Walker after Ms. Larson.

**MS. B. LARSON:** Bonnie Larson. The P&Z meeting that Mrs. Brabham was talking about was very well attended, it was like standing room only. And I have to commend the members of the P&Z Board. They're not paid, they come there, they sit for hours and hours and hours and listen to everything. They made the decision to wait on the vote because they didn't have all the information so that was a wise thing to do. And it's the same thing a lot of you on the current Board are doing, you're asking questions. You can't make a sound decision without knowing all the facts and that's what happened. We're missing one member of the P&Z Board and we don't have any alternatives so, are we advertising for those positions, what are we doing? Like I said, it's a thankless job but that needs to be, that needs to be televised so that all of you can see what happens. Rather than just knowing how the vote went, you need to know what questions were being asked and, and what comments were being made by the public for every P&Z meeting.

There's a median on Broadway and West 28<sup>th</sup>. It's right outside the Broadway Cleaners. Second time there's been an accident in a year. First time, somebody came about 60 miles an hour down West 28<sup>th</sup>, flew over the median and crashed into the building across the street. Now, someone has run into the pole that's there. It's a pole with a sign on it. So that was laying down for several days. Then the sign disappeared but now the pole is laying down. It's very dangerous, it's a few inches from the ground. If somebody doesn't see that, they're gonna get a very bad injury and end up in the hospital for Christmas. My point is, who is responsible for seeing things like that? It was right in the middle of Broadway. We shouldn't have to wait for citizens to come, 'It's not you but find out who it is.' We shouldn't have to wait for a citizen to come and say, 'Let's stop this accident waiting to happen.' That could seriously injure someone. So we..., that needs to be picked up immediately. We shouldn't have to wait here..., until we come here. Maybe you need reflectors on that curb since it does seem to be a problem area.

The calendar, the City calendar I'd like to request that that be not hidden as it is now. I couldn't find it for a long time, someone from Staff had to show me where it is. I get calendars from companies advertising classes and it's a full-page calendar. It has every event on there for the whole month, not just what's happening tonight. Every event. Your Mingle and Jingle, Ms. Pardo, was not on there. Mayor Masters, your music event the other night, it's not on there. We need to know, is the Utility meeting happening this month? Put it on there, it's a certain..., it's a certain time each month. Leave it on there on the appointed

day and then if you cancel it, write cancelled so we know you didn't forget to put it on there, you're just cancelling it. But let us see the whole month at a glance. I don't' understand why it's 3" tall and it's in a hidden spot.

What happened at the Utility meeting the other night? I'd like to know that because I'm very interested in what [stammer] is the condition of our water. We also need to, maybe reconsider voting on the \$1,000 payment each month for that Utility meeting. I heard it was, like, 23 minutes the other night. But what happened at that meeting...

[Beep]

**MS. B. LARSON:** ... cause I didn't even know about it. I didn't see it on the calendar.

And, Florida Power & Light is coming around, if you see them... Public information. They're coming around checking all the utility poles in the area. They were chomping on one of ours. I asked them what they were doing. They're coming around on a little golf cart, they said they check the poles once every ten months. Then they injected the pole with some kind of [pause], I don't know what is but that's to keep the pole in good shape. But ev'.., so, if you see them in your neighborhood, that's that they're doing.

Thank you.

**CHAIR PRO TEM MILLER-ANDERSON:** Thank you, Ms. Larson. Mr. Tommy Walker and then Kevin Justice.

**MR. T. WALKER:** Tommy Walker, 1582 West 9<sup>th</sup> Street, beautiful Riviera Beach. The, uh, the presentation that just went passed, I was just sitting back there thinking, um, it, it looks really, really well. Are we still gonna do that thing on Broadway with the senior living? If we're gonna do both of 'em. You can ans'..., you can answer me later but I was just thinking that all that prime real estate we got on Broadway, like the lady said earlier, there's nothing there. We need to get busy on that.

I have a two-part question and I need a Christmas present from everybody up there.

# MAYOR MASTERS: [Chuckle].

**MR. T. WALKER:** And my Christmas present is don't forget my children. Don't forget that we still have.., half the school year is already gone, we still have a 80% failure rate in our elementary schools. I'm, I'm, I'mma, I'm gonna keep coming and I'mma keep reminding you, I'mma keep fighting for this. We have got to come up with some kind of plan, and I'm looking at you Ms. Miller cause I..., and I'm lookin' at you too, Ms. Johnson. We..., this Council has got to get us, all four elementary schools are failing and we have got to come up with a plan, get with the task force coordinator. Uh, we've talked to Mr. Jones. We gotta sit down and figure out how we're gonna fix this problem.

Happy Holidays. Ya'll are doing a great job. Be blessed.

**CHAIR PRO TEM MILLER-ANDERSON:** Thank you, Mr. Walker. And just to kinda give you a little hint, starting January, we're gonna be having our [stammer] our education committee meeting again so that information'll be coming out and I have been working with Mr. Jones. So, we have some things that are coming down the pike. So they're not forgotten, trust me.

[Inaudible background comment]

CHAIR PRO TEM MILLER-ANDERSON: Believe me.

MR. T. WALKER: Thank you for [inaudible]...

**CHAIR PRO TEM MILLER-ANDERSON:** I, I do know the importance of it. Mr. Kevin Justice and then George Gentile.

MR. K. JUSTICE: Good evening, Mayor...

#### MAYOR MASTERS: Good evening.

...Manager Jones and Members of Council. MR. K. JUSTICE: Thank you for an opportunity to speak tonight. My name is Kevin Justice and I'm with Southport Real Estate. I am here.., we also are the owners of San Marco, the, uh, housing pro'.., affordable housing project just south of..., on Congress, just south of North Lake. Southport Real Estate, for everone's..., so they know, we're the eighth largest affordable housing developer in the country and, uh, and one of the largest here in Florida. No one won more tax credit deals last year than Southport Real Estate. So, I'm very proud to stand in front of you tonight and all I'm asking you for tonight is to, to have your help. On November 28<sup>th</sup>, we had submitted a letter to Mr. Gagnon to be put on the Agenda for this evening to have our zoning forms and local contribution form, to be able to make our submittal by December 30<sup>th</sup> at 11:00 a.m. for this year's tax credit rounds. We have the property on.., three properties on Leo Lane, just south of... or east of Woodbine along 95, south of the church on 95. We have 13 acres there and we're working with the VA Hospital, Ms. Vilente [sp] who is the HUD/VASH Voucher Program Director to be able to build.., we wanna be able to help veterans, to be able to help homeless veterans to be able to help them for this property. But., and also making it open to the community. But, we would ask you tonight.., all we're asking for tonight, we will come back later for site plan approval and to be able to work with you to.., all we're asking for tonight is to sign the forms like you have for others and for the local contribution so we can make application by the December 30<sup>th</sup>.

We've been working on this for a year. As I told the City Manager today, I think there may have been some breakdown in communication but we're here tonight to ask you to at least let us make our presentation. I have Mr. Gentile here with me and we can be very quick and show you what we're talking about. But, um, I think this is a, a very strong proposal here that we're talking about and, and for a very, very good cause. We, we work with the Veteran's Administration now and we have residents at the San Marco who are.., use the VASH voucher program and...

[Inaudible dais comment]

**MR. K. JUSTICE:** ...but we think we can open this up to the entire community and it's a great project, uh, with the VA providing services. They'll be able to provide services. This is a great opportunity for the City and we would hope you would give us that opportunity tonight to, uh, to be able to, at least, make a quick presentation to show you and hopefully be considered for signing the zoning form and, uh, or also local contribution.

So, any.., if I have any questions or.., and also, Mr. Gentile's gonna speak as well.

**CHAIR PRO TEM MILLER-ANDERSON:** Well, Mr. Gentile has a three-minute time allotment, so if you all wanna utilize his three minutes to do the presentation, being that it was not on the Agenda, you can use those three minutes.

MR. K. JUSTICE: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

**MR. K. JUSTICE:** [Pause]. I, I also wanna, wanna add, this is Mr. George Gentile of Gentile Holloway, our land planner.

[Inaudible dais comment]

**MR. K. JUSTICE:** [Inaudible]. While he's working on that, I'll also tell you we're currently building, right now, in Belle Glade. We're actually actively working on.., we had just acquired a site...

[Inaudible dais comment]

**MR. K. JUSTICE:** ... in Pahokee to build another project as well. And, and we wanted to be able to show everyone the quality of what we build, it's outstanding product, it's great for the community, we're providing jobs and, and...

[Inaudible dais comment]

**MR. K. JUSTICE:** ...this shows you the exact location where we're talking about.

**CHAIR PRO TEM MILLER-ANDERSON:** Okay. We're gonna go ahead and start the three-minute clock. Okay?

MR. G. GENTILE: Yeah. And I will be very brief. For the record...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. G. GENTILE: ....George Gentile.

CHAIR PRO TEM MILLER-ANDERSON: Yes. Three minutes.

**MR. G. GENTILE:** Yes. This is the project site. It's 12.27 acres. It's east, uh, west of the I-95 corridor..., of course, Leo Lane is on the north side of that, uh, of that square. We are doing two phases. One is a family housing project and one would be a senior living.

This request is just for the family housing portion. We're asking to do 87 units. It's the side to your left. They're apartments, it's a secure community, rental community and, as Mr. Justice indicated, they are working with the Veteran's Administration and also opening it up to the community for this. We, we went over the site plan. We've made this site plan meet all of your current zoning conditions. We're at a.., a little bit below the 12 units per acre which is allowed in this zoning district. Although the Comp Plan in this area allows 15 units per acre, we stayed within the confines of the current zoning so there would have to be no PUD or requests for anything else.

The senior housing living project, which'll be another phase that we will come back later, is to the, um, is to the east as you see there. This is some of the products that Southport has done in other areas. This is one of their projects. And I'm gonna go through these quick. These are some of the rental townhome and, and flat apartments that they've done in other areas. This is a community building, playground area. They provide open space playground and amenities that are available to all the public. This is another shot of one of their, um, projects. And, this another one. This is in the Tampa area. We just finished, um, the, uh, this is a courtyard area in between units. They just..., we just finished a, a..., going through this process in Belle Glade with the Calusa Development apartments there and it's being, uh, actually, it's in permitting and they've started the infrastructure construction on it. It was very well received by that community and the western communities of, of Palm Beach County. Again, I, I wanna be brief. It's only 87 family rental units and we will bring back phase two at another time.

Madam, Vice Pro Tem, I., I'm done. I'll be glad...

### CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. G. GENTILE: ... to answer any questions.

CHAIR PRO TEM MILLER-ANDERSON: Okay. I'm over here.

MR. G. GENTILE: I'm sorry. There you are. [Chuckle].

**CHAIR PRO TEM MILLER-ANDERSON:** [Chuckle]. Okay. Well, during public comments, we do not do., typically, don't...

**MR. G. GENTILE:** I understand.

**CHAIR PRO TEM MILLER-ANDERSON:** ... do the questions but, what I will say is to contact each Councilperson, as well as the Mayor, if you would like to have further discussion with them, at another time.

#### MR. G. GENTILE: But, thi'...

**CHAIR PRO TEM MILLER-ANDERSON:** I understand you're.., that would require a special meeting in order for that to happen before the end of December. And again, that would be something that you can reach out to each person to see if anyone is willing to do that.

### MR. G. GENTILE: Okay. [Inaudible].

**CHAIR PRO TEM MILLER-ANDERSON:** Alright. Cause, I mean, we can't.., we're not gonna add it on tonight and, especially we haven't had any dialogue, we haven't discussed it or anything.

I will ask though, was there a reason Mr. Gagnon or Mr. Jones, as to why there's.., they didn't come, get an opportunity?

**INTERIM CITY MANAGER JONES:** I spoke with George, uh, six months back and I told him to work with Mr. Gagnon to, to get it done and I did not engage or hadn't had any conversation with them prior to it, it appearing on the Agenda last week and the Chair and I discussed it and it was removed from the Agenda because it hadn't been discussed and talked about prior to...

#### CHAIR PRO TEM MILLER-ANDERSON: Okay. Okay.

**MR. K. JUSTICE:** Madam Pro Tem, the.., there's a letter that we submitted on November 28<sup>th</sup> to be on the Agenda to Mr. Gagnon.

#### CHAIR PRO TEM MILLER-ANDERSON: Okay.

**MR. K. JUSTICE:** Here's a copy of that letter.

**CHAIR PRO TEM MILLER-ANDERSON:** Okay. They, they can give us a copy of it. Thank you so much. That's the end of public comments. I think someone did submit theirs but it was submitted after we started public comment.

### **12**. **ITEM NO**. 12

**CHAIR PRO TEM MILLER-ANDERSON:** So we're gonna go to Regular Business Item No. 12.

CITY CLERK ANTHONY: RESOLUTON NO.\_\_A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PITTMAN LAW GROUP, P.L. TO PROVIDE LOBBYIST REPRESENTATION AT THE STATE LEVEL ON BEHALF OF THE CITY OF RIVIERA BEACH; COMPENSATION SHALL BE \$5,000 PER MONTH FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2018; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FROM THE PROFESSIONAL SERVICES, ACCOUNT NO. 001-0203-519-0-3106; AND PROVIDING AN EFFECTIVE DATE.

**COUNCILPERSON PARDO:** So moved.

CHAIR PRO TEM MILLER-ANDERSON: Second. Mr. Jones.

**INTERIM CITY MANAGER JONES:** What you have before you is an Item to consider to [pause].., continuing the service of Pittman Law Group to provide those lobbying services for the City of Riviera Beach. Earlier in the week, a memo should've.., you should've received a memo with all of the supporting documents and the projects that Mr. Pittman has been able to provide us assistance on. The most recent was last year where we were able to receive, I think, a \$1.3M grant for projects that he lobbied on behalf of the City and was very successful. Mr. Pittman is in the audience tonight if you would like to ask any questions. I'm asking that we renew his contract, at this point, for two years in similar fashion as we've done with the, the federal lobbyist. As you know, the session starts in March and he's currently gathering information to submit on behalf of the City. And we would like to retain his services as they've been outstanding thus far.

**CHAIRPERSON DAVIS:** Any questions by any Members of the Board?

COUNCILPERSON HUBBARD: Yes. Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

**COUNCILPERSON HUBBARD:** There's no doubting that Mr. Pittman's firm and himself have served the City very well and we have received numerous grants and A1 service. What has, what has happened since is that there has been several firms showing an interest in serving Riviera Beach. And, even at the least, we need to put this contract out because I'm sure that Mr. Pittman's work can stand on its own but I think that we, we talk about having fair opportunity to service or to contracts for professional services, if you will, I think we need to put the contract out for bid and, and we [pause], as we do for other contracts, not to say that we do for all but we need to do it for all.

**INTERIM CITY MANAGER JONES:** Okay.

**COUNCILPERSON HUBBARD:** And to be consistent, I want to continue to suggest that we put the co'.., our contracts out for bid, eliminate things like piggybacking and extension as much as possible.

**INTERIM CITY MANAGER JONES:** Okay.

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Pardo.

**COUNCILPERSON PARDO:** Okay. Ms. Hubbard, I have no problem with going out for bid but I have a problem doing it right now. In the next couple of weeks, they're gonna start committee meetings up in Tallahassee and I know Mr. Pittman is already working with Staff, trying to put our priorities together. Once.., and, I'm sure Mr. Jones is gonna have them very shortly because of the committee meetings. And, um, I think it would be a disservice to us to stop that process right now. If we want to go out for bid after the session ends, then, you know, I have no problem with it but I think... Um, you know, there's a possibility that, this year especially, things may look..., well, I think, right now, things are looking pretty good for us and, you know... We have a fan up in Tallahassee right now,

Senator Latvala. You know, he's always been a fan of Riviera Beach, though he represents the west coast. And, this year, he is the Chairman of appropriations. And, Mr. Pittman has had conversations with him, I had lunch with him over the summer and, you know, we spoke about some issues.

So, you know, I would hate to cut off the Pittman Law Group right now. Just, let's get through this session and then I'm all for going out, you know, and seeing who else bids.

COUNCILPERSON HUBBARD: Well, Mr. Chair?

COUNCILPERSON PARDO: That's my [inaudible].

CHAIRPERSON DAVIS: Councilperson Hubbard.

**COUNCILPERSON HUBBARD:** And, and.., and I understand what Mrs. Pardo is saying and I agree with her to some extent. The only thing was that we had mentioned.., this didn't just come up. We mentioned this to Staff earlier to put it out and there was no movement on it. We didn't vote on it, we didn't agree on it or anything but it was ti'.., when, when they brought it to us that there was time for renewal, I thought that is when Staff start to put things [stammer], out for, out for bid.

**COUNCILPERSON PARDO:** [Inaudible].

**COUNCILPERSON HUBBARD:** That [stammer], that just didn't happen. So.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Davis Johnson?

**COUNCILPERSON DAVIS JOHNSON:** And, and I understand your point, Councilperson Hubbard but we never collectively, as a body, voted to put it out. There was discussion and I...

#### **COUNCILPERSON HUBBARD:** I said that.

**COUNCILPERSON DAVIS JOHNSON:** I remember, specifically, speaking to the point of the fact that we have touted that we want local businesses to do business with us. And, um, yes, Mr. Pittman is out of Tallahassee but he is also.., he also has an office here and he mirrors exactly what we said we wanted. And so, with him having done the job that he has done and with the mere fact that he is, he is gearing up to go and represent us in this new session, I don't.., at this particular moment, I would not support sending this solicitation out and allow the Pittman Law Group to continue to lobby on our behalf because who knows better the City of Riviera Beach having, you know, lived here and, uh, working here. I think that we have fair representation by utl'.., utilizing the services of Mr.., of the Pittman Law Group.

COUNCILPERSON HUBBARD: Mr. Chair?

**CHAIRPERSON DAVIS:** [Stammer], before I go... Vice Chair, do you have anything before I go to another round?

CHAIR PRO TEM MILLER-ANDERSON: Mm, she can go ahead.

**CHAIRPERSON DAVIS:** Okay. Councilperson Hubbard.

**COUNCILPERSON HUBBARD:** It., and, and I said previously, we have received superb and excellent service from Mr. Pittman and the Pittman Law Group. Several months ago, when Staff brought to us that this was coming up for renewal, that is the time when we, we.., I can pull the minutes when we di'.., we didn't vote on it, we, we may or may not have voted on it but we discussed the fact that we needed to go out for bid. The, the.., what I'm saying is that, I'm not, by any means, saying that Mr. Pittman hasn't done a great service for us and that he is local and has an office here. All I'm saying is, for businesses to continue to want to do business with us and for.., we.., for loc'.., for all the locals to have an opportunity, at least to compete then that's okay for, for ... [Pause]. Competition is healthy, competition is good and, as we all have stated, the level of work that he has done can stand on his own and up against competitors. That's all that I'm saying.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Davis Johnson.

**COUNCILPERSON DAVIS JOHNSON:** Specifically, I remember the, the discussion that was had, Councilwoman, you indicated that you wanted to shake the trees and see what was out there. I believe that was the language that you used when we were discussing it. But, at any rate, I do believe that his work can stand up, I believe that the firm's work can stand up. I don't believe that we need to put ourself at a disadvantage in trying to send out a solicitation at this stage of the game when, as a Council, we'll be going up to DC to meet with the newly elected officials this..., coming up in March. And so, trying to put out a solicitation at this time, I think that that would just be a detriment to us, as a body.

CHAIRPERSON DAVIS: Okay. Vice Chair, any comments?

**CHAIR PRO TEM MILLER-ANDERSON:** I hear, you know, I hear everything that we're talking about. I know maybe a few months back, we discussed.., I can't think of his last name, Mr. Maurice's contract for him to renew...

**CHAIRPERSON DAVIS:** That's the federal lobbyist?

CHAIR PRO TEM MILLER-ANDERSON: ... his contract. What's his last name again?

[Inaudible dais comment]

**INTERIM CITY MANAGER JONES:** Maurice Kurland

**COUNCILPERSON PARDO:** Kirland.

**CHAIR PRO TEM MILLER-ANDERSON:** Kurland, Mr. Kurland. And we discussed about how well of a job that he did. I know he helped us out a lot when we went up to DC and I, you know, I don't want to leave out the fact that when we did go up to Tallahassee as well, several times we've worked with Mr. Pittman and he, he did an excellent job, just as Mr. Kurland did while we were up there in Washington, he did the same thing for us when we were in Tallahassee. Um, and, you know, we, we approved that pretty quickly for Mr. Kurland. I think we should give the same courtesy to Mr. Pittman. I do understand what you're saying, Ms. Hubbard, in regards to putting it back out there for, you know, others to have an opportunity. But again, you know, we're all gonna be probably going up to Tallahassee in March and we will need someone to assist us in the way in which they did when we went up there a year or so ago.

You know, after the two years, then, if we would like to go back out, I'm, I wouldn't haven't any problem with that. But, at this time, I would not be in favor of supporting that.

**CHAIRPERSON DAVIS:** And, and I can support what the Vice Chair has stated just this far. You know, after two years, let the federal lobbyist, let the state lobbyist do what they do. We did talk about putting things out for competition. Then, the federal lobbyist did come before us. There was approval to give them two years. Mr. Pittman has done, done his due diligence with bringing us funding. Let's give him two years the same [inaudible] and ahead of time we know, maybe a year out ahead of time that when we do put out, we can see what the market has to offer at that point. But at this point, it's too late in the game to, um, to switch it.

So, I support what the Vice Chair and Davis Johnson have just stated, with supporting the two years and then.., within the next year or two, we can start what that language should look like, when we're gonna send it out so we can be ahead of the curveball. On the federal and the state level.

MR. F. LOZMAN: I have a card in.

CHAIRPERSON DAVIS: And Mr. Fane Lozman, public comment card.

[Inaudible dais comments]

**MR. F. LOZMAN:** Fane Lozman, owner of 25 acres of land in Singer Island. Largest landowner in Singer Island, unlike some.., Ms. Shepherd that doesn't own anything in the City.

The.., I have followed Mr. Pittman. Mr. Pittman has done a tremendous job. For \$60,000, he's done a wonderful job. There is an alternative where we can have it all. \$60,000 for the seven figures this man brought in is a bargain. We oughta say, 'You know something, based on merit and performance, you got your contract.' But he can't cover everything. Tallahassee's a big joint. You got Ron Book, you got the Bredder [sp] Group, you got a whole bunch of other lobbyists. You should say, 'You know something, based on how well he's done, we're gonna double our lobbying budget. We're gonna put another \$60,000 out for bid and see if that group can get us a couple million.' That's the way to do it, is double the lobbying budget form \$60 grand to \$120 grand.

[Inaudible dais comment]

Tag team. Pittman has his half and the other group that has their MR. F. LOZMAN: performance, they have their half but, you know, we're talking about spending, you know, millions of dollars on, on b.s. but here we have a man for \$60 grand that brought in seven figures. We ought as y we're not gonna run the risk of losing him. You know, we may alienate him. He says, 'You know something, you don't like what I have, I, I'm not even gonna put my name in contention, just forget it.' That's what I would do. You oughta say, 'On a merit-based, performance-based, we like you, we're [chuckle] gonna keep you but we think..., let's see what else, if we can supplement your performance.' So, Ms. Hubbard is right. Put it out for bid, another \$60 grand, pick the high roller there and then between both of 'em, who knows. Somebody may hit the jackpot for 3, 4 or \$5,000,000. You just don't know but it's a low cost to find out. That \$60 grand was probably the best \$60 grand the City spent since I've been here. Look at the rate of return. Why don't we just do it again and see what happens? If it doesn't work out, great. We still always have him in there but don't alienate him by saying, 'Well, we're gonna put it out for bid.' He may say, 'Hey, if my performance isn't good enough, there's plenty of other municipalities will be happy.' You can't run the risk of alienating people who've done a wonderful job.

You know, finally, um, this wraps up the Agenda but, finally, I'm not gonna sit here and be threatened by any member of the audience. I'm here to stay, I'm making additional investments on the west side. I've been looking at some major projects out there to invest in. I'm investing in this City. Okay? I'm putting my money where my mouth is. I have other friends of mine are coming in and making some tremendous investments in this City. So, to sit here and be threatened by somebody who's committed housing fraud who's a public official on the Planning & Zoning Board, that's not gonna happen. The evidence is sound. I would not rule out a charging decision against Ms. Shepherd.

Thank you.

**CHAIRPERSON DAVIS:** Alright. That's the end of public comments as regards to this Item.

MAYOR MASTERS: Mr. Chair, I have a question on this Item.

CHAIRPERSON DAVIS: Mayor, go ahead.

**MAYOR MASTERS:** I, I just want to, um, just for the record, to say to Mr. Pittman, as others have said, particularly the Vice Chair, I appreciate your, your efforts. When we came there regarding the Corey Jones situation, you were, you went far and beyond the call of duty to set up meetings for us, even with the Lieutenant Governor and other legislators and it was very successful as a result of those meetings. The now senator has introduced legislation that will be coming up. I'm trying to think who I'm talking about, Bobby...

**UNK:** Powell.

**MAYOR MASTERS:**...Powell, yeah. And, so I wanna thank you. Now, the other thing I wanna ask you is, or, or the City Manager, how long has Mr. Pittman been getting \$5,000 a month?

**INTERIM CITY MANAGER JONES:** Actually, Mr. Pittman is getting \$6,666...

COUNCILPERSON HUBBARD: [Inaudible].

**INTERIM CITY MANAGER JONES:** ...a month But when the contract renewal was placed in the, uh, on the Agenda, it was placed for \$5,000.

**MAYOR MASTERS:**So is that a mistake?

**INTERIM CITY MANAGER JONES:** His current salary is \$6,666.60.

MAYOR MASTERS: So, this is a mistake here?

**INTERIM CITY MANAGER JONES:** Uh, [pause], it's what's in the agree'.., it's what was in the contract. It was the negotiated price and I wasn't in on Monday and Tuesday to go over the Agenda...

#### MAYOR MASTERS: Okay.

**INTERIM CITY MANAGER JONES:** ...on Monday. It's something I will have to discuss with Mr. Pittman but it was in the contract that was submitted.

**MAYOR MASTERS:**Okay. I just wanted to make sure that he was [inaudible] \$5,000. Okay. Thank you.

CHAIR PRO TEM MILLER-ANDERSON: So, question. So...

CHAIRPERSON DAVIS: Vice Chair.

**CHAIR PRO TEM MILLER-ANDERSON:** So, what is it going to be? Is it going to be the five that we're voting on tonight or is it gonna be changing?

**INTERIM CITY MANAGER JONES:** It., it should've been renewed at his current rate of \$6,666.60.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

**INTERIM CITY MANAGER JONES:** And, it was a scrivener's error that Staff just wrote in the \$5,000 and submitted it and I didn't have the opportunity to review it prior to the meeting tonight.

MAYOR MASTERS:[Inaudible].

**INTERIM CITY MANAGER JONES:** I normally review these Items on Monday for a general review...

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MAYOR MASTERS: So it was a mistake.

**INTERIM CITY MANAGER JONES:** ... of the final Item.

COUNCILPERSON PARDO: Yeah.

MAYOR MASTERS: Okay. Honest mistake. Right?

**INTERIM CITY MANAGER JONES:** Yeah.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Hubbard.

**COUNCILPERSON HUBBARD:** I just wanna say for the record, there is nothing about Mr. Pittman or Mr. Pittman's work that I'm referring to. I'm referring to what I continue to say up here in order to not to be one that talks out of both sides of my mouth, I'm saying that we open things up for bid. I, I do, I do believe that fair competition is the only way that we're going to move the City forward. So, I just want that part of it to be real clear for my colleagues and, um, and, and Mr. Pittman as well, and the, and the general public. So, that is why I couldn't go along with it as it is.

CHAIRPERSON DAVIS: Okay.

[Inaudible dais comment]

CHAIRPERSON DAVIS: [Stammer]...

**INTERIM CITY MANAGER JONES:** We ask that it be renewed at its current rate...

CHAIRPERSON DAVIS: So that'd be...

**INTERIM CITY MANAGER JONES:** ...Mr. Chair.

CHAIRPERSON DAVIS: ...an amend'.., amended motion?

**INTERIM CITY MANAGER JONES:** Amend the motion to be renewed at his current rate.

CHAIRPERSON DAVIS: Can someone.., who was...

COUNCILPERSON PARDO: Okay. So...

CHAIRPERSON DAVIS: ... the original motion maker?

**COUNCILPERSON PARDO:** I made the original motion so I amend the motion to renew his contract for two years at his current rate of \$6,666.66 per month.

CHAIRPERSON DAVIS: Does the second still stand?

CHAIR PRO TEM MILLER-ANDERSON: Who second it, was that me? Yes.

CHAIRPERSON DAVIS: Yes.

MAYOR MASTERS:[Chuckle].

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIRPERSON DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIRPERSON DAVIS: Madam Clerk.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: No.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

**CITY CLERK ANTHONY:** That motion is approved with Councilperson Hubbard dissenting.

CHAIRPERSON DAVIS: Alright. That's the end of Item 12.

### ITEMS TABLED

### **DISCUSSION AND DELIBERATION**

**CHAIRPERSON DAVIS:** So now, we have to go down to discussions and deliberations. [Pause]. Do we have any?

### COUNCILPERSON PARDO: No.

UNK: No.

COUNCILPERSON PARDO: Nope.

# DISCUSSION BY CITY MANAGER

CHAIRPERSON DAVIS: By the City Manager?

**INTERIM CITY MANAGER JONES:** No.

CHAIR PRO TEM MILLER-ANDERSON: Any discussion or deliberation?

**INTERIM CITY MANAGER JONES:** No.

# DISCUSSION BY CITY ATTORNEY

CHAIRPERSON DAVIS: Sorry, Mr. Jones. City Attorney?

**INTERIM CITY MANAGER JONES:** [Chuckle].

CHAIRPERSON DAVIS: Any updates? Anything?

ASST. CITY ATTORNEY BUSBY: No, Chair. Thank you.

CHAIRPERSON DAVIS: Any committee repor'...

**INTERIM CITY MANAGER JONES:** Mr. Chair?

CHAIRPERSON DAVIS: Yes, sir.

**INTERIM CITY MANAGER JONES:** I would like to report...

CHAIRPERSON DAVIS: Yes.

**INTERIM CITY MANAGER JONES:** ...that Mayor Masters and I did travel to Philadelphia and to Camden, New Jersey...

MAYOR MASTERS:[Inaudible].

**INTERIM CITY MANAGER JONES:** In the delegation with the Mayor, myself, Captain Glenn Meyer from the police department and Roseanne Brown representing the police department. We met with...

MAYOR MASTERS: Valerie Grimsley.

**INTERIM CITY MANAGER JONES:** And Valerie Grimsley from YEP, Youth Empowerment Center. We did meet with the police commissioner for Philadelphia, Commission Ross and former commissioner, Chuck Ramsey, along with Camden, New Jersey Chief of Police, Mr. David Thompson. We looked at best practices, visited several real time crime centers and we plan to bring you a full report...

# MAYOR MASTERS:[Inaudible].

**INTERIM CITY MANAGER JONES:** ...on what we've learned and some suggestions that we would like to discuss and try to implement in the future at Riviera Beach. So, we do plan to bring a full report by the first meeting in January. It was a.., we considetr the trip to be a success and it was well worth the time and effort spent to get there on such short notice during the holiday season.

[Inaudible dais comments]

CHAIRPERSON DAVIS: Thank you. Legal? Legal?

[Inaudible dais comments]

CHAIRPERSON DAVIS: No'.., there's nothing from legal?

ASST. CITY ATTORNEY BUSBY: No, Chair. But...

CHAIRPERSON DAVIS: Okay.

ASST. CITY ATTORNEY BUSBY: ... [inaudible].

#### **COMMITTEE REPORTS**

**CHAIRPERSON DAVIS:** Council, Commission update. No, we have Committee Reports. Councilperson Pardo, we'll start on that end and work our way to the left.

**COUNCILPERSON PARDO:** There's no committee reports. Thank you.

COUNCILPERSON HUBBARD: No comments, sir.

### BY THE MAYOR AND CITY COUNCIL

I would just like to wish everybody a...

[Inaudible dais comment]

**COUNCILPERSON HUBBARD:** ... Merry Christmas. And I see Senator Powell sticking his head in the door, Mr. Chair. The.., I'd like to wish the public and all the residents a Merry Christmas and a Happy New Year. I think we will have another meeting before the New Year though. Thank you.

#### CHAIRPERSON DAVIS: Thank you.

**COUNCILPERSON DAVIS JOHNSON:** Sure. Mr. Chair, thank you. Mr. Jones, will you be preparing a..., I know that the Board of County Commissioners met with regards to the oversight committee for the surtax. Will you be presenting something to us in the New Year for..., on this matter? And then, and then secondly, we had a listing but I think that the conversation that this Board had was we wanted to review the list that was put forth as it

related to the projects that we wanted to see to u'.., to be able to utilize those dollars on. We were going to get together as a Board and have a discussion as to what those actual projects were going to be?

**INTERIM CITY MANAGER JONES:** Yes. And yes. We will provide you with a list of all of the unfunded capital projects that we currently have and schedule a meeting to try to rank those projects and make them a priority. I was not available yesterday for the meeting that took place. I understand that the county will be moving forward with their Board. I will reach out for the County Administrator to set up a meeting and discuss their policy and how they plan to move forward. We have some thoughts and ideas and I will be making a recommendation to you at the beginning of the New Year on how we can move forward in a, in a expeditious manner, without any delay, to make sure our funds are received timely.

**COUNCILPERSON DAVIS JOHNSON:** Thank you. And then, I also wanted to commend Trinette Morris and the Trinity Gourmet for their efforts. We partnered and we were able to provide 100 students from all of the schools here in the City of Riviera Beach with, not just only presents but an experience. There was quite a bit going on, on Monday at the Event Center for our students. So, I want to publicly thank Ms. Trinette Morris and the Trinity Gourmet staff, as well as the local businesses that adopted students from each of the schools. And I want to thank my Legislative Assistant, Pascale Reid, for a wonderful job in helping to coordinate those efforts and to make sure that our students, their needs and their actual wishes were met.

And, having said that, I wish to wish the City of Riviera Beach residents a very Happy Holidays, Merry Christmas and a beautiful New Year.

CHAIRPERSON DAVIS: Thank you. Vice Chair.

**CHAIR PRO TEM MILLER-ANDERSON:** Are we gonna.., are we doing comments and committee at...

CHAIRPERSON DAVIS: Yeah. We'll do both.

CHAIR PRO TEM MILLER-ANDERSON: ... the same time?

CHAIRPERSON DAVIS: Yes.

**CHAIR PRO TEM MILLER-ANDERSON:** Okay. In regards to the Committee Report, I just wanted to report that I was accepted on the Federal Advocacy Advisory Board for Human Development and, uh, with the National League of Cities and I think it's very important because of, one, that that particular advocacy deals with children and learning. So, we'll be talking about a lot of pol'..., policy positions dealing with the area of education. We also talked about poverty and income support, employment and in work force development, as well as Equal Opportunity, social security and seniors. So, it comprise'..., it's compromised of a number of issues but, as we know, I am the liaison for the education with the City and the School District. So, I, I felt that that was a pretty good positon to be in. So, I, I was just accepted there maybe a couple weeks ago. And I think a few of us up here were accepted

somewhere else but maybe they'll come back and say what they were accepted on in a few minutes.

The other thing is, I met with Ms. Roseanne Brown, maybe about two or three weeks ago, I sat down and spoke with her in regards to the Education Advisory Board that has been inactive for a while. They've been doing the scholarships but they have not been very active in terms of working with the schools or utilizing the committee as a way to be a, a connecting bridge with the schools. So we're looking to activate, reactivate that in the month of January. More information will be distributed on Channel 18 as well as flyers and doorknockers will be put out to inform the residents, so that everyone can participate because, as I stated several months ago, it's gonna take for our businesses, our community, our church leaders, our residents to come together in order to help our schools be more successful. I did hear that West Riviera did a wonderful job on their diagnostic test and that gave them an indication of how well they may do on their state test, which used to be the FCAT. So, I think we're beginning to, and, and I know they've been working very hard so all of the accolades go to them. They've been working very diligently trying to improve their score. So, I think we're moving in the right direction. Several months ago..., I'm sorry, several weeks ago, we spoke of the.., ha'.., possibly having a Youth Council. We did set aside several thousand dollars to discuss and, and how we're going to put that to use with our students, whether we're gonna do a summer academic program for next summer or if it involves us doing Youth Council.

So, there's a number of things that we've talked about, first of all but there are some things that we do need to put into motion. So, I just want all of you out there, especially Mr. Tommy Walker since he called my name out, I want him to know that, you know, there's a lot going on and the public will be invited to participate because we do need you. We can't do it by ourselves and neither can the schools do it by themselves.

I just wanted to say that I look forward to the year 2017 where we can do some, even more greater things that we've already been doing. I think we've been kinda bogged down. We've had a lot of special meetings the past few months, we've had a lot going on here on the Council but I think we're all beginning to gel. I, I think in 2017, once we have our retreat, we'll be able to really identify which way we're trying to move as one and what's best for the City. So, I look forward to working together in 2017. I just wanna wish everyone a Merry Christmas and a Happy New Year. And I.., did I hear someone say we have another meeting before the end of the year?

UNK: No.

CHAIR PRO TEM MILLER-ANDERSON: Oh, okay. No, right?

**UNK:** No meeting.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: No meeting.

CHAIR PRO TEM MILLER-ANDERSON: I didn't think so.

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## CHAIRPERSON DAVIS: No.

## CHAIR PRO TEM MILLER-ANDERSON: Alright. [Chuckle].

COUNCILPERSON DAVIS JOHNSON: Madam Pro Ch'.., Madam Pro Tem?

#### CHAIR PRO TEM MILLER-ANDERSON: Yes.

**COUNCILPERSON DAVIS JOHNSON:** I, I'd like to share with you that we did reach out to the City of Savannah and their Pro'.., their Mayor, Pro Tem, has reached back.

## CHAIR PRO TEM MILLER-ANDERSON: Okay.

**COUNCILPERSON DAVIS JOHNSON:** And is willing to come and to share with us how they got their Youth Council started because it's a very active, very vibrant, very robust...

[Inaudible dais comment]

**COUNCILPERSON DAVIS JOHNSON:** ...Youth Council. So, they've, they've reached back and said that they're interested in coming here to South...

CHAIR PRO TEM MILLER-ANDERSON: Very good.

**COUNCILPERSON DAVIS JOHNSON:** ....Florida to talk to us.

CHAIR PRO TEM MILLER-ANDERSON: Very good...

COUNCILPERSON DAVIS JOHNSON: Yes.

CHAIR PRO TEM MILLER-ANDERSON: ... cause I did speak to a few of them...

COUNCILPERSON DAVIS JOHNSON: Mhmm.

**CHAIR PRO TEM MILLER-ANDERSON:**...down south in, in Broward County there's one very active. And I believe West Palm has one but I'm not sure of how active theirs is. So, we have...

[Inaudible dais comment]

CHAIR PRO TEM MILLER-ANDERSON: ... a few blueprints...

CHAIRPERSON DAVIS: I think Pompano...

CHAIR PRO TEM MILLER-ANDERSON: ... that are already out...

COUNCILPERSON DAVIS JOHNSON: Absolutely.

CHAIR PRO TEM MILLER-ANDERSON: ... that we could, um...

COUNCILPERSON DAVIS JOHNSON: Absolutely.

**CHAIR PRO TEM MILLER-ANDERSON:**...really follow and won't have to recreate wheels.

**COUNCILPERSON DAVIS JOHNSON:** Because, if you'll remember, they had a large contingency...

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

COUNCILPERSON DAVIS JOHNSON: ...[inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

COUNCILPERSON DAVIS JOHNSON: ... this past...

CHAIR PRO TEM MILLER-ANDERSON: Exactly.

COUNCILPERSON DAVIS JOHNSON: ...November.

CHAIR PRO TEM MILLER-ANDERSON: Exactly.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

**CHAIRPERSON DAVIS:** Didn't Pompano have a large one as well?

COUNCILPERSON DAVIS JOHNSON: Joy Co'.., Joy Cooper?

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON DAVIS JOHNSON: Mhmm. They have a ...

**CHAIR PRO TEM MILLER-ANDERSON:** There were qui'... Yeah. There were quite a few. So, we're, we're...

COUNCILPERSON DAVIS JOHNSON: We're moving.

**CHAIR PRO TEM MILLER-ANDERSON:** We just need to catch up. We, we just need to catch up with 'em cause there are a lot of cities that are doing it and doing it well. The kids were very excited while they were up there at the...

COUNCILPERSON DAVIS JOHNSON: Mhmm.

**CHAIR PRO TEM MILLER-ANDERSON:** ... conference. So, um, I look forward to starting ours as well.

CHAIRPERSON DAVIS: Alright.

CHAIR PRO TEM MILLER-ANDERSON: Alright.

## CHAIRPERSON DAVIS: Thank you. Great job. Mayor.

**MAYOR MASTERS:** Thank you, Mr. Chair. I just wanna say briefly to Councilwoman Lynne Hubbard, I appreciate you selecting the family that you selected, the Hester Family, right? For the Family and Friends event and Ms. Tonya Davis Johnson for selecting the family.., to select the family for the month of January. And we're asking each.., I will get with each Councilperson and ask you to [stammer], as well, to se'... What we're trying to do is to highlight families, not necessarily large families, but families in our City who have been here for years who have..., you've been law abiding citizens, have been positive citizens, have given back to the community. We just wanna say thank you and this is, I think, a good time to do it. So, I'll be calling Councilpersons that I haven't called and ask you, as well, to select a family that we can highlight and encourage and say thank you for being a family here in Riviera Beach.

Also, I wanna say to Councilwoman Hubbard that I do appreciate your, your advocacy on making sure that the contracts, that the local people here, local jobs, local.., the local community, I think, is, is awarding and I also support you on making sure that, um, in the future, that we stop some of the piggybacking and, and send things out, as well as you have said for others to participate in the, in the process.

I have a note from Ms..., uh, from, from a person out here that.., to announce that the Planning & Zoning Board will meet on Thursday, January the 12<sup>th</sup> and January the 26<sup>th</sup>. And that they're asking residents who are interested in coming out and speaking against this exception for the sodium hypochlorite...

[Inaudible dais comment]

**MAYOR MASTERS:**...is that it? I can't pronounce that big word.

## COUNCILPERSON PARDO: Hypochlorite.

**MAYOR MASTERS:**Alright.., project. However, our Family and Friends Day will not be on either one of those days, it will be on January the 19<sup>th</sup>, which is a Thursday so there will not be a conflict because I know it's kinda hard to take care of business in here and we're making a lot of noise out there. So, that won't be the problem. The reason why it is on Thursday, because it just rains on Friday. [Chuckle]. So, that's the main reason why we said let's go with Thursday. It rains on Friday for some reason.

For those of you who know that the Mayor is always giving.., or, or partnering with someone in Christmas gifts for our children, I don't do it as well as.., I don't do it as well as Councilwoman Pardo who has done it for years, even before she became a Councilperson, I remember she started it in her living room with just five people. But, uh, we do, I think, I do.., we've given bicycles, different.., almost every year, given something. I'm not for sure exactly what... I'm waiting on the partners now but if you call the Mayor's office in the next couple days, I will let you know if we're going to be doing any Christmas gifts. I'm sure we are but I just don't know what and how many. I certainly don't wanna leave out Stonybrook and the children there, in figuring out how we're going to share with, with them. I'll be talking more about Stonybrook later.

But, I do wanna say Happy Greetings to the residents of our City and we look forward to working and sharing with you and working together and continuing to make Riviera Beach the best waterfront city in which to live, work and play and pray. And, having said that, Merry Christmas as well.

Thank you.

**CHAIRPERSON DAVIS:** Thank you, sir. Really quick, as the Port liaison, I was at the Port Commission meeting the other day and one of the things that came up was the Port local bill and a lot of the things that's getting ready to come down the pipeline. Recent'..., in the past, we've had issues kinda come up at the last minute and one of the last things that came out of that meeting, that..., and I asked the Port and they agreed to, is for us to have a special meeting with just the Port and us, here at Council Chambers or some lo'..., disclosed location where we can talk about that bill, as a'..., so the public can see exactly what's being asked and what's being recommended and..., so we can all be on one accord before, um, way before Palm Beach County Day. I see our state lobbyist is here, Mr. Pittman. Have you been following that bill? You got anything...

MR. S. PITTMAN: [Inaudible].

CHAIRPERSON DAVIS: ... you wanna say about it?

MR. S. PITTMAN: Yes, sir. I...

CHAIRPERSON DAVIS: Please.

MR. S. PITTMAN: I, I sent it to...

CHAIRPERSON DAVIS: Please.

MR. S. PITTMAN: ...all of you, I think.

CHAIRPERSON DAVIS: Yes.

**MR. S. PITTMAN:** And, and the City Manager. First of all, thank you for the opportunity to work with you again. I did send the bill and I know that the Man'.., the Manager is having the City Attorney look over it. You know, I.., it doesn't have all the things that it had in it in the past...

**COUNCILPERSON PARDO:** Correct.

**MR. S. PITTMAN:** You know, it [stammer], you can only tell us whether it's something that...

CHAIRPERSON DAVIS: We want.

**MR. S. PITTMAN:** ... is offensive to you.

CHAIRPERSON DAVIS: Mhmm.

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MR. S. PITTMAN: The trade stuff that was there is back in there so...

COUNCILPERSON PARDO: But we all agreed on that.

**MR. S. PITTMAN:** Yeah. I think you.., that's what I was gonna say, I think you, you met...

**COUNCILPERSON PARDO:** Clean bill.

**MR. S. PITTMAN:** ...like you just said and you all agreed on that so, my first preliminary look at it, I didn't see any flags, um, but...

**COUNCILPERSON PARDO:** It's a clean bill.

**MR. S. PITTMAN:** But it, but it's in your boxes and, and we'll welcome any feedback.

**CHAIRPERSON DAVIS:** One of the things that, Peyton McArthur, who is the liaison for the City, we ha'..., in that conversation, he stated he wanted to find ways to guarantee jobs for Riviera Beach residents. Cause, as we know, the Port, for so long, has been that backyard and there hasn't been education outreach, strong enough effort to get us involved with those real high paying skilled labor..., whatever jobs and trades that come through that in'..., that industry and that enterprise. We talk about the Port as they're, uh, landowners and everyone is leasing their property and we talk about finding a way to get their legal team to work with our legal team to guarantee service industry jobs for those who come to lease their lands, since they're landowners so we can create a real partnership between the City and the Port moving forward. And I think that was a really great thing that came out of that meeting.

So, you will be getting, um, [inaudible] I guess, drawing some straws for some dates with the Port and locations. Some emails will be going out from either Peyton McArthur or myself or Mr. Jones... Yes, sir?

**MR. S. PITTMAN:** Mr. Chair, and, if you remember, the, the part that was.., that didn't work for us before was the zoning piece that they were.., they, they wanted to not have to come here to deal with their zoning issues. That's.., I didn't see.., that's not in there.

CHAIRPERSON DAVIS: Yeah. Zoning.., it was permitting.

MR. S. PITTMAN: Right.

**CHAIRPERSON DAVIS:** Right. Exactly. Before, they didn't wanna have to come back before the City and ask for.., and pay those permitting fees and getting speci'... No.

One other thing I would like to talk about, you know, just.., when Vice Chair talked about we had a long year. [Inaudible] this Board has worked extremely hard to bring all our goals together to.., in the best.., better good of the City. We're in.., we are now being charged to do something in the most critical time of the City's history. As you look at the Broadway corridor, things are gettin' ready to happen. We're getting ready to make a decision on

what that footprint is gonna do as we start attracting private development. We have a new library that we're gonna talk about the programming, what that's gonna look like, what that's gonna entail. Will it have a museum inside, will it have a movie theater, will it have retail space? Where will City Hall be? Where will the new recreation facility be? What's gonna happen with our so critical water plant? We gotta be engaged with that part. We got..., don't forget, that water plant is the most valuable resource we have in this City. If folks are gonna pay high water bills, then make sure we get the right quality water, making sure that our Staff is getting the proper training and we can support them with making sure that our residents are very, very healthy.

So, I look forward to the, um, the 2017 year as, when we go into these brief retreats and meetings with the Port, that we do something with this new Board that's ne'.., I ain't gonna say never been done before but it hasn't been done in a long time, which, comin' out fired up and really working well together to focus on a Citywide goal. With that being said, I have anything else to say.

Can I have a motion to adjourn'...

MAYOR MASTERS: One, one quick...

**COUNCILPERSON PARDO:** Motion to adjourn.

**MAYOR MASTERS:** Just one quick thing. I wanna announce that Jimmy Hicks, national artist, will be the...

[Inaudible dais comments]

MAYOR MASTERS: Yeah. For the event.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON HUBBARD: [Inaudible]...

CHAIRPERSON DAVIS: Is there a motion to adjourn ..., Ms. Pardo?

CHAIR PRO TEM MILLER-ANDERSON: Ms., um, she had a...

**COUNCILPERSON HUBBARD:** I was just reminded of one last thing. We, as a City, with the cooperation of the Council, hope to launch a biggest winner's contest, a health and wellness challenge this year. We're hoping that what we could do is give the award for the winner will be \$1,000 or more, second placer maybe \$750 and \$500. We're gonna launch that in February but we will be in the parade giving out information. So, just stayed tuned, keep that in mind. We're gonna have a biggest winner contest, a weight loss health and wellness challenge for the entire City.

UNK: And I'm gonna lose some [inuadible]...

CHAIRPERSON DAVIS: Alright. Thank you.

**CHAIR PRO TEM MILLER-ANDERSON:** Are you looking to have people participate in your meetings that you've been.., you're still looking for people to [inaudible]?

**COUNCILPERSON HUBBARD:** Yes. We are looking for people and we're gonna put it, um, the meeting dates on the TV because we believe that the time will have to change at the beginning of the year when we meet. So, we're going to advertise on TV for committee persons to come and be a part of it. We're gonna advertise it so that more than one Councilperson can come...

[Inaudible background comment]

**COUNCILPERSON HUBBARD:** ...to the committee meetings.

CHAIRPERSON DAVIS: Thank you.

ADJOURNMENT

CHAIRPERSON DAVIS: Motion to adjourn the meeting?

COUNCILPERSON DAVIS JOHNSON: So moved.

CHAIRPERSON DAVIS: Alright.

UNK: Second.

CHAIRPERSON DAVIS: Good night.

[Gavel]

## **Public Comment Speakers and Others**

ASSISTANT CITY ATTORNEY LINA BUSBY	ASST. CITY ATTORNEY BUSBY
BONNIE LARSON	MS. B. LARSON
PRINCIPAL PLANNER DEANDRE SPRADLEY SPRADLEY	PRINCIPAL PLANNER
HOUSING AUTHORITY CHAIR DELVIN THOMAS .	MR. D. THOMAS
HOUSING AUTHORITY VICE CHAIR JEFFREY JACKSON	MR. J. JACKSON
VICE PRESIDENT DEVELOPMENT HOUSING TRUST GROUP BRIAN FINNEY	MR. B. FINNEY
ARCHITECT DAVID LAWRENCE	MR. D. LAWRENCE
MOSNAR GROUP PRESIDENT RON DAVIS	MR. R. DAVIS
MARGARET SHEPHERD	MS. M. SHEPHERD
FANE LOZMAN	MR. F. LOZMAN
ASST. DIRECTOR COMMUNITY A DEVELOPMENT JEFF GAGNON	
PURCHASING DIRECTOR DEAN MEALY	PURCHASING DIRECTOR
DR. PHILIP DUKES	DR. P. DUKES
ERNESTINE GORDEN	MS. E. GORDEN
MARY BRABHAM	MS. M. BRABHAM
TOMMY WALKER	MR. T. WALKER
KEVIN JUSTICE	MR. K. JUSTICE
GEORGE GENTILE	MR. G. GENTILE
STATE LOBBYIST SEAN PITTMAN	MR. S. PITTMAN

**APPROVED:** 

THOMAS A. MASTERS MAYOR TERENCE D. DAVIS CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY CERTIFIED MUNICIPAL CLERK CITY CLERK KaSHAMBA L. MILLER-ANDERSON CHAIR PRO TEM

LYNNE L. HUBBARD COUNCILPERSON

TONYA DAVIS JOHNSON COUNCILPERSON

DAWN S. PARDO COUNCILPERSON

MOTIONED BY:	
--------------	--

SECONDED BY:

L. HUBBARD

K. MILLER-ANDERSON

T. DAVIS JOHNSON

D. PARDO

T. DAVIS

DATE APPROVED: <u>JANUARY 18, 2017</u>

REGULAR CITY COUNCIL MEETING

**DECEMBER 21, 2016** 

#### CITY OF RIVIERA BEACH CITY COUNCIL AGENDA ITEM SUMMARY

**Meeting Date:** 1/18/2017

Agenda Category: CONSENT RESOLUTION

A resolution authorizing the Mayor and City Clerk to execute the agreement between the City and South Florida Water Management District to accept Cooperative Funding Program funds in the amount of \$150,000 for fiscal year 2016-2017 for the Singer Island South reconstruction project; authorizing the Director of Finance and Administrative Services to set up a budget and appropriate fund balance from 140-1123-538-0-6304 in the Paving and Drainage Construction Fund; and providing an effective date.

Recommendation/Motion: Staff recommends that the City Council approve the resolution.

Originating Dept	Public Works	Costs	\$150,000
User Dept.	Public Works	Funding Source	Acct. No. 140-1123-538-0-6304 SFWMD CFP Grant 2016-17 \$150,000
Advertised	No	Budget Account Number	
Date			
Paper			
Affected Parties	Not Required		

#### Background/Summary:

The City staff submitted grant proposals to South Florida Water Management District's Cooperative Funding Program for five roadway reconstruction projects throughout the City, specifically Singer Island South, Avenue H, Avenue O, West 11<sup>th</sup>-14<sup>th</sup>, and the reconstruction of West 6<sup>th</sup>-7<sup>th</sup> Streets. The City's submission of an application to South Florida Water Management District for Cooperative Funding Program Grant funds for FY 2016-17 for the Singler Island South reconstruction project was granted. The South Florida Water Management District has approved the application in the amount of \$150,000 for the aforementioned project that has a total construction cost of approximately \$5,514,334. The difference in grant award and construction cost will be provided from the City's share of gas tax and bond proceeds.

Staff requests City Council approval to accept the South Florida Water Management District Cooperative Funding Program funds in the amount of \$150,000.

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	\$150,000				

Operating Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
External Revenues	\$150,000				
Program Income (city)					
In-kind Match (city)					
Net Fiscal Impact	\$150,000	\$0.00	\$0.00	\$0.00	\$0.00
NO. Additional FTE Positions (cumulative)	N/A				

#### **III. Review Comments**

- A. Finance Department Comments:
- B. Purchasing/Intergovernmental Relations/Grants Comments:
- C. Department Director Review:
- Contract Start Date
- Contract End Date
- **Renewal Start Date**
- Renewal End Date
- Number of 12 month terms this renewal
- Dollar Amount \$150,000
- Contractor Company Name
- Contractor Contact
- **Contractor Address**
- Contractor Phone Number
- Contractor Email
- Type of Contract
- Describe

#### ATTACHMENTS:

File Name	Description	Upload Date	Туре
RESOLUTION_TO_ACCEPT_SFWMD_FUNDS_fy17.doc	x Resolution	1/9/2017	Resolution
SFWMD_Grant_Projects_Map.pdf	Grants Location Map	1/9/2017	Exhibit
CFP_SWAWARDLTR_JOHNSON_9-12-16.pdf	SFWMD Selection Letter	1/9/2017	Backup Material
SFWMD_Grant_App6_7St.pdf	Application for All Projects: W. 6th & 7th Streets	1/9/2017	Backup Material
SFWMD_GRant_AppAveH.pdf	Application for All Projects: Avenue H Application for All	1/9/2017	Backup Material Backup

SFWMD_Grant_AppAveO.pd	lf	Projects: Avenue O	1/9/2017	Material
SFWMD_Grant_AppFedGar	dens.pdf	Application for All Projects: Federal Gardens	1/9/2017	Backup Material
SFWMD_Grant_AppSinger_	Island.pdf	Application for All Projects: Singer Island South	1/9/2017	Backup Material
4600000355Agreement_12-2	20-16rev1.pdf	Agreement	1/9/2017	Agreement
REVIEWERS:				
REVIEWERS: Department	Reviewer	Action	Dat	e
	<b>Reviewer</b> Johnson, Brynt	<b>Action</b> Approved		<b>e</b> I/2017 - 10:17 AM
Department			1/11	-
<b>Department</b> Public Works	Johnson, Brynt	Approved	1/1 <sup>-</sup> 1/1 <sup>-</sup>	I/2017 - 10:17 AM
<b>Department</b> Public Works Finance	Johnson, Brynt sherman, randy	Approved Approved	1/1 <sup>-</sup> 1/1 <sup>-</sup> 1/1 <sup>-</sup>	/2017 - 10:17 AM //2017 - 10:31 AM
<b>Department</b> Public Works Finance Attorney	Johnson, Brynt sherman, randy Lina Busby, Lina	Approved Approved Approved	1/1* 1/1* 1/1* 1/1*	//2017 - 10:17 AM //2017 - 10:31 AM //2017 - 10:41 AM

## RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT BETWEEN THE CITY AND SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO ACCEPT COOPERATIVE FUNDING PROGRAM FUNDS IN THE AMOUNT OF \$150,000 FOR FISCAL YEAR 2016-2017 FOR THE SINGER ISLAND SOUTH RECONSTRUCTION PROJECT; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO APPROPRIATE A BUDGET AND APPROPRIATE FUND BALANCE FROM 140-1123-538-0-6304 IN THE PAVING AND DRAINAGE CONSTRUCTION FUND IN THE AMOUNT OF \$150,000; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the City staff submitted grant proposals to South Florida Water Management District's Cooperative Funding Program for five roadway reconstruction projects throughout the City, specifically Singer Island South, Avenue H, Avenue O, West 11<sup>th</sup>-14<sup>th</sup>, and the reconstruction of West 6<sup>th</sup>-7<sup>th</sup> Streets; and

WHEREAS, the City's submission of an application to South Florida Water Management District for the Cooperative Funding Program was granted for the Singer Island South reconstruction project; and

WHEREAS, South Florida Water Management District has approved said application and has allocated \$150,000 to be utilized for the Singer Island South reconstruction project; and

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA as follows:

**SECTION 1**. The City Council hereby approves the acceptance of Cooperative Funding Program Funds from South Florida Water Management District for fiscal year 2016-17 in the amount of \$150,000.

**<u>SECTION 2.</u>** The Mayor and City Clerk are authorized to execute the agreement.

**SECTION 3.** The Director of Finance and Administrative Services is authorized to appropriate fund balance from account 140-1123-538-0-6304 to set up a budget in the Paving and Drainage Construction Fund in the amount of \$150,000.

**<u>SECTION 4.</u>** That the Resolution take effect upon its passage and approval by City Council.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_

RESOLUTION NO.\_\_\_\_\_ Page 2 of 2

**APPROVED:** 

THOMAS A. MASTERS MAYOR TERENCE D. DAVIS CHAIRPERSON

ATTEST:

## CLAUDENE L. ANTHONY CERTIFIED MUNICIPAL CLERK CITY CLERK

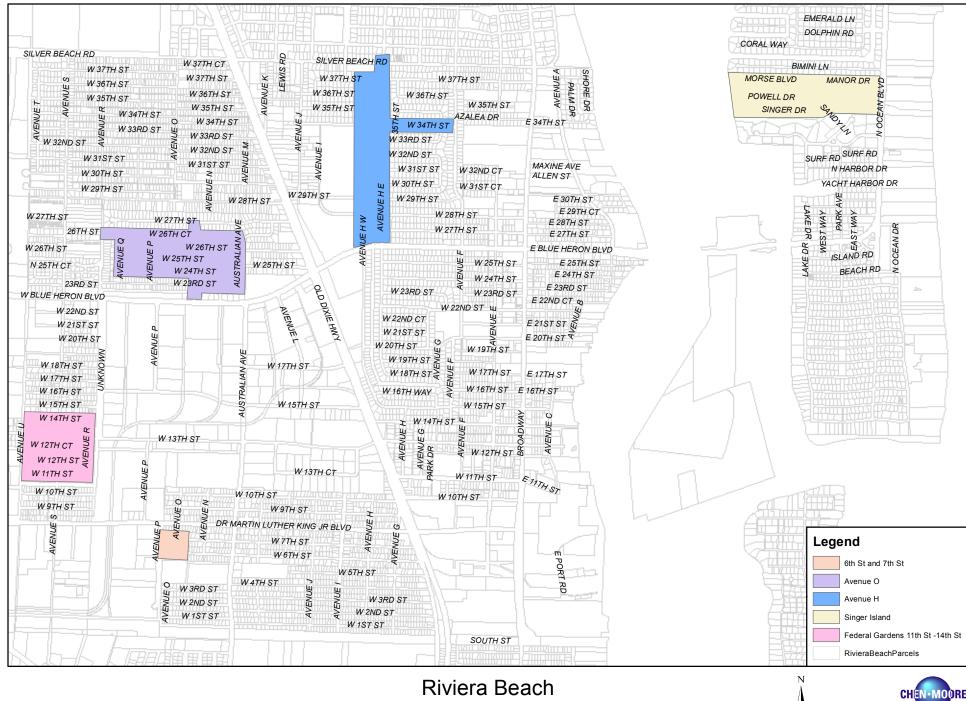
KaSHAMBA L. MILLER-ANDERSON CHAIR PRO TEM

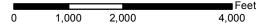
LYNNE L. HUBBARD COUNCILPERSON

TONYA DAVIS JOHNSON COUNCILPERSON

DAWN S. PARDO COUNCILPERSON

MOTIONED BY:	
SECONDED BY:	
L. HUBBARD	
K.MILLER-ANDERSON	
T. DAVIS JOHNSON	 REVIEWED AS TO LEGAL SUFFICIENCY
D. PARDO	 ANDREW DEGRAFFENREIDT, III
T. DAVIS	 CITY ATTORNEY





Riviera Beach SFWMD Grant Projects



September 12, 2016

Mr. Brynt Johnson City of Riviera Beach 2391 Avenue L Riviera Beach, FL 33404

Dear Mr. Johnson:

## Subject: Cooperative Funding Program Application Singer Island South

The South Florida Water Management District (District) would like to thank you for your commitment to stormwater management projects and your application for project funding under the Cooperative Funding Program (CFP).

The District's Governing Board has selected the projects to receive funding from the CFP at their September 8, 2016 meeting. We are pleased to inform you that the subject project was awarded \$150,000.00 in funding. You will be receiving a contractual agreement in the mail for this project within the next few weeks. The contract will need to be signed by an individual with signature authority on behalf of City of Riviera Beach. Do not delay your construction based on receipt of the contract; funding covers construction related costs incurred and expended during the period October 1, 2016 to September 30, 2018.

We look forward to working with you on this important project. If you have any questions, or require additional information, contact Nestor Garrido at (561) 682-6908 or via email ngarrido@sfwmd.gov.

Sincerely,

QQ1-

Rod A. Braun Program Manager, Cooperative Funding Program Everglades Policy and Coordination Division

RAB/pv



September 12, 2016

Mr. Brynt Johnson City of Riviera Beach 2391 Avenue L Riviera Beach, FL 33404

Dear Mr. Johnson:

## Subject: Cooperative Funding Program Application Avenue O Neighborhood Infrastructure Improvements

The South Florida Water Management District (District) would like to thank you for your commitment to stormwater management projects and for your application to the Cooperative Funding Program. The District identified \$9M in funding and received 142 applications which represented \$36M in requested funding. The Governing Board considered all the applications; however, this project was not allocated funding.

The District appreciates the time and effort that was spent by your organization in preparing the application. If you have any questions or need additional information, contact Rod Braun at (561) 682-2925 or via email <u>rbraun@sfwmd.gov</u>.

Sincerely,

Rod A. Braun Program Manager, Cooperative Funding Program Everglades Policy and Coordination Division

RAB/pv



September 12, 2016

Mr. Brynt Johnson City of Riviera Beach 2391 Avenue L Riviera Beach, FL 33404

Dear Mr. Johnson:

## Subject: Cooperative Funding Program Application W 6th Street to W 7th Street

The South Florida Water Management District (District) would like to thank you for your commitment to stormwater management projects and for your application to the Cooperative Funding Program. The District identified \$9M in funding and received 142 applications which represented \$36M in requested funding. The Governing Board considered all the applications; however, this project was not allocated funding.

The District appreciates the time and effort that was spent by your organization in preparing the application. If you have any questions or need additional information, contact Rod Braun at (561) 682-2925 or via email <u>rbraun@sfwmd.gov</u>.

Sincerely,

Rod A. Braun Program Manager, Cooperative Funding Program Everglades Policy and Coordination Division

RAB/pv



September 12, 2016

Mr. Brynt Johnson City of Riviera Beach 2391 Avenue L Riviera Beach, FL 33404

Dear Mr. Johnson:

## Subject: Cooperative Funding Program Application Avenue H East and West - North of Blue Heron Boulevard

The South Florida Water Management District (District) would like to thank you for your commitment to stormwater management projects and for your application to the Cooperative Funding Program. The District identified \$9M in funding and received 142 applications which represented \$36M in requested funding. The Governing Board considered all the applications; however, this project was not allocated funding.

The District appreciates the time and effort that was spent by your organization in preparing the application. If you have any questions or need additional information, contact Rod Braun at (561) 682-2925 or via email <u>rbraun@sfwmd.gov</u>.

Sincerely,

Rod A. Braun Program Manager, Cooperative Funding Program Everglades Policy and Coordination Division

RAB/pv

Applications are limited to 25 pages including figures, Reduction of Matching Funds (if applicable), and Acknowledgment letters. Application submittals must be uploaded at <u>http://www.sfwmd.gov/coopfunding</u> by **May 20, 2016 at 6:00 PM**. Prior to completing this Application, it is recommended you read the <u>CFP Guidelines</u>. This application is for projects which will be constructed between October 1, 2016 and September 30, 2018.

#### PROJECT SUMMARY

Project Name: W 6th Street	to W 7 <sup>th</sup> Street		
	oject Location: Riviera Beach County: Palm Beach County		
Project Type (check all tha			/
	ality / Quantity Improvemer	nt 🛛 Infrastructure Impro	vement 🖂
		Storage 🖂 Flood Prot	
<b>Receiving Waters for Proje</b>	-		
Applicant: City of Riviera B	each		
Authorized Representative	e: Brynt Johnson	Project Manager (PM), if d	ifferent: Terrence N. Bailey
Address: 2391 Ave L		PM Address: 2391 Ave L	
City/Zip: Riviera Beach 33404		PM City/Zip: Riviera Beach	33404
Telephone: 561-845-4080		PM Telephone: 561-845-3	472
Email: bjohnson@rivierabo	h.com	PM Email: tbailey@rivierat	och.com
Project Cost: \$984,016		Total Project Cost, if multi-	year: N/A 🛛
Eligible (Construction) Cos		Local Match: 123,265	
<b>Requested Funding Amoun</b>	nt: \$123,265	<b>Requested Funding Percen</b>	tage: 50%
Is this a multi-year: Yes 🗆			
If yes, Number of I	-		
	ses Completed to Date:		
	otal Project Completion Date:		
	ject received previous SFWM		
If yes, please provide the following information:			
Agreement No.	Year Awarded	Amount Awarded	Amount Invoiced
-	ograms or other agencies cor		oject? Yes 🗵 No 🗌
	DEP, contract # S0771; dated		
	\$500,000 (Note: amount can	be applied towards entire p	roject costs, including
watermain and roadway in	nprovements)		
Doos any SEW/MD omnloy	ee, Governing Board membe	r contractor or other affili	ato of the Applicant have a
	roject, the property associat		
financially from this project		ed with this project of with	any party that may profit
	ies and interests: Enter text.		
ii yes, list the part	les and interests. Enter text.		
Is the project part of a cap	ital improvement plan? Yes	ΧΝοΠ	
is the project part of a cap			
This is a reimbursement n	rogram with the entire proje	ect scope expected to be co	npleted within the funding
-	ount awarded. There is no g		
_	funds available to pay for the		
requested. Are budgeted i	unus available to pay for the	entire scope of the project:	

Does the applicant understand that if for any reason, the project scope is not fulfilled to 100% completion as outlined in the statement of work, the funding amount will be reduced to match the original percentage of funding in the purchase order that was based on the estimated total initial project cost estimate as provided in the application? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that if the project scope is completed as outlined in the statement of work and total actual total project costs are below the estimated total project cost, the applicant may not be eligible to receive up to the full award amount? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that funds are only for expenses incurred or obligated during the funding period (October 1, 2016- September 30, 2018)? Yes ⊠ No □

Is the Applicant a REDI Community? Yes □ No ⊠ If yes, can the Applicant provide REDI Community certification? Yes □ No □

#### PROJECT DETAILS

1. Provide a high-level description (several sentences) of the project.

This Project area of W 6<sup>th</sup> Street to W 7<sup>th</sup> Street was identified as a Capital Improvement Project in need of stormwater system improvements based on the City's Stormwater Master Plan dated 2009. The existing drainage system within the 6<sup>th</sup> Street to 7<sup>th</sup> Street Project consists of two inlets collecting stormwater runoff from the public right of way areas and discharging to local RC-2B canal that ultimately connect to the SFWMD C17 Canal via one positive outfalls. The installation of exfiltration trench throughout the neighborhood was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of 846 linear feet of exfiltration trench is being proposed throughout the neighborhood, which will provide additional storage and improve the water quality of stormwater runoff prior to discharging at the outfall.

#### 2. Please upload or attached the following:

- a. At least one letter-sized figure that depicts the project location in relation to the nearest major road intersection
- b. At least one letter-sized figure that depicts project details and illustrates information provided in the Statement of Work
- c. A GIS shapefile or AutoCAD dwg file per Florida State East Zone, NAD83 HARN, US Survey feet of the project location or latitude/longitude: Enter text.

## **3.** Provide a description for the project, which may be used to create contract documents if selected, that includes:

a. Relevant Background Information

The City of Riviera Beach developed a Stormwater Master Plan in 2009 creating Capital Improvement Projects that were identified based on public safety, flood control, water quality benefits, recreationsl benefits and implementability. This W 6<sup>th</sup> Street and W 7<sup>th</sup> Street Project was identified as a Capital Improvement Project in need of stormwater system improvements, noted as RC2-CIP02 in the Master Plan. This Project is bounded from W 6<sup>th</sup> Street to W 7<sup>th</sup> Street and Avenue P to Austrailian Avenue. The identified problem, as noted in the Stormwater Master Plan, is there is no drainage infrastructure existing to collect stromwater runoff. The existing drainage system within the W 6<sup>th</sup> Street and W 7<sup>th</sup> Street Project consists of two inlets collecting stormwater runoff from the public right-of-way areas and discharging to the local RC-1A canal that ultimately connect to the SFWMD C17 Canal via one positive outfall.

b. Purpose or Objective(s)

<ul> <li>The purpose of the W 6<sup>th</sup> Street and W 7<sup>th</sup> Street O Project is to enhance the drainage system throughout the residential neighborhood to reduce flooding. The installation of exfiltration trench throughout the neighborhood was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of approximately 846 linear feet of exfiltration trench and 300 linear feet of solid pipe is being proposed throughout the neighborhood. These proposed improvements will reduce flooding by providing additional storage and improving the water quality of the stormwater runoff prior to discharging into the SFWMD C17 Canal.</li> <li>c. Statement of Work</li> <li>The proposed activities will include (1) approximately 846 linear feet of exfiltration trench and 300 linear feet of solid pipe, (2) approximately 18 drainage structures, (3) multiple pollution retardant baffles at inlets to keep debris out of the drainage system and ultimately canal and (4) regraded roadway with curbing to convey flow into the proposed drainage system.</li> </ul>
Explain how the project aligns with the District's mission.
This project will improve flood control and water quality through the installation of exfiltration trench which provide additional storage and allow stormwater to percolate into the ground water while alleviating flooding on the roadways. The current drainage design allows all stormwater runoff to travel into the two existing inlets which discharge into the SFWMD canal network. The installation of these proposed exfiltration trenches and pollution retardant baffles will provide water quality and storage for the runoff prior to discharging into the outfalls and canals.
Explain how the project aligns with other applicable plans such as a watershed protection plan, basin management plan, total maximum daily load allocation, or stormwater improvement master plan.
The City of Riviera Beach Stormwater Master Plan identified this W 6 <sup>th</sup> Street and W 7 <sup>th</sup> Street Project as project ID: RC2-CIP02. The Stormwater Master Plan identified specific improvements including adding additional 24" stormwater pipes (600LF) with exfiltration trench. The current project improvements exceed what was original specified in the Master Plan as the proposed drainage system consists of over 800 linear feet of exfiltration trench to provide the additional storage and water quality.
Describe measurable community or environmental benefits of this project with respect to relevant considerations (improvement of water quality and/or quantity and benefits to natural systems; degree of flood protection and/or resource protection). Please include specific details such as estimated mass of nutrient/contaminant reductions (parts per billion, pounds per day/year) or removal efficiencies, area of natural systems to be restored or enhanced (acres), level of service attributes, conveyance capacity (CFS), and/or volume of storage (acre-feet). Please include all calculations.
As noted, this project will improve the flood control and water quality through the installation of exfiltration trench. Calculations are attached to display the approximate amount of storage (2.22 ac-ft) and estimated nutrient removal efficiency (93.4%) due to the installation of these proposed exfiltration

7. If applicable, provide the name and reference (i.e., page number) of the related project in the relevant plan associated with the proposed work: Enter text.

#### PROJECT READINESS

1. Does this project have approval from your Commission or Council? Yes  $\boxtimes$  No  $\square$ 

When did approval for this project occur or when is approval expected to occur? 9/3/14

Additional space for further explanation: **Resolution No 89-14; Approved bond issuance for project** 

2.	Is design of this project complete? Yes $\Box$ No $oxtimes$
	If no, is design of this project currently underway? Yes $oxtimes$ No $oxtimes$
	If yes, what percentage of design is complete? <b>95%</b>
	If yes, when will design of this project be complete? July 2016
	If no, explain:
3.	Are the necessary land acquisitions for this project complete? Yes $oxtimes$ No $\Box$
	If no, when will land acquisition be complete?
	Additional space for further explanation:
4.	Have the necessary access agreements, right-of-way permits, and/or easements for this project been finalized? Yes $\boxtimes$ No $\square$
	If no, when will these items be finalized?
	Additional space for further explanation:
5.	List requisite federal, state, and/or local permits in the following table and provide applicable information.

		Permit Type			Permit Date (expected	
Agency	Permit No.	(Water/WW, ERP, CUP, Building)	Yes	No	date if not obtained yet)	
SFWMD	TBD	ERP		TBD	July 2016	

6. Has a contractor been selected for this project? Yes  $\Box~$  No  $\boxtimes~$ 

If no, when will a contractor be selected? **November 2016** 

Additional space for further explanation:

7. Describe the project timeline and identify significant project milestones and associated dates. Enter text. A Gantt chart may be attached for additional illustration.

When will construction for this project begin? January 2017

What is the duration of construction activities in months? **6-8 months** 

When will this project be complete? July 2017 to September 2017

#### SUBMITTAL CHECKLIST

Have project figures been included in the application or uploaded/attached separately? Yes  $\boxtimes$  No  $\square$ 

Has the GIS shapefile or AutoCAD dwg file for the project been uploaded? Yes  $\boxtimes$  No  $\square$ 

## COOPERATIVE FUNDING PROGRAM <u>STORMWATER MANAGEMENT</u> PROJECT APPLICATION

If no, have latitude and longitude been provided as requested in question 2-C? Yes  $\Box$  No  $\Box$ 

Have measurable community or environmental benefits been sufficiently discussed and quantified in question 6? Yes  $\boxtimes$  No  $\square$ 

Has the Acknowledgment Form been completed and notarized (on letterhead) and uploaded/attached as a pdf? Yes  $\boxtimes$  No  $\square$ 

If applicable, has the Waiver to Reduction Form been completed (on letterhead) and uploaded/attached as a pdf? Yes  $\Box$  No  $\Box$  N/A  $\boxtimes$ 

Applications are limited to 25 pages including figures, Reduction of Matching Funds (if applicable), and Acknowledgment letters. Application submittals must be uploaded at <u>http://www.sfwmd.gov/coopfunding</u> by **May 20, 2016 at 6:00 PM**. Prior to completing this Application, it is recommended you read the <u>CFP Guidelines</u>. This application is for projects which will be constructed between October 1, 2016 and September 30, 2018.

#### PROJECT SUMMARY

Broject Name: Avenue H Fa	ast and West – North of Blue	Horon	
Project Location: Riviera Be		County: Palm Beach County	1
Project Type (check all that			<u> </u>
		nt 🖂 Infrastructure Improv	vement 🕅
	System Restoration $\Box$	Storage 🛛 Flood Prot	
	ct: Lake Worth Lagoon (Intr	0	
Applicant: City of Riviera Be			
Authorized Representative		Project Manager (PM), if d	ifferent: Terrence N. Bailey
Address: 2391 Ave L		PM Address: 2391 Ave L	
City/Zip: Riviera Beach 334	04	PM City/Zip: Riviera Beach	33404
Telephone: 561-845-4080		PM Telephone: 561-845-34	472
Email: bjohnson@rivierabc	h.com	PM Email: tbailey@rivieral	och.com
Project Cost: \$7,103,605		Total Project Cost, if multi-	year: N/A 🗌
Eligible (Construction) Cost		Local Match: \$1,296,500	
Requested Funding Amoun	<b>it:</b> \$250,000	<b>Requested Funding Percen</b>	tage: 16.2%
Is this a multi-year: Yes 🗌			
If yes, Number of P	-		
	es Completed to Date:		
	tal Project Completion Date		
	ect received previous SFWN		
	ase provide the following inf		
Agreement No.	Year Awarded	Amount Awarded	Amount Invoiced
	ograms or other agencies co	ntributing funding to this pro	ject? Yes 🗆 No 🖄
If yes, source(s): If yes, amount(s):			
ii yes, amount(s).			
Does any SEWMD employe	e Governing Board memb	er, contractor, or other affilia	ate of the Annlicant have a
		ted with this project or with	
financially from this projec			any party mat may prom
If yes, list the parti			
Is the project part of a capi	tal improvement plan? Yes		
This is a reimbursement pr	rogram with the entire proi	ect scope expected to be cor	npleted within the funding
-		guarantee the Applicant wil	
		e entire scope of the project?	

Does the applicant understand that if for any reason, the project scope is not fulfilled to 100% completion as outlined in the statement of work, the funding amount will be reduced to match the original percentage of funding in the purchase order that was based on the estimated total initial project cost estimate as provided in the application? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that if the project scope is completed as outlined in the statement of work and total actual total project costs are below the estimated total project cost, the applicant may not be eligible to receive up to the full award amount? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that funds are only for expenses incurred or obligated during the funding period (October 1, 2016- September 30, 2018)? Yes ⊠ No □

Is the Applicant a REDI Community? Yes □ No ⊠ If yes, can the Applicant provide REDI Community certification? Yes □ No □

#### PROJECT DETAILS

1. Provide a high-level description (several sentences) of the project.

The existing drainage system within the Avenue H East and West – North of Blue Heron Project area consists of multiple existing inlets collecting stormwater runoff from 56 acres of residential neighborhoodand discharging directly to the local RC-4 canal located between Avenue H East and Avenue H West that ultimately connect to the Lake Worth Lagoon, also known as the Intracoastal Waterway. The installation of exfiltration trench throughout the neighborhood and the interconnection of the independent outfall systems was designed to reduce the peak flood stage and flood duration. A total of 3620 linear feet of exfiltration trench is being proposed throughout the neighborhood, which will provide additional storage and improve the water quality of stormwater runoff prior to discharging to the canal.

#### 2. Please upload or attached the following:

- a. At least one letter-sized figure that depicts the project location in relation to the nearest major road intersection
- b. At least one letter-sized figure that depicts project details and illustrates information provided in the Statement of Work
- c. A GIS shapefile or AutoCAD dwg file per Florida State East Zone, NAD83 HARN, US Survey feet of the project location or latitude/longitude:

## **3.** Provide a description for the project, which may be used to create contract documents if selected, that includes:

a. Relevant Background Information

This Avenue H East and West Project is bounded from Blue Heron Boulevard north to Silver Beach Road and Avenue H East to Avenue H West. The existing drainage system within the Avenue H East and West consists of existing drainage inlets servicing the entire 56 acre neighborhood with gravity pipes and outfalls discharging to the local RC-4 canal located between Avenue H East and Avenue H West that ultimately connects to the Lake Worth Lagoon, also known as the intracoastal waterway. The outfall pipes are located along easements between the residential properties and rights-of-way of the intersecting streets. The outfall pipes range from 15" to 48", where the larger pipe sizes are utilized to discharge the runoff from adjacent streets.

b. Purpose or Objective(s)

The purpose of the Avenue H East and West Project is to enhance the drainage system throughout the residential neighborhood to reduce flooding. The installation of exfiltration trench throughout

	STORMWATER MARAdement PROJECT AT LICATION
	<ul> <li>the neighborhood was identified as the most effective option for reducing the peak flood stage and reducing the flood duration. This proposed pipe network and exfiltration trench will also connect each independent outfall system. A total of approximately 3620 linear feet of exfiltration trench is being proposed throughout the neighborhood, utilizing exfiltration trench sized at 5' x 5'. These proposed improvements will reduce flooding along Avenue H East and Avenue H West by providing additional storage and improving the water quality of the stormwater runoff prior to discharging into the Lake Worth Lagoon.</li> <li>c. Statement of Work</li> </ul>
	The proposed activities will include (1) approximately 3620 linear feet of exfiltration trench and over 2760 linear feet of solid drainage pipe, (2) 170 drainage structures, (3) multiple pollution retardant baffles at inlets to keep debris out of the drainage system and ultimately the canal, and (4) regraded roadway to convey flow into the proposed drainage system.
4.	Explain how the project aligns with the District's mission.
	This project will improve flood control and water quality through the installation of exfiltration trench which provide additional storage and allow stormwater to percolate into the ground water while reducing flooding on the roadways. The current drainage design allows all stormwater runoff to travel directly into existing inlets and gravity pipes which discharge to canals leading to the Lake Worth Lagoon. The installation of the proposed exfiltration trenches and pollution retardant baffles will provide water quality and storage for the runoff prior to discharging into the outfalls and canals.
5.	Explain how the project aligns with other applicable plans such as a watershed protection plan, basin management plan, total maximum daily load allocation, or stormwater improvement master plan.
	The City of Riviera Beach Stormwater Master Plan did not identified this Avenue H East and West – North of Ble Heron Blvd as a Capitol Improvement Project. However this project and proposed improvements align with the goals outlines in the Stormwater Master Plan and has been designed similarly as the other City projects in adjacent neighborhoods.
6.	Describe measurable community or environmental benefits of this project with respect to relevant considerations (improvement of water quality and/or quantity and benefits to natural systems; degree of flood protection and/or resource protection). Please include specific details such as estimated mass of nutrient/contaminant reductions (parts per billion, pounds per day/year) or removal efficiencies, area of natural systems to be restored or enhanced (acres), level of service attributes, conveyance capacity (CFS), and/or volume of storage (acre-feet). Please include all calculations.
	As noted, this project will improve the flood control and water quality through the installation of exfiltration trench. Calculations are attached to display the approximate amount of storage (9.45 ac-ft) and estimated nutrient removal efficiency (86.7%) due to the installation of these proposed exfiltration trenches.
7.	If applicable, provide the name and reference (i.e., page number) of the related project in the relevant plan

7. If applicable, provide the name and reference (i.e., page number) of the related project in the relevant plan associated with the proposed work:

#### PROJECT READINESS

1. Does this project have approval from your Commission or Council? Yes  $\boxtimes$  No  $\square$ 

When did approval for this project occur or when is approval expected to occur? 9/3/2014

Additional space for further explanation: Resolution No 89-14; Approved bond issuance for project.

2. Is design of this project complete? Yes  $\Box$  No  $\boxtimes$ 

If no, is design of this project currently underway? Yes oxtimes No  $\Box$ 

If yes, what percentage of design is complete? 60% Design

If yes, when will design of this project be complete? October 2016

If no, explain:

3. Are the necessary land acquisitions for this project complete? Yes  $\boxtimes$  No  $\square$ 

If no, when will land acquisition be complete?

Additional space for further explanation:

4. Have the necessary access agreements, right-of-way permits, and/or easements for this project been finalized? Yes ⊠ No □

If no, when will these items be finalized?

Additional space for further explanation:

5. List requisite federal, state, and/or local permits in the following table and provide applicable information.

		Permit Type	Permit O	btained?	Permit Date (expected
Agency	Permit No.	(Water/WW, ERP, CUP, Building)	Yes	No	date if not obtained yet)
SFWMD	TBD	ERP		TBD	Aug 2016

6. Has a contractor been selected for this project? Yes  $\Box$  No  $\boxtimes$ 

If no, when will a contractor be selected? November 2016

Additional space for further explanation:

7. Describe the project timeline and identify significant project milestones and associated dates. Enter text. A Gantt chart may be attached for additional illustration.

When will construction for this project begin? January 2017

What is the duration of construction activities in months? 6 to 8 months

When will this project be complete? July 2017 – September 2017

#### SUBMITTAL CHECKLIST

Have project figures been included in the application or uploaded/attached separately? Yes  $\boxtimes$  No  $\square$ 

Has the GIS shapefile or AutoCAD dwg file for the project been uploaded? Yes  $\boxtimes$  No  $\square$ If no, have latitude and longitude been provided as requested in question 2-C? Yes  $\square$  No  $\square$ 

Have measurable community or environmental benefits been sufficiently discussed and quantified in question 6? Yes  $\boxtimes$  No  $\square$ 

Has the Acknowledgment Form been completed and notarized (on letterhead) and uploaded/attached as a pdf? Yes  $\boxtimes$  No  $\square$ 

If applicable, has the Waiver to Reduction Form been completed (on letterhead) and uploaded/attached as a pdf? Yes  $\Box$  No  $\Box$  N/A  $\boxtimes$ 

Applications are limited to 25 pages including figures, Reduction of Matching Funds (if applicable), and Acknowledgment letters. Application submittals must be uploaded at <u>http://www.sfwmd.gov/coopfunding</u> by **May 20, 2016 at 6:00 PM**. Prior to completing this Application, it is recommended you read the <u>CFP Guidelines</u>. This application is for projects which will be constructed between October 1, 2016 and September 30, 2018.

#### PROJECT SUMMARY

Project Name: Avenue O N	leighborhood Infrastructure Ir	mprovements	
Project Location: Riviera Be	each	County: Palm Beach County	Ý
Project Type (check all tha	t apply):		
Water Qu	ality / Quantity Improvemer	nt 🖂 🛛 Infrastructure Improv	vement 🖂
Natural	System Restoration $\Box$	Storage 🖂 🛛 Flood Prot	ection 🖂
<b>Receiving Waters for Proje</b>	ct: SFWMD C-17 Canal		
Applicant: City of Riviera B	each		
Authorized Representative	: Brynt Johnson	Project Manager (PM), if d	ifferent: Terrence N. Bailey
Address: 2391 Ave L		PM Address: 2391 Ave L	
City/Zip: Riviera Beach 334	.04	PM City/Zip: Riviera Beach	
Telephone: 561-845-4080		PM Telephone: 561-845-34	
Email: bjohnson@rivierabo	h.com	PM Email: tbailey@riviera	bch.com
Project Cost: \$7,299,335		Total Project Cost, if multi-	year: N/A 🗌
Eligible (Construction) Cos		Local Match: \$1,530,018	
Requested Funding Amoun	nt: \$250,000	<b>Requested Funding Percen</b>	tage: 14%
Is this a multi-year: Yes 🗆			
If yes, Number of I			
	ses Completed to Date:		
	otal Project Completion Date:		
	ject received previous SFWMI		
	ase provide the following info		
Agreement No.	Year Awarded	Amount Awarded	Amount Invoiced
-	ograms or other agencies con		oject? Yes 🗵 No 🗌
	DEP contract # S0771, dated		
	\$425,000 (Note: amount can	be applied towards entire p	roject costs, including
watermain and roadway in	nprovements)		
Doos any SEW/MD amploy	ee, Governing Board membe	r contractor or other offili	ato of the Applicant have a
	roject, the property associat		
financially from this project		ed with this project of with	any party that may pront
	ies and interests: Enter text.		
ii yes, list the part	les and interests. Enter text.		
Is the project part of a cap	ital improvement plan? Yes		
is the project part of a cap			
This is a reimbursement n	rogram with the entire proje	oct scone expected to be cor	nnleted within the funding
-	ount awarded. There is no g		
		entire scope of the project?	

Does the applicant understand that if for any reason, the project scope is not fulfilled to 100% completion as outlined in the statement of work, the funding amount will be reduced to match the original percentage of funding in the purchase order that was based on the estimated total initial project cost estimate as provided in the application? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that if the project scope is completed as outlined in the statement of work and total actual total project costs are below the estimated total project cost, the applicant may not be eligible to receive up to the full award amount? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that funds are only for expenses incurred or obligated during the funding period (October 1, 2016- September 30, 2018)? Yes ⊠ No □

Is the Applicant a REDI Community? Yes □ No ⊠ If yes, can the Applicant provide REDI Community certification? Yes □ No □

#### PROJECT DETAILS

1. Provide a high-level description (several sentences) of the project.

This Project area of Avenue O was identified as a Capital Improvement Project in need of stormwater system improvements based on the City's Stormwater Master Plan dated 2009. The existing drainage system within the Avenue O Project Area consists of multiple isolated gravity pipes and inlets collecting stormwater runoff from the public right of way areas and discharging to local RC-1A canal that ultimately connect to the SFWMD C17 Canal via two independent positive outfalls. The installation of exfiltration trench throughout the neighborhood and the interconnection of all of the isolated drainage systems was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of 6400 linear feet of exfiltration trench is being proposed throughout the neighborhood, which will provide additional storage and improve the water quality of stormwater runoff prior to discharging at the outfalls.

#### 2. Please upload or attached the following:

- a. At least one letter-sized figure that depicts the project location in relation to the nearest major road intersection
- b. At least one letter-sized figure that depicts project details and illustrates information provided in the Statement of Work
- c. A GIS shapefile or AutoCAD dwg file per Florida State East Zone, NAD83 HARN, US Survey feet of the project location or latitude/longitude:
- **3.** Provide a description for the project, which may be used to create contract documents if selected, that includes:
  - a. Relevant Background Information

The City of Riviera Beach developed a Stormwater Master Plan in 2009 creating Capital Improvement Projects that were identified based on public safety, flood control, water quality benefits, recreationsl benefits and implementability. This Avenue O Project was identified as a Capital Improvement Project in need of stormwater system improvements. This Project is bounded from Austrailian Avenue to the east and Avenue R to the west; Blue Heron Blvd to the south and W 27<sup>th</sup> Street to the north. The identified problem, as noted in the Stormwater Master Plan, was no drainage infrastructure existing to collect stromwater runoff (for Project RC1-CIP04 Avenue O) and low level of service, possible structure flooding (for Project RC1-CIP06, Avenue R). The existing drainage system within the Avenue O Project consists of isolated drainage inlets and gravity pipes collecting stormwater runoff from the public rights-of-way areas and discharging to

the local RC-1A canal that ultimately connect to the SFWMD C17 Canal via two independent positive outfalls.

b. Purpose or Objective(s)

The purpose of the Avenue O Project (W 11<sup>th</sup> St to W 14<sup>th</sup> St) is to enhance the drainage system throughout the residential neighborhood to reduce flooding. The installation of exfiltration trench throughout the neighborhood and connection all independent drainage systems and outfalls was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of approximately 6400 linear feet of exfiltration trench and 3300 linear feet of solid pipe is being proposed throughout the neighborhood. These proposed improvements will reduce flooding by providing additional storage and improving the water quality of the stormwater runoff prior to discharging into the SFWMD C17 Canal.

c. Statement of Work

The proposed activities will include (1) approximately 6400 linear feet of exfiltration trench and 3300 linear feet of solid pipe, (2) approximately 132 drainage structures, (3) multiple pollution retardant baffles at inlets to keep debris out of the drainage system and ultimately the canal, and (4) regraded roadway with curb and valley gutters to convey flow into the proposed drainage system.

4. Explain how the project aligns with the District's mission.

This project will improve flood control and water quality through the installation of exfiltration trench which provide additional storage and allow stormwater to percolate into the ground water while reducing flooding on the roadways. The current drainage design allows all stormwater runoff to travel into the existing inlets in which only a select few discharge into the SFWMD canal network. The installation of these proposed exfiltration trenches and pollution retardant baffles will provide water quality and storage for the runoff prior to discharging into the outfalls and canals.

5. Explain how the project aligns with other applicable plans such as a watershed protection plan, basin management plan, total maximum daily load allocation, or stormwater improvement master plan.

The City of Riviera Beach Stormwater Master Plan identified this Avenue O Project as project ID: RC1-CIP04 and RC1-CIP06. The Stormwater Master Plan identified specific improvements including adding additional 15" and 18" stormwater pipes (850LF) or upsizing the existing 18" to 24" stormwater pipes (175LF). The current project improvements exceed what was original specified in the Master Plan as the proposed drainage system consists of over 6400 linear feet of not only pipe to interconnect the neighborhood, but also exfiltration trench to provide the additional storage and water quality.

6. Describe measurable community or environmental benefits of this project with respect to relevant considerations (improvement of water quality and/or quantity and benefits to natural systems; degree of flood protection and/or resource protection). Please include specific details such as estimated mass of nutrient/contaminant reductions (parts per billion, pounds per day/year) or removal efficiencies, area of natural systems to be restored or enhanced (acres), level of service attributes, conveyance capacity (CFS), and/or volume of storage (acre-feet). Please include all calculations.

As noted, this project will improve the flood control and water quality through the installation of exfiltration trench. Calculations are attached to display the approximate amount of storage (16.53 ac-ft) and estimated nutrient removal efficiency (93.6%) due to the installation of these proposed exfiltration trenches.

7. If applicable, provide the name and reference (i.e., page number) of the related project in the relevant plan associated with the proposed work:

#### **PROJECT READINESS**

1.	Does this project have approval from your Commission or Council? Yes $oxtimes$ No $\Box$
	When did approval for this project occur or when is approval expected to occur? 9/3/2014
	Additional space for further explanation: Resolution No 89-14; Approved bond issuance for project
2.	Is design of this project complete? Yes 🗌 No 🖂
	If no, is design of this project currently underway?Yes $oxtimes$ No $\Box$
	If yes, what percentage of design is complete? <b>75%</b>
	If yes, when will design of this project be complete? September 2016
	If no, explain:
3.	Are the necessary land acquisitions for this project complete? Yes $\boxtimes$ No $\square$
	If no, when will land acquisition be complete?
	Additional space for further explanation:
4.	Have the necessary access agreements, right-of-way permits, and/or easements for this project been finalized? Yes $\boxtimes$ No $\square$
	If no, when will these items be finalized?
	Additional space for further explanation:

5. List requisite federal, state, and/or local permits in the following table and provide applicable information.

		Permit Type	Permit O	btained?	Permit Date (expected
Agency	Permit No.	(Water/WW, ERP, CUP, Building)	Yes	No	date if not obtained yet)
SFWMD	TBD	ERP		TBD	Oct 2016
Enter text.	Enter text.	Enter text.	Enter text.	Enter text.	Enter text.
Enter text.	Enter text.	Enter text.	Enter text.	Enter text.	Enter text.
Enter text.	Enter text.	Enter text.	Enter text.	Enter text.	Enter text.
Enter text.	Enter text.	Enter text.	Enter text.	Enter text.	Enter text.

6. Has a contractor been selected for this project? Yes  $\Box$  No  $\boxtimes$ 

If no, when will a contractor be selected? November 2016

Additional space for further explanation: Enter text.

7. Describe the project timeline and identify significant project milestones and associated dates. Enter text. A Gantt chart may be attached for additional illustration.

When will construction for this project begin? January 2017

What is the duration of construction activities in months? 6-8 months

When will this project be complete? July 2017 - September 2017

#### SUBMITTAL CHECKLIST

Have project figures been included in the application or uploaded/attached separately? Yes  $\boxtimes$  No  $\square$ 

Has the GIS shapefile or AutoCAD dwg file for the project been uploaded? Yes ⊠ No □ If no, have latitude and longitude been provided as requested in question 2-C? Yes □ No □

Have measurable community or environmental benefits been sufficiently discussed and quantified in question 6? Yes  $\boxtimes$  No  $\square$ 

Has the Acknowledgment Form been completed and notarized (on letterhead) and uploaded/attached as a pdf? Yes  $\boxtimes$  No  $\square$ 

If applicable, has the Waiver to Reduction Form been completed (on letterhead) and uploaded/attached as a pdf? Yes  $\Box$  No  $\Box$  N/A  $\boxtimes$ 

Applications are limited to 25 pages including figures, Reduction of Matching Funds (if applicable), and Acknowledgment letters. Application submittals must be uploaded at <u>http://www.sfwmd.gov/coopfunding</u> by **May 20, 2016 at 6:00 PM**. Prior to completing this Application, it is recommended you read the <u>CFP Guidelines</u>. This application is for projects which will be constructed between October 1, 2016 and September 30, 2018.

#### PROJECT SUMMARY

Project Location: Riviera Beach       County: Palm Beach County         Project Type (check all that apply):       Water Quality / Quantity Improvement I       Infrastructure Improvement I         Natural System Restoration       Storage I       Flood Protection I         Receiving Waters for Project: SFWMD C-17 Canal       Flood Protection I         Applicant: City of Riviera Beach       Project Manager (PM), if different: Terrence N. Bailey         Address: 2391 Ave L       PM Address: 2391 Ave L         City/Zip: Riviera Beach 33404       PM City/Zip: Riviera Beach 33404         Telephone: 561-845-4080       PM Telephone: 561-845-3472         Email: bjohnson@rivierabch.com       PM Email: tbailey@rivierabch.com         Project Cost: 2,241,796       Total Project Cost, if multi-year: N/A ⊠         Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         If yes, Number of Project Phases:       If yes, Project Phases Completed to Date:         If yes, Project Phases Completed to Date:       In frastructure Simplement         If yes, has this project ceceived previous SFWMD funding? Yes No       No
Water Quality / Quantity Improvement ⊠ Infrastructure Improvement ⊠         Natural System Restoration □       Storage ⊠ Flood Protection ⊠         Receiving Waters for Project: SFWMD C-17 Canal         Applicant: City of Riviera Beach         Authorized Representative: Brynt Johnson       Project Manager (PM), if different: Terrence N. Bailey         Address: 2391 Ave L       PM Address: 2391 Ave L         City/Zip: Riviera Beach 33404       PM City/Zip: Riviera Beach 33404         Telephone: 561-845-4080       PM Telephone: 561-845-3472         Email: bjohnson@rivierabch.com       PM Email: tbailey@rivierabch.com         Project Cost: 2,241,796       Total Project Cost, if multi-year: N/A ⊠         Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         If yes, Number of Project Phases:         If yes, Project Phases Completed to Date:       If yes, Expected Total Project Completion Date:
Natural System RestorationStorage ⊠Flood Protection ⊠Receiving Waters for Project: SFWMD C-17 CanalApplicant: City of Riviera BeachAuthorized Representative: Brynt JohnsonProject Manager (PM), if different: Terrence N. BaileyAddress: 2391 Ave LPM Address: 2391 Ave LCity/Zip: Riviera Beach 33404PM City/Zip: Riviera Beach 33404Telephone: 561-845-4080PM Telephone: 561-845-3472Email: bjohnson@rivierabch.comPM Email: tbailey@rivierabch.comProject Cost: 2,241,796Total Project Cost, if multi-year: N/A ⊠Eligible (Construction) Cost: 525,450Local Match: \$275,450Requested Funding Amount: 250,000Requested Funding Percentage: 47.5%If yes, Number of Project Phases: If yes, Project Phases Completed to Date: If yes, Expected Total Project Completion Date:
Receiving Waters for Project: SFWMD C-17 Canal         Applicant: City of Riviera Beach         Authorized Representative: Brynt Johnson       Project Manager (PM), if different: Terrence N. Bailey         Address: 2391 Ave L       PM Address: 2391 Ave L         City/Zip: Riviera Beach 33404       PM City/Zip: Riviera Beach 33404         Telephone: 561-845-4080       PM Telephone: 561-845-3472         Email: bjohnson@rivierabch.com       PM Email: tbailey@rivierabch.com         Project Cost: 2,241,796       Total Project Cost, if multi-year: N/A ⊠         Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         Is this a multi-year: Yes □ No ⊠         If yes, Number of Project Phases:       If yes, Project Phases Completed to Date:         If yes, Expected Total Project Completion Date:       If yes, Expected Total Project Completion Date:
Applicant: City of Riviera Beach         Authorized Representative: Brynt Johnson       Project Manager (PM), if different: Terrence N. Bailey         Address: 2391 Ave L       PM Address: 2391 Ave L         City/Zip: Riviera Beach 33404       PM City/Zip: Riviera Beach 33404         Telephone: 561-845-4080       PM Telephone: 561-845-3472         Email: bjohnson@rivierabch.com       PM Email: tbailey@rivierabch.com         Project Cost: 2,241,796       Total Project Cost, if multi-year: N/A ⊠         Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         Is this a multi-year: Yes □ No ⊠         If yes, Number of Project Phases:       If yes, Project Phases Completed to Date:         If yes, Expected Total Project Completion Date:       If yes, Expected Total Project Completion Date:
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Address: 2391 Ave L       PM Address: 2391 Ave L         City/Zip: Riviera Beach 33404       PM City/Zip: Riviera Beach 33404         Telephone: 561-845-4080       PM Telephone: 561-845-3472         Email: bjohnson@rivierabch.com       PM Email: tbailey@rivierabch.com         Project Cost: 2,241,796       Total Project Cost, if multi-year: N/A ⊠         Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         Is this a multi-year: Yes □ No ⊠         If yes, Number of Project Phases:       If yes, Project Phases Completed to Date:         If yes, Expected Total Project Completion Date:       If yes, Expected Total Project Completion Date:
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Telephone: 561-845-4080       PM Telephone: 561-845-3472         Email: bjohnson@rivierabch.com       PM Email: tbailey@rivierabch.com         Project Cost: 2,241,796       Total Project Cost, if multi-year: N/A ⊠         Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         Is this a multi-year: Yes □ No ⊠       If yes, Number of Project Phases:         If yes, Project Phases Completed to Date:       If yes, Expected Total Project Completion Date:
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Project Cost: 2,241,796       Total Project Cost, if multi-year: N/A ⊠         Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         Is this a multi-year: Yes □ No ⊠       If yes, Number of Project Phases:         If yes, Project Phases Completed to Date:       If yes, Expected Total Project Completion Date:
Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         Is this a multi-year: Yes □ No ⊠       If yes, Number of Project Phases:         If yes, Project Phases Completed to Date:       If yes, Expected Total Project Completion Date:
Eligible (Construction) Cost: 525,450       Local Match: \$275,450         Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         Is this a multi-year: Yes □ No ⊠       If yes, Number of Project Phases:         If yes, Project Phases Completed to Date:       If yes, Expected Total Project Completion Date:
Requested Funding Amount: 250,000       Requested Funding Percentage: 47.5%         Is this a multi-year: Yes       No         If yes, Number of Project Phases:       If yes, Project Phases Completed to Date:         If yes, Expected Total Project Completion Date:       If yes, Expected Total Project Completion Date:
Is this a multi-year: Yes □ No ⊠ If yes, Number of Project Phases: If yes, Project Phases Completed to Date: If yes, Expected Total Project Completion Date:
If yes, Number of Project Phases: If yes, Project Phases Completed to Date: If yes, Expected Total Project Completion Date:
If yes, Number of Project Phases: If yes, Project Phases Completed to Date: If yes, Expected Total Project Completion Date:
If yes, Project Phases Completed to Date: If yes, Expected Total Project Completion Date:
If yes, Expected Total Project Completion Date:
If yes, has this project received previous SFWMD funding? Yes $\square$ No $\square$
If yes, please provide the following information:
Agreement No.         Year Awarded         Amount Awarded         Amount Invoiced
Are there other District programs or other agencies contributing funding to this project? Yes $\Box$ No $\boxtimes$
If yes, source(s):
If yes, amount(s):
Does any SFWMD employee, Governing Board member, contractor, or other affiliate of the Applicant have a
financial interest in this project, the property associated with this project or with any party that may profit
financially from this project? Yes $\Box$ No $\boxtimes$
If yes, list the parties and interests:
if yes, list the parties and interests.
Is the project part of a capital improvement plan? Yes $oxtimes$ No $\Box$
This is a reimbursement program with the entire project scope expected to be completed within the funding
period, regardless of amount awarded. There is no guarantee the Applicant will be awarded the amount
requested. Are budgeted funds available to pay for the entire scope of the project? Yes $\boxtimes$ No $\square$

Does the applicant understand that if for any reason, the project scope is not fulfilled to 100% completion as outlined in the statement of work, the funding amount will be reduced to match the original percentage of funding in the purchase order that was based on the estimated total initial project cost estimate as provided in the application? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that if the project scope is completed as outlined in the statement of work and total actual total project costs are below the estimated total project cost, the applicant may not be eligible to receive up to the full award amount? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that funds are only for expenses incurred or obligated during the funding period (October 1, 2016- September 30, 2018)? Yes ⊠ No □

Is the Applicant a REDI Community? Yes □ No ⊠ If yes, can the Applicant provide REDI Community certification? Yes □ No □

#### PROJECT DETAILS

1. Provide a high-level description (several sentences) of the project.

The Project Area within Federal Gardens from 11<sup>th</sup> Street to 14<sup>th</sup> Street was identified as a Capital Improvement Project in need of stormwater system improvements based on the City's Stormwater Master Plan dated 2009. The existing drainage system within the Federal Gardens 11<sup>th</sup> Street to 14<sup>th</sup> Street consists of minimal gravity pipes and inlets collecting stormwater runoff from the public right of way areas and discharging to local canals that ultimately connect to the SFWMD C17 Canal via three independent positive outfalls. The installation of exfiltration trench throughout the neighborhood and the connection of two of the independent outfall systems was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of 4200 linear feet of exfiltration trench is being proposed throughout the neighborhood, which will provide additional storage and improve the water quality of stormwater runoff prior to discharging at the outfalls.

#### 2. Please upload or attached the following:

- a. At least one letter-sized figure that depicts the project location in relation to the nearest major road intersection
- b. At least one letter-sized figure that depicts project details and illustrates information provided in the Statement of Work
- c. A GIS shapefile or AutoCAD dwg file per Florida State East Zone, NAD83 HARN, US Survey feet of the project location or latitude/longitude:
- 3. Provide a description for the project, which may be used to create contract documents if selected, that includes:
  - a. Relevant Background Information

The City of Riviera Beach developed a Stormwater Master Plan in 2009 creating Capital Improvement Projects that were identified based on public safety, flood control, water quality benefits, recreationsl benefits and implementability. This Federal Gardens Project (W 11<sup>th</sup> Street to W 14<sup>th</sup> Street) was identified as a Capital Improvement Project in need of stormwater system improvements. This Project is bounded from W 11<sup>th</sup> Street to W 14<sup>th</sup> Street and Avenue T to Avenue R. The identified problem, as noted in the Stormwater Master Plan, was insufficient drainage infrastructure to collect stormwater runoff. The existing drainage system within the Fedeal Gardens Project (W 11<sup>th</sup> St to W 14<sup>th</sup> St) consists of minimal inlets and gravity pipes

collecting stormwater runoff from the public rights-of-way areas and discharging to the local canals that ultimately connect to the SFWMD C17 Canal via three independent positive outfalls.
 b. Purpose or Objective(s)

The purpose of the Federal Gardens Project (W 11<sup>th</sup> St to W 14<sup>th</sup> St) is to enhance the drainage system throughout the residential neighborhood to reduce flooding. The installation of exfiltration trench throughout the neighborhood and connection of two independent outfalls was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of approximately 4200 linear feet of exfiltration trench is being proposed throughout the neighborhood, utilizing pipes ranging from 18 inch to 24 inches. These proposed improvements will reduce flooding by providing additional storage and improving the water quality of the stormwater runoff prior to discharging into the SFWMD C17 Canal.

c. Statement of Work

The proposed activities will include (1) approximately 4200 linear feet of exfiltration trench, (2) approximately 74 drainage structures, (3) weirs to retain stormwater runoff in the exfiltration trench prior to the outfalls, (4) multiple pollution retardant baffles at inlets to keep debris out of the drainage system and ultimately the canal, and (5) regraded roadway with valley gutters to convey flow into the proposed drainage system.

4. Explain how the project aligns with the District's mission.

This project will improve flood control and water quality through the installation of exfiltration trench which provide additional storage and allow stormwater to percolate into the ground water while reducing flooding on the roadways. The current drainage design allows all stormwater runoff to travel into the existing inlets and discharge directly into the SFWMD canal network. The installation of these proposed exfiltration trenches and pollution retardant baffles will provide water quality and storage for the runoff prior to discharging into the outfalls and canals.

5. Explain how the project aligns with other applicable plans such as a watershed protection plan, basin management plan, total maximum daily load allocation, or stormwater improvement master plan.

The City of Riviera Beach Stormwater Master Plan identified this Federal Gardens (W 11<sup>th</sup> St to W 14<sup>th</sup> ST) as project ID: RC1-CIP07 and RC1-CIP08. The Stormwater Master Plan identified specific improvements including extending the existing 18" stormwater lines (770LF) and adding additional 18" stormwater lines (930LF). The current project improvements exceed what was original specified in the Master Plan as the proposed drainage system consists of over 4200 linear feet of not only pipe to interconnect the neighborhood, but also exfiltration trench to provide the additional storage and water quality.

6. Describe measurable community or environmental benefits of this project with respect to relevant considerations (improvement of water quality and/or quantity and benefits to natural systems; degree of flood protection and/or resource protection). Please include specific details such as estimated mass of nutrient/contaminant reductions (parts per billion, pounds per day/year) or removal efficiencies, area of natural systems to be restored or enhanced (acres), level of service attributes, conveyance capacity (CFS), and/or volume of storage (acre-feet). Please include all calculations.

As noted, this project will improve the flood control and water quality through the installation of exfiltration trench. Calculations are attached to display the approximate amount of storage (0.65 ac-ft) and estimated nutrient removal efficiency (40.79%) due to the installation of these proposed exfiltration trenches.

7. If applicable, provide the name and reference (i.e., page number) of the related project in the relevant plan associated with the proposed work:

#### PROJECT READINESS

1.	Does this project have approval from your Commission or Council? Yes $oxtimes$ No $\Box$
	When did approval for this project occur or when is approval expected to occur? 9/3/2014
	Additional space for further explanation: Resolution No 89-14; Approved bond issuance for projects
2.	Is design of this project complete? Yes $\Box$ No $igtriangle$
	If no, is design of this project currently underway? Yes $oxtimes$ No $igsqcup$
	If yes, what percentage of design is complete? <b>75% Design</b>
	If yes, when will design of this project be complete? September 2016
	If no, explain:
3.	Are the necessary land acquisitions for this project complete? Yes $oxtimes$ No $\Box$
	If no, when will land acquisition be complete?
	Additional space for further explanation:
4.	Have the necessary access agreements, right-of-way permits, and/or easements for this project been finalized? Yes $\boxtimes$ No $\square$
	If no, when will these items be finalized?
	Additional space for further explanation:
5.	List requisite federal, state, and/or local permits in the following table and provide applicable information.

		Permit Type (Water/WW, ERP, CUP, Building)	Permit O	btained?	Permit Date (expected
Agency	Permit No.		Yes	No	date if not obtained yet)
SFWMD	TBD	ERP		TBD	October 2016

6. Has a contractor been selected for this project? Yes  $\Box$  No  $\boxtimes$ 

If no, when will a contractor be selected? November 2016

Additional space for further explanation:

7. Describe the project timeline and identify significant project milestones and associated dates. 100% Design anticipated on July 2016.

#### A Gantt chart may be attached for additional illustration.

When will construction for this project begin? January 2017

What is the duration of construction activities in months? **6-8 months** 

When will this project be complete? July 2017 to September 2017

#### SUBMITTAL CHECKLIST

Have project figures been included in the application or uploaded/attached separately? Yes  $\boxtimes$  No  $\square$ 

Has the GIS shapefile or AutoCAD dwg file for the project been uploaded? Yes ⊠ No □ If no, have latitude and longitude been provided as requested in question 2-C? Yes □ No □

Have measurable community or environmental benefits been sufficiently discussed and quantified in question 6? Yes  $\boxtimes$  No  $\square$ 

Has the Acknowledgment Form been completed and notarized (on letterhead) and uploaded/attached as a pdf? Yes  $\boxtimes$  No  $\square$ 

If applicable, has the Waiver to Reduction Form been completed (on letterhead) and uploaded/attached as a pdf? Yes  $\Box$  No  $\Box$  N/A  $\boxtimes$ 

Applications are limited to 25 pages including figures, Reduction of Matching Funds (if applicable), and Acknowledgment letters. Application submittals must be uploaded at <u>http://www.sfwmd.gov/coopfunding</u> by **May 20, 2016 at 6:00 PM**. Prior to completing this Application, it is recommended you read the <u>CFP Guidelines</u>. This application is for projects which will be constructed between October 1, 2016 and September 30, 2018.

#### PROJECT SUMMARY

Project Name: Singer Island	d South						
Project Location: Riviera Be		County: Palm Beach County	✓				
Project Type (check all that apply):							
Water Quality / Quantity Improvement 🗵 Infrastructure Improvement 🗵							
Natural	Natural System Restoration  Storage  Flood Protection						
<b>Receiving Waters for Proje</b>	ct: Lake Worth Lagoon (Intra	coastal Waterway)					
Applicant: City of Riviera Beach							
Authorized Representative	: Brynt Johnson	Project Manager (PM), if d	ifferent: Terrence N. Bailey				
Address: 2391 Ave L		PM Address: 2391 Ave L					
City/Zip: Riviera Beach 334	04	PM City/Zip: Riviera Beach	33404				
Telephone: 561-845-4080		PM Telephone: 561-845-34	172				
Email: bjohnson@rivierabc	h.com	PM Email: tbailey@rivieral	bch.com				
Project Cost: \$5,514,334		Total Project Cost, if multi-	year: N/A 🗵				
Eligible (Construction) Cos	<b>t:</b> \$1,183,583	Local Match: \$933,583					
<b>Requested Funding Amour</b>	<b>1t:</b> \$250,000	<b>Requested Funding Percen</b>	tage: 21.1%				
Is this a multi-year: Yes □							
If yes, Number of F	-						
If yes, Project Phas	ses Completed to Date:						
If yes, Expected To	tal Project Completion Date:						
If yes, has this proj	ject received previous SFWM	D funding?Yes 🗆 No 🗆					
lf yes, ple	ase provide the following info	prmation:					
Agreement No.	Year Awarded	Amount Awarded	Amount Invoiced				
Are there other District pro	ograms or other agencies cor	ntributing funding to this pro	oject? Yes 🗆 No 🗵				
If yes, source(s):							
If yes, amount(s):							
	ee, Governing Board membe roject, the property associat						
financially from this project	:t? Yes □ No 🛛						
If yes, list the part							
Is the project part of a cap	ital improvement plan? Yes	⊠ No □					

This is a reimbursement program with the entire project scope expected to be completed within the funding period, regardless of amount awarded. There is no guarantee the Applicant will be awarded the amount requested. Are budgeted funds available to pay for the entire scope of the project? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that if for any reason, the project scope is not fulfilled to 100% completion as outlined in the statement of work, the funding amount will be reduced to match the original percentage of funding in the purchase order that was based on the estimated total initial project cost estimate as provided in the application? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that if the project scope is completed as outlined in the statement of work and total actual total project costs are below the estimated total project cost, the applicant may not be eligible to receive up to the full award amount? Yes  $\boxtimes$  No  $\square$ 

Does the applicant understand that funds are only for expenses incurred or obligated during the funding period (October 1, 2016- September 30, 2018)? Yes ⊠ No □

Is the Applicant a REDI Community? Yes □ No ⊠

If yes, can the Applicant provide REDI Community certification? Yes  $\Box$  No  $\Box$ 

#### PROJECT DETAILS

1. Provide a high-level description (several sentences) of the project.

The Project Area within Singer Island South was identified as a Capital Improvement Project in need of stormwater system improvements based on the City's Stormwater Master Plan dated 2009. The existing drainage system within the Singer Island South Project consists of seven independed drainage systems collecting stormwater runoff from the public right of way areas and discharging to the Lake Worth Lagoon (also known as the Intracoastal Waterway). The installation of exfiltration trench throughout the neighborhood and the connection of all the independent outfall systems was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of 4200 linear feet of exfiltration trench is being proposed throughout the neighborhood, which will provide additional storage and improve the water quality of stormwater runoff prior to discharging at the outfalls.

2. Please upload or attached the following:

- a. At least one letter-sized figure that depicts the project location in relation to the nearest major road intersection
- b. At least one letter-sized figure that depicts project details and illustrates information provided in the Statement of Work
- c. A GIS shapefile or AutoCAD dwg file per Florida State East Zone, NAD83 HARN, US Survey feet of the project location or latitude/longitude:

3. Provide a description for the project, which may be used to create contract documents if selected, that includes:

a. Relevant Background Information

The City of Riviera Beach developed a Stormwater Master Plan in 2009 creating Capital Improvement Projects that were identified based on public safety, flood control, water quality benefits, recreationsl benefits and implementability. This Singer Island South Project was identified as a Capital Improvement Project in need of stormwater system improvements. This

Project is bounded from Singer Drive to Morse Boulevard and Intracoastal Waterway to N Ocean Boulevard. The identified problem, as noted in the Stormwater Master Plan, was tidal stages from Lake Worth Lagooon currently overwhelming failing or undersized pipes. The existing drainage system within the Singer Island South Project consists of independednt inlets and gravity pipes collecting stormwater runoff from the public rights-of-way areas and discharging to the local canals that ultimately connect to the Intracoastal Waterway via seven independent positive outfalls.

b. Purpose or Objective(s)

The purpose of the Singer Island South Project is to enhance the drainage system throughout the residential neighborhood to reduce flooding. The installation of exfiltration trench throughout the neighborhood and connection of the seven independent outfalls was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of approximately 4200 linear feet of exfiltration trench is being proposed throughout the neighborhood, utilizing pipes ranging from 18 inch to 24 inches. These proposed improvements will reduce flooding by providing additional storage and improving the water quality of the stormwater runoff prior to discharging into the Intracoastal Waterway.

c. Statement of Work

The proposed activities will include (1) approximately 4200 linear feet of exfiltration trench and 2800 linear feet of solid pipe, (2) approximately 86 drainage structures, (3) weirs to retain stormwater runoff in the exfiltration trench prior to the outfalls, (4) multiple pollution retardant baffles at inlets to keep debris out of the drainage system and ultimately the canal, and (5) regraded roadway with curbing to convey flow into the proposed drainage system.

4. Explain how the project aligns with the District's mission.

This project will improve flood control and water quality through the installation of exfiltration trench which provide additional storage and allow stormwater to percolate into the ground water while reducing flooding on the roadways. The current drainage design allows all stormwater runoff to travel into the existing inlets and discharge directly into the Intracoastal Waterway. The installation of these proposed exfiltration trenches will provide water quality and storage for the runoff prior to discharging into the outfalls and canals.

5. Explain how the project aligns with other applicable plans such as a watershed protection plan, basin management plan, total maximum daily load allocation, or stormwater improvement master plan.

The City of Riviera Beach Stormwater Master Plan identified this Singer Island South as project ID: CIP03. The Stormwater Master Plan identified specific improvements including inspecting the existing stormwater infrastructure and replace failing and undersized pipes and increase water quality via exfiltration trenches. The current project improvements exceed what was original specified in the Master Plan as the proposed drainage system consists of over 4200 linear feet of not only pipe to interconnect the neighborhood, but also exfiltration trench to provide the additional storage and water quality.

6. Describe measurable community or environmental benefits of this project with respect to relevant considerations (improvement of water quality and/or quantity and benefits to natural systems; degree of flood protection and/or resource protection). Please include specific details such as estimated mass of nutrient/contaminant reductions (parts per billion, pounds per day/year) or removal efficiencies, area of natural systems to be restored or enhanced (acres), level of service attributes, conveyance capacity (CFS), and/or volume of storage (acre-feet). Please include all calculations.

As noted, this project will improve the flood control and water quality through the installation of exfiltration trench. Calculations are attached to display the approximate amount of storage (1.92 ac-ft) and estimated nutrient removal efficiency (53.62%) due to the installation of these proposed exfiltration trenches.

7. If applicable, provide the name and reference (i.e., page number) of the related project in the relevant plan associated with the proposed work:

#### **PROJECT READINESS**

1.	Does this project have approval from your Commission or Council? Yes 🛛 No $\Box$
	When did approval for this project occur or when is approval expected to occur? 9/3/2014
	Additional space for further explanation: Resolution No 89-14; Approved bond issuance for project
_	
2.	Is design of this project complete? Yes □ No ⊠
	If no, is design of this project currently underway? Yes 🗵 No $\Box$
	If yes, what percentage of design is complete? 60%
	If yes, when will design of this project be complete? October 2016
	If no, explain:
3.	Are the necessary land acquisitions for this project complete? Yes $oxtimes$ No $\Box$
	If no, when will land acquisition be complete?
	Additional space for further explanation:
-	
4.	Have the necessary access agreements, right-of-way permits, and/or easements for this project been
	finalized? Yes 🛛 No 🗆
	If no, when will these items be finalized?

Additional space for further explanation:

5. List requisite federal, state, and/or local permits in the following table and provide applicable information.

	Permit Type		Permit Obtained?		Permit Date (expected	
Agency	Permit No.	(Water/WW, ERP, CUP, Building)	Yes	No	date if not obtained yet)	
SFWMD	TBD	ERP		TBD	Oct 2016	

#### 6. Has a contractor been selected for this project? Yes $\Box$ No $\boxtimes$

If no, when will a contractor be selected? **November 2016** 

Additional space for further explanation:

#### 7. Describe the project timeline and identify significant project milestones and associated dates. Enter text.

A Gantt chart may be attached for additional illustration.

When will construction for this project begin? January 2017

What is the duration of construction activities in months? 6-8 months

When will this project be complete? July 2017 – September 2017

#### SUBMITTAL CHECKLIST

Have project figures been included in the application or uploaded/attached separately? Yes 🛛 No 🗆

Has the GIS shapefile or AutoCAD dwg file for the project been uploaded? Yes 🛛 No 🗆

If no, have latitude and longitude been provided as requested in question 2-C? Yes  $\Box$  No  $\Box$ 

Have measurable community or environmental benefits been sufficiently discussed and quantified in question 6? Yes  $\boxtimes$  No  $\square$ 

Has the Acknowledgment Form been completed and notarized (on letterhead) and uploaded/attached as a pdf? Yes  $\boxtimes$  No  $\square$ 

If applicable, has the Waiver to Reduction Form been completed (on letterhead) and uploaded/attached as a pdf? Yes  $\Box$  No  $\Box$  N/A  $\boxtimes$ 



# CITY OF RIVIERA BEACH

2391 AVENUE "L" (561) 845-4080

RIVIERA BEACH, FLORIDA 33404 FAX (561) 848-5491

#### ACKNOWLEDGMENT

Before me, the undersigned authority, personally appeared Brynt Johnson, (Authorized Representative of the project owner) this 20<sup>th</sup> day of May, 2016 who, first being duly sworn, as required by law, hereby acknowledges:

- 1. The statements contained in this project information package are true, correct and complete to the best of his/her knowledge and that the undersigned has the authority from the project owner to make the representations contained herein.
- 2. The undersigned represents the described deliverables for this phase of the project will be completed and invoiced no later than September 15, 2018.
- 3. The undersigned represents that the project owner intends to begin construction of the project by this 1<sup>st</sup> day of January, in the year 2017.
- 4. The undersigned represents that the project owner understands the project contract expiration is September 30, 2018, and further understands that if the project is not completed by that date, the South Florida Water Management District reserves the right to rescind funding.

#### STATE OF FLORIDA

COUNTY OF PALM BEACH

Project Owner's Representative

Print Name

SWORN TO and subscribed before me 刘

day of Wlay 2016.

Such person(s) (Notary Public must check applicable box):

- [1] is/are personally known to me.
- [] produced a current driver license(s).
- [] produced as identification:

(NOTARY PUBLIC SEAL)



Notary Public

# **City of Riviera Beach - Singer Island - South**

#### NUTRIENT LOADING CALCULATIONS

Prepared By:	Jennifer Smith
Date:	5/16/2016

#### DRAINAGE SYSTEM: OVERALL

FLORIDA METEOROLOGICAL ZONE: 5

#### **EXISTING CONDITIONS**

LAND-USE	AREA (Ac.)	CN	
TOTAL AREA	47.70		
IMPERVIOUS AREA (DCIA)	19.08	98.00	
WATER SURFACE AREA (NDCIA)	3.90	94.00	
PERVIOUS AREA (HSG A)	0.00 39.00		
PERVIOUS AREA (HSG B)	0.00 61.00		
PERVIOUS AREA (HSG C)	0.00 74.00		
PERVIOUS AREA (HSG D)	24.72 80.00		
DCIA (Ac.)	19.08		
NDCIA (Ac.)	24.72		
%DCIA	40.00%		
%NDCIA	60.00%		
NDCIA CN	81.	.91	

#### **EXFILTRATION TRENCH CALCULATIONS**

Water	1.74		(5.5 ft deep)
Table Elev Conductivi	1.74	NGVD	(5.5 it deep)

ty (K): 1.88E-04 CFS/SF\*FT Head Per Geotechnical Report conducted for Ave H (avg value used)

Trench	Trench	Top of		Bottom of		Saturated	Dry	
Length	Width	Trench	Invert	Trench		Trench	Trench	Volume
(FT)	(FT)	Elevation	Elevation	Elevation	H2 (FT)	Depth (FT)	Depth	(AC*FT)
4265	4	4.00	1.27	0.00	2.26	1.74	2.26	1.92

#### DRY-RETENTION NUTRIENT REMOVAL EFFICIENCY:

Exfiltration Trench					
Length (ft)	Volume	Retention			
Length (It)	(Ac-ft)	(in)			
4,265	1.92	0.48			

REMOVAL EF	N VOL. (in):	0.50		
		DCIA %	DCIA %	DCIA %
		40.00%	40.00%	45.00%
NDCIA CN	80.00	54.80%	54.80%	53.90%
NDCIA CN	81.91	53.62%	53.62%	52.83%
NDCIA CN	85.00	51.70%	51.70%	51.10%

See note #3, C-Values from FDEP's Draft Stormwater

Total Dry Retention Treatment Volume Provided (ac-ft): 1.92

TP Removal Efficiency Provided: 53.62%

TN Removal Efficiency Provided: 53.62%

#### References:

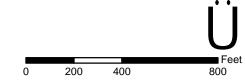
3) FDEP Document used to calculate removal efficiencies from NDCIA CN and DCIA %; See appendix F, page 321 http://www.dep.state.fl.us/WATER/wetlands/erp/rules/stormwater/index.htm

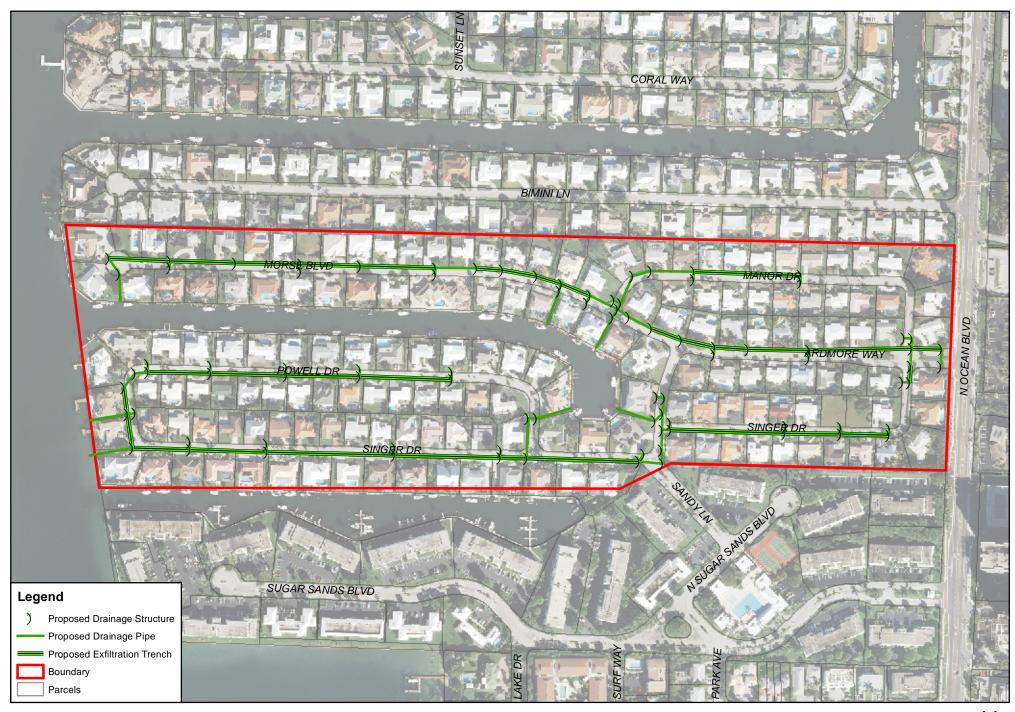


Legend Boundary Parcels



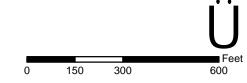
City of Riviera Beach Singer Island - South Proposed Location Map







City of Riviera Beach Singer Island - South Proposed Drainage Map



# ORIGINAL

PO NO. 950000\_



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LOCAL GOVERNMENTAL AGREEMENT

#### AGREEMENT NO. 4600003555

#### **BETWEEN THE**

#### SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

#### **CITY OF RIVIERA BEACH**

**THIS AGREEMENT** is entered into as of \_\_\_\_\_\_ by and between the South Florida Water Management District (**DISTRICT**) and City of Riviera Beach (**CITY**).

WHEREAS, the DISTRICT is a government entity created by Chapter 373, Florida Statutes; and

WHEREAS, the DISTRICT desires to provide financial assistance to the CITY for the Singer Island South Stormwater Project; and

WHEREAS, the CITY warrants and represents that it has no obligation or indebtedness that would impair its ability to fulfill the terms and conditions of this AGREEMENT; and

WHEREAS, the Governing Board of the DISTRICT, at its September 8, 2016 meeting, approved entering into this AGREEMENT with the CITY;

**NOW, THEREFORE**, in consideration of the covenants and representations set forth herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

- 1. The **DISTRICT** agrees to contribute funds and the **CITY** agrees to perform the work set forth in Exhibit "A" attached hereto and made a part hereof, subject to availability of funds and in accordance with their respective authorities for the Singer Island South Stormwater Project.
- 2. The period of performance of this **AGREEMENT** shall commence on October 1, 2016 and shall terminate on October 31, 2018.
- 3. The total **DISTRICT** contribution for all work completed herein shall not exceed the amount of \$150,000 or 50% of eligible stormwater expenditures for the project as noted in Exhibit B, whichever is less.

- 4. The **CITY** shall submit Reimbursement Request Packages as described in the Payment and Deliverables Schedule set forth in Exhibit "B" attached hereto and made a part hereof. Payments by the **DISTRICT** shall be made following receipt and acceptance of the Reimbursement Request Packages by the **DISTRICT's** Project Manager. Reimbursement Request Packages shall adequately demonstrate completion of each Task in accordance with Exhibit "A" and shall include, but not be limited to, a copy of the **CITY's** invoice and other documentation supporting payment.
- 5. The **DISTRICT's** payment is a reimbursement of actual eligible expenditures and is therefore contingent on adequate documentation to support actual eligible expenditures within the not-to-exceed **AGREEMENT** funding limitation. The **CITY** should provide prior written notice to the **DISTRICT's** Project Manager of its decision to apply the unexpended balance toward a subsequent Task. Actual eligible expenditures less than the estimated project cost will result in a reduced final payment per the **AGREEMENT** funding limitation. The **CITY** is responsible for any additional funds either through local revenues, grants, other appropriations, and/or other funding sources.
- 6. The **CITY** shall provide evidence that its minimum cost-share of 50% has been met for each submitted invoice. Absence of proper supporting documentation may result in non-payment or audit and return of prior payments. In no event shall the **DISTRICT** be liable for any contribution hereunder in excess of \$150,000.
- 7. If the total consideration for this AGREEMENT is subject to multi-year funding allocations, funding for each applicable fiscal year of this AGREEMENT will be subject to Governing Board budgetary appropriation. In the event the DISTRICT does not approve funding for any subsequent fiscal year, this AGREEMENT shall terminate upon expenditure of the current funding, notwithstanding other provisions in this AGREEMENT to the contrary. The DISTRICT will notify the CITY in writing after the adoption of the final DISTRICT budget for each subsequent fiscal year if funding is not approved for this AGREEMENT.
- 8. The **CITY** shall submit quarterly financial reports to the **DISTRICT** providing a detailed accounting of all expenditures incurred hereunder throughout the term of this **AGREEMENT**. The **CITY** shall report and document the amount of funds expended per month during the quarterly reporting period and the **AGREEMENT** expenditures to date within the maximum not-to-exceed **AGREEMENT** funding limitation.
- 9. The **CITY's** contribution shall be at least 50% of the total amount of the project in conformity with the laws and regulations governing the **CITY**.
- 10. All work to be performed under this AGREEMENT is set forth in Exhibit "A", Statement of Work, which is attached hereto and made a part of this AGREEMENT. The CITY shall submit quarterly progress reports detailing the status of work to date for each task. The work specified in Exhibit "A" shall be under the direction of the CITY but shall be open to periodic review and inspection by either party. No work set forth in Exhibit "A" shall be performed beyond September 28, 2018 unless authorized through execution of an amendment to this AGREEMENT to cover succeeding periods.

- 11. The **CITY** shall not subcontract, assign or transfer any other work under this **AGREEMENT** without the prior written consent of the **DISTRICT's** Project Manager. The **CITY** agrees to be responsible for the fulfillment of all work elements included in any subcontract and agrees to be responsible for the payment of all monies due under any subcontract. It is understood and agreed by the **CITY** that the **DISTRICT** shall not be liable to any subcontractor for any expenses or liabilities incurred under the subcontract(s).
- 12. Both the **DISTRICT** and the **CITY** shall have joint ownership rights to all work items, including but not limited to, all documents, technical reports, research notes, scientific data, computer programs, including the source and object code, which are developed, created or otherwise originated hereunder by the other party, its subcontractor(s), assign(s), agent(s) and/or successor(s) as required by the Exhibit "A", Statement of Work. Both parties' rights to deliverables received under this **AGREEMENT** shall include the unrestricted and perpetual right to use, reproduce, modify and distribute such deliverables at no additional cost to the other party.
- 13. The CITY, to the extent permitted by law, assumes any and all risks of personal injury, bodily injury and property damage attributable to negligent acts or omissions of the CITY and the officers, employees, servants and agents thereof. The CITY represents that it is self-funded for Worker's Compensation and liability insurance, covering bodily injury, personal injury and property damage, with such protection being applicable to the CITY, its officers and employees while acting within the scope of their employment during performance of under this AGREEMENT. In the event that the CITY subcontracts any part or all of the work hereunder to any third party, the CITY shall require each and every subcontractor to identify the DISTRICT as an additional insured on all insurance policies as required by the CITY. Any contract awarded by the CITY shall include a provision whereby the CITY's subcontractor agrees to indemnify, pay on behalf, and hold the DISTRICT harmless from all damages arising in connection with the CITY's subcontract.
- 14. The **CITY** and the **DISTRICT** further agree that nothing contained herein shall be construed or interpreted as (1) denying to either party any remedy or defense available to such party under the laws of the State of Florida; (2) the consent of the State of Florida or its agents and agencies to be sued; or (3) a waiver of sovereign immunity of the State of Florida beyond the waiver provided in Section 768.28, Florida Statutes.
- 15. The parties to this AGREEMENT are independent entities and are not employees or agents of the other parties. Nothing in this AGREEMENT shall be interpreted to establish any relationship other than that of independent entities, between the DISTRICT, the CITY, their employees, agents, subcontractors or assigns, during or after the term of this AGREEMENT. The parties to this AGREEMENT shall not assign, delegate or otherwise transfer their rights and obligations as set forth in this AGREEMENT without the prior written consent of the other parties. Any attempted assignment in violation of this provision shall be void.
- 16. The parties to this **AGREEMENT** will not discriminate against any person on legally protected bases in any activity under this **AGREEMENT**.
- 17. The **CITY**, its employees, subcontractors or assigns, shall comply with all applicable federal, state and local laws, regulations and requirements relating to the performance of this **AGREEMENT**. The **DISTRICT** undertakes no duty to ensure such compliance, but

will attempt to advise the **CITY**, upon request, as to any such laws of which it has present knowledge.

- 18. Either party may terminate this AGREEMENT at any time for convenience upon thirty (30) calendar days prior written notice to the other party. In the event of termination, all funds not expended by the CITY for authorized work performed through the termination date shall be returned to the DISTRICT within sixty (60) days of termination.
- 19. The **CITY** shall allow public access to all project documents and materials in accordance with the provisions of Chapter 119, Florida Statutes. Should the **CITY** assert any exemptions to the requirements of Chapter 119 and related Statutes, the burden of establishing such exemption, by way of injunctive or other relief as provided by law, shall be upon the **CITY**.
- 20. The **CITY** shall maintain records and the **DISTRICT** shall have inspection and audit rights below. The **CITY** shall similarly require each subcontractor to maintain and allow access to such records for audit purposes:

A. <u>Maintenance of Records</u>: The **CITY** shall maintain all financial and non-financial records and reports directly or indirectly related to the negotiation or performance of this **AGREEMENT** including supporting documentation for any service rates, expenses, research or reports. Such records shall be maintained and made available for inspection for a period of five (5) years from the expiration date of this **AGREEMENT**.

B. <u>Examination of Records</u>: The **DISTRICT** or designated agent shall have the right to examine in accordance with generally accepted governmental auditing standards all records directly or indirectly related to this **AGREEMENT**. Such examination may be made only within five (5) years from the expiration date of this **AGREEMENT**.

C. Extended Availability of Records for Legal Disputes: In the event that the **DISTRICT** should become involved in a legal dispute with a third party arising from performance under this **AGREEMENT**, the **CITY** shall extend the period of maintenance for all records relating to the **AGREEMENT** until the final disposition of the legal dispute. All such records shall be made readily available to the **DISTRICT**.

- 21. If the **DISTRICT's** contribution includes state or federal appropriated funds, the **CITY** shall, in addition to the obligations set forth in paragraph 20 above, require each subcontractor to maintain and allow access to such records in compliance with the requirements of the Florida State Single Audit Act and the Federal Single Audit Act.
- 22. All notices or other communication regarding this **AGREEMENT** shall be in writing and forwarded to the attention of the following individuals:

South Florida Water Management District	City of Riviera Beach
Attn: Nestor Garrido, Project Manager	Attn: Terrence Bailey
Attn: Sharman Rose, Contract Specialist	2391 Avenue L
3301 Gun Club Road	Riviera Beach, FL 33404
West Palm Beach, FL 33406	Telephone No: (561) 845-3472
Telephone No: (561) 682-2167	Email: <u>TBailey@Rivierabch.com</u>
Email: shrose@sfwmd.gov	

23. **CITY** shall send its invoices and any attachments to <u>APInvoice@sfwmd.gov</u> and a copy to the **DISTRICT** Project Manager. All invoices must reference the **CITY's** legal name as authorized to do business with the State of Florida; **DISTRICT'S AGREEMENT** Number and Purchase Order (PO) Number as specified on the cover/signature page of the **AGREEMENT**; a unique invoice number not previously used; date; a description of the services performed, and the amount to be invoiced. **CITY** shall: 1) submit invoices using a pdf file at a resolution of no less than 300 dpi; 2) name the pdf file with the **CITY's** name and the PO number; 3) provide all required attachments with the invoice file (refer to Attachment 1 to Exhibit C), and 4) include the PO number and Invoice number in the subject line of the email. If email or pdf filing is not possible, the **CITY** must provide the above to the following address:

# South Florida Water Management District Accounts Payable P.O. Box 24682 West Palm Beach, FL 33416-4682

**CITY** must submit its invoices in compliance with the requirements of this subsection and all other terms and conditions of this **AGREEMENT** in order to receive prompt payment by the **DISTRICT** as described in Section 218.70, F.S. **CITY's** failure to follow the instructions set forth in the **AGREEMENT** regarding a proper invoice and acceptable services and/or deliverables may result in an unavoidable delay in payment by the **DISTRICT**.

- 24. CITY recognizes that any representations, statements or negotiations made by **DISTRICT** staff do not suffice to legally bind **DISTRICT** in a contractual relationship unless they have been reduced to writing and signed by an authorized **DISTRICT** representative. This **AGREEMENT** shall inure to the benefit of and shall be binding upon the parties, their respective assigns, and successors in interest.
- 25. This **AGREEMENT** may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy, electronic or facsimile copy of this **AGREEMENT** and any signatory hereon shall be considered for all purposes as original.
- 26. This **AGREEMENT** may be amended, extended or renewed only with the written approval of the parties. The **DISTRICT** shall be responsible for initiating any amendments to this **AGREEMENT**, if required.
- 27. This AGREEMENT, and any work performed hereunder, is subject to the Laws of the State of Florida. Nothing in this AGREEMENT will bind any of the parties to perform beyond their respective authority, nor does this AGREEMENT alter the legal rights and remedies which the respective parties would otherwise have, under law or at equity.
- 28. Should any term or provision of this AGREEMENT be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this AGREEMENT, to the extent that the

AGREEMENT shall remain operable, enforceable and in full force and effect to the extent permitted by law.

- 29. Failures or waivers to insist on strict performance of any covenant, condition, or provision of this **AGREEMENT** by the parties shall not be deemed a waiver of any of its rights or remedies, nor shall it relieve the other party from performing any subsequent obligations strictly in accordance with the terms of this **AGREEMENT**. No waiver shall be effective unless in writing and signed by the party against whom enforcement is sought. Such waiver shall be limited to provisions of this **AGREEMENT** specifically referred to therein and shall not be deemed a waiver of any other provision. No waiver shall constitute a continuing waiver unless the writing states otherwise.
- 30. Any dispute arising under this **AGREEMENT** which cannot be readily resolved shall be submitted jointly to the signatories of this **AGREEMENT** with each party agreeing to seek in good faith to resolve the issue through negotiation or other forms of non-binding alternative dispute resolution mutually acceptable to the parties. A joint decision of the signatories, or their designees, shall be the disposition of such dispute.
- 31. This **AGREEMENT** states the entire understanding and agreement between the parties and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this **AGREEMENT**.
- 32. Any inconsistency in this **AGREEMENT** shall be resolved by giving precedence in the following order:
  - (a) Terms and Conditions outlined in preceding paragraphs 1-31
  - (b) Exhibit "A" Statement of Work
  - (c) Exhibit "B" Payment and Deliverable Schedule
  - (d) all other exhibits, attachments and documents specifically incorporated herein by reference

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this **AGREEMENT** on the date first written above.

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT BY ITS GOVERNING BOARD

By:

Lennart J. Lindahl, P.E. Assistant Executive Director

By:

Dorothy A. Bradshaw, Director Administrative Services Division

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**CITY OF RIVIERA BEACH** 

ATTEST:

BY:

CLAUDENE L. ANTHONY CERTIFIED MUNICIPAL CLERK CITY CLERK

APPROVED AS TO TERMS AND CONDITIONS

BY: BRYNT JOHNSON DEPARTMENT DIRECTOR

> APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: ANDREW DEGRAFFENREIDT CITY ATTORNEY

\_\_\_\_\_

BY: \_

THOMAS A. MASTERS, MAYOR

Page 7 of 7, Agreement No. 4600003555

Date:

## **EXHIBIT "A"**

### **STATEMENT OF WORK**

Singer Island South Stormwater Project City of Riviera Beach

# 1.0 INTRODUCTION AND BACKGROUND

The South Florida Water Management District (**DISTRICT**) has allocated funding in Fiscal Year 2017 to local governments and other entities for construction and implementation of stormwater management, alternative water supply, and water conservation projects through the Cooperative Funding Program.

The Project Area within Singer Island South was identified as a Capital Improvement Project in need of stormwater system improvements based on the City's Stormwater Master Plan dated 2009. The existing drainage system within the Singer Island South Project consists of seven independent drainage systems collecting stormwater runoff from the public right of way areas and discharging to the Lake Worth Lagoon (LWL). The installation of exfiltration trench throughout the neighborhood and the connection of all the independent outfall systems was selected as the most effective option for reducing the peak flood stage and reducing the flood duration. A total of 4,200 linear feet of exfiltration trench is being proposed throughout the neighborhood in multiple phases to minimize impacts to the residents, which will provide additional storage and improve the water quality of stormwater runoff prior to discharging to the outfalls. The project is bounded from Singer Drive to Morse Boulevard and Intracoastal Waterway to N. Ocean Boulevard.

### 2.0 **OBJECTIVE**

General project objectives, which align with the mission of the **DISTRICT**, include managing and protecting water resources of the region by balancing and improving flood control, water quality, and natural systems. The purpose of the Singer Island South Project is to enhance the drainage system throughout the residential neighborhood to reduce flooding by providing additional storage and improving the water quality of the stormwater runoff prior to discharging into the LWL.

### **3.0 SCOPE OF WORK**

The City of Riviera Beach (CITY) shall construct (1) approximately 4,200 linear feet of exfiltration trench and 2,800 linear feet of solid pipe, (2) approximately 86 drainage structures, (3) weirs to retain stormwater runoff in the exfiltration trench prior to the outfalls, (4) multiple pollution retardant baffles at inlets to keep debris out of the drainage system and ultimately the canal in accordance with design plans, project specifications, and applicable permits. Roadway work including regrading with curbing to convey flow into the proposed drainage system is not part of the contract.

Due to the length and amount of infrastructure proposed and the single entrance and exit of the subdivision, the project shall be phased into approximately four (4) sections to minimize displacement of existing residents. The **CITY** will be responsible for satisfactory completion of the scope of work and may retain consultants, contractors, and/or vendors to provide the professional and construction services required. The **CITY** will also be responsible for project management, budget management, quality control, and public outreach.

Agreement No. 4600003555, Exhibit "A", Page 1 of 2

# 4.0 WORK BREAKDOWN STRUCTURE

The work breakdown structure is presented below:

# <u>Task 1</u>

Submit design plans, project specifications, bid amount documentation, and Notice to Proceed (NTP) to the **DISTRICT** Project Manager via email.

Initiate construction activities per design plans, project specifications, and applicable permits.

# Tasks 2 though 7

Continue construction activities per design plans, project specifications, and applicable permits.

Submit a quarterly status report (Exhibit "C") to the **DISTRICT** Project Manager via email which provides a narrative of construction activities completed since the NTP was issued; a discussion of project status; an explanation of conflicts or issues, if any, which may affect construction progress or project performance; and a description of other pertinent information attached to the quarterly status report such as project oversight/management documentation, results from applicable inspections or field tests, addendums or revisions to design plans or project specifications, and relevant project correspondence. The reports are due quarterly and shall be submitted until the project is complete.

# <u>Task 8</u>

Complete construction activities (100%) per design plans, project specifications, and applicable permits.

Submit a Reimbursement Request Package to the **DISTRICT** Project Manager which includes Certificate of Completion, a **CITY** invoice and supporting documentation such as consultant, contractor, and/or vendor invoices and proof of payment(s).

### **EXHIBIT "B"**

#### **PAYMENT AND DELIVERABLES SCHEDULE**

Singer Island South Stormwater Project

City of Riviera Beach

The schedule set forth below is October 1, 2016 to September 28, 2018.

All deliverables submitted hereunder are subject to review and acceptance by the **District** Project Manager. Acceptability of all work will be based on the judgment of the **District** that the work is technically complete and accurate.

Payment shall be made following receipt and acceptance by the **District** of the Reimbursement Request Package(s) in accordance with the schedule set forth below. The **City** shall submit a reimbursement request upon completion of each Task noted below. If applicable, the **City** shall submit a final reimbursement request for payment on or before September 28, 2018 for reimbursement. All reimbursement requests shall be accompanied by adequate documentation to demonstrate completion of each Task in accordance with Exhibit A the Statement of Work (SOW).

Reimbursement Request Packages shall include, but not be limited to, a copy of the **City's** invoice, signed certification letter for partial payment that the Task(s) is (are) complete per the SOW or that the project is complete per the SOW, copies of vendor invoices, and any other documentation supporting payment. Reimbursement Request Packages shall adequately demonstrate completion of each Task in accordance with Exhibit A the SOW.

The **District** shall only be obligated to pay for documented actual construction costs within the not-toexceed amounts specified below. In <u>no event</u> shall the **District's** total obligation exceed the amount specified below for the total **Agreement**; however, an actual construction cost less than the estimated construction cost *may* result in a reduced final payment. The **City** is responsible for any additional funds either through local revenues, grants, other appropriations, and/or other funding sources.

Total payment by the **District** for all work completed herein <u>shall not exceed</u> the amount of <u>\$150,000.00</u>. If the total consideration for this **Agreement** is subject to multi-year funding allocations, funding for each applicable fiscal year will be subject to Governing Board budgetary appropriation. In the event the **District** does not approve funding for any subsequent fiscal year, this **Agreement** shall terminate upon expenditure of the current funding, notwithstanding other provisions in this **Agreement** to the contrary.

Task	Deliverable(s)	Due Date	CITY Share	DISTRICT Not-To- Exceed Amount	Estimated Project Cost
1	Design Plans, Project Specifications, Bid Amount Documentation, and NTP	September 29, 2017	N/A	N/A	N/A
2	Exhibit "C" - Quarterly Status Report	March 31, 2017	N/A	N/A	N/A
3	Exhibit "C" - Quarterly Status Report	June 30, 2017	N/A	N/A	N/A
4	Exhibit "C" - Quarterly Status Report	September 29, 2017	N/A	N/A	N/A
5	Exhibit "C" - Quarterly Status Report	December 29, 2017	N/A	N/A	N/A
6	Exhibit "C" - Quarterly Status Report	March 30, 2018	N/A	N/A	N/A
7	Exhibit "C" - Quarterly Status Report	June 29, 2018	N/A	N/A	N/A
8	Exhibit "C" - Quarterly Status Report Complete 100% of construction activities per design plans, project specifications, and applicable permits. Reimbursement Request Package (including Certificate of Completion, Invoice(s), Proof of Payment)	September 28, 2018	\$1,033,583	\$150,000	\$1,183,583
	Total	I	\$1,033,583	\$150,000	\$1,183,583

If applicable, interim Reimbursement Request Packages shall be submitted upon completion of the task(s) noted above. Reimbursement Request Packages <u>must</u> be submitted on or before September 28, 2018 for reimbursement.

Exhibit C Quarterly Status Reports are due within ten (10) days of the due date.

Ineligible costs include, but not limited to, permits, as-builts, videos, early completion bonus, bonds and insurance, etc.

# **EXHIBIT "C"**

# **QUARTERLY STATUS REPORT**

# SINGER ISLAND SOUTH STORMWATER PROJECT

## 1.0 DATE OF REPORT

Click here to enter a date.

# 2.0 NAME AND TITLE OF PERSON COMPLETING REPORT

Click here to enter text.

# 3.0 NARRATIVE OF CONSTURCTION ACTIVITIES COMPLETED TO DATE OR SINCE LAST REPORT

Click here to enter text.

# 4.0 DISCUSSION OF OVERALL PROJECT STATUS

Click here to enter text.

5.0 EXPLANATION OF CONFLICTS, IF ANY, WHICH MAY AFFECT CONSTRUCTION PROGRESS OR PROJECT PERFORMANCE

Click here to enter text.

6.0 DESCRIPTION OF OTHER PERTINENT INFORMATION ATTACHED THIS REPORT FOR FURTHER CLARIFICATION OF DETAILS CONTAINED IN CONSTRUCTION ACTIVITIES NARRATIVE, OVERALL PROJECT STATUS DISCUSSION, AND/OR CONFLICTS EXPLANATION

Click here to enter text.

### CITY OF RIVIERA BEACH CITY COUNCIL AGENDA ITEM SUMMARY

**Meeting Date:** 1/18/2017

Agenda Category: RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM MEDITERRANEA PALM PROPERTY SUBSIDIARY, LLC, FOR 236 TOWNHOME UNITS AND 152 SINGLE FAMILY UNITS IN THE MEDITERRANEA PLANNED UNIT DEVELOPMENT, LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE, AT 4046 WOODS EDGE CIRCLE; PROVIDING SPECIFIC CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Recommendation/Motion: City staff recommends approval of this Resolution.

Originating Dept	Community Development	Costs	N/A
User Dept.	City	Funding Source	N/A
Advertised	Yes	Budget Account Number	N/A
Date	January 9, 2017		
Paper	Palm Beach Post		
Affected Parties	Not Required		

#### Background/Summary:

The Mediterranea Development is located north of Blue Heron Boulevard, east of Military Trail and south of Leo Lane, addressed as 4046 Woods Edge Circle, consisting of approximately 70 acres of land. Historically, construction occurred within the Mediterranea Development which was discontinued due to the economic recession, resulting in an incomplete development. Mediterranea Palm Property Subsidiary, LLC, submitted a site plan application (SP-16-10) to complete development of the Mediterranea Project, which proposes to develop 236 townhome units and 152 single family units.

City Staff has determined that the Mediterranea Palm Property Subsidiary, LLC development proposal is consistent and compatible with the City's Comprehensive Plan and Land Development Regulations. On December 8, 2016 the Planning and Zoning Board, an advisory board to the City Council, reviewed the development proposal and recommended approval to the City Council.

Fiscal Years	N/A
Capital Expenditures	N/A
Operating Costs	N/A
External Revenues	N/A

Program Income (city)N/AIn-kind Match (city)N/ANet Fiscal ImpactN/ANO. Additional FTE Positions<br/>(cumulative)N/A

#### **III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments:

C. Department Director Review:

Contract Start Date

Contract End Date

**Renewal Start Date** 

Renewal End Date

Number of 12 month terms this renewal

**Dollar Amount** 

Contractor Company Name

**Contractor Contact** 

**Contractor Address** 

**Contractor Phone Number** 

Contractor Email

Type of Contract

Describe

#### ATTACHMENTS:

File Name	Description	Upload Date	Туре
Resolution_Site_Plan_Mediterranea_1.18.2017_(SP-16-10).docx	Resolution Site Plan Mediterranea 1.18.2017 (SP-16-10)	1/10/2017	Resolution
Exhibit_ASite_Plan_SheetsMediterranea.pdf	Exhibit A, Site Plan Sheets, Mediterranea (SP-16-10)	1/10/2017	Exhibit
Exhibit_BLandscape_Plan_SheetsMediterranea.pdf	Exhibit B, Landscape Plan Sheets, Mediterranea (SP-16- 10)	1/10/2017	Exhibit
Exhibit_CBuilding_ElevationsMediterranea.pdf	Exhibit C, Building Elevations, Mediterranea	1/10/2017	Exhibit

P_Z_Board_Staff_Report_Mediterranea.pdf		P&Z Board Staff Report Mediterranea	1/10/2017	Backup Material
Location_Map.pdf		Location Map	1/10/2017	Backup Material
P_Z_Board_Meeting_Minutes_12	2.08.2016.pdf	P&Z Board Meeting Minutes 12.08.2016	12/29/2016	Backup Material
REVIEWERS:				
Department	Reviewer	Action	D	ate
Community Development	Gagnon, J	Approved	1,	′10/2017 - 1:11 PM
Purchasing	Mealy, Dean	Approved	1,	(10/2017 - 1:35 PM

Approved

Approved

Approved

Approved

sherman, randy

Lina Busby, Lina

Burgess, Jackie

Jones, Danny

Finance

Attorney

City Clerk

City Manager

1/10/2017 - 3:05 PM

1/11/2017 - 12:05 PM

1/11/2017 - 12:36 PM

1/11/2017 - 5:22 PM

# RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM MEDITERRANEA PALM PROPERTY SUBSIDIARY, LLC, FOR 236 TOWNHOME UNITS AND 152 SINGLE FAMILY UNITS IN THE MEDITERRANEA PLANNED UNIT DEVELOPMENT, LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE, AT 4046 WOODS EDGE CIRCLE; PROVIDING SPECIFIC CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS,** the Mediterranea Development is located north of Blue Heron Boulevard, east of Military Trail and south of Leo Lane, addressed as 4046 Woods Edge Circle, consisting of approximately 70 acres of land; and

**WHEREAS,** historically, construction occurred within the Mediterranea Development which ceased and was discontinued due to the economic recession, resulting in an incomplete development; and

**WHEREAS,** Mediterranea Palm Property Subsidiary, LLC, submitted a site plan application (SP-16-10) to complete development of the Mediterranea Project, which proposes to develop 236 townhome units and 152 single family units; and

WHEREAS, City Staff has determined that the Mediterranea Palm Property Subsidiary, LLC development proposal is consistent and compatible with the City's Comprehensive Plan and Land Development Regulations; and

**WHEREAS,** on December 8, 2016 the Planning and Zoning Board, an advisory board to the City Council, reviewed the development proposal and recommended approval to the City Council; and

**WHEREAS,** the City Council desires to approve the site plan application and associated plans submitted by Mediterranea Palm Property Subsidiary, LLC, for the Mediterranea Development.

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

**SECTION 1.** The City Council hereby finds that the site plan application submitted by Mediterranea Palm Property Subsidiary, LLC to develop 236 townhome units and 152 single family units within the Mediterranea Development, located at 4046 Woods Edge Circle, is consistent and compatible with the City's Comprehensive Plan and Land Development Regulations.

## RESOLUTION NO.\_\_\_\_\_ Page 2 of 4

**SECTION 2.** The City Council hereby approves the application for site plan approval from Mediterranea Palm Property Subsidiary, LLC, with the following conditions:

- 1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before the certificate of occupancy is issued.
- 2. Construction must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.
- 3. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.
- 4. This development must receive final Certificate of Occupancy from the City for all buildings and units approved within five years of the approval of this resolution (by September 21, 2021) or the resolution shall be considered null and void, requiring the applicant to resubmit site plan fees and application for site plan approval and re-initiate the site plan approval process.
- 5. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.
- 6. City council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.
- 7. The developer must provide a North bound exclusive right-turn lane at the project main access driveway on Military Trail prior to the first Certificate of Occupancy being issued for the project.
- 8. In order to increase neighborhood stability, all units sold must be owneroccupied for the first year after the initial sales date.
- 9. The applicant must install any traffic control devices as required by Palm Beach County.

RESOLUTION	NO.	
Page 3 of 4	-	

**SECTION 3.** The associated site plans, landscape plans, and building elevations are attached hereto and made a part of this Resolution as Exhibit "A", "B", and "C".

**SECTION 4.** Should any one or more of the provisions or element of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of this resolution.

**<u>SECTION 5.</u>** This Resolution shall take effect immediately upon approval.

PASSED and APPROVED this \_\_\_\_\_day of \_\_\_\_\_, 2017.

[ REMAINDER OF PAGE INTENTIONALLY BLANK. ]

RESOLUTION NO.\_\_\_\_\_ Page 4 of 4

**APPROVED:** 

THOMAS A. MASTERS MAYOR TERENCE D. DAVIS CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY CERTIFIED MUNICIPAL CLERK CITY CLERK KASHAMBA MILLER-ANDERSON CHAIR PRO TEM

LYNNE L. HUBBARD COUNCILPERSON

TONYA DAVIS JOHNSON COUNCILPERSON

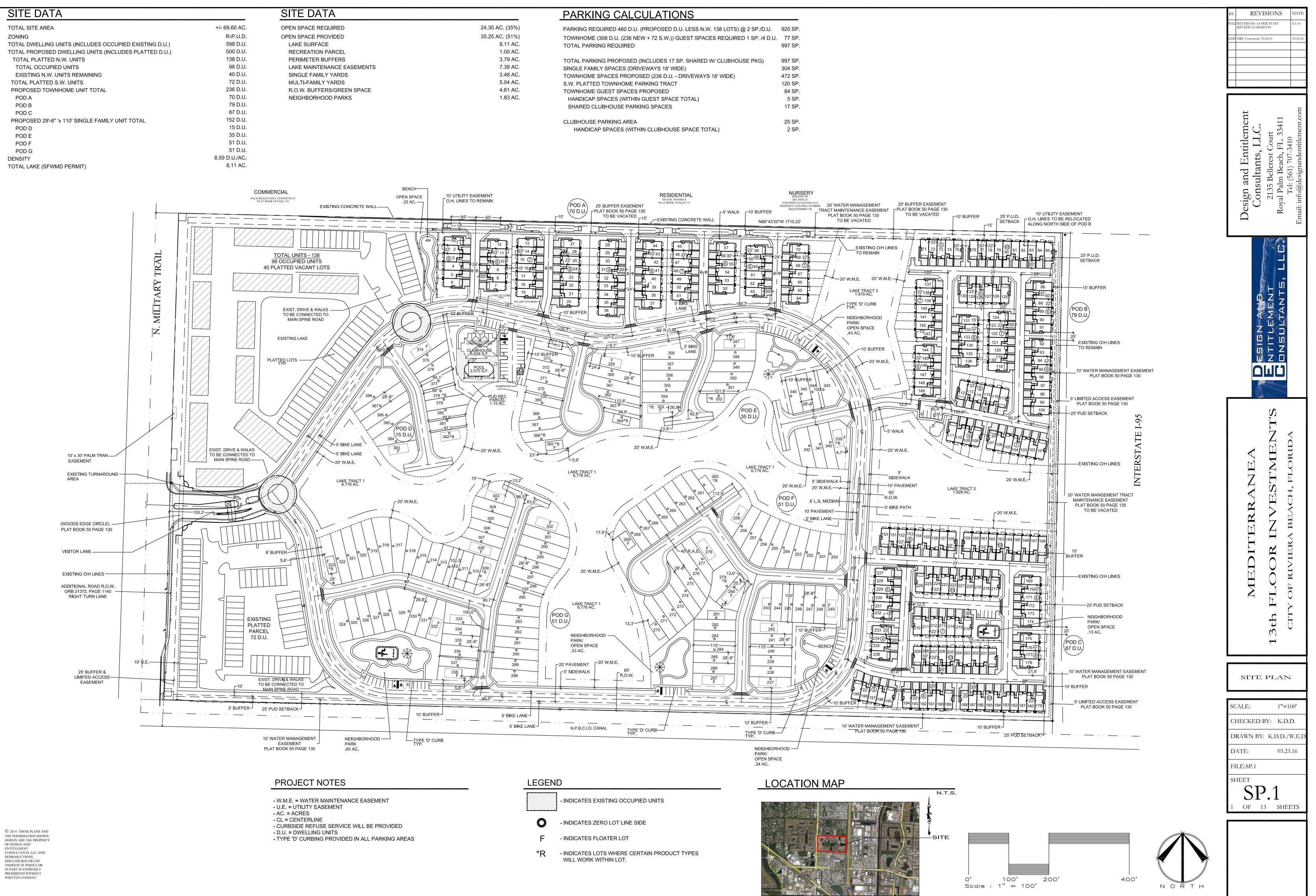
DAWN S. PARDO COUNCILPERSON

MOTIONED BY:	
SECONDED BY:	
L. HUBBARD	
K. MILLER-ANDERSON	
T. DAVIS JOHNSON	
D. PARDO	
T. DAVIS	

**REVIEWED AS TO LEGAL SUFFICIENCY** 

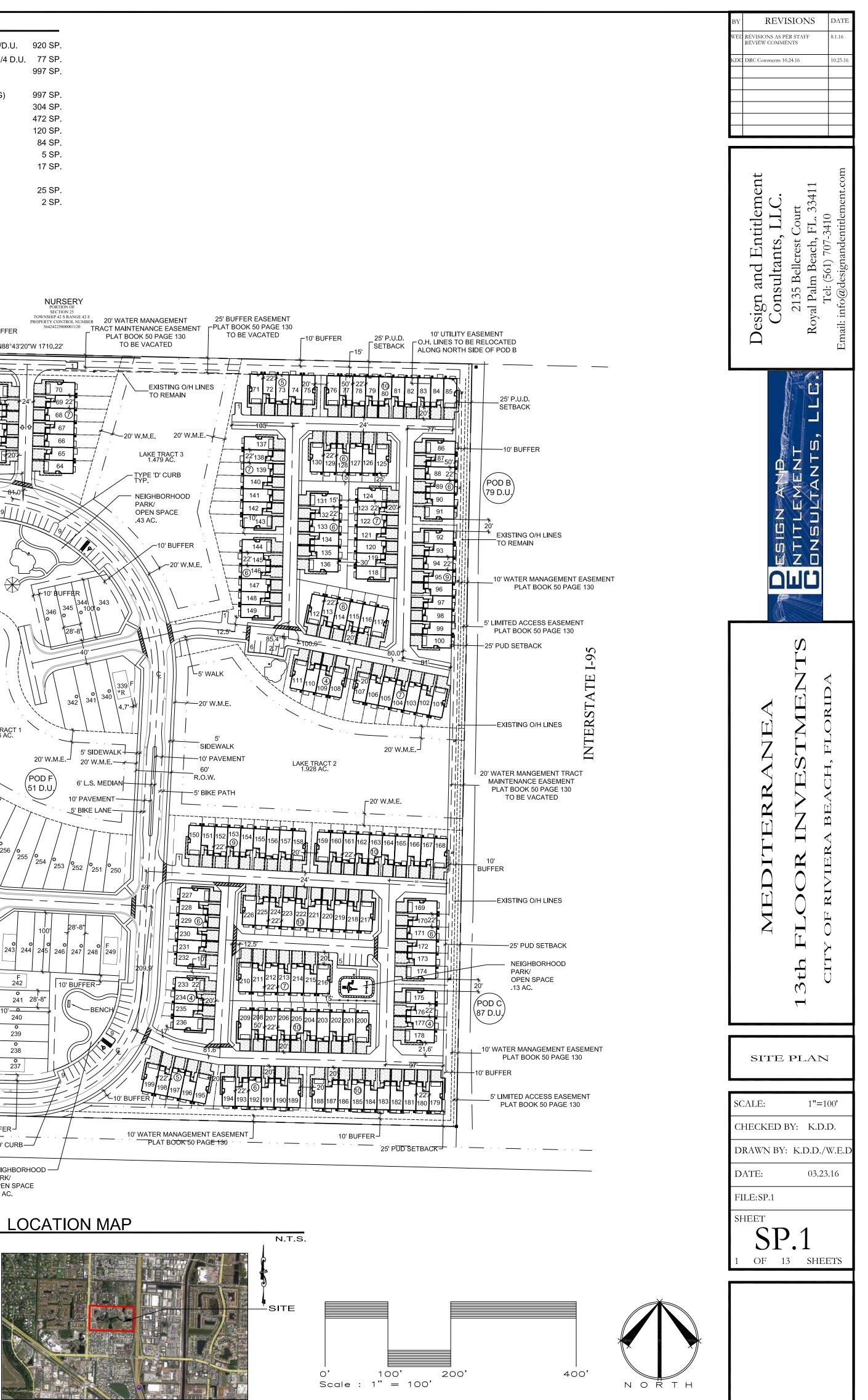
ANDREW DEGRAFFENREIDT, ESQ. CITY ATTORNEY

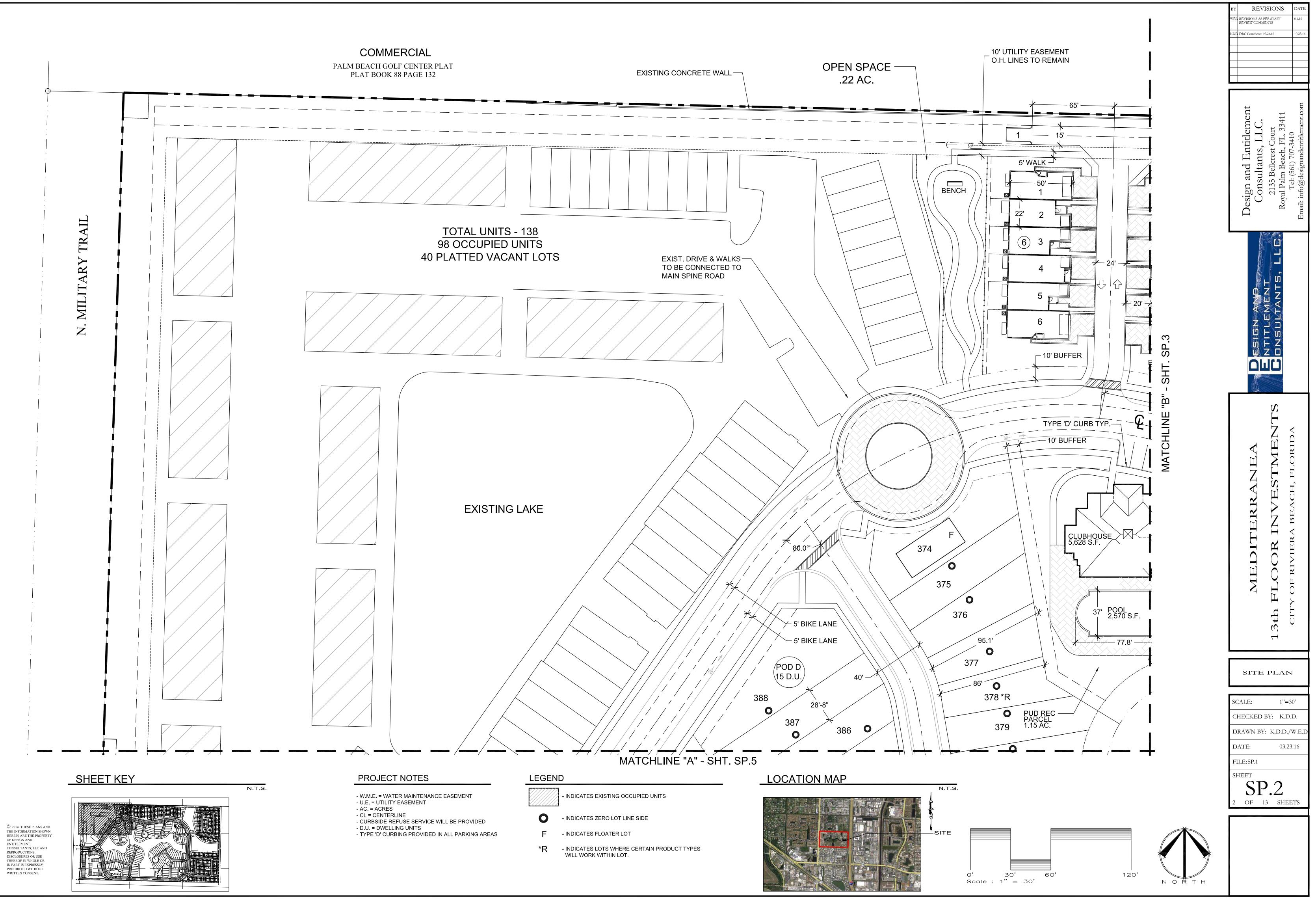
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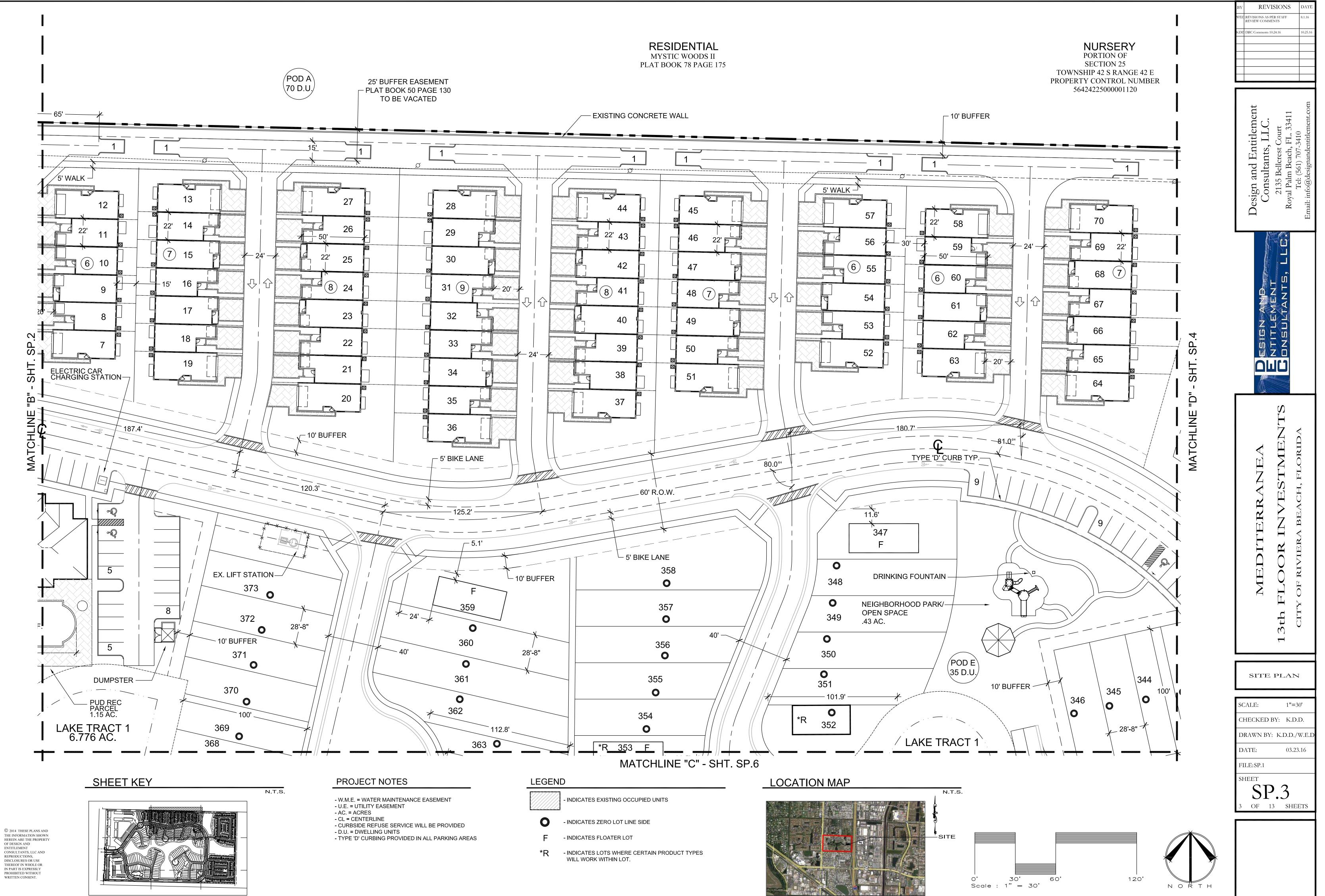


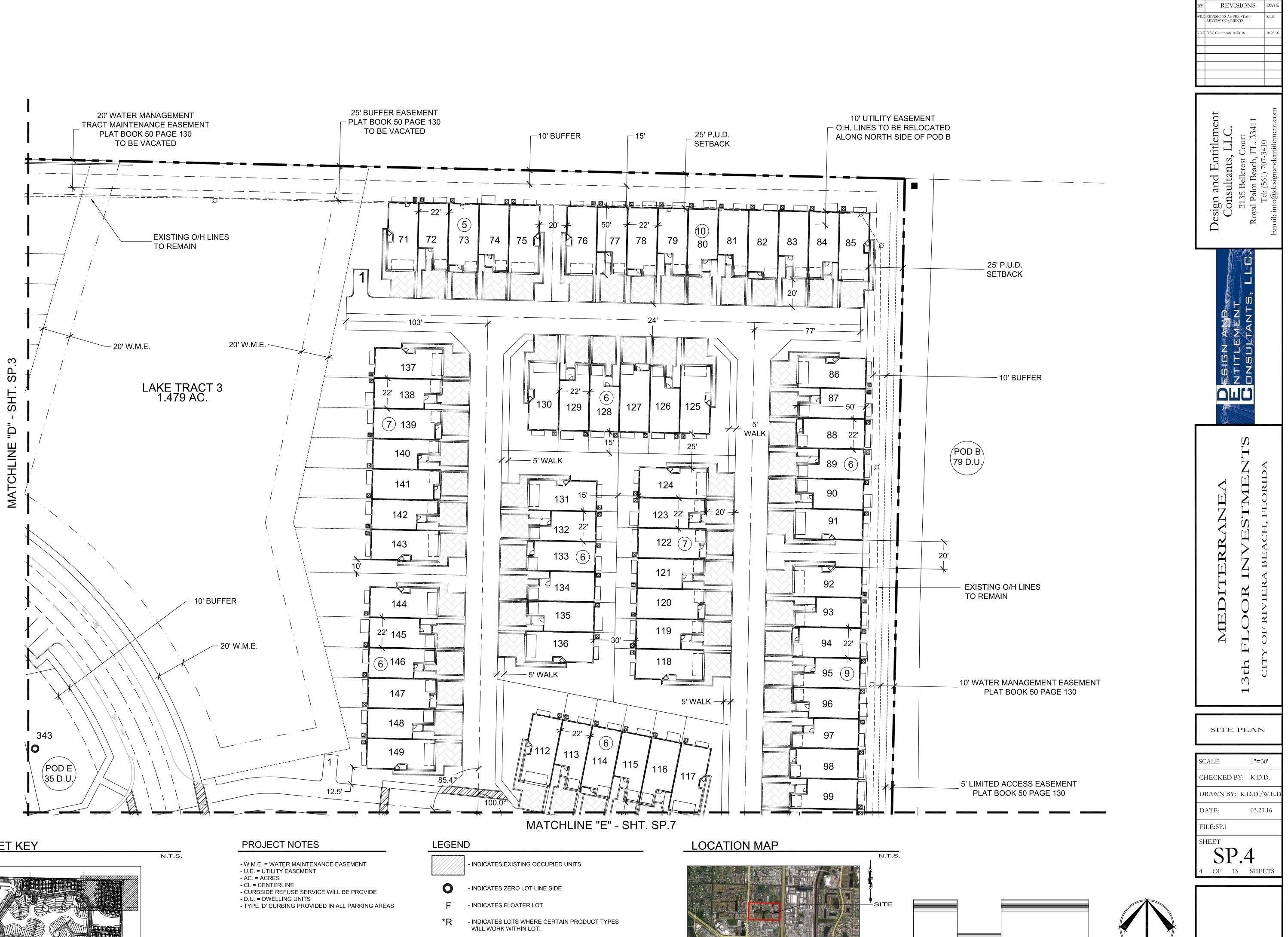
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35.25 AC. (51%)
8.11 AC.
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7.39 AC.
3.48 AC.
5.04 AC.
4.61 AC.
1 83 AC

PARKING REQUIRED 460 D.U. (PROPOSED D.U. LESS N.W. 138 LOTS) @ 2 SP./D.U.	920 SP.
TOWNHOME (308 D.U. (236 NEW + 72 S.W.)) GUEST SPACES REQUIRED 1 SP. /4 D.U.	77 SP.
TOTAL PARKING REQUIRED	997 SP.
TOTAL PARKING PROPOSED (INCLUDES 17 SP. SHARED W/ CLUBHOUSE PKG)	997 SP.
SINGLE FAMILY SPACES (DRIVEWAYS 18' WIDE)	304 SP.
TOWNHOME SPACES PROPOSED (236 D.U DRIVEWAYS 18' WIDE)	472 SP.
S.W. PLATTED TOWNHOME PARKING TRACT	120 SP.
TOWNHOME GUEST SPACES PROPOSED	84 SP.
HANDICAP SPACES (WITHIN GUEST SPACE TOTAL)	5 SP.
SHARED CLUBHOUSE PARKING SPACES	17 SP.
CLUBHOUSE PARKING AREA	25 SP.
HANDICAP SPACES (WITHIN CLUBHOUSE SPACE TOTAL)	2 SP.

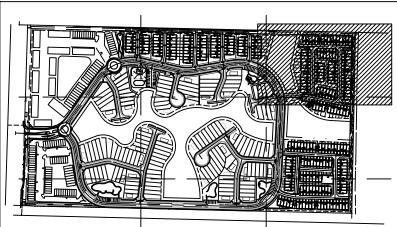




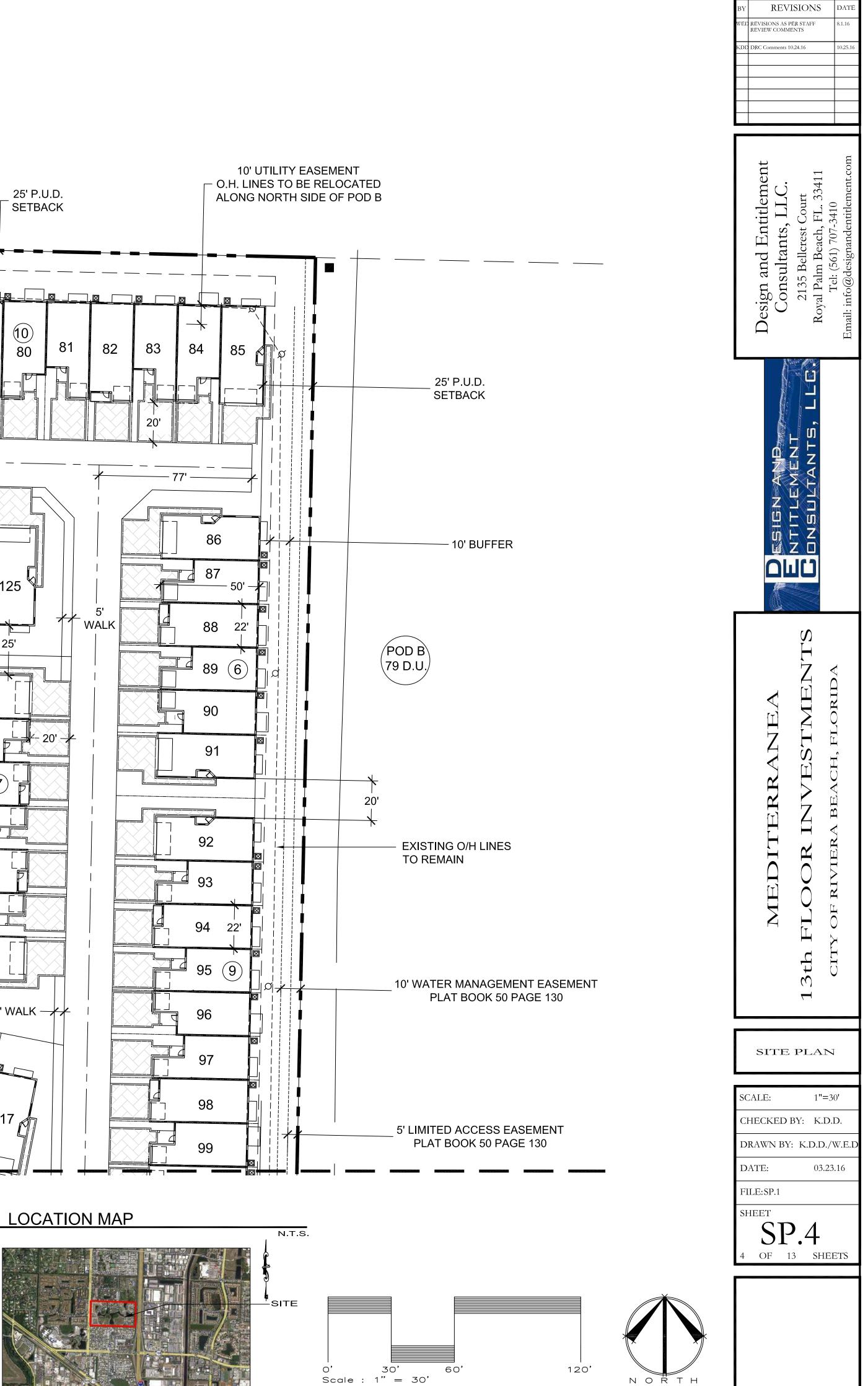


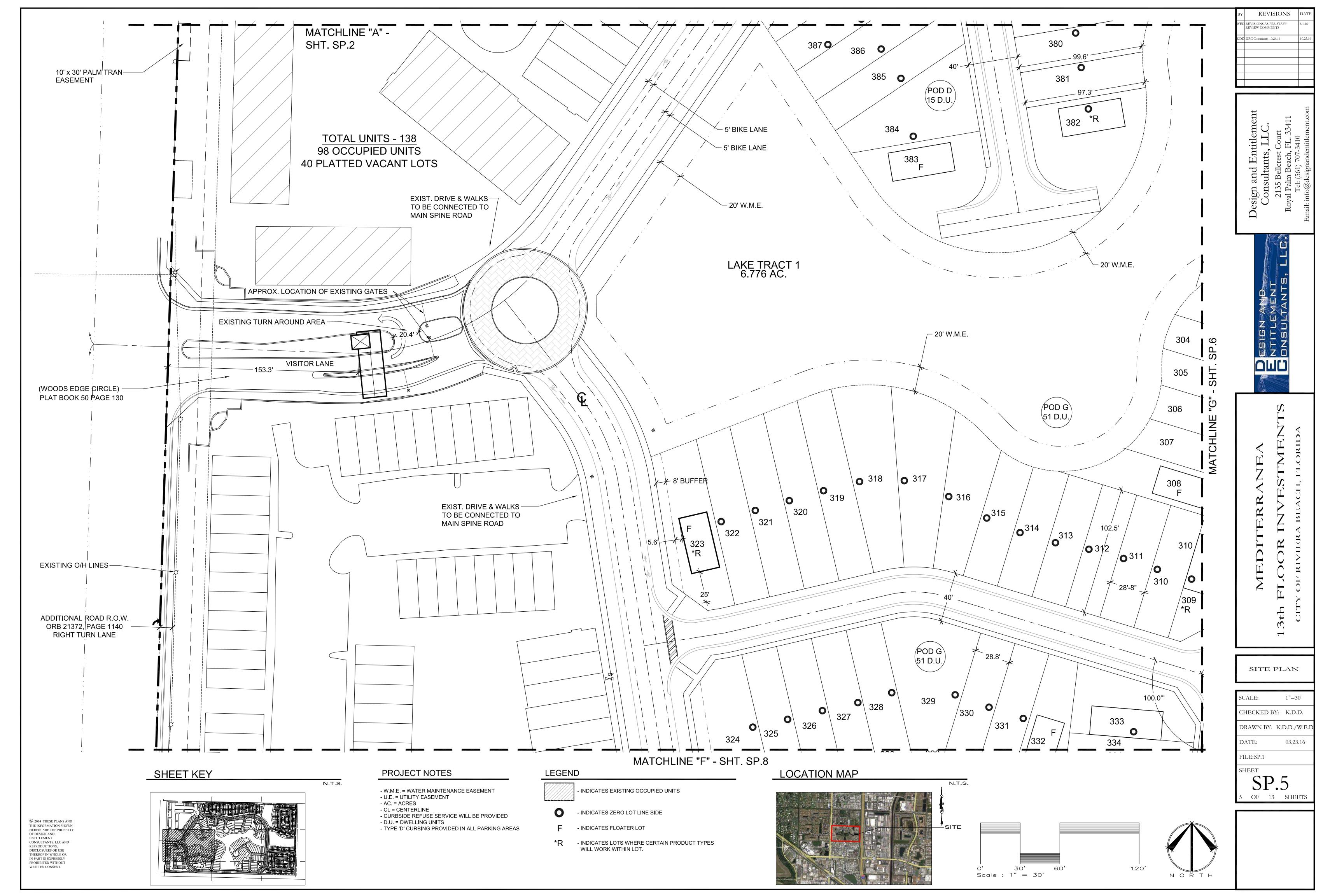


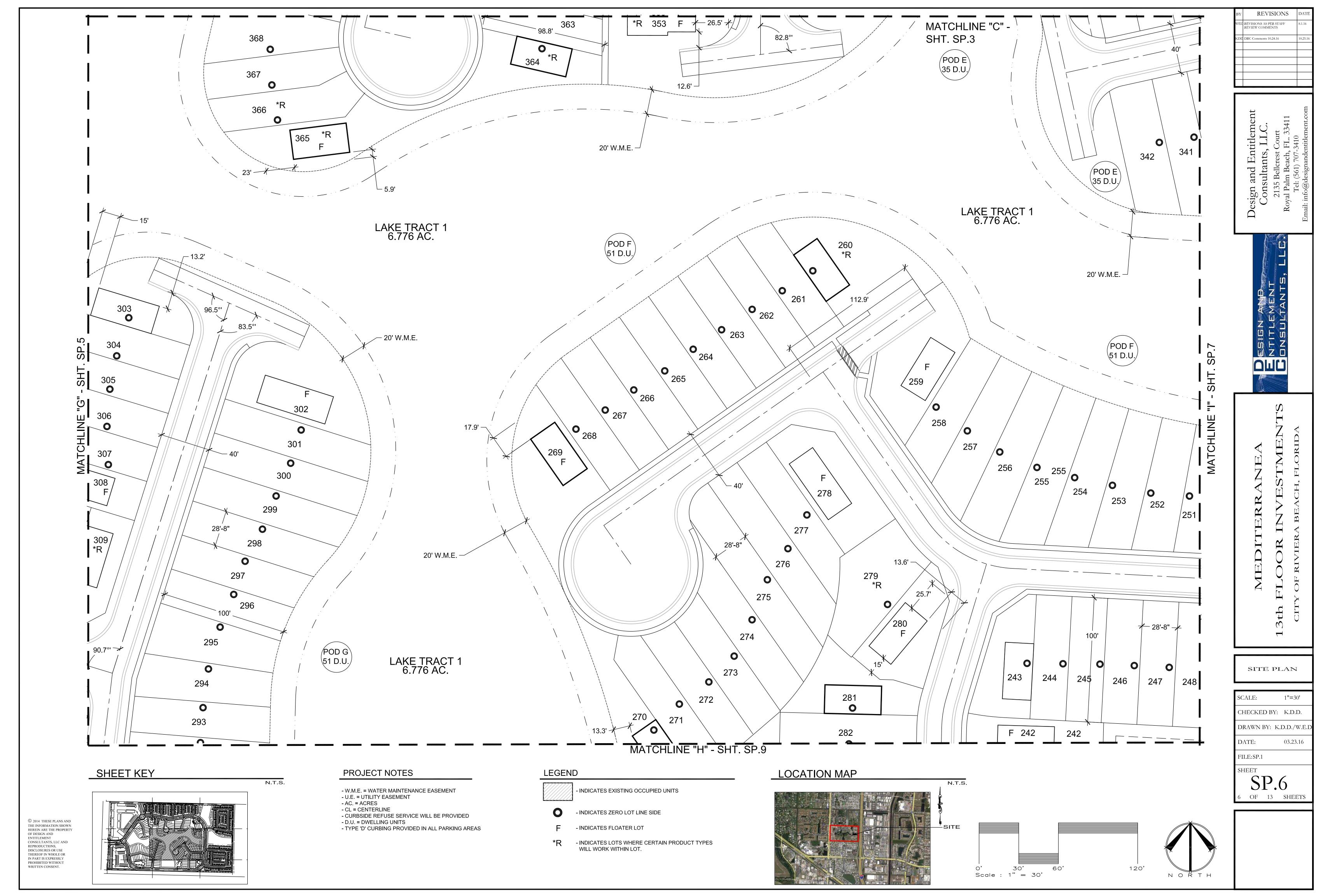
# SHEET KEY

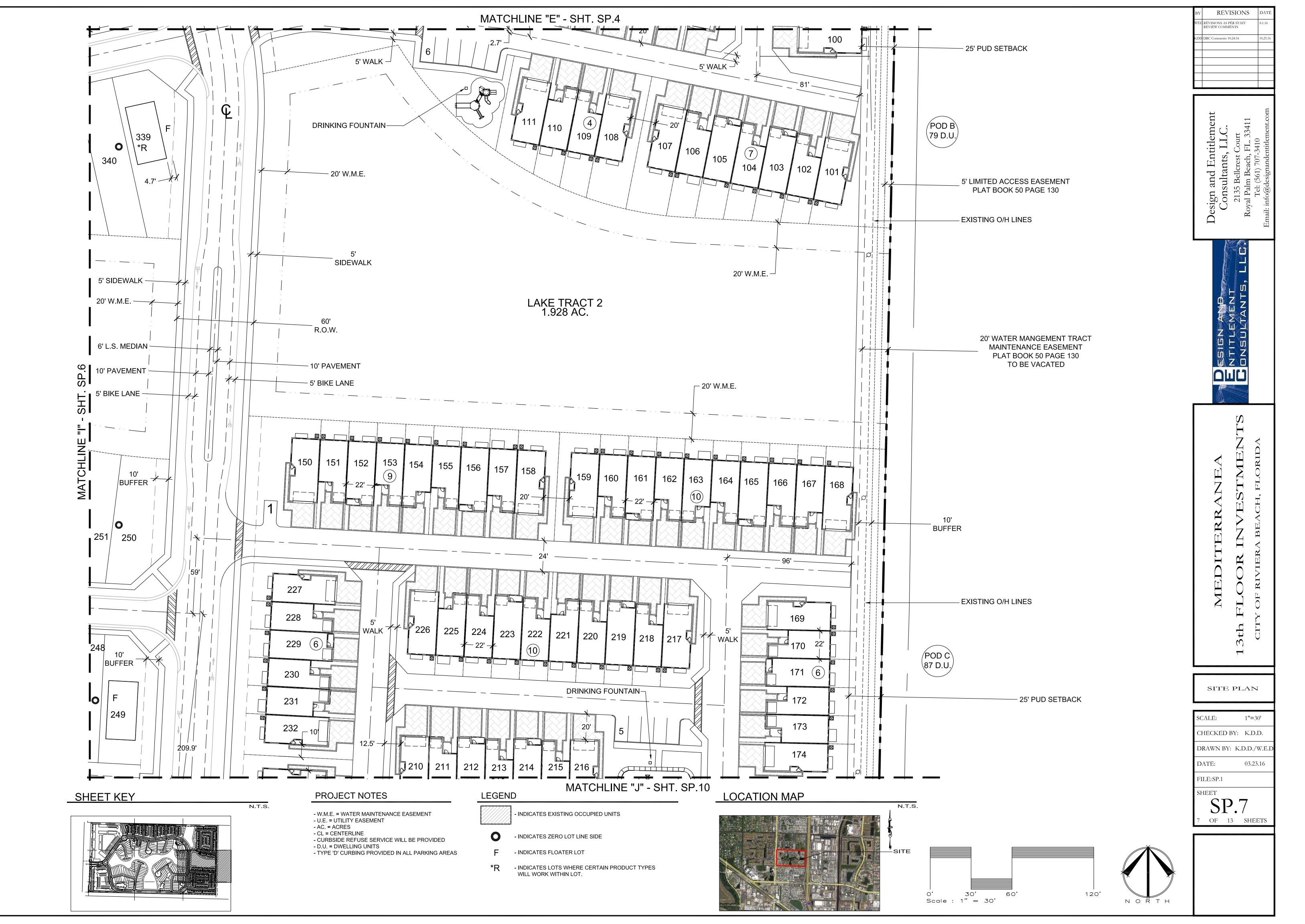


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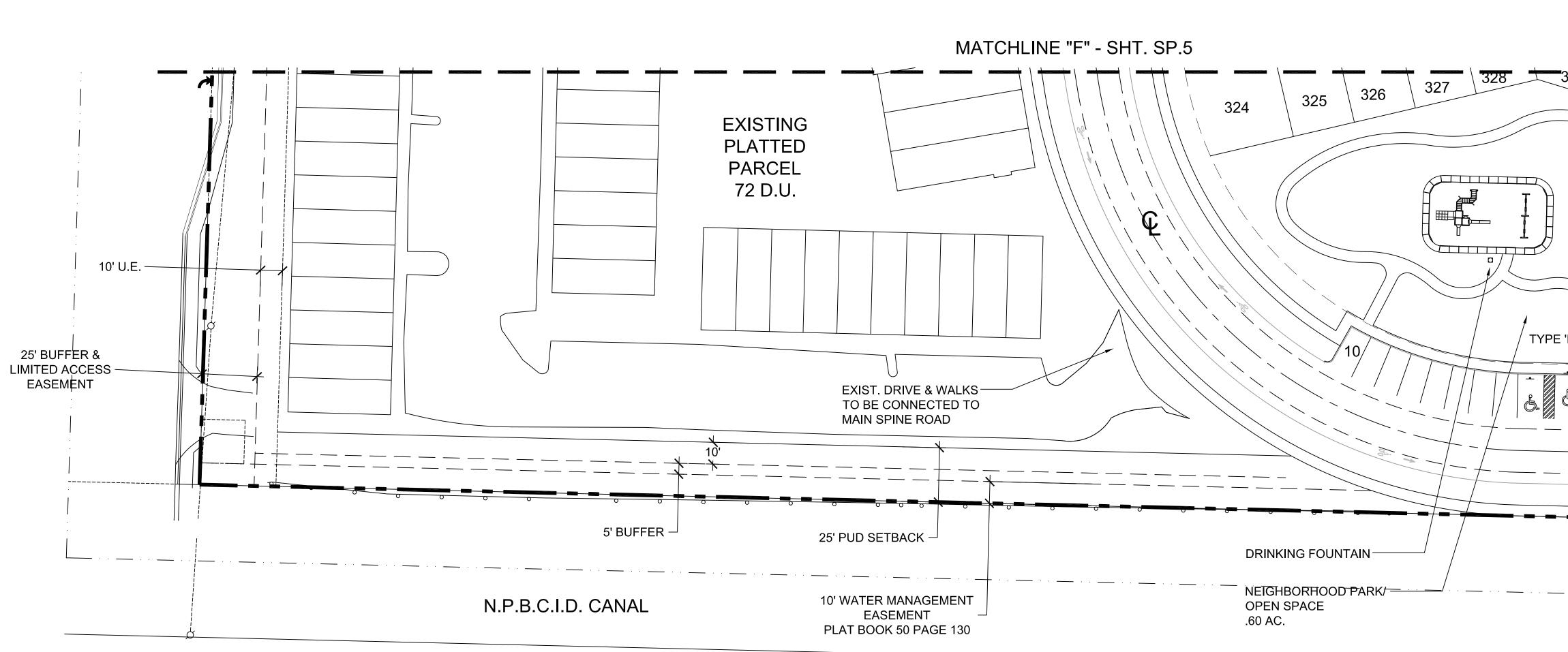








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SHEET KEY

PROJECT NOTES

- W.M.E. = WATER MAINTENANCE EASEMENT
  U.E. = UTILITY EASEMENT
  AC. = ACRES
  CL = CENTERLINE
  CURBSIDE REFUSE SERVICE WILL BE PROVIDED
  D.U. = DWELLING UNITS
  TYPE 'D' CURBING PROVIDED IN ALL PARKING AREAS

N.T.S.

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### LEGEND

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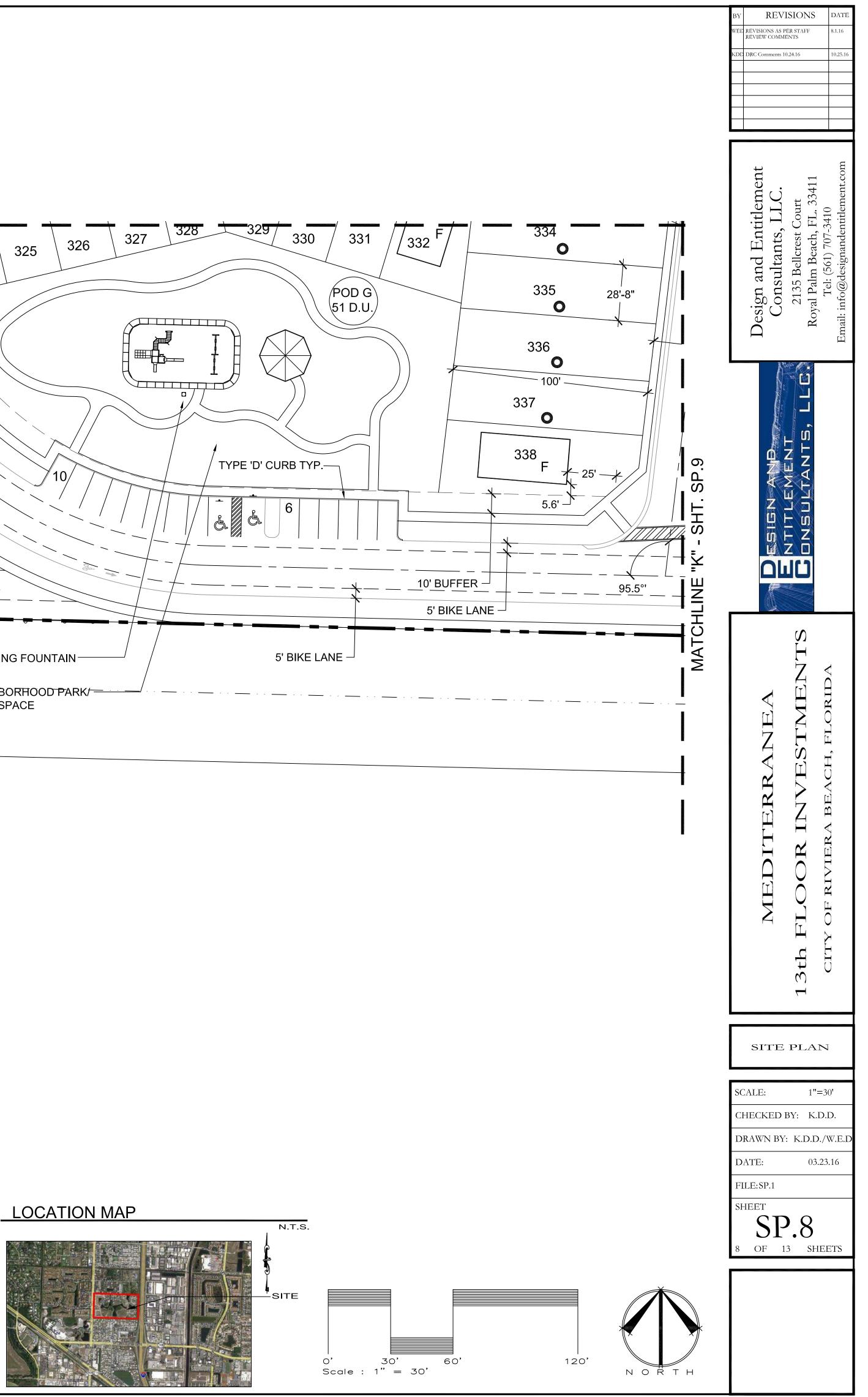
\*R

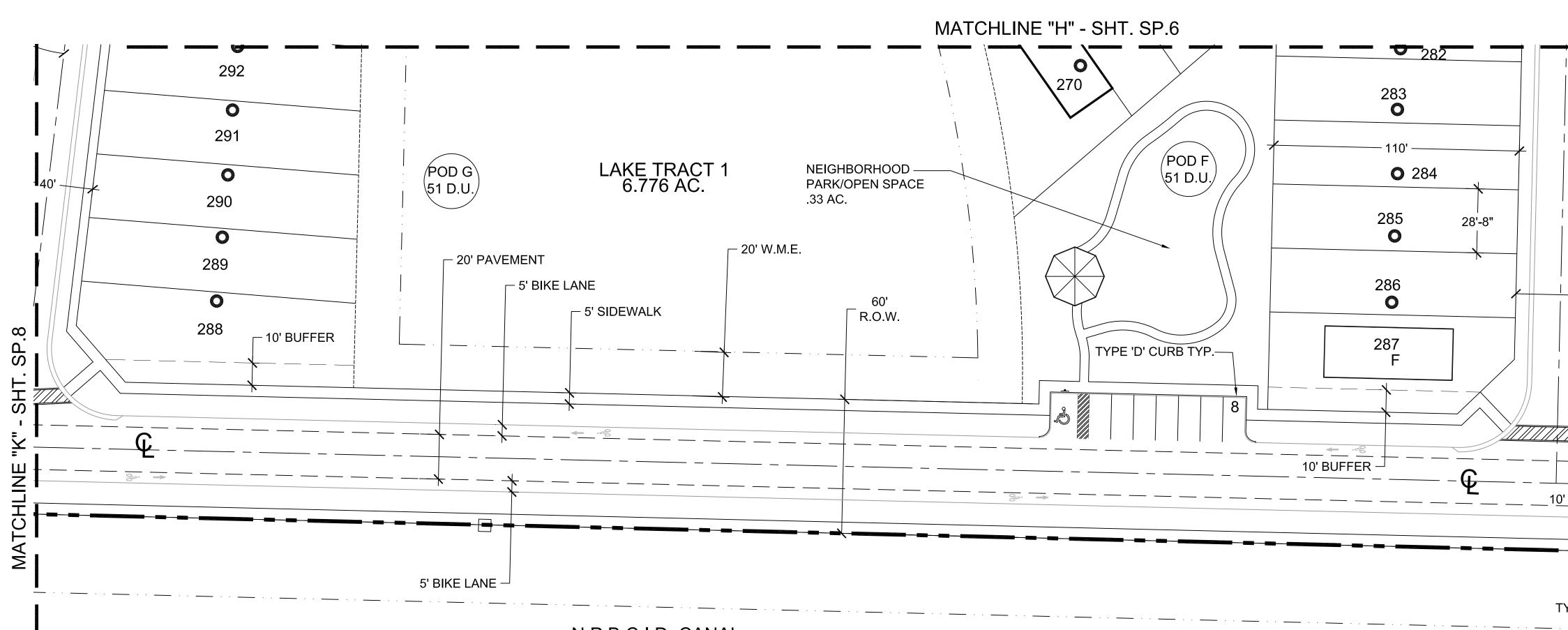
- INDICATES EXISTING OCCUPIED UNITS

- INDICATES ZERO LOT LINE SIDE

- INDICATES FLOATER LOT

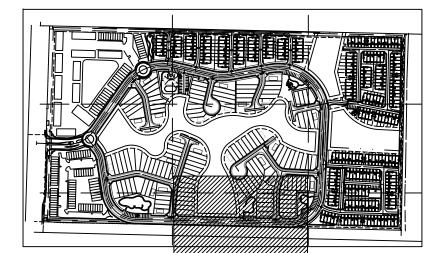
- INDICATES LOTS WHERE CERTAIN PRODUCT TYPES WILL WORK WITHIN LOT.





N.P.B.C.I.D. CANAL

SHEET KEY



**PROJECT NOTES** 

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LEGEND

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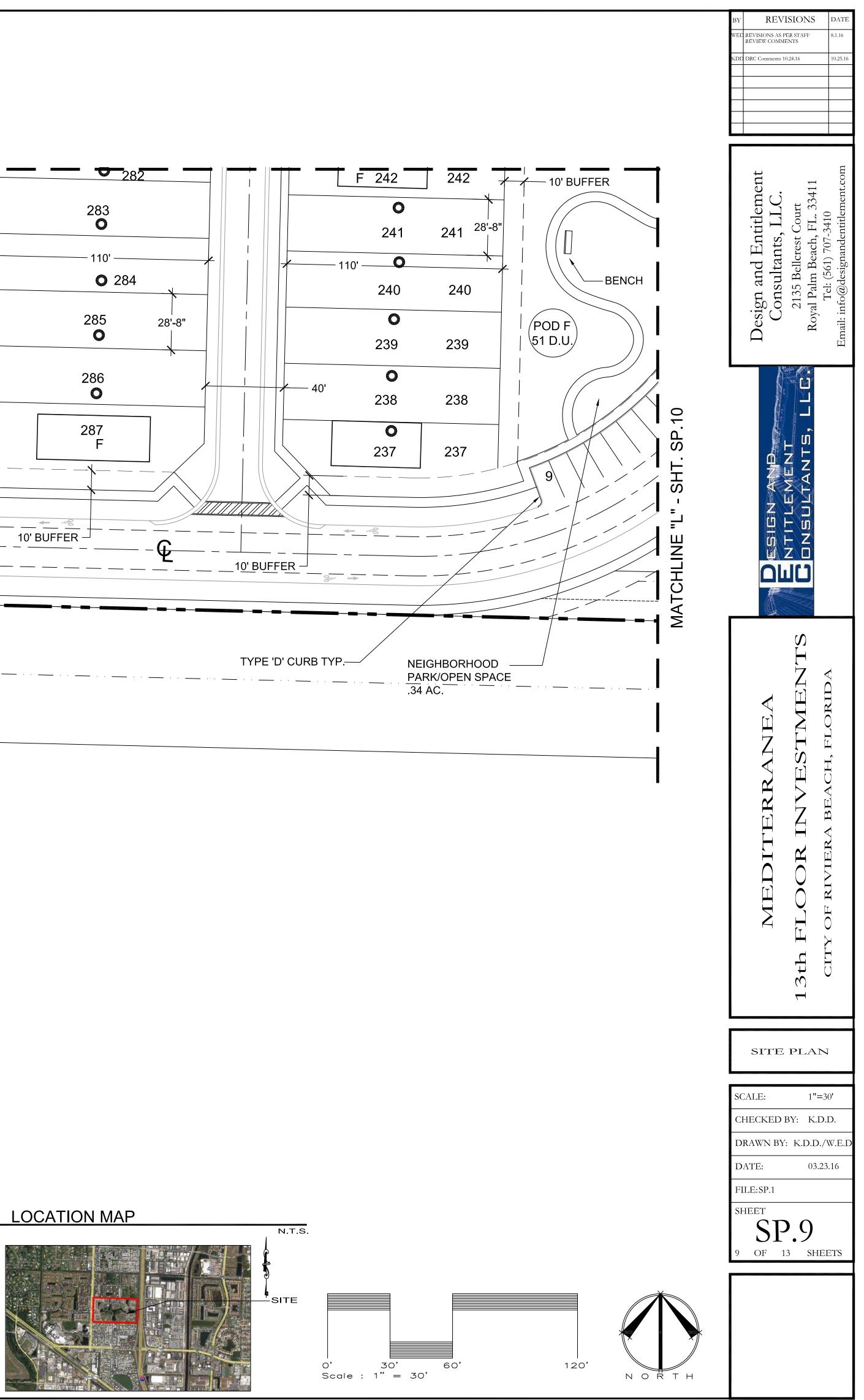
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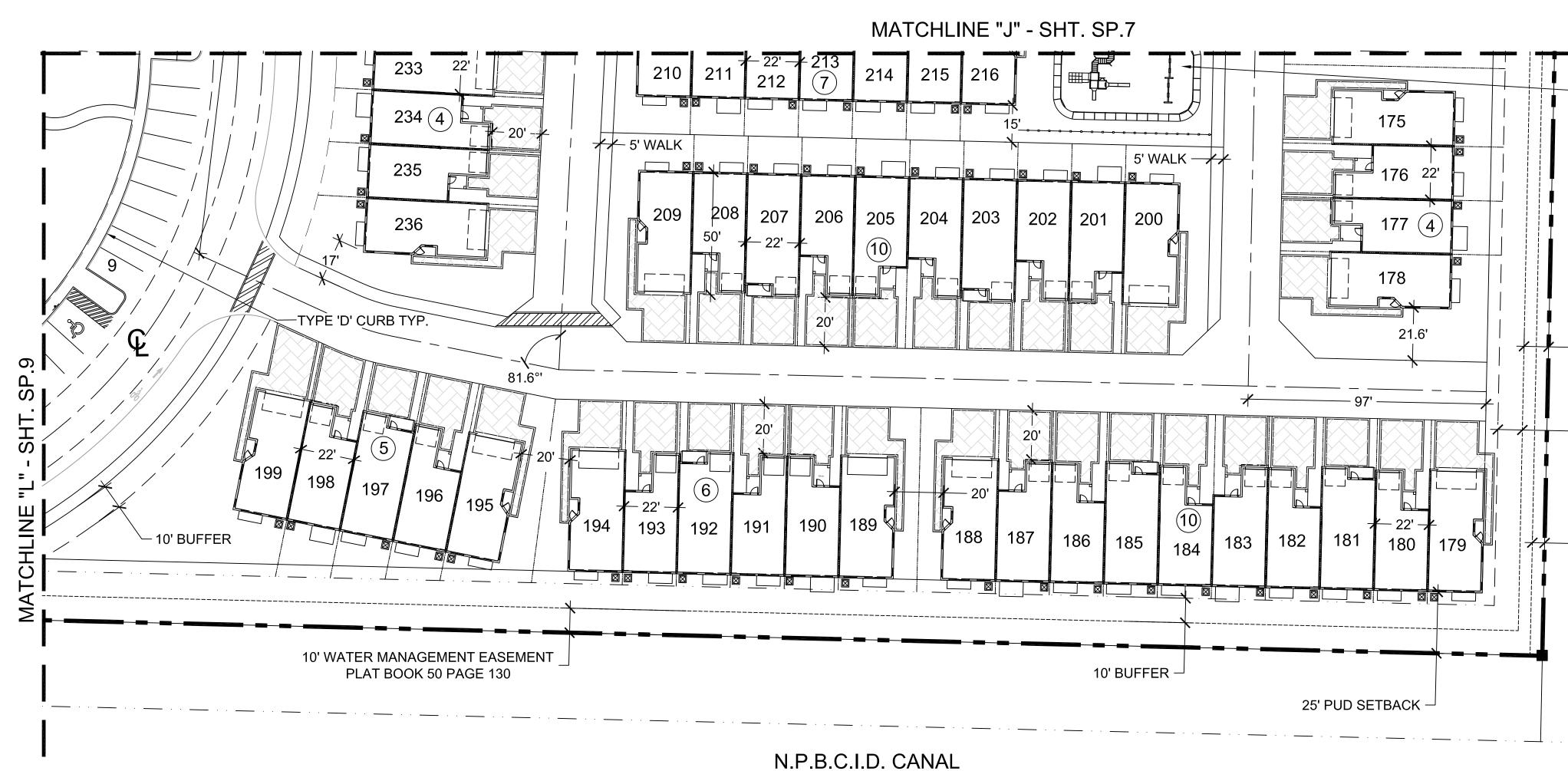
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### LEGEND

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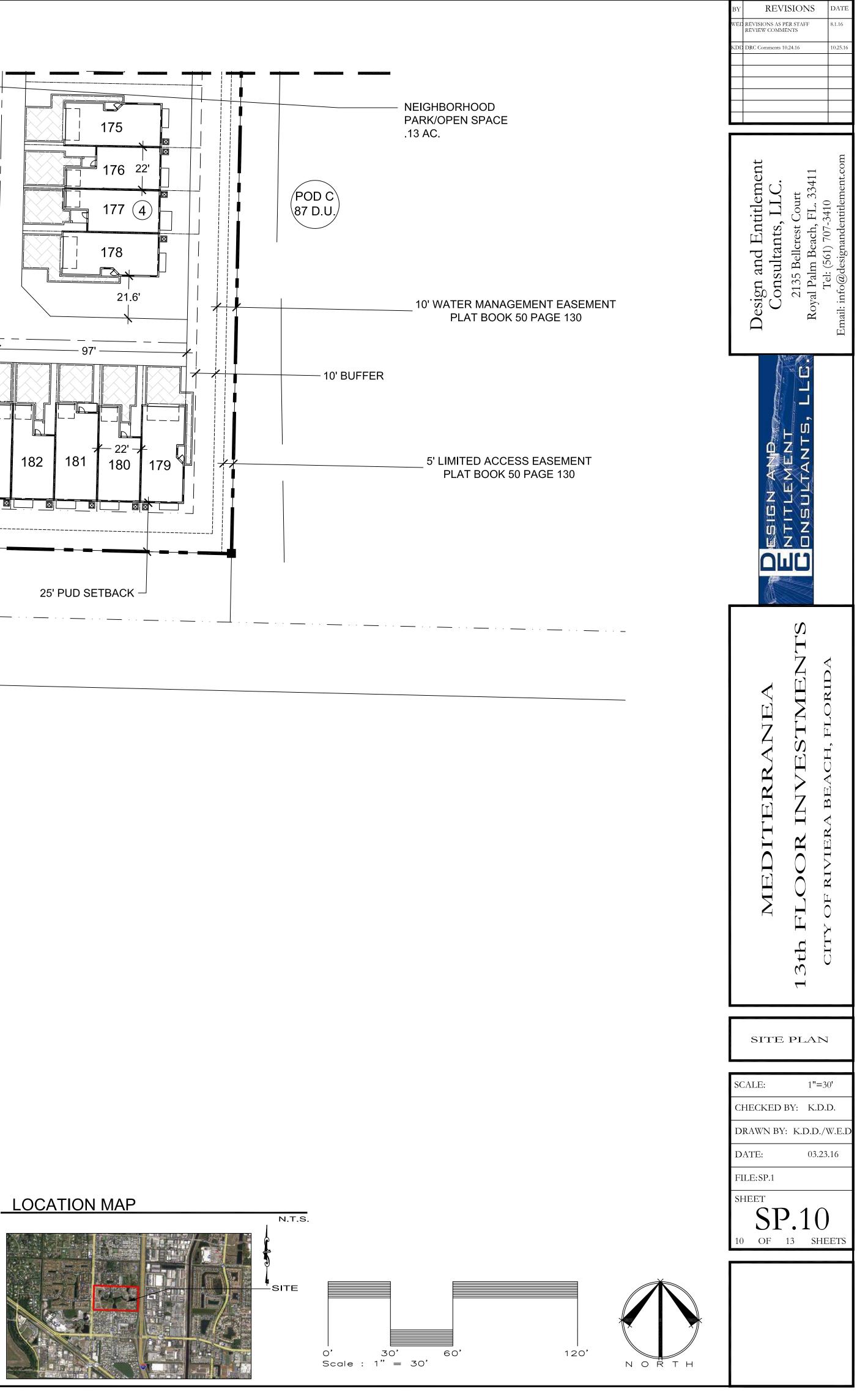
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INDICATES EXISTING OCCUPIED UNITS

- INDICATES ZERO LOT LINE SIDE

- INDICATES FLOATER LOT

- INDICATES LOTS WHERE CERTAIN PRODUCT TYPES WILL WORK WITHIN LOT.



## PROPERTY DEVELOPMENT REGULATION TABLE SINGLE FAMILY ZERO LOT LINE RESIDENTIAL UNITS

6 - BIKE SINGLE-SIDED HOT DIPPED GALVANIZED BIKE RACK OR SIMILAR SPECIFICATION.

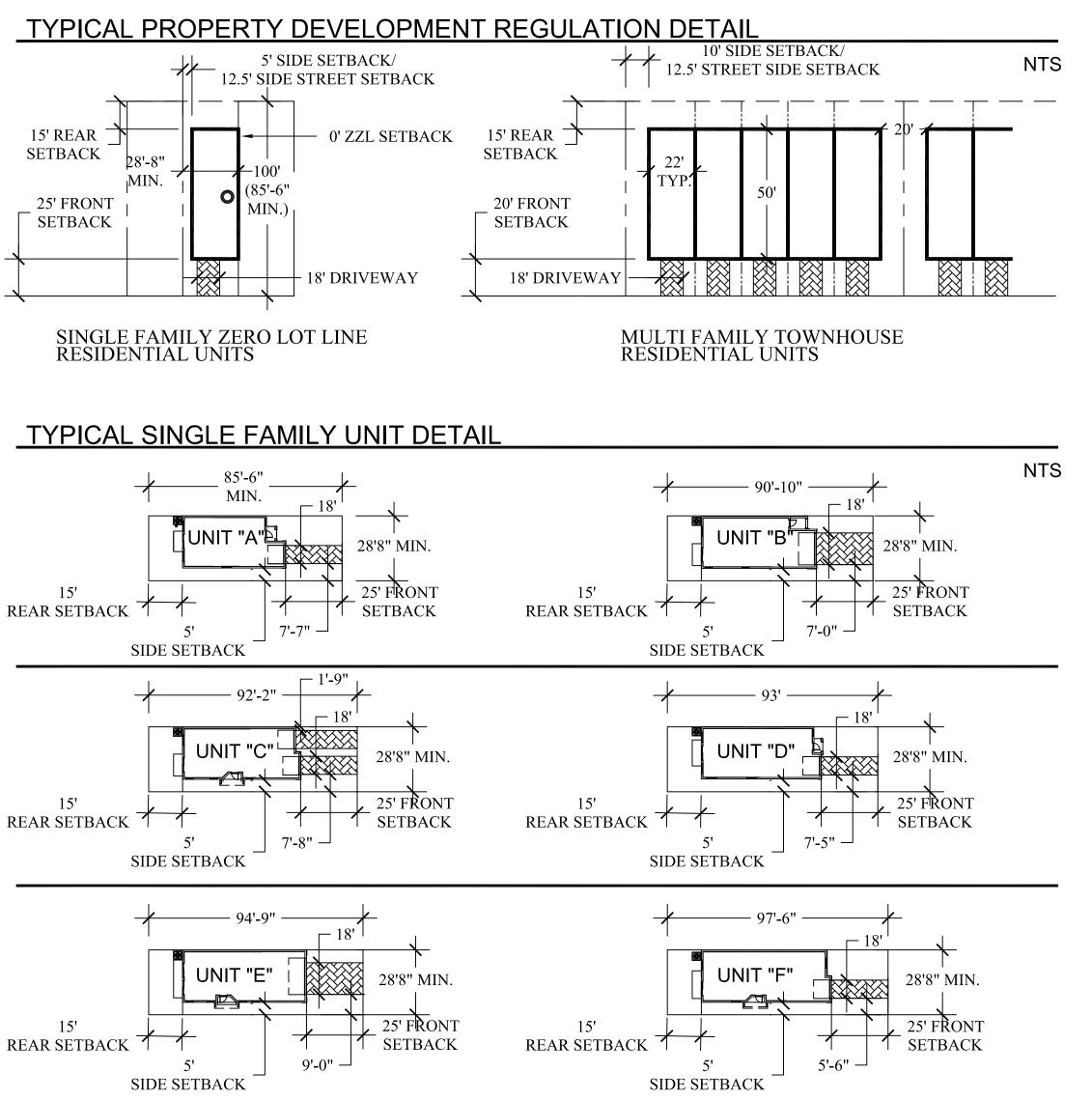
SETBACK	PROPOSED
FRONT	25'
SIDE	0' ZZL/5'
REAR	15'
SIDE STREET	12.5'

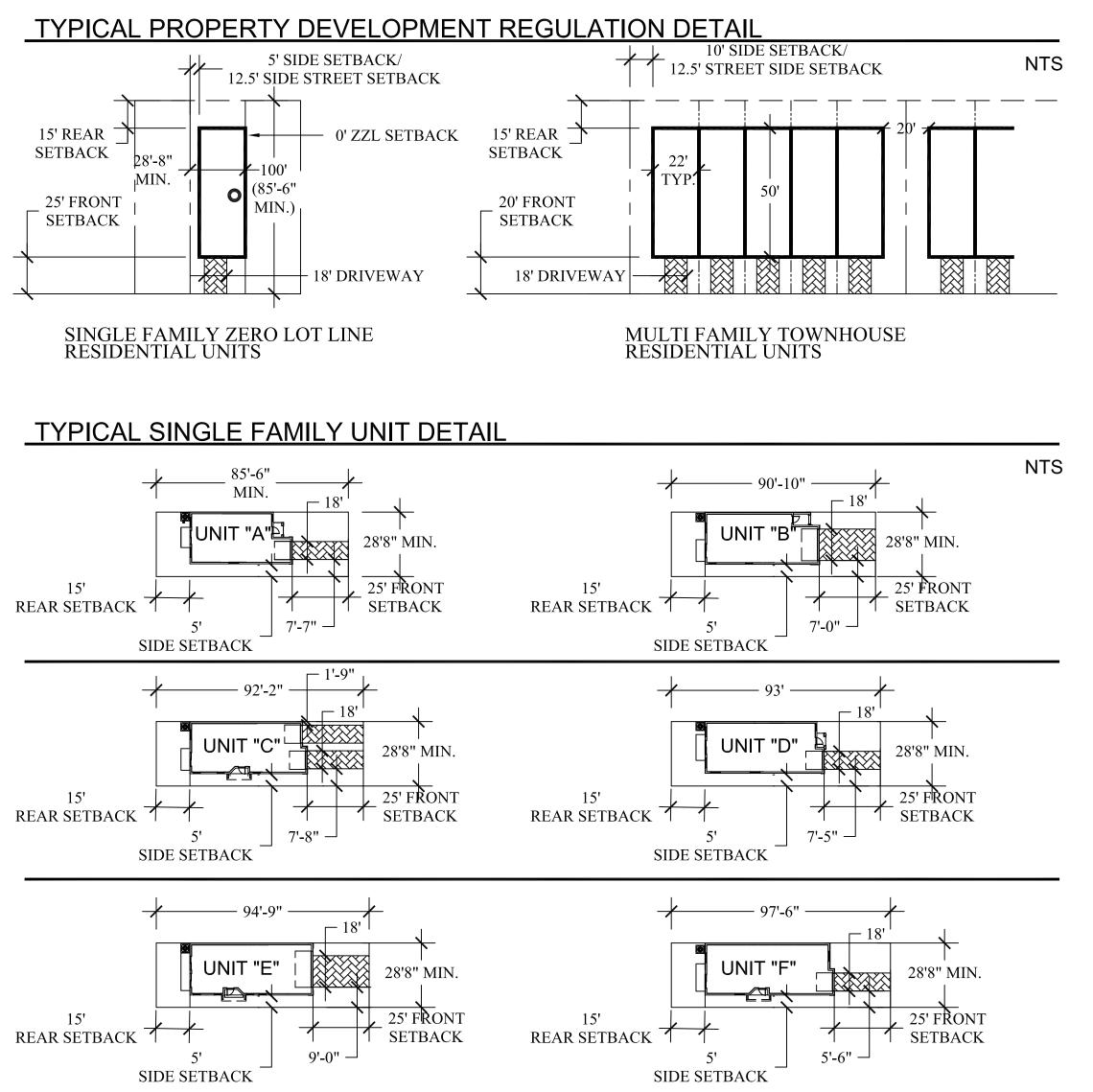
BIKE RACK

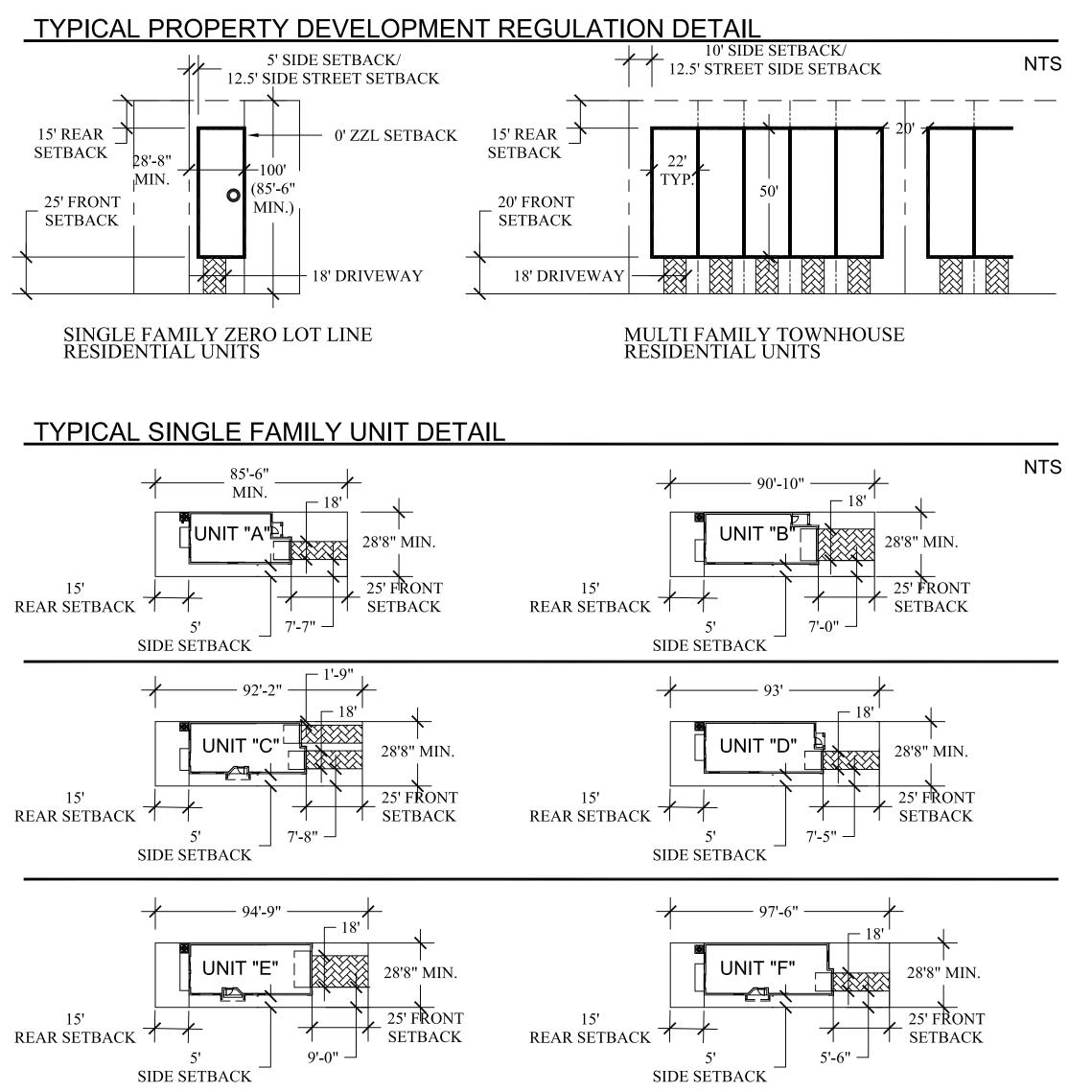
# MULTI-FAMILY TOWNHOUSE RESIDENTIAL UNITS

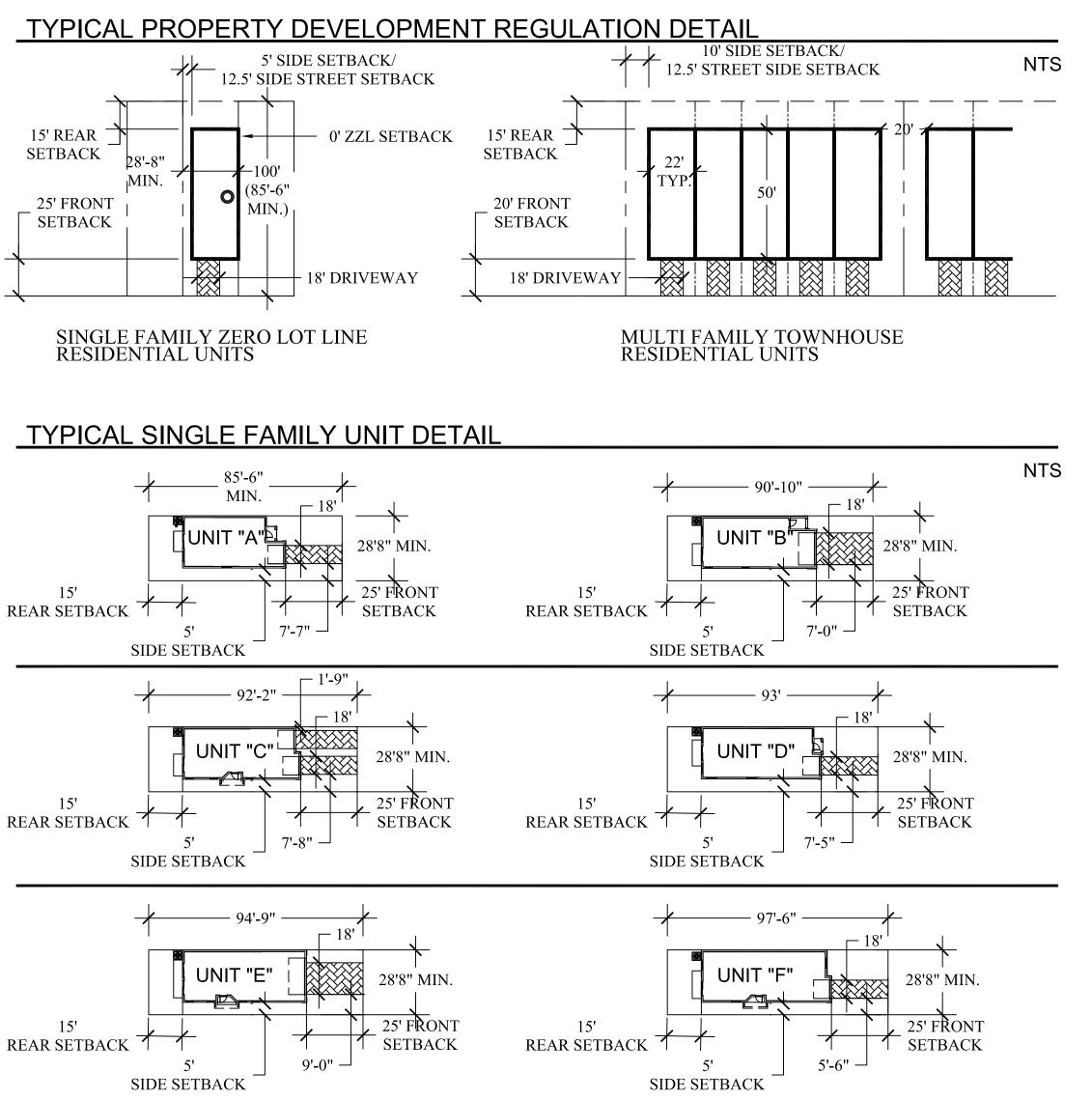
SETBACK	PROPOSED
FRONT	20'
SIDE	0' - INTERIOR 10' - SIDE/20' BLDG. SEPARATION
REAR	15'
SIDE STREET	12.5'

NTS









BASED ON SETBACKS.

GAZEBO



PLAYGROUND - TOT LOT OR SIMILAR SPECIFICATION.



## **BENCH**

6 FT. BENCH OR SIMILAR SPECIFICATION.



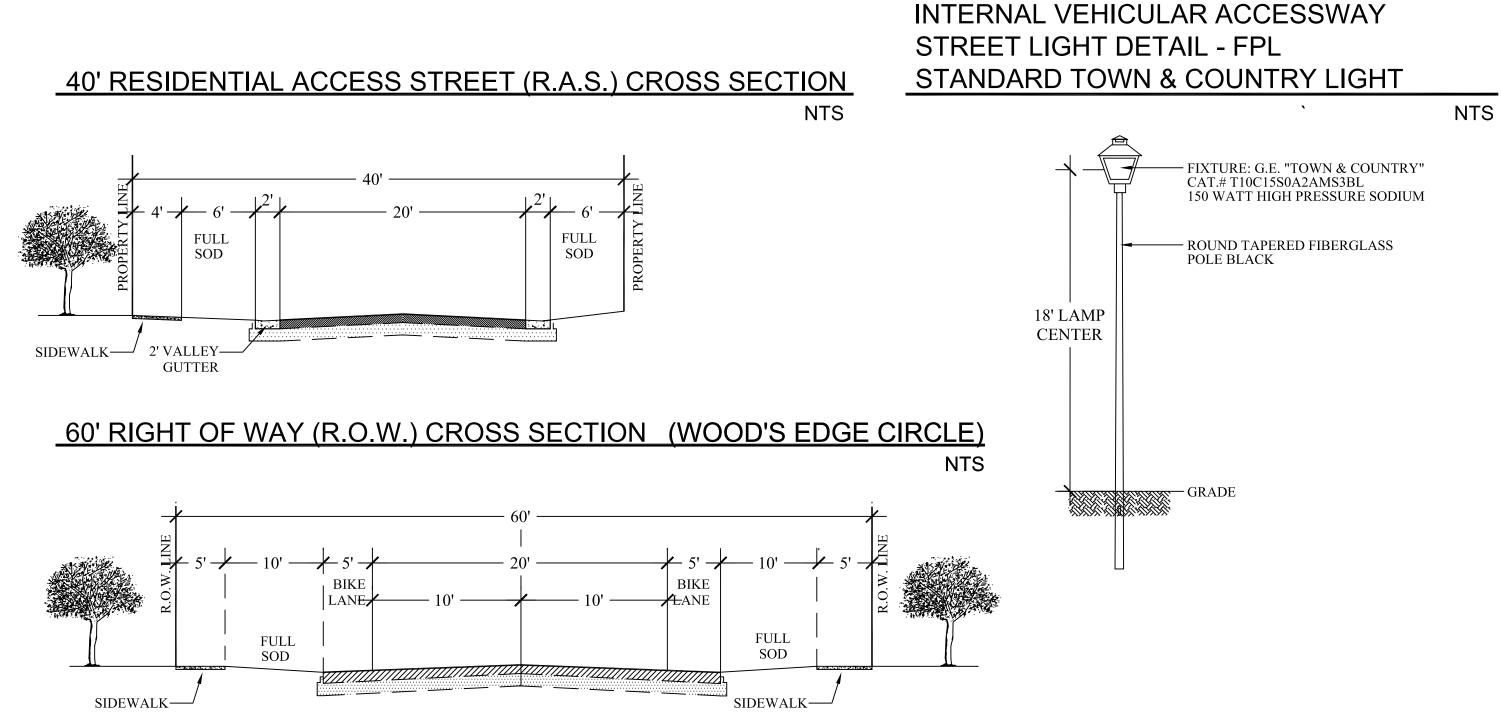
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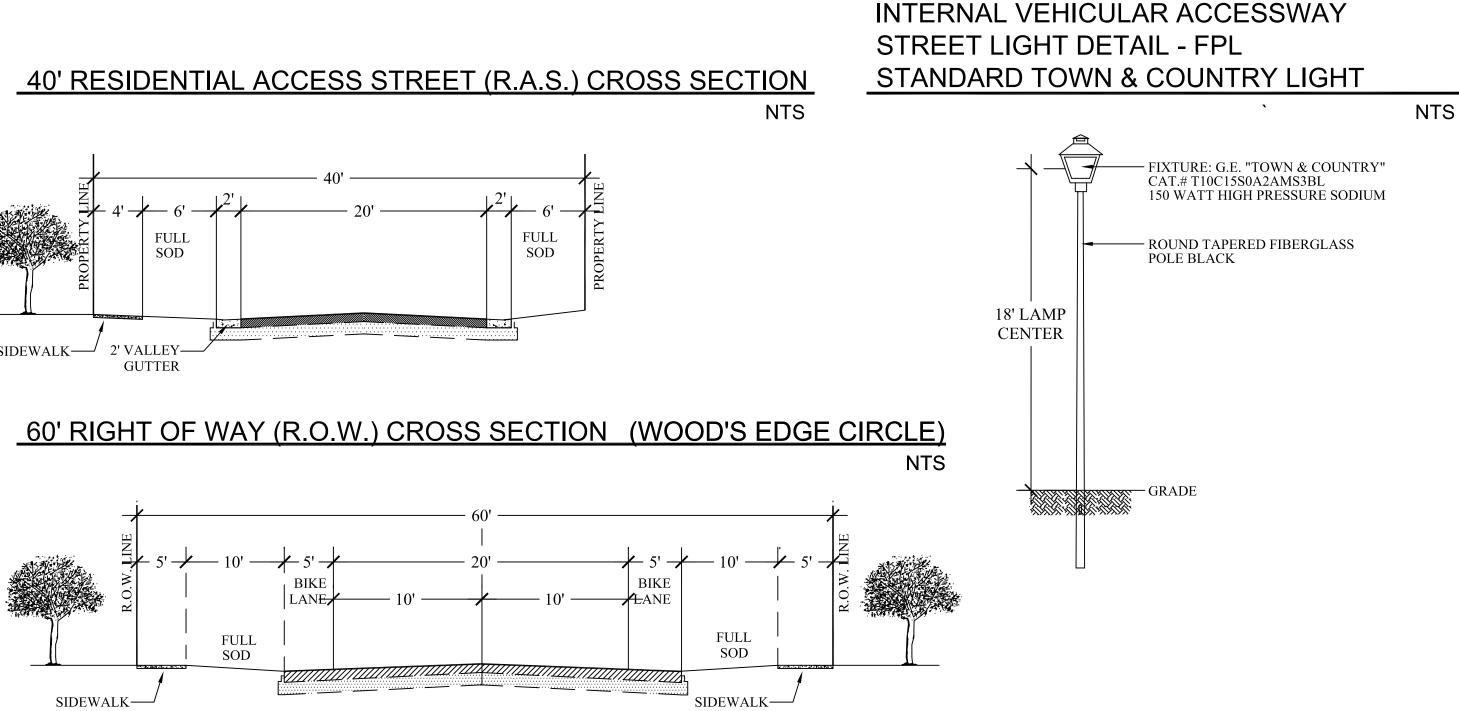
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ENTITLEMENT

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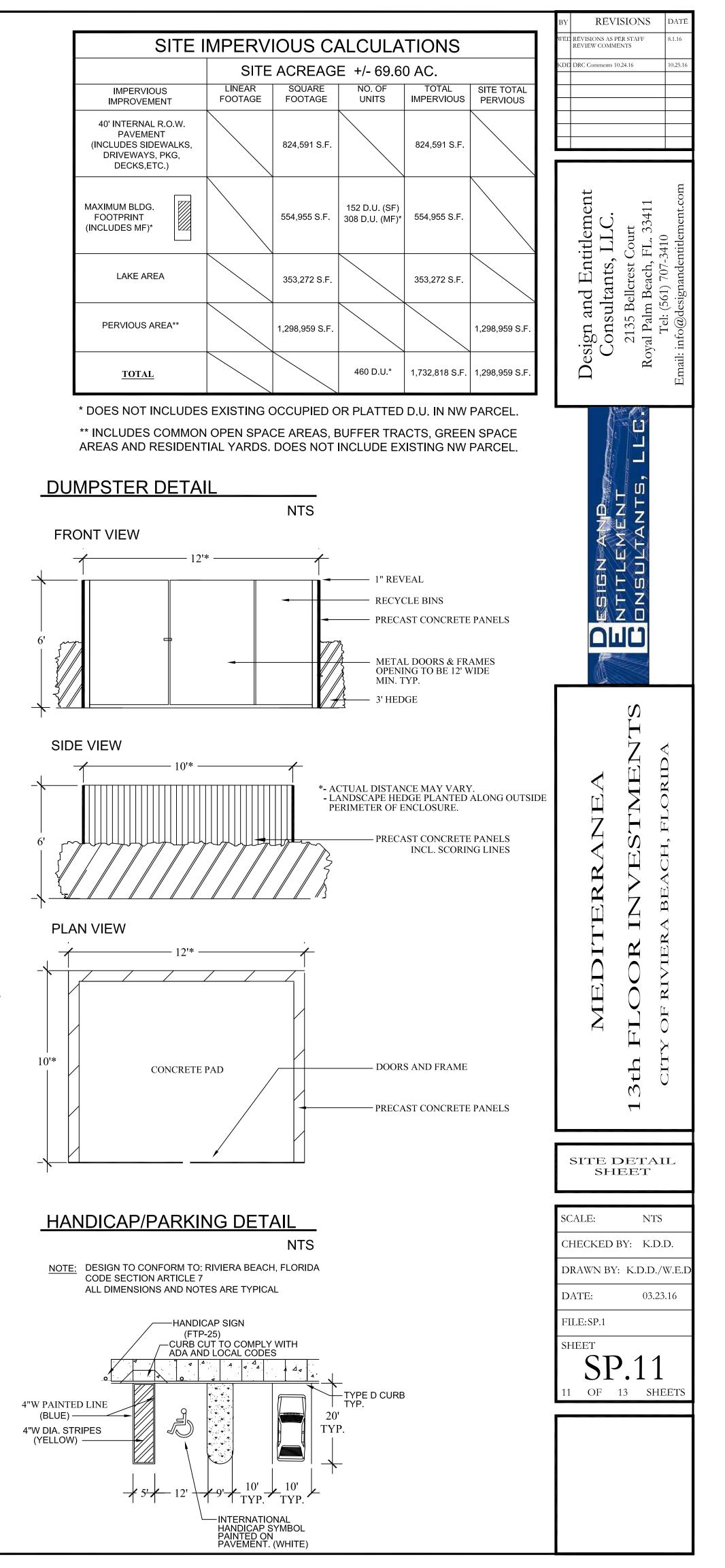
NTS

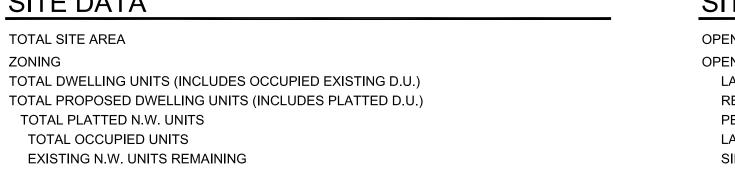




NTS

NOTE: LOT WIDTHS DEPICTED ARE MINIMAL SIZE FOR THAT PARTICULAR UNIT PLACEMENT





PROPOSED TOWNHOME UNIT TOTAL

POD A POD B

ZONING

POD C

PROPOSED 28'-8" 'x 110' SINGLE FAMILY UNIT TOTAL

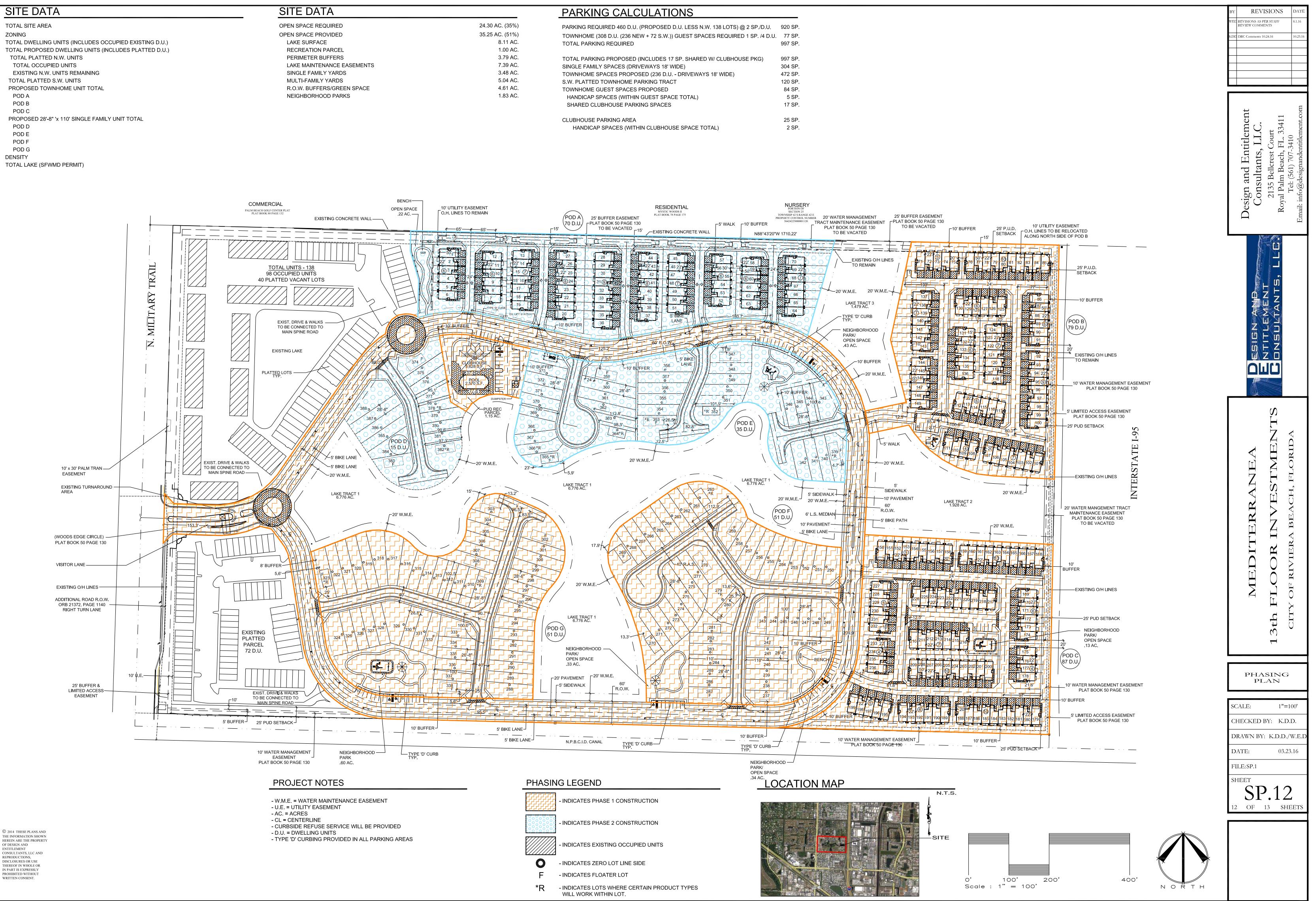
- POD D POD E
- POD F

POD G

DENSITY

TOTAL LAKE (SFWMD PERMIT)

LAKE SURFACE RECREATION PARCEL PERIMETER BUFFERS SINGLE FAMILY YARDS MULTI-FAMILY YARDS R.O.W. BUFFERS/GREEN SPACE NEIGHBORHOOD PARKS



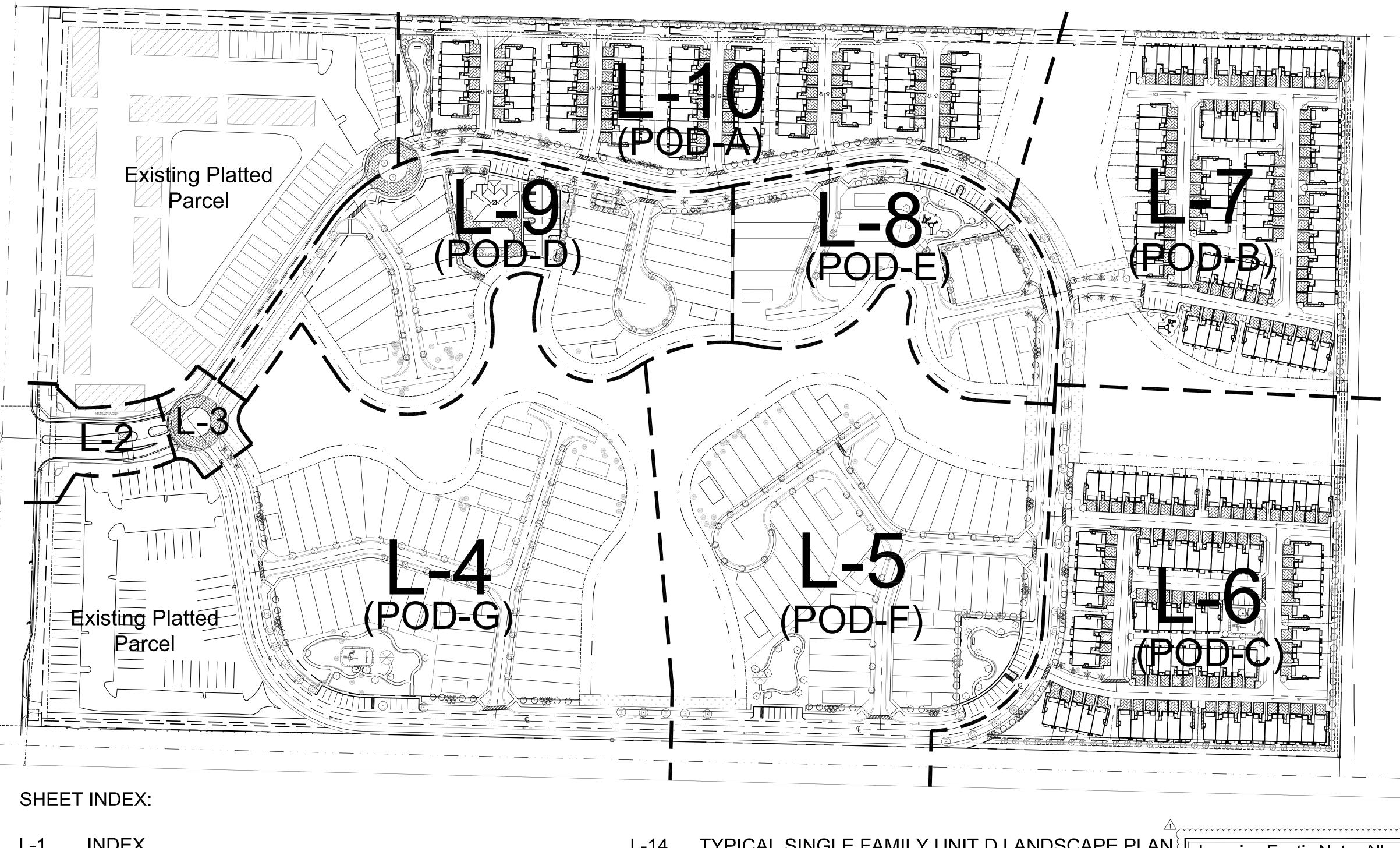
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	PARKING CALC
24.30 AC. (35%) 35.25 AC. (51%) 8.11 AC. 1.00 AC. 3.79 AC. 7.39 AC. 3.48 AC. 5.04 AC. 4.61 AC. 1.83 AC.	PARKING REQUIRED 460 D.U. TOWNHOME (308 D.U. (236 NE TOTAL PARKING REQUIRED SINGLE FAMILY SPACES (DRI TOWNHOME SPACES PROPO S.W. PLATTED TOWNHOME P. TOWNHOME GUEST SPACES HANDICAP SPACES (WITHIN SHARED CLUBHOUSE PARK

PARKING REQUIRED 460 D.U. (PROPOSED D.U. LESS N.W. 138 LOTS) @ 2 SP./D.U.	920 SP.
TOWNHOME (308 D.U. (236 NEW + 72 S.W.)) GUEST SPACES REQUIRED 1 SP. /4 D.U.	77 SP.
TOTAL PARKING REQUIRED	997 SP.
TOTAL PARKING PROPOSED (INCLUDES 17 SP. SHARED W/ CLUBHOUSE PKG)	997 SP.
SINGLE FAMILY SPACES (DRIVEWAYS 18' WIDE)	304 SP.
TOWNHOME SPACES PROPOSED (236 D.U DRIVEWAYS 18' WIDE)	472 SP.
S.W. PLATTED TOWNHOME PARKING TRACT	120 SP.
TOWNHOME GUEST SPACES PROPOSED	84 SP.
HANDICAP SPACES (WITHIN GUEST SPACE TOTAL)	5 SP.
SHARED CLUBHOUSE PARKING SPACES	17 SP.
CLUBHOUSE PARKING AREA	25 SP.
HANDICAP SPACES (WITHIN CLUBHOUSE SPACE TOTAL)	2 SP.





L-1	INDEX
L-1A	LANDSCAPE LEGEND & TABLES
L-2	FRONT ENTRANCE ENHANCEMENT LANDSCAPE PLAN
L-3	FRONT ENTRANCE ENHANCEMENT LANDSCAPE PLAN
L-4	POD - G OVERALL LANDSCAPE PLAN
L-5	POD - F OVERALL LANDSCAPE PLAN
L-6	POD - C OVERALL LANDSCAPE PLAN
L-7	POD - B OVERALL LANDSCAPE PLAN
L-8	POD - E OVERALL LANDSCAPE PLAN
L-9	POD - D OVERALL LANDSCAPE PLAN
L-10	POD - A OVERALL LANDSCAPE PLAN
L-11	TYPICAL SINGLE FAMILY UNIT A LANDSCAPE PLAN
L-12	TYPICAL SINGLE FAMILY UNIT B LANDSCAPE PLAN
L-13	TYPICAL SINGLE FAMILY UNIT C LANDSCAPE PLAN

L-15 TYPICAL SINGLE FAMIL	Y UNIT D LANDSCAPE PLAN Y UNIT E LANDSCAPE PLAN Y UNIT F LANDSCAPE PLAN HOUSE LANDSCAPE PLAN	Invasive Exotic No Invasive exotic plat be removed from the location as part of the
	HOUSE LANDSCAPE PLAN	preparation proces
-20 TYPICAL 7 UNIT TOWN -21 TYPICAL 8 UNIT TOWN -22 TYPICAL 9 UNIT TOWN	HOUSE LANDSCAPE PLAN HOUSE LANDSCAPE PLAN HOUSE LANDSCAPE PLAN NHOUSE LANDSCAPE PLAN	Maintenance Note: Landscaping shall maintained accord the approved site p
24 LANDSCAPE DETAILS	Root Barriers Note: Landscape of barriers or ensure reasonable hor plants and water and sewer lines root zone expansion capacity.	prizontal separation b

$\sim$	OVE

/2\

		TREES		
SYMBOL QUAN. PROPOSED MATERIAL DESCRIPTION				
	25	Bulnesia arborea	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
Z.JAA	35	VERAWOOD	F.G., 6' CLEAR TRUNK	SHADE TREE
		) Calophyllum brasiliense	12' HT. X 5' SPR. 2" DBH.	
Ç, СВ	99	BRAZILIAN BEAUTYLEAF	F.G., 6' CLEAR TRUNK	SHADE TREE
	400	*Coccoloba diversiflora	12' HT. X 5' SPR. 2" DBH.	
∵c¢	102	PIGEON PLUM	F.G., 6' CLEAR TRUNK	SHADE TREE
		*Clusla rosea	12' HT. X 5' SPR. 2" DBH.	
CR	30	PITCH APPLE	F.G., 6' CLEAR TRUNK	SHADE TREE
	~	Cocos nucifera 'Maypan'	8' GW. HEIGHT	3 PALMS TO
்ட	2	GREEN MAYPAN COCONUT PALM	F.G.	1 SHADE TREE
	00	*Conocarpus erectus	12' HT. X 5' SPR. 2" DBH.	
∕∕co	23	GREEN BUTTONWOOD	F.G., 6' CLEAR TRUNK	SHADE TREE
~~~	100	*Conocarpus erectus 'sericeus'	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
.⁺.}cs	129	SILVER BUTTONWOOD	F.G., 6' CLEAR TRUNK	SHADE IREE
	4.0	Ligustrum japonicum	8' HT. X 10' SPR , MULTI TRUNK	
$\mathcal{O}_{LJ}$	10	JAPANESE PRIVET	F.G.	ACCENT TREE
1/2	_	Phoenix sylvestris	10' C.T.	3 PALMS TO
₩₽S	5	SILVER DATE PALM	F.G.	1 SHADE TREE
71		*Quercus virginiana	12' HT. X 5' SPR. 2" DBH.	
Jov	{ 47 }	LIVE OAK	F.G., 6' CLEAR TRUNK	SHADE TREE
	$\sim$	*Roystonea elata	20-22' O.A. HT., 6' GREYWOOD	3 PALMS TO
₩RE	27	ROYAL PALM	F.G., MATCHED HTS.	1 SHADE TREE
		*Sabal palmetto	16-20' O.A. HT. STAGGERED	3 PALMS TO
்SP	50	SABAL PALM	F.G.	1 SHADE TREE
7/1	$\sim$	Tabebuia heterophylla	12' HT. X 5' SPR. 2" DBH.	
TH الحم	54 {	PINK TRUMPET TREE	F.G., 6' CLEAR TRUNK	SHADE TREE
A	$\sim$	Veitchia montgomeryana 'single'	18' O.A. HT. MIN.	
XX VM	147	SINGLE MONTGOMERY PALM	F.G.	3 PALMS TO 1 SHADE TREE
		Veitchia montgomeryana 'double'	20' O.A. HT. MIN., DOUBLE	3 PALMS TO
	8	DOUBLE MONTGOMERY PALM	F.G., STAGGERED.	1 SHADE TREE
01012	1			
		SHRUBS AND GROUNDCOV		
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	
AB	15	Aechmea blanchettiana	36" HT. X 24" SPR.	
· · · · · ·				
_/ <sub>1</sub> \_	$\sim$	BRIGHT YELLOW BROMELIAD	10" POT	
$\frac{1}{CE}$		*Conocarpus erectus	36" HT. X 24" SPR / 24" O.C.	
CE	2852		36" HT. X 24" SPR / 24" O.C. 7 GAL.	
ĆĒ	2852	*Conocarpus erectus	36" HT. X 24" SPR./ 24" O.C. 7 GAL. 24" HT. X 24" SPR. / 24" O.C.	
		*Conocarpus erectus GREEN BUTTONWOOD	36" HT. X 24" SPR./ 24" O.C. 7 GAL. 24" HT. X 24" SPR. / 24" O.C. 3 GAL.	
ĆE CG	2852	*Conocarpus erectus GREEN BUTTONWOOD *Clusia guttifera	36" HT. X 24" SPR / 24" O.C. 7 GAL. 24" HT. X 24" SPR. / 24" O.C. 3 GAL. 15" HT. X 15" SPR. / 15" O.C.	
ĆĒ	2852	*Conocarpus erectus GREEN BUTTONWOOD *Clusia guttifera SMALL LEAF CLUSIA	36" HT. X 24" SPR / 24" O.C. 7 GAL. 24" HT. X 24" SPR. / 24" O.C. 3 GAL. 15" HT. X 15" SPR. / 15" O.C. 3 GAL.	
ĆE CG FM	2852 57 560	*Conocarpus erectus GREEN BUTTONWOOD *Clusia guttifera SMALL LEAF CLUSIA Ficus microcarpa 'Green Island'	36" HT. X 24" SPR / 24" O.C. 7 GAL. 24" HT. X 24" SPR. / 24" O.C. 3 GAL. 15" HT. X 15" SPR. / 15" O.C.	
ĆE CG FM JV	2852	*Conocarpus erectus     GREEN BUTTONWOOD     *Clusia guttifera     SMALL LEAF CLUSIA     Ficus microcarpa 'Green Island'     GREEN ISLAND FICUS	36" HT. X 24" SPR / 24" O.C. 7 GAL. 24" HT. X 24" SPR. / 24" O.C. 3 GAL. 15" HT. X 15" SPR. / 15" O.C. 3 GAL.	
CE CG FM JV	2852 57 560 44	*Conocarpus erectus     GREEN BUTTONWOOD     *Clusia guttifera     SMALL LEAF CLUSIA     Ficus microcarpa 'Green Island'     GREEN ISLAND FICUS     Jasmine volubile	36" HT. X 24" SPR./ 24" O.C. 7 GAL. 24" HT. X 24" SPR./ 24" O.C. 3 GAL. 15" HT. X 15" SPR./ 15" O.C. 3 GAL. 24" HT. X 24" SPR./ 24" O.C. 3 GAL. 36" HT. X 24" SPR./ 24" O.C.	
ĆE CG FM JV	2852 57 560	*Conocarpus erectus     GREEN BUTTONWOOD      *Clusia guttifera     SMALL LEAF CLUSIA     Ficus microcarpa 'Green Island'     GREEN ISLAND FICUS     Jasmine volubile     WAX JASMINE	36" HT. X 24" SPR / 24" O.C.           7 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           15" HT. X 15" SPR. / 15" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.	
CE CG FM JV SV	2852 57 560 44 1391	*Conocarpus erectus GREEN BUTTONWOOD *Clusia guttifera SMALL LEAF CLUSIA Ficus microcarpa 'Green Island' GREEN ISLAND FICUS Jasmine volubile WAX JASMINE Schefflera arboricola	36" HT. X 24" SPR./ 24" O.C. 7 GAL. 24" HT. X 24" SPR./ 24" O.C. 3 GAL. 15" HT. X 15" SPR./ 15" O.C. 3 GAL. 24" HT. X 24" SPR./ 24" O.C. 3 GAL. 36" HT. X 24" SPR./ 24" O.C.	
CE CG FM JV	2852 57 560 44	*Conocarpus erectus GREEN BUTTONWOOD *Clusia guttifera SMALL LEAF CLUSIA Ficus microcarpa 'Green Island' GREEN ISLAND FICUS Jasmine volubile WAX JASMINE Schefflera arboricola GREEN SCHEFFLERA	36" HT. X 24" SPR./ 24" O.C.           7 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           15" HT. X 15" SPR. / 15" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           26" HT. X 24" SPR. / 24" O.C.           3 GAL.	
CE CG FM JV SV TF	2852 57 560 44 1391 54	*Conocarpus erectus GREEN BUTTONWOOD *Clusia guttifera SMALL LEAF CLUSIA Ficus microcarpa 'Green Island' GREEN ISLAND FICUS Jasmine volubile WAX JASMINE Schefflera arboricola GREEN SCHEFFLERA *Tripsacum floridana	36" HT. X 24" SPR / 24" O.C.           7 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           15" HT. X 15" SPR. / 15" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.	
CE CG FM JV SV TF	2852 57 560 44 1391	*Conocarpus erectus GREEN BUTTONWOOD *Clusia guttifera SMALL LEAF CLUSIA Ficus microcarpa 'Green Island' GREEN ISLAND FICUS Jasmine volubile WAX JASMINE Schefflera arboricola GREEN SCHEFFLERA *Tripsacum floridana DWARF FAKAHATCHEE GRASS	36" HT. X 24" SPR./ 24" O.C.           7 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           15" HT. X 15" SPR. / 15" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           3 GAL.           3 GAL.           3 GAL.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.	
CE CG FM JV	2852 57 560 44 1391 54 As Required	*Conocarpus erectus GREEN BUTTONWOOD *Clusia guttifera SMALL LEAF CLUSIA Ficus microcarpa 'Green Island' GREEN ISLAND FICUS Jasmine volubile WAX JASMINE Schefflera arboricola GREEN SCHEFFLERA *Tripsacum floridana DWARF FAKAHATCHEE GRASS Stenotaphrum secundatum 'Floratam'	36" HT. X 24" SPR / 24" O.C.           7 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           15" HT. X 15" SPR. / 15" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.           24" HT. X 24" SPR. / 24" O.C.           3 GAL.	

Tree to Remain

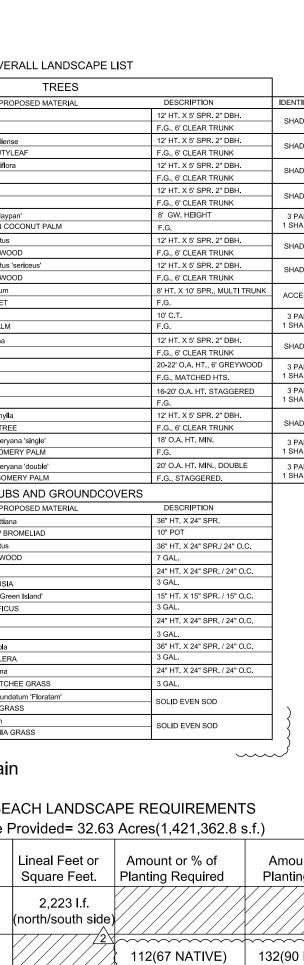
## RIVIERA BEACH LANDSCAPE REQUIREMENTS

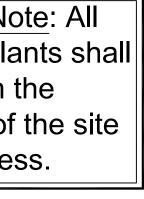
CODE REQUIREMENT Perimeter Buffers (POD A): 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	Lineal Feet or Square Feet.	Amount or % of Planting Required	Amount or % of Planting Provided
Shade Tree Per 20 I.f., continuous 3'			T lanting T tovided
	2,223 I.f. (north/south side)		
Trees		112(67 NATIVE)	132(90 NATIVE)
Shrubs		1004(700 NATIVE)	1451(836 NATIVE)
<b>Perimeter Buffers (POD B):</b> 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	976 I.f. (north/east side)		
Trees		49(30 NATIVE) /1	60(49 NATIVE)
Shrubs		496(347 NATIVE)	{496(496 NATIVE) }
<b>Perimeter Buffers (POD C):</b> 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	1610 I.f. (south/east/ west side)		
Trees		81(49 NATIVE)	93(54 NATIVE)
Shrubs		805(563 NATIVE)	1,042(797 NATIVE)
Perimeter Buffers (POD D): 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	611 I.f. (clubhouse/north side)		
Trees		31(19 NATIVE)	41(23 NATIVE)
Shrubs		305(213 NATIVE)	336(229 NATIVE)
Perimeter Buffers (POD E): 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	753 I.f. (north/east/ park side)		
Trees		38(23 NATIVE)	45(30 NATIVE)
Shrubs		376( 224 NATIVE)	412(247 NATIVE)
Perimeter Buffers (POD F): 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	633 I.f. (south/east side)		
Trees		32(19 NATIVE)	38(26 NATIVE)
Shrubs		316(221 NATIVE)	316(137 NATIVE)
Perimeter Buffers (POD G): 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	392 I.f. (south/east side)		
Trees		20(12 NATIVE)	26(18 NATIVE)
Shrubs		196(137 NATIVE)	360(273 NATIVE)
<b>Multi-Family</b> (1 per 1500 s.f. continuous hedge around building)	236 UNITS		
Trees(1 tree per 1500 s.f.)		321(193 NATIVE)	321(236 NATIVE)
Shrubs(continous hedge)		3,909(2,736 NATIVE)	3,909(2,887 NATIVE)
<b>Single Family</b> (1 per 1500 s.f. continuous hedge around building)	152 UNITS		
<b>Trees</b> (1 Tree Per 2500 s.f. of lot area. 1 shade in front and back)		304(182 NATIVE)	304(154 NATIVE)
<b>Shrubs</b> (6 per 2500 s.f. of lot area)		1,064(744 NATIVE)	2,123(1,216 NATIVE
Street Trees (1 per 40 l.f.)	6440 I.f.	161(97 NATIVE)	161(64 NATIVE)
Remaining Trees			64(64 NATIVE)
		1,149 (691 NATIVE)	(1,285(808 NATIVE))
Total Trees(60% Native)	///////////////////////////////////////	(60% NATIVE)	(63% NATIVE)

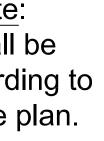
\*TYPICAL MULTIFAMILY TOWNHOMES INCLUDE 321 TREES(236 NATIVE) AND 3,909 SHRUBS(2,887 NATIVE). SINGLE FAMILY HOMES INCLUDE 304 TREES(152 NATIVE) AND 2,123 SHRUBS(1,216 NATIVE). SEE SHEETS L-11 THRU L-23 FOR PLANT MATERIAL AND SPECIFICATIONS.

\*\* 83 REMAINING TREES INCLUDE 28 PALMS AND 55 TREES, WHICH EQUAL TO 64 TREES (3 PALMS TO 1 TREE). ALL TREES ARE NATIVE SPECIES.

	And
	<b>Mediterranea</b> Riviera Beach, Florida INDEX
	Hevisions:       Date:       By:         1) City Comments       07.27.2016       JC         2) City Comments       10.28.2016       JC
6Residential/CommunitiesMediterranea 2016-0131Landscape)Overal12016.10.281Mediterranea_LS_OA.dvg Nov 02, 2016	Seal: Lic. # LA0000889 Member: A.S.L.A. Drawing: INDEX Date: 02/02/2016 Scale: See Left Drawn by: DC Sheet No.: L-1 Cad Id.: 2016-013







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### OVERALL LANDSCAPE LIST

TREES SYMBOL QUAN. PROPOSED MATERIAL DESCF RA 35 Bulnesia arborea VERAWOOD Calophyllum brasilie 12' HT. X F.G., 6' Cl 99 Calophyllum brasiliense 12' HT. X F.G., 6' C BRAZILIAN BEAUTYLEAF 12' HT. X \*Coccoloba diversiflora PIGEON PLUM F.G., 6' C 12' HT. X \*Clusia rosea CR 30 CR 30 CR 30 F.G., 6' C 8' GW. H 2 Cocos nucifera 'Maypan' GREEN MAYPAN COCONUT PALM <u>\_\_\_\_</u>-F.G. 12' HT. X 5 \*Conocarpus erectus )co <sup>23</sup> F.G., 6' Cl GREEN BUTTONWOOD (-)<sub>CS</sub> 12 12' HT. X \*Conocarpus erectus 'sericeus' 129 -F.G., 6' C SILVER BUTTONWOOD 1 O L Ligustrum japonicum 8' HT. X 1 10 JAPANESE PRIVET PS 5 Phoenix sylvestris SILVER DATE PALM 10' C.T. F.G. QV 47 \*Quercus vir. LIVE OAK 12' HT. X \*Quercus virginiana F.G., 6' C ROYAL PALM 20-22' O. F.G., MA 16-20' O. F.G. \*Sabal palmetto 50 SP 50 SABAL PALM Tabebuia heterophylla 12' HT. X F.G., 6' C EW VM . M 147 Veitchia montgomoryana SINGLE MONTGOMERY PALM 18' O.A. H F.G. 20' O.A. H Veitchia montgomeryana 'double' Veitchia monigomery palm DOUBLE MONTGOMERY PALM F.G., STA SHRUBS AND GROUNDCOVERS SYMBOL QUAN. PROPOSED MATERIA DESCF AB 15 Aechmea blanchettiana ABRIGHT YELLOW BROMELIAD 36" HT. X 10" POT

 SV
 44
 WAX JASMINE

 SV
 1391
 Schefflera arboricola

 GREEN SCHEFFLERA
 \*Tricerto for the formation of the format

\*Clusia guttifera

Jasmine volubile

SMALL LEAF CLUSIA

GREEN ISLAND FICUS

\*Tripsacum floridana

LAWN As Required Stenotaphrum secundatum 'Floratam' ST. AUGUSTINE GRASS

BAHIA As Required ARGENTINE BAHIA GRASS

Tree to Remain

DWARF FAKAHATCHEE GRAS

MULTI - FAMILY TOTAL TREES =

Ficus microcarpa 'Green Island

Frac

CG 57

FM 560

JV 44

| TF | 54 |-

\_

\* DENOTES NATIVE SPECIES

SINGLE Family Residential: 152 Units Net Land: 0.07 Acres; (1) Tree Per 2,500 SQ FT; SHADE TREE: ONE FRONT YARD, ONE BACK YARD; OTHER TREES: 3 PALMS TO 1 TREE; (6) Shrubs Per 2,500 SQ FT.	REQUIRED	PROVIDED
Trees	2	2
Shrubs	7	14

BLDG. TYPE I - SINGLE FAMILY RESIDENTIAL (REPEATS 152 TIMES)

BLDG. TYPE II - MULTI FAMILY	4 UNITS (REPEATS 3	TIMES)	BLDG. TYPE III - MULTI FAMILY	5 UNITS (REPEATS 2	2 TIMES)
Multi Family Residential: 4 Units Net Land: 0.21 Acres; (1) Tree Per 1,500 SQ FT; OTHER TREES: 3 PALMS TO 1 TREE; 24" HT. CONTINUOUS HEDGE ALONG BUILDING WALL.	REQUIRED	PROVIDED	Multi Family Residential: 5 Units Net Land: 0.25 Acres; (1) Tree Per 1,500 SQ FT; OTHER TREES: 3 PALMS TO 1 TREE; 24" HT. CONTINUOUS HEDGE ALONG BUILDING WALL.	REQUIRED	PROVIDED
Trees	6	6	Trees	7	7
Shrubs	75	75	Shrubs	80	80

BLDG, TYPE V - MULTI FAMILY 7 UNITS (REPEATS 7 TIMES)

BLDG. TYPE V - MULTIFAMILY	7 UNITS (REPEATS 7	TIMES)
Multi Family Residential: 7 Units Net Land: 0.34 Acres; (1) Tree Per 1,500 SQ FT; OTHER TREES: 3 PALMS TO 1 TREE; 24" HT. CONTINUOUS HEDGE ALONG BUILDING WALL.	REQUIRED	PROVIDED
Trees	10	10
Shrubs	112	112

### BLDG. TYPE VI - MULTI FAMILY 8 UNITS (REPEATS 2 TIMES)

Multi Family Residential: 8 Units Net Land: 0.38 Acres; (1) Tree Per 1,500 SQ FT; OTHER TREES: 3 PALMS TO 1 TREE; 24" HT. CONTINUOUS HEDGE ALONG BUILDING WALL.	REQUIRED	PROVIDED	Multi Family Residential: 9 Units Net Land: 0.42 Acres; (1) Tree Per 1,500 SQ FT; OTHER TREES: 3 PALMS TO 1 TREE; 24" HT. CONTINUOUS HEDGE ALONG BUILDING WALL.	REQUIRED	PROVIDED
Trees	11	11	Trees	12	12
Shrubs	119	119	Shrubs	146	146

	DESCRIPTION	IDENTIFICATION
Τ	12' HT. X 5' SPR. 2" DBH.	
	F.G., 6' CLEAR TRUNK	SHADE TREE
T	12' HT. X 5' SPR. 2" DBH.	
T	F.G., 6' CLEAR TRUNK	SHADE TREE
Τ	12' HT. X 5' SPR. 2" DBH.	
T	F.G., 6' CLEAR TRUNK	SHADE TREE
T	12' HT. X 5' SPR. 2" DBH.	
	F.G., 6' CLEAR TRUNK	SHADE TREE
t	8' GW. HEIGHT	3 PALMS TO
T	F.G.	1 SHADE TREE
T	12' HT. X 5' SPR. 2" DBH.	
t	F.G., 6' CLEAR TRUNK	SHADE TREE
t	12' HT. X 5' SPR. 2" DBH.	
t	F.G., 6' CLEAR TRUNK	SHADE TREE
t	8' HT. X 10' SPR., MULTI TRUNK	
t	F.G.	ACCENT TREE
t	10' C.T.	3 PALMS TO
t	F.G.	1 SHADE TREE
t	12' HT. X 5' SPR. 2" DBH.	
t	F.G., 6' CLEAR TRUNK	SHADE TREE
t	20-22' O.A. HT., 6' GREYWOOD	3 PALMS TO
╉	F.G., MATCHED HTS.	1 SHADE TREE
t	16-20' O.A. HT. STAGGERED	3 PALMS TO
t	F.G.	1 SHADE TREE
t	12' HT. X 5' SPR. 2" DBH.	
t	F.G., 6' CLEAR TRUNK	SHADE TREE
t	18' O.A. HT. MIN.	3 PALMS TO
╉	F.G.	1 SHADE TREE
t	20' O.A. HT. MIN., DOUBLE	3 PALMS TO
t	F.G., STAGGERED.	1 SHADE TREE
-	DESCRIPTION	
	36" HT. X 24" SPR.	
ļ	10" POT	
ļ	36" HT. X 24" SPR./ 24" O.C.	
ļ	7 GAL.	
1	24" HT. X 24" SPR. / 24" O.C.	
	3 GAL.	
ļ	15" HT. X 15" SPR. / 15" O.C.	
ļ	3 GAL.	
	24" HT. X 24" SPR. / 24" O.C.	
	3 GAL.	
	36" HT. X 24" SPR. / 24" O.C.	
	3 GAL.	
I	24" HT. X 24" SPR. / 24" O.C.	
	3 GAL.	
ſ	SOLID EVEN SOD	
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J	SOLID EVEN SOD	
		{
1		- /

SINGLE FAMILY TOTAL TREES = 152 x 2 = 304

BLDG II X 3 + BLDG III X 2 + BLDG IV X 12 + BLDG V X 7 + BLDG VI X 2 + BLDG VII X 3 + BLDG VIII X 5 = 6X3 + 7X2+ 8X12 + 10X7 + 11X2 + 12X3+ 13X5 = 321

		Acres(1,421,362.8 s	-
CODE REQUIREMENT	Lineal Feet or Square Feet.	Amount or % of Planting Required	Amount or % of Planting Provided
<b>Perimeter Buffers (POD A):</b> 1 Shade Tree Per 20 l.f., continuous 3' ht. hedge	2,223 l.f. (north/south side)		
Trees		112(67 NATIVE)	132(90 NATIVE)
Shrubs		1004(700 NATIVE)	1451(836 NATIVE)
<b>Perimeter Buffers (POD B):</b> 1 Shade Tree Per 20 l.f., continuous 3' ht. hedge	976 l.f. (north/east side)		
Trees		49(30 NATIVE)	60(49 NATIVE)
Shrubs		496(347 NATIVE)	{496(496 NATIVE) }
<b>Perimeter Buffers (POD C):</b> 1 Shade Tree Per 20 l.f., continuous 3' ht. hedge	1610 l.f. (south/east/ west side)		
Trees		81(49 NATIVE)	93(54 NATIVE)
Shrubs		805(563 NATIVE)	1,042(797 NATIVE)
<b>Perimeter Buffers (POD D):</b> 1 Shade Tree Per 20 l.f., continuous 3' ht. hedge	611 l.f. (clubhouse/north side)		
Trees		31(19 NATIVE)	41(23 NATIVE)
Shrubs		305(213 NATIVE)	336(229 NATIVE)
<b>Perimeter Buffers (POD E):</b> 1 Shade Tree Per 20 l.f., continuous 3' ht. hedge	753 l.f. (north/east/ park side)		
Trees		38(23 NATIVE)	45(30 NATIVE)
Shrubs		376( 224 NATIVE)	412(247 NATIVE)
<b>Perimeter Buffers (POD F):</b> 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	633 l.f. (south/east side)		
Trees		<u>/2</u> 32(19 NATIVE)	38(26 NATIVE)
Shrubs		316(221 NATIVE)	316(137 NATIVE)
Perimeter Buffers (POD G): 1 Shade Tree Per 20 I.f., continuous 3' ht. hedge	392 l.f. (south/east side)		
Trees		20(12 NATIVE)	26(18 NATIVE)
Shrubs		196(137 NATIVE)	360(273 NATIVE)
<b>Multi-Family</b> (1 per 1500 s.f. continuous hedge around building)	236 UNITS		
Trees(1 tree per 1500 s.f.)		321(193 NATIVE)	321(236 NATIVE)
Shrubs(continous hedge)		3,909(2,736 NATIVE)	3,909(2,887 NATIVE)
<b>Single Family</b> (1 per 1500 s.f. continuous hedge around building)	152 UNITS		
<b>Trees</b> (1 Tree Per 2500 s.f. of lot area. 1 shade in front and back)		304(182 NATIVE)	304(154 NATIVE)
<b>Shrubs</b> (6 per 2500 s.f. of lot area)		1,064(744 NATIVE)	2,123(1,216 NATIVE)
Street Trees (1 per 40 l.f.)	6440 l.f.	161(97 NATIVE)	161(64 NATIVE)
Remaining Trees			64(64 NATIVE)
Total Trees(60% Native)		(60% NATIVE)	(1,285(808 NATIVE) (63% NATIVE)
Total Shrubs(70% Native)		8,275(5,793 NATIVE)	(0,415(7,118 NATIVE))
		E 221 TDEES/226 NA	

RIVIERA BEACH LANDSCAPE REQUIREMENTS

\*TYPICAL MULTIFAMILY TOWNHOMES INCLUDE 321 TREES(236 NATIVE) AND 3,909 SHRUBS(2,887 NATIVE). SINGLE FAMILY HOMES INCLUDE 304 TREES(152 NATIVE) AND 2,123 SHRUBS(1,216 NATIVE). SEE SHEETS L-11 THRU L-23 FOR PLANT MATERIAL AND SPECIFICATIONS.

\*\* 83 REMAINING TREES INCLUDE 28 PALMS AND 55 TREES, WHICH EQUAL TO 64 TREES (3 PALMS TO 1 TREE). ALL TREES ARE NATIVE SPECIES.

Multi Family Residential: 6 Units Net Land: 0.29 Acres; (1) Tree Per 1,500 SQ FT; OTHER TREES: 3 PALMS TO 1 TREE; 24" HT. CONTINUOUS HEDGE ALONG BUILDING WALL.	REQUIRED	PROVIDED
Trees	8	8
Shrubs	102	102

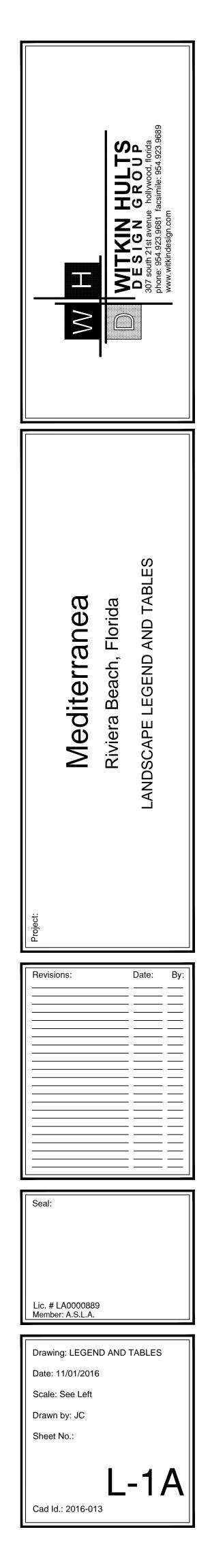
### BLDG. TYPE VII - MULTI FAMILY 9 UNITS (REPEATS 3 TIMES)

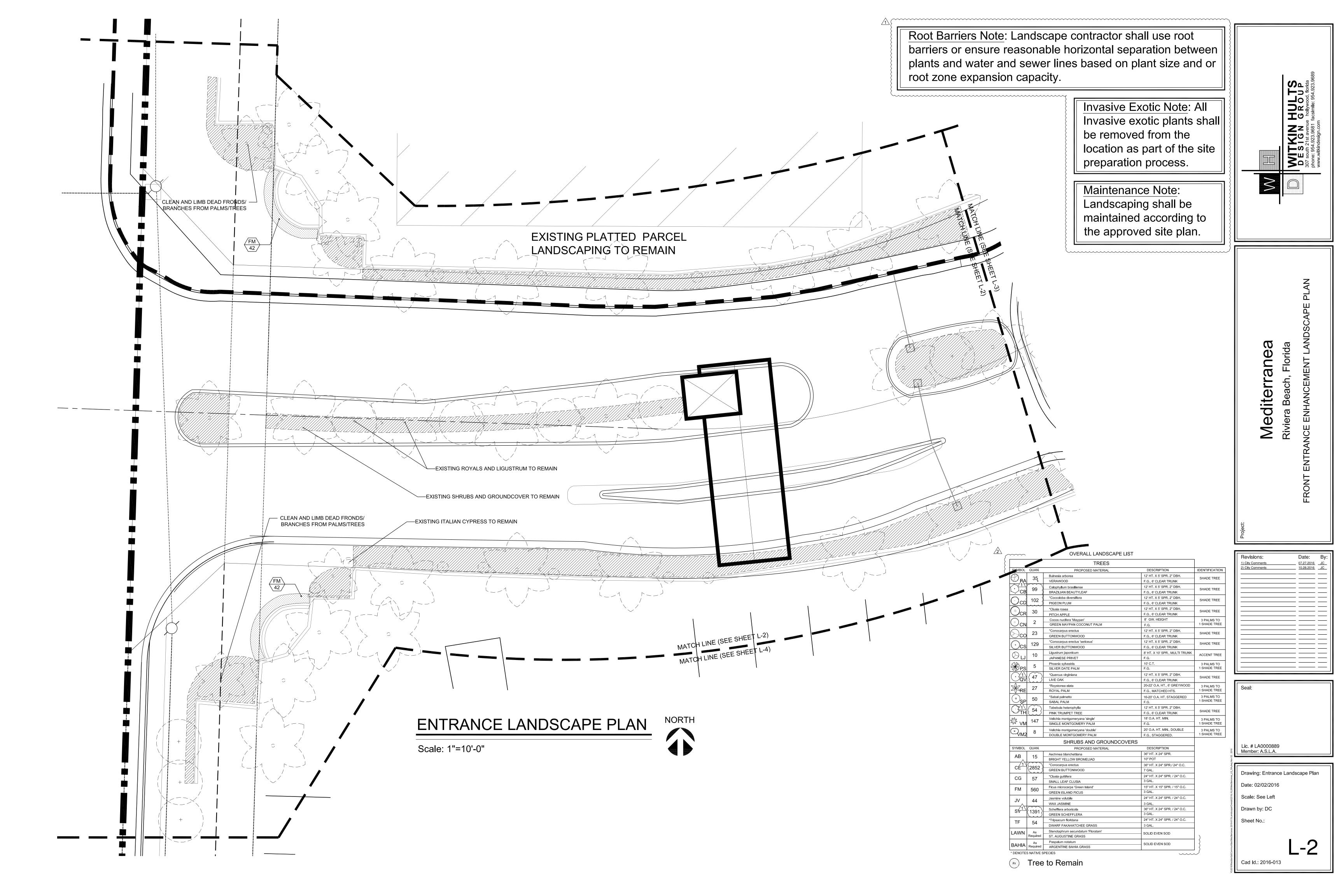
### BLDG. TYPE VIII - MULTI FAMILY 10 UNITS (REPEATS 5 TIMES)

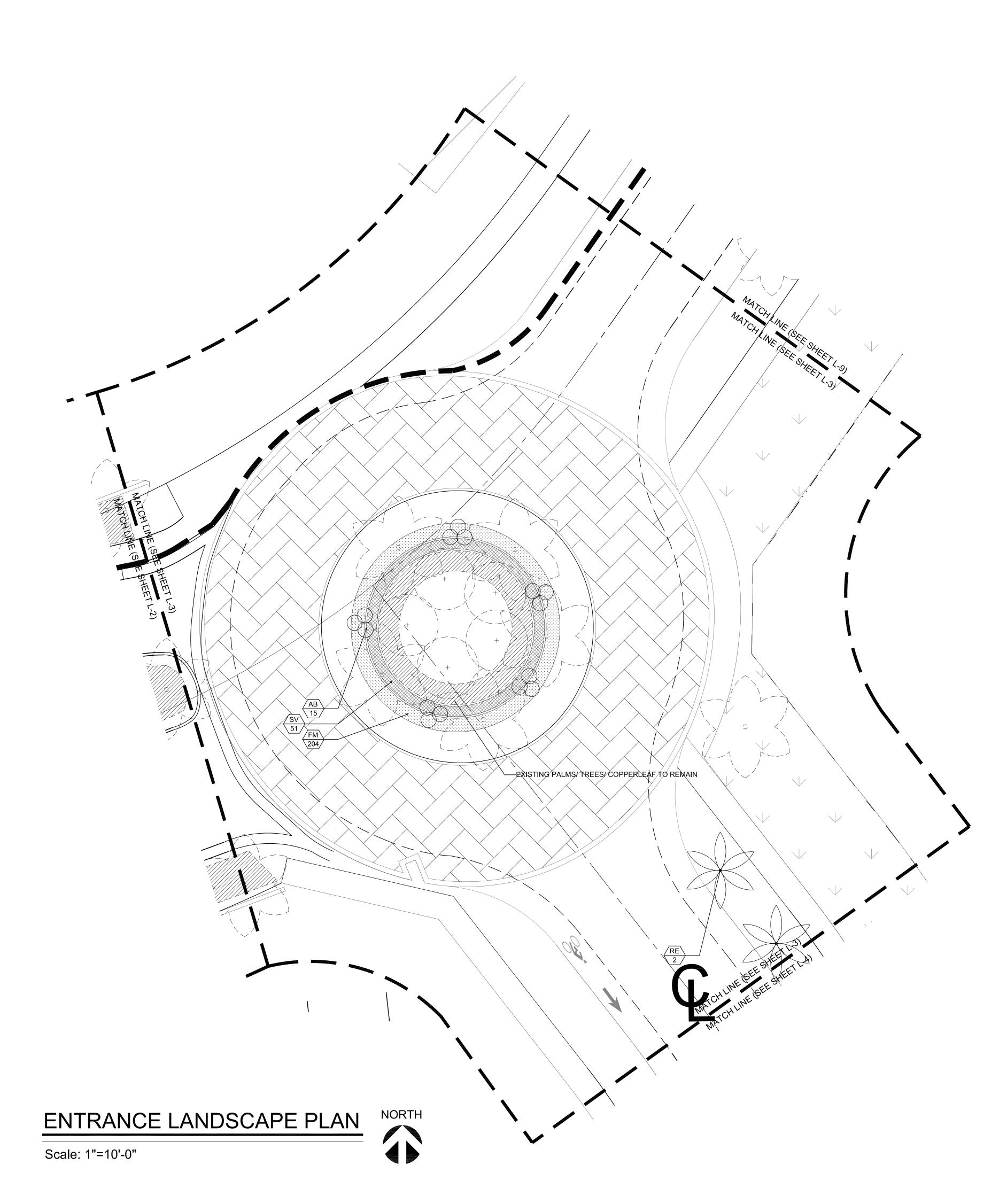
		/
Multi Family Residential: 10 Units Net Land: 0.46 Acres; (1) Tree Per 1,500 SQ FT; OTHER TREES: 3 PALMS TO 1 TREE; 24" HT. CONTINUOUS HEDGE ALONG BUILDING WALL.	REQUIRED	PROVIDED
Trees	13	13
Shrubs	168	168

### SEE DETAILS ON TD2 - TD10 SHEETS.

ree #	Common Name	Scientific name	DBH (in)	Height of C	Dispositio
250	Slash Pine	Pinus elliottii	18		Remain
251	Cabbage Palm	Sabal palmetto		12	Remain
	Cabbage Palm	Sabal palmetto			Remain
	Slash Pine	Pinus elliottii	18.5		Remain
	Cabbage Palm	Sabal palmetto			Remain
	Slash Pine	Pinus elliottii	19		Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto	47		Remain
	Slash Pine	Pinus elliottii	17		Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm Slash Pine	Sabal palmetto Pinus elliottii	17		Remain Remain
	Slash Pine	Pinus elliottii	13 17.5		Remain
	Slash Pine	Pinus elliottii	17.5		Remain
	Slash Pine	Pinus elliottii	9.5		Remain
	Slash Pine	Pinus elliottii			Remain
	Slash Pine	Pinus elliottii	10		Remain
	Slash Pine	Pinus elliottii	13		Remain
	Slash Pine	Pinus elliottii	13		Remain
	Cabbage Palm	Sabal palmetto	12		Remain
	Slash Pine	Pinus elliottii	20.5		Remain
	Slash Pine	Pinus elliottii	14		Remain
	Slash Pine	Pinus elliottii	11.5		Remain
	Slash Pine	Pinus elliottii	13.5		Remain
	Slash Pine	Pinus elliottii	15.5		Remain
	Slash Pine	Pinus elliottii	16.5		Remain
	Slash Pine	Pinus elliottii	19		Remain
	Slash Pine	Pinus elliottii	19		Remain
	Slash Pine	Pinus elliottii	12		Remain
	Slash Pine	Pinus elliottii	11.5		Remain
	Slash Pine	Pinus elliottii	12		Remain
	Slash Pine	Pinus elliottii	11.5		Remain
	Slash Pine	Pinus elliottii	15.5		Remain
	Slash Pine	Pinus elliottii	17.5		Remain
	Slash Pine	Pinus elliottii	16.5		Remain
	Slash Pine	Pinus elliottii	19.5		Remain
	Slash Pine	Pinus elliottii	16		Remain
	Slash Pine	Pinus elliottii	11		Remain
404	Slash Pine	Pinus elliottii	10		Remain
405	Slash Pine	Pinus elliottii	12		Remain
406	Slash Pine	Pinus elliottii	11		Remain
407	Cabbage Palm	Sabal palmetto		13	Remain
408	Slash Pine	Pinus elliottii	13		Remain
411	Cabbage Palm	Sabal palmetto		8	Remain
413	Cabbage Palm	Sabal palmetto		10	Remain
420	Slash Pine	Pinus elliottii	14.5		Remain
422	Cabbage Palm	Sabal palmetto		12	Remain
423	Slash Pine	Pinus elliottii	23		Remain
	Cabbage Palm	Sabal palmetto		18	Remain
434	Slash Pine	Pinus elliottii	18		Remain
	Cabbage Palm	Sabal palmetto			Remain
	Slash Pine	Pinus elliottii	18		Remain
	Slash Pine	Pinus elliottii	10.5		Remain
	Slash Pine	Pinus elliottii	9		Remain
	Slash Pine	Pinus elliottii	13		Remain
	Cabbage Palm	Sabal palmetto			Remain
	Bald Cypress	Taxodium distichun	8.5		Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto			Remain
	Bald Cypress	Taxodium distichun			Remain
	Slash Pine	Pinus elliottii	15		Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto			Remain
	Cabbage Palm	Sabal palmetto			Remain
	Live Oak	Quercus virginiana	19.5		Remain
	Live Oak	Quercus virginiana	22		Remain
	Live Oak	Quercus virginiana	17		Remain
	Cabbage Palm	Sabal palmetto			Remain
552	Cabbage Palm	Sabal palmetto			Remain
	Mahogany	Swietenia mahagor	1 <del>9</del> .5		Remain
	Cabbage Palm	Sabal palmetto			Remain
559	Slash Pine	Pinus elliottii	13		Remain
559 562		1 .	105		Remain
559 562 563	Slash Pine	Pinus elliottii	10.5		
559 562 563 564	Slash Pine Slash Pine	Pinus elliottii	10		Remain
559 562 563 564 565	Slash Pine Slash Pine Slash Pine	Pinus elliottii Pinus elliottii	10 17		Remain
559 562 563 564 565 568	Slash Pine Slash Pine	Pinus elliottii	10		

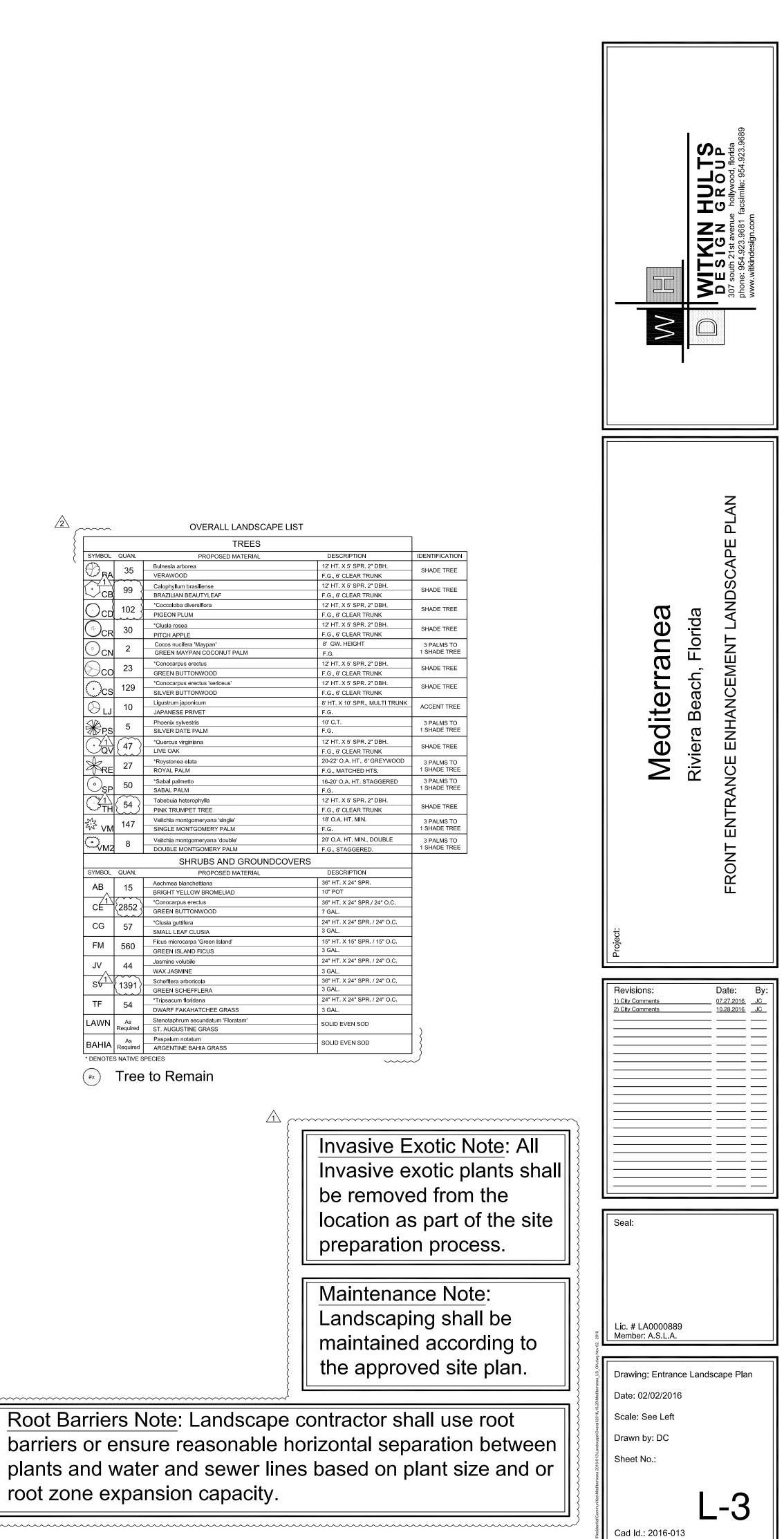




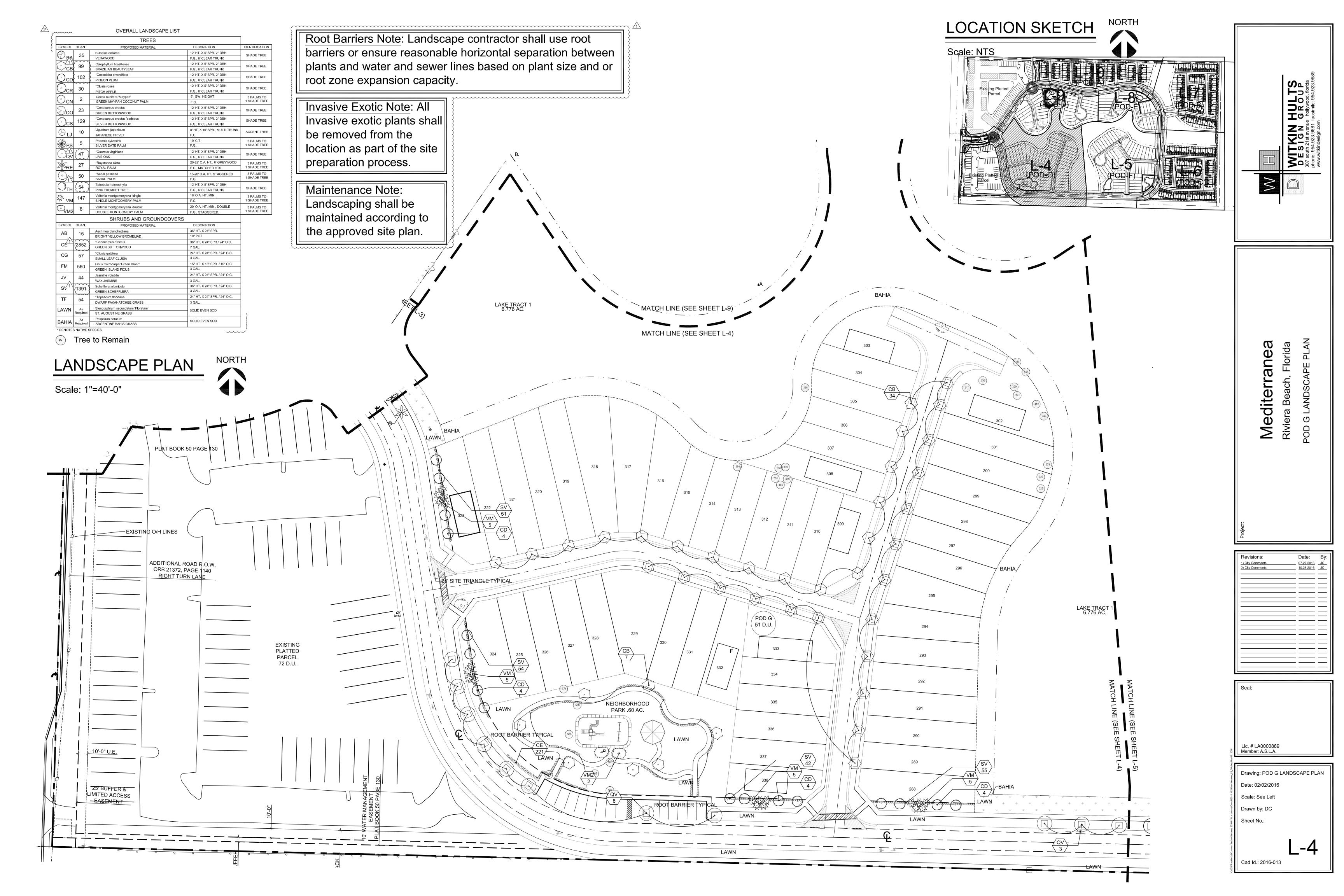


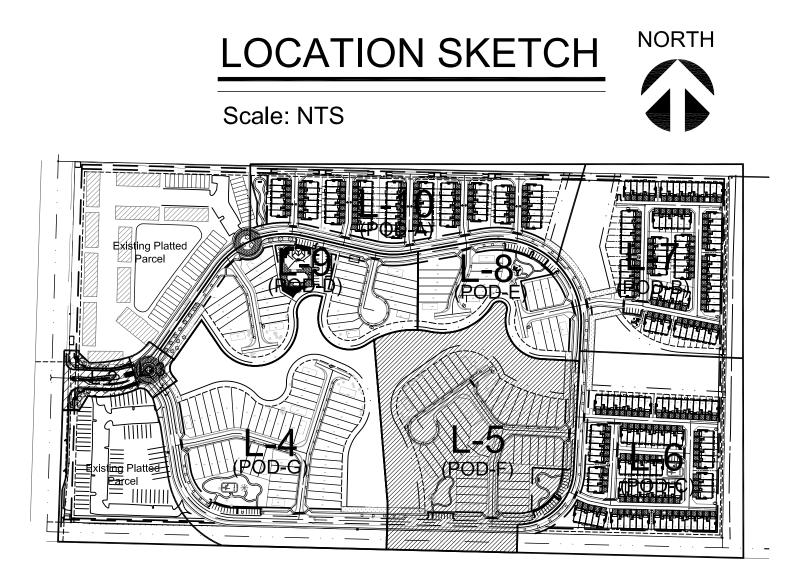
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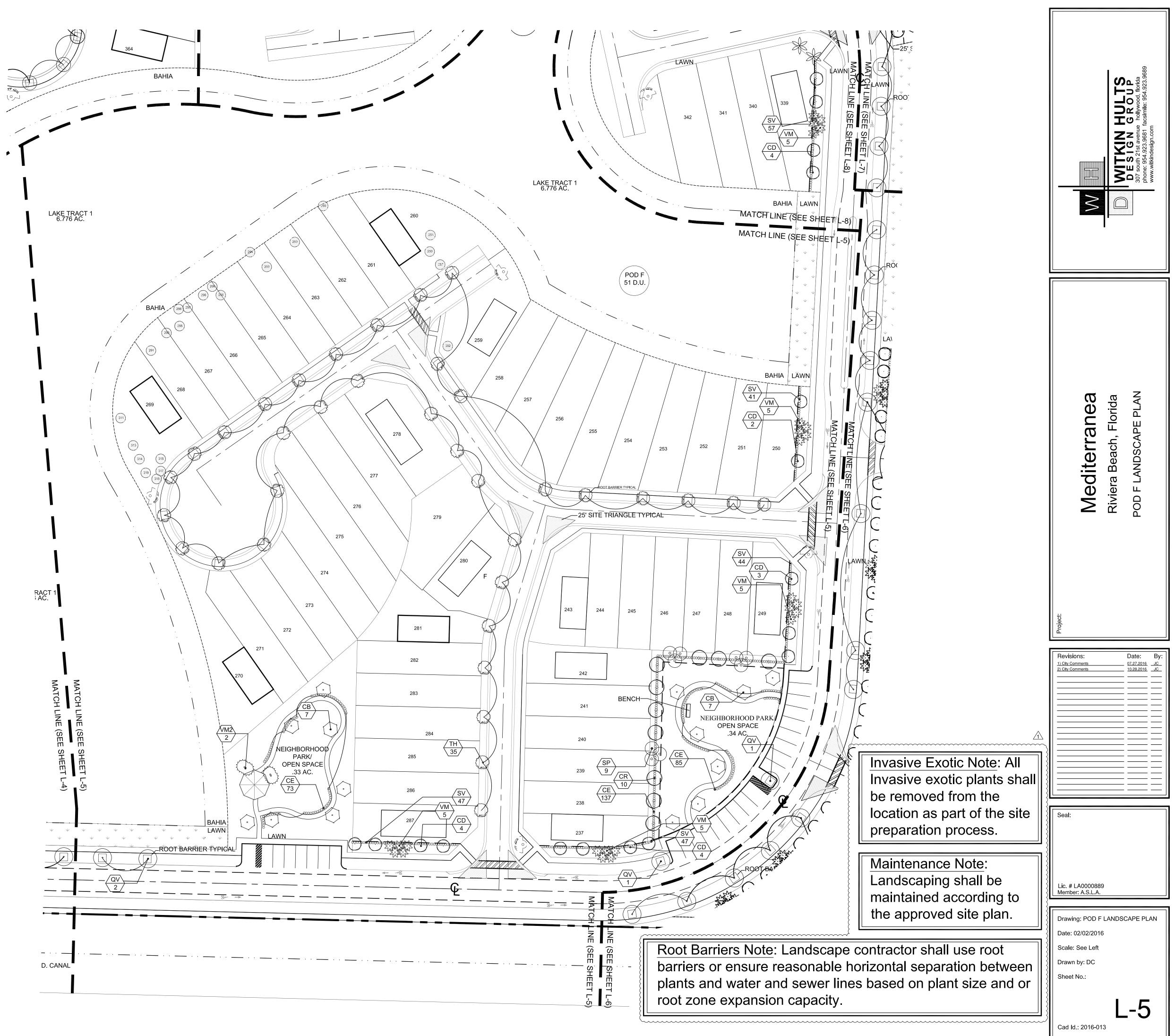
		TREES		
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	IDE
	35	Bulnesia arborea	12' HT. X 5' SPR. 2" DBH.	SI
<u>V</u>		VERAWOOD	F.G., 6' CLEAR TRUNK	
$\gamma \gamma$	99	Calophyllum brasiliense	12' HT. X 5' SPR. 2" DBH.	SI
✓СВ		BRAZILIAN BEAUTYLEAF	F.G., 6' CLEAR TRUNK	
$\bigcirc$	102	*Coccoloba diversiflora	12' HT. X 5' SPR. 2" DBH.	s
	find	PIGEON PLUM	F.G., 6' CLEAR TRUNK	
	30	*Clusia rosea	12' HT. X 5' SPR. 2" DBH.	s
<u> </u>		PITCH APPLE	F.G., 6' CLEAR TRUNK	
	2	Cocos nucifera 'Maypan' GREEN MAYPAN COCONUT PALM	8' GW. HEIGHT	
			F.G.	<u> </u>
Dco	23	*Conocarpus erectus	12' HT. X 5' SPR. 2" DBH.	s
$\underline{\bigcirc}$		GREEN BUTTONWOOD	F.G., 6' CLEAR TRUNK	<u> </u>
{-}}cs	129	*Conocarpus erectus 'sericeus' SILVER BUTTONWOOD	12' HT. X 5' SPR. 2" DBH.	s
<u></u>			F.G., 6' CLEAR TRUNK 8' HT. X 10' SPR., MULTI TRUNK	├──
$\bigotimes_{11}$	10	Ligustrum japonicum JAPANESE PRIVET	F.G.	A
		Phoenix sylvestris	10' C.T.	3
Жрs	5	SILVER DATE PALM	F.G.	1
$\sqrt{1}$		*Quercus virginiana	12' HT. X 5' SPR. 2" DBH.	-
	$\{47\}$	LIVE OAK	F.G., 6' CLEAR TRUNK	s
A		*Roystonea elata	20-22' O.A. HT., 6' GREYWOOD	
₩RE	27	ROYAL PALM	F.G., MATCHED HTS.	1
Ò	50	*Sabal palmetto	16-20' O.A. HT. STAGGERED	
Ѽӽҏ	50	SABAL PALM	F.G.	1 1
<u>~</u> 1	(54)	Tabebuia heterophylla	12' HT. X 5' SPR. 2" DBH.	
ᡯᢧᠵ᠈		PINK TRUMPET TREE	F.G., 6' CLEAR TRUNK	S
Mz	147	Veitchia montgomeryana 'single'	18' O.A. HT. MIN.	3
W VM	·/	SINGLE MONTGOMERY PALM	F.G.	1:
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	8	Veitchia montgomeryana 'double'	20' O.A. HT. MIN., DOUBLE	
` <sup></sup> €M2	Ŭ	DOUBLE MONTGOMERY PALM	F.G., STAGGERED.	1 :
		SHRUBS AND GROUNDCOVERS		
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	1
AB	15	Aechmea blanchettiana	36" HT. X 24" SPR.	1
<u></u> ^_	15	BRIGHT YELLOW BROMELIAD	10" POT	
CE <sup>1</sup>	2852	*Conocarpus erectus	36" HT. X 24" SPR./ 24" O.C.	
		GREEN BUTTONWOOD	7 GAL.	
CG	57	*Clusia guttifera	24" HT. X 24" SPR. / 24" O.C.	
		SMALL LEAF CLUSIA	3 GAL.	
FM	560	Ficus microcarpa 'Green Island'	15" HT. X 15" SPR. / 15" O.C.	
		GREEN ISLAND FICUS	3 GAL.	4
JV	44	Jasmine volubile	24" HT. X 24" SPR. / 24" O.C.	-
		WAX JASMINE	3 GAL.	-
s√¹∖	{1391 }	Schefflera arboricola	36" HT. X 24" SPR. / 24" O.C. 3 GAL	-
	$  \   \  $	GREEN SCHEFFLERA		{
TF	54	*Tripsacum floridana	24" HT. X 24" SPR. / 24" O.C.	1
		DWARF FAKAHATCHEE GRASS	3 GAL.	1
LAWN	As Required	Stenotaphrum secundatum 'Floratam' ST. AUGUSTINE GRASS	- SOLID EVEN SOD	
		STANDOUGHINE GRADD		コン

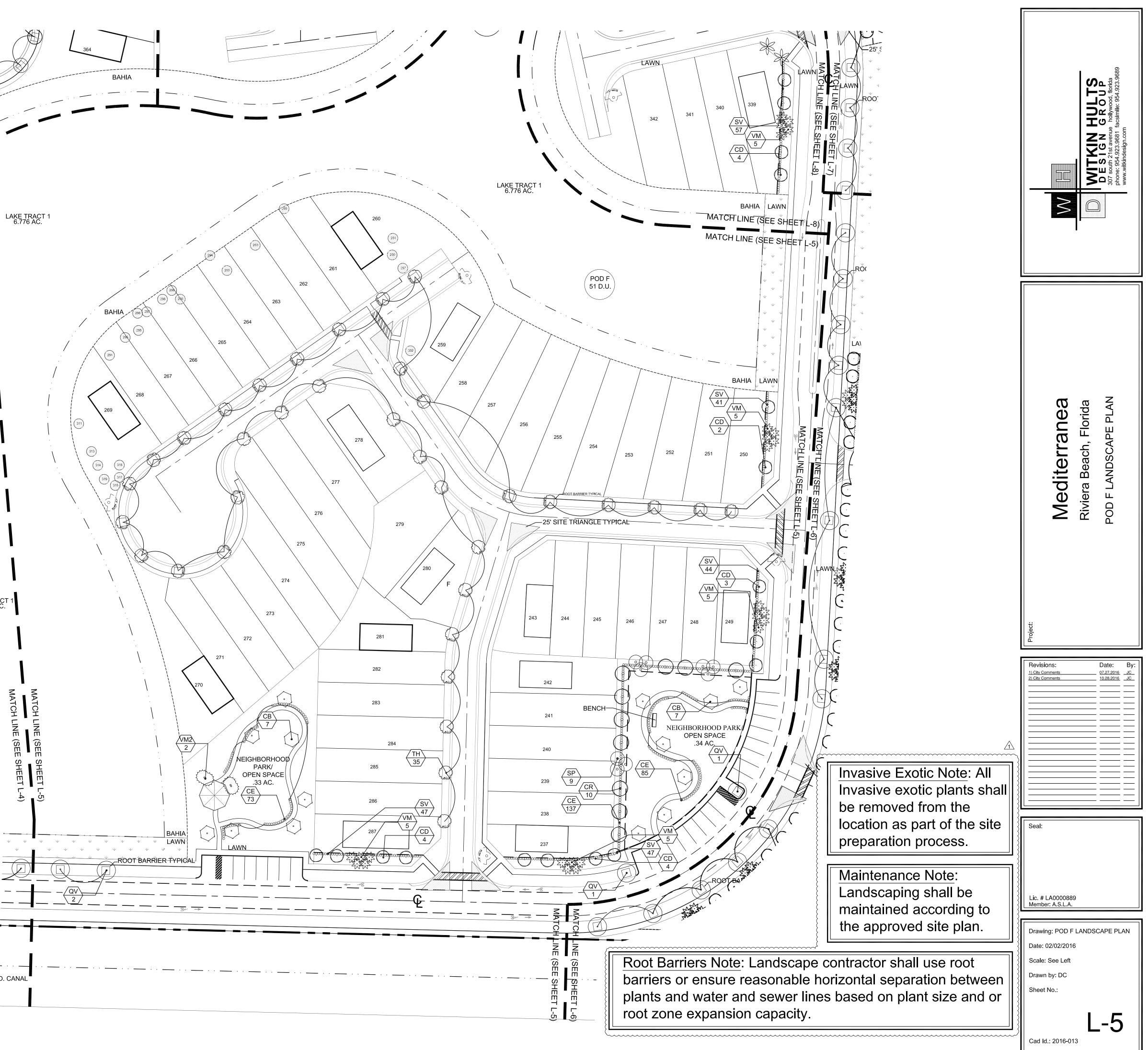
Tree to Remain

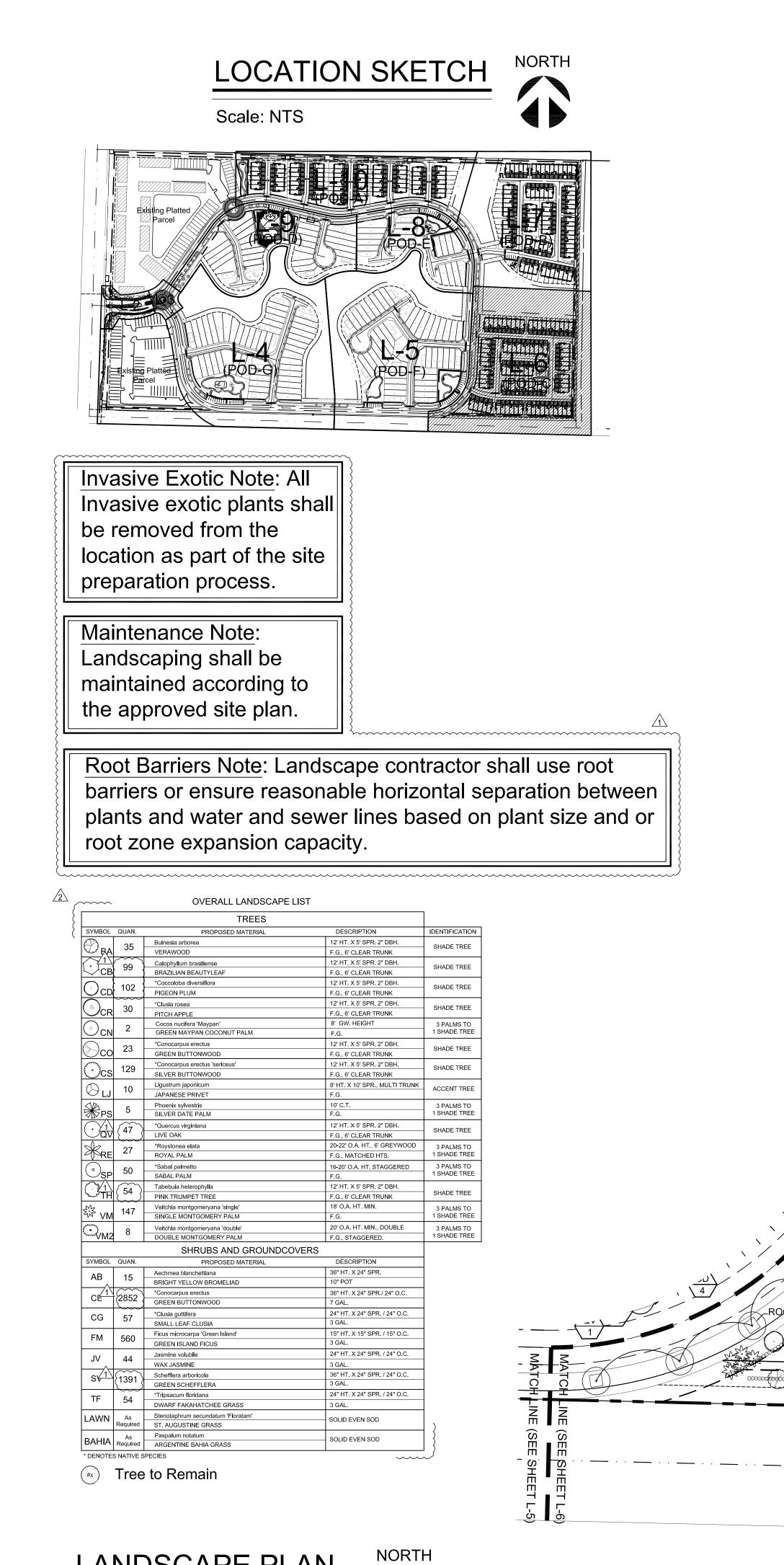


Scale: 1"=40'-0"

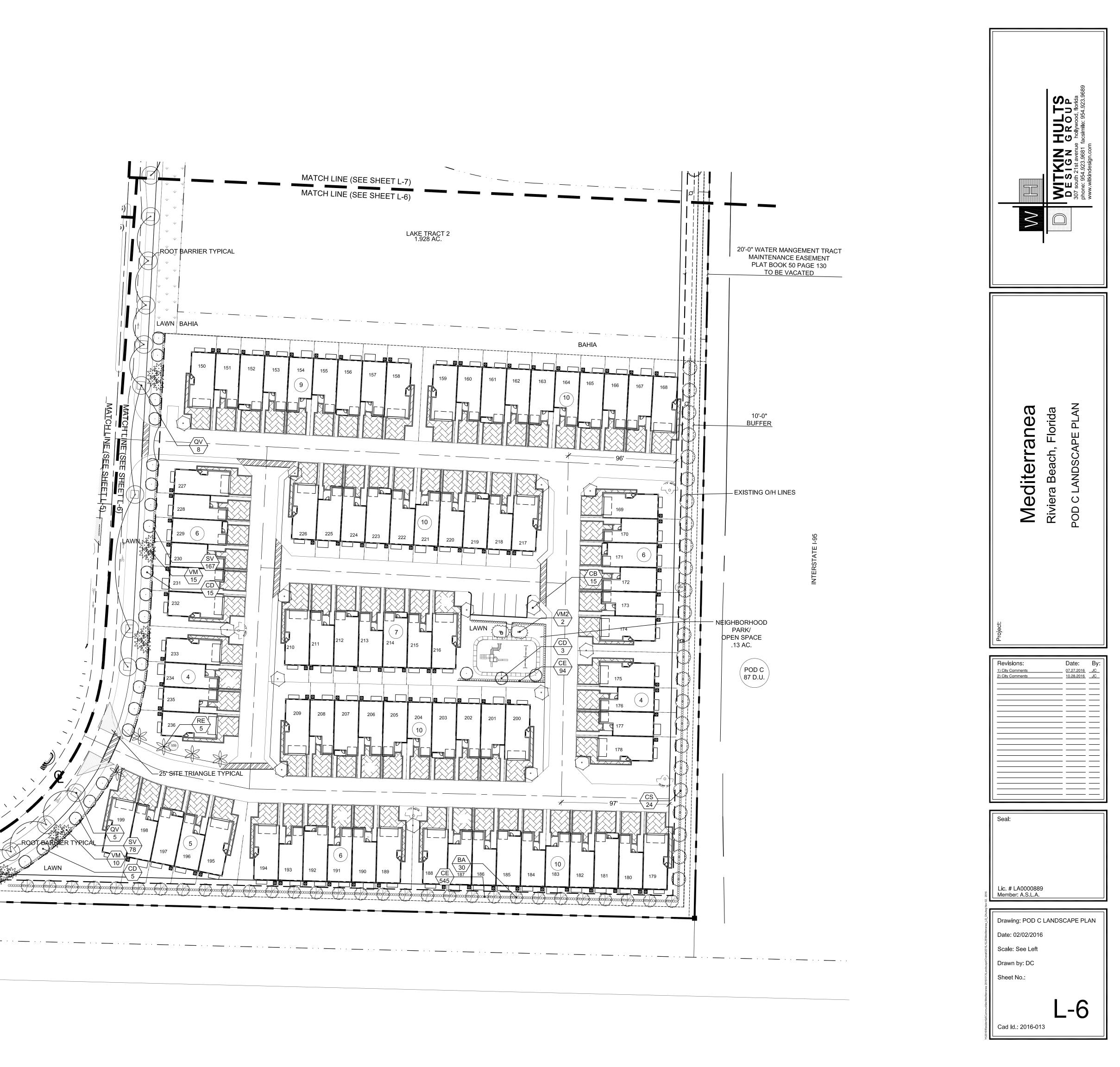
NORTH 

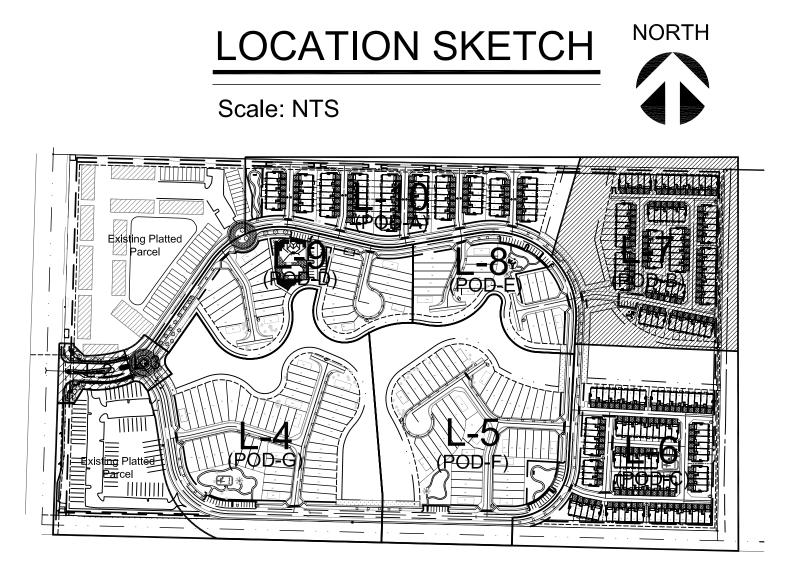












OVERALL LANDSCAPE LIST

<u>/2</u>

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0.4.5-5	0.1411	TREES		
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	IDENTIFICATION
() DA	35	Bulnesia arborea	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
		VERAWOOD	F.G., 6' CLEAR TRUNK	
СВ	99	Calophyllum brasiliense	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
	<u>}</u>	BRAZILIAN BEAUTYLEAF	F.G., 6' CLEAR TRUNK	
Ocd	102	*Coccoloba diversiflora	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
$\frac{2}{2}$	1	PIGEON PLUM	F.G., 6' CLEAR TRUNK	
	30	*Clusia rosea	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
		PITCH APPLE	F.G., 6' CLEAR TRUNK 8' GW. HEIGHT	
்CN	2	Cocos nucifera 'Maypan' GREEN MAYPAN COCONUT PALM	F.G.	3 PALMS TO 1 SHADE TREE
		*Conocarpus erectus		
≥co	23		12' HT. X 5' SPR. 2" DBH.	SHADE TREE
<u></u>		GREEN BUTTONWOOD	F.G., 6' CLEAR TRUNK	
<sup>[≁</sup> }cs	129	*Conocarpus erectus 'sericeus'	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
<u></u>		SILVER BUTTONWOOD	F.G., 6' CLEAR TRUNK	
Ø.,	10	Ligustrum japonicum	8' HT. X 10' SPR., MULTI TRUNK	ACCENT TREE
€ LJ		JAPANESE PRIVET	F.G.	
	5	Phoenix sylvestris	10' C.T.	3 PALMS TO
<u>₩PS</u>		SILVER DATE PALM	F.G.	1 SHADE TREE
$\frac{1}{\sqrt{2}}$	$\langle 47 \rangle$	*Quercus virginiana	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
$\underline{\sqrt{QV}}$		LIVE OAK	F.G., 6' CLEAR TRUNK	
\$	27	*Roystonea elata	20-22' O.A. HT., 6' GREYWOOD	3 PALMS TO
1 RE	21	ROYAL PALM	F.G., MATCHED HTS.	1 SHADE TREE
	50	*Sabal palmetto	16-20' O.A. HT. STAGGERED	3 PALMS TO
<u> </u>	50	SABAL PALM	F.G.	1 SHADE TREE
~~{1∖	$\left\langle 54\right\rangle$	Tabebuia heterophylla	12' HT. X 5' SPR. 2" DBH.	
<u>۲۲٬۰۰۳ ۲۲</u>		PINK TRUMPET TREE	F.G., 6' CLEAR TRUNK	SHADE TREE
Mz.	147	Veitchia montgomeryana 'single'	18' O.A. HT. MIN.	3 PALMS TO
WV W	147	SINGLE MONTGOMERY PALM	F.G.	1 SHADE TREE
	8	Veitchia montgomeryana 'double'	20' O.A. HT. MIN., DOUBLE	3 PALMS TO
~~∕VM2	0	DOUBLE MONTGOMERY PALM	F.G., STAGGERED.	1 SHADE TREE
		SHRUBS AND GROUNDCOV	′ERS	
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	
		Aechmea blanchettiana	36" HT. X 24" SPR.	
AB	15	BRIGHT YELLOW BROMELIAD	10" POT	
<u> </u>	$\left  \right\rangle$	*Conocarpus erectus	36" HT. X 24" SPR / 24" O.C.	
CÉ	(2852 }	GREEN BUTTONWOOD	7 GAL.	
		*Clusia guttifera	24" HT. X 24" SPR. / 24" O.C.	
CG	57	SMALL LEAF CLUSIA	3 GAL.	-
		Ficus microcarpa 'Green Island'	15" HT. X 15" SPR. / 15" O.C.	
FM	560	GREEN ISLAND FICUS	3 GAL.	
		Jasmine volubile	24" HT. X 24" SPR. / 24" O.C.	
	44			
JV		WAX JASMINE	3 GAL.	
JV	$\sim$		36" HT. X 24" SPR. / 24" O.C.	
JV SV	(1391)	Schefflera arboricola	3 GAI	
-/1	~~~	GREEN SCHEFFLERA	3 GAL.	
-/1	~~~	GREEN SCHEFFLERA *Tripsacum floridana	24" HT. X 24" SPR. / 24" O.C.	
sv1	(1391)	GREEN SCHEFFLERA *Tripsacum floridana DWARF FAKAHATCHEE GRASS		
SV <sup>1</sup> TF	(1391) 54 As	GREEN SCHEFFLERA *Tripsacum floridana DWARF FAKAHATCHEE GRASS Stenotaphrum secundatum 'Floratam'	24" HT. X 24" SPR. / 24" O.C.	
S√ <sup>1</sup> TF	(1391) 54	GREEN SCHEFFLERA *Tripsacum floridana DWARF FAKAHATCHEE GRASS Stenotaphrum secundatum 'Floratam' ST. AUGUSTINE GRASS	24" HT. X 24" SPR. / 24" O.C. 3 GAL.	
sv <sup>1</sup>	(1391) 54 As	GREEN SCHEFFLERA *Tripsacum floridana DWARF FAKAHATCHEE GRASS Stenotaphrum secundatum 'Floratam'	24" HT. X 24" SPR. / 24" O.C. 3 GAL.	

Tree to Remain

Invasive Exotic Note: All Invasive exotic plants shall be removed from the location as part of the site preparation process.

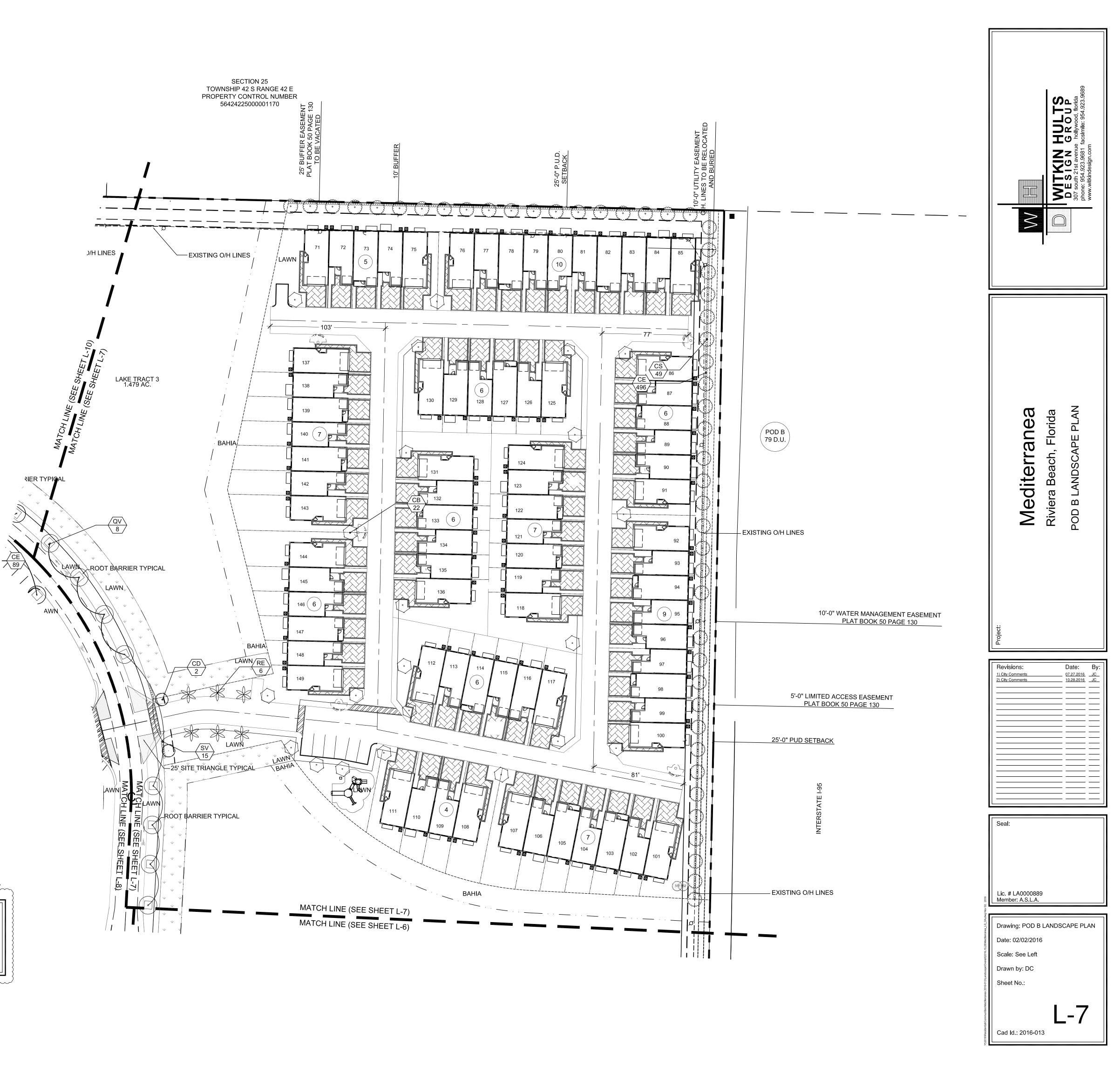
Maintenance Note: Landscaping shall be maintained according to the approved site plan.

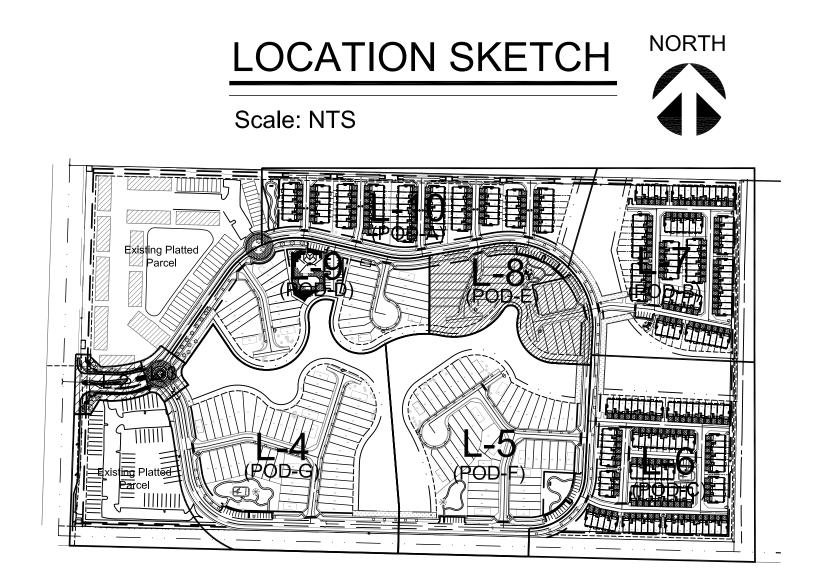
Root Barriers Note: Landscape contractor shall use root barriers or ensure reasonable horizontal separation between plants and water and sewer lines based on plant size and or root zone expansion capacity.

∕1∖

## LANDSCAPE PLAN

NORTH



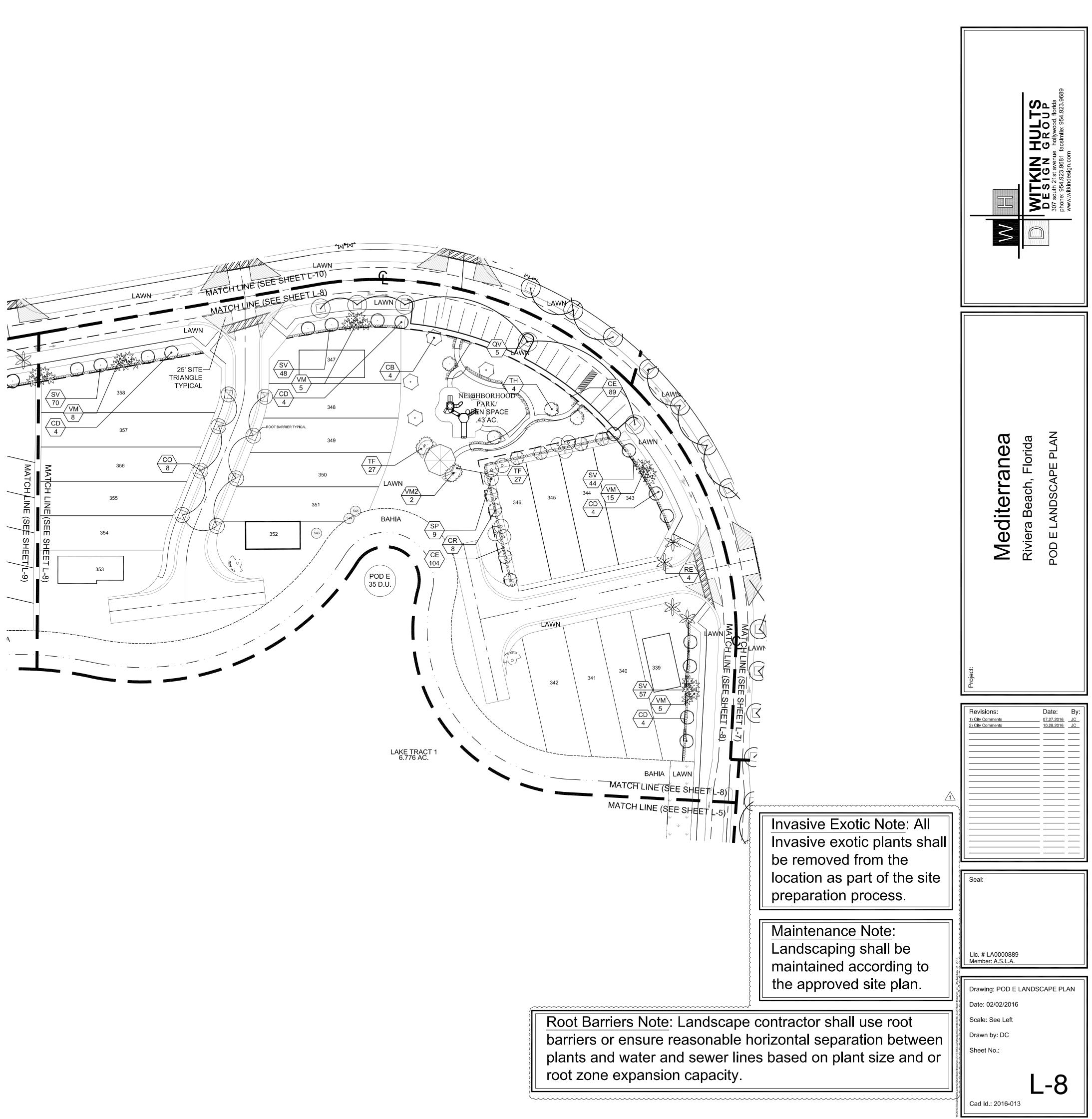


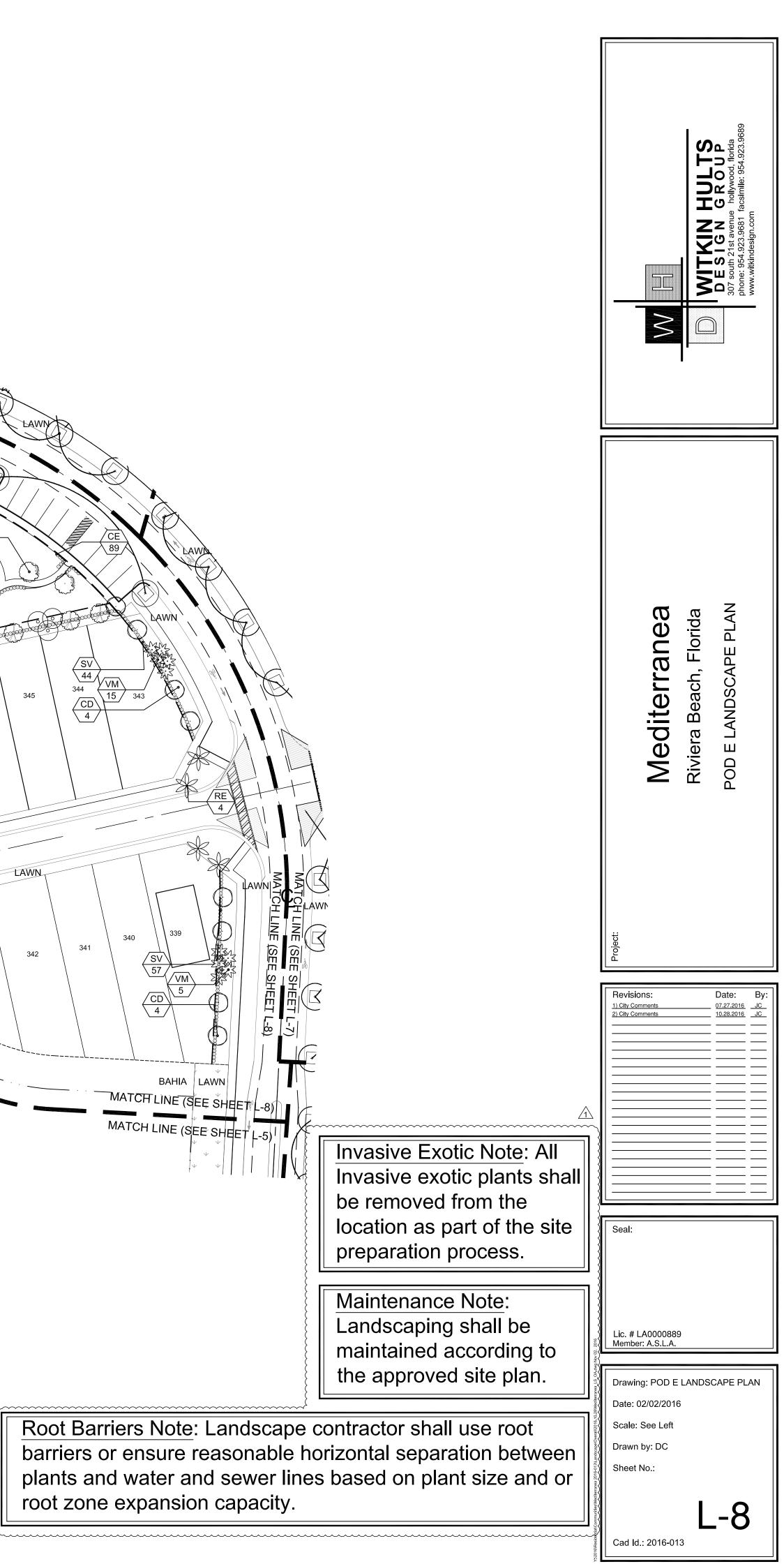
		TREES		
IDENTIFIC	DESCRIPTION	PROPOSED MATERIAL	)L QUAN.	SYMBOL
	12' HT. X 5' SPR. 2" DBH.	Bulnesia arborea	0.5	<u> </u>
SHADE	F.G., 6' CLEAR TRUNK	VERAWOOD	A <sup>35</sup>	V PA
	12' HT. X 5' SPR. 2" DBH.	Calophyllum brasiliense		$\overline{\gamma}^{15}$
SHADE -	F.G., 6' CLEAR TRUNK	BRAZILIAN BEAUTYLEAF	в 99	СВ
SHADE -	12' HT. X 5' SPR. 2" DBH.	*Coccoloba diversiflora	102	$\cap$
SHADE	F.G., 6' CLEAR TRUNK	PIGEON PLUM	D 102	Úср
SHADE -	12' HT. X 5' SPR. 2" DBH.	*Clusia rosea	20	
	F.G., 6' CLEAR TRUNK	PITCH APPLE	R <sup>30</sup>	
3 PALM	8' GW. HEIGHT	Cocos nucifera 'Maypan'	N 2	$\bigcirc$
1 SHADE	F.G.	GREEN MAYPAN COCONUT PALM	N 2	<b>OCN</b>
SHADE -	12' HT. X 5' SPR. 2" DBH.	*Conocarpus erectus	23	$\bigcirc$
	F.G., 6' CLEAR TRUNK	GREEN BUTTONWOOD	0 23	⊘C0
SHADE -	12' HT. X 5' SPR. 2" DBH.	*Conocarpus erectus 'sericeus'	129	د ج
	F.G., 6' CLEAR TRUNK	SILVER BUTTONWOOD	S '23	CSئى
ACCENT	8' HT. X 10' SPR., MULTI TRUNK	Ligustrum japonicum	10	$\mathcal{O}$ .
	F.G.	JAPANESE PRIVET	.J <sup>10</sup>	ΥL
3 PALM	10' C.T.	Phoenix sylvestris	5	56
1 SHADE	F.G.	SILVER DATE PALM	S C	<u> ∕</u> ∕ <u></u> PS
SHADE 1	12' HT. X 5' SPR. 2" DBH.	*Quercus virginiana	$\frac{1}{\sqrt{47}}$	$(+)^{1}$
	F.G., 6' CLEAR TRUNK	LIVE OAK		
3 PALM	20-22' O.A. HT., 6' GREYWOOD	*Roystonea elata	_ 27	×
1 SHADE	F.G., MATCHED HTS.	ROYAL PALM	E	RE
3 PALM 1 SHADE	16-20' O.A. HT. STAGGERED	*Sabal palmetto	D 50	$(\circ)_{\circ}$
I SHADE	F.G.	SABAL PALM		SP
SHADE T	12' HT. X 5' SPR. 2" DBH.	Tabebuia heterophylla	\	$\left( \frac{3}{3} \right)^{1}$
	F.G., 6' CLEAR TRUNK	PINK TRUMPET TREE	H	١H ۲
3 PALM	18' O.A. HT. MIN.	Veitchia montgomeryana 'single'	147	₩ vm
1 SHADE	F.G.	SINGLE MONTGOMERY PALM		VN VIV
3 PALM 1 SHADE	20' O.A. HT. MIN., DOUBLE	Veitchia montgomeryana 'double'	10 8	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
TOTADE	F.G., STAGGERED.	DOUBLE MONTGOMERY PALM	12	VIVIZ
	RS	SHRUBS AND GROUNDCOV		
	DESCRIPTION	PROPOSED MATERIAL	DL QUAN.	SYMBOL
	36" HT. X 24" SPR.	Aechmea blanchettiana	15	AB
	10" POT	BRIGHT YELLOW BROMELIAD	15	
	36" HT. X 24" SPR./ 24" O.C.	*Conocarpus erectus	1 2852	CE 1
	7 GAL.	GREEN BUTTONWOOD	4002	
	24" HT. X 24" SPR. / 24" O.C.	*Clusia guttifera	57	CG
	3 GAL.	SMALL LEAF CLUSIA	57	00
	15" HT. X 15" SPR. / 15" O.C.	Ficus microcarpa 'Green Island'	560	FM
	3 GAL.	GREEN ISLAND FICUS	- 500	
	24" HT. X 24" SPR. / 24" O.C.	Jasmine volubile	44	JV
	3 GAL.	WAX JASMINE		
	36" HT. X 24" SPR. / 24" O.C.	Schefflera arboricola	<sup>1</sup> {1391}	s√ <sup>1</sup> ∖
	3 GAL.	GREEN SCHEFFLERA		
	24" HT. X 24" SPR. / 24" O.C.	*Tripsacum floridana	54	TF
	3 GAL.	DWARF FAKAHATCHEE GRASS		
	SOLID EVEN SOD	Stenotaphrum secundatum 'Floratam'	As .	LAWN
}		ST. AUGUSTINE GRASS	Required	
	1 1	Paspalum notatum	1 1	

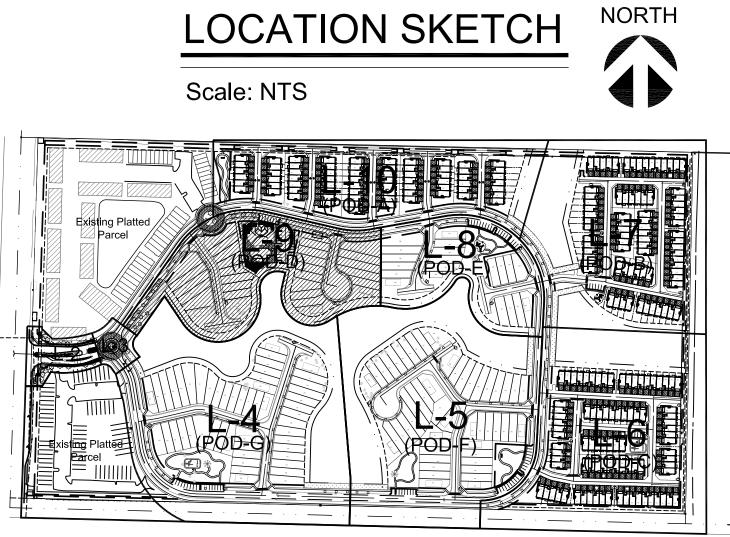
Tree to Remain



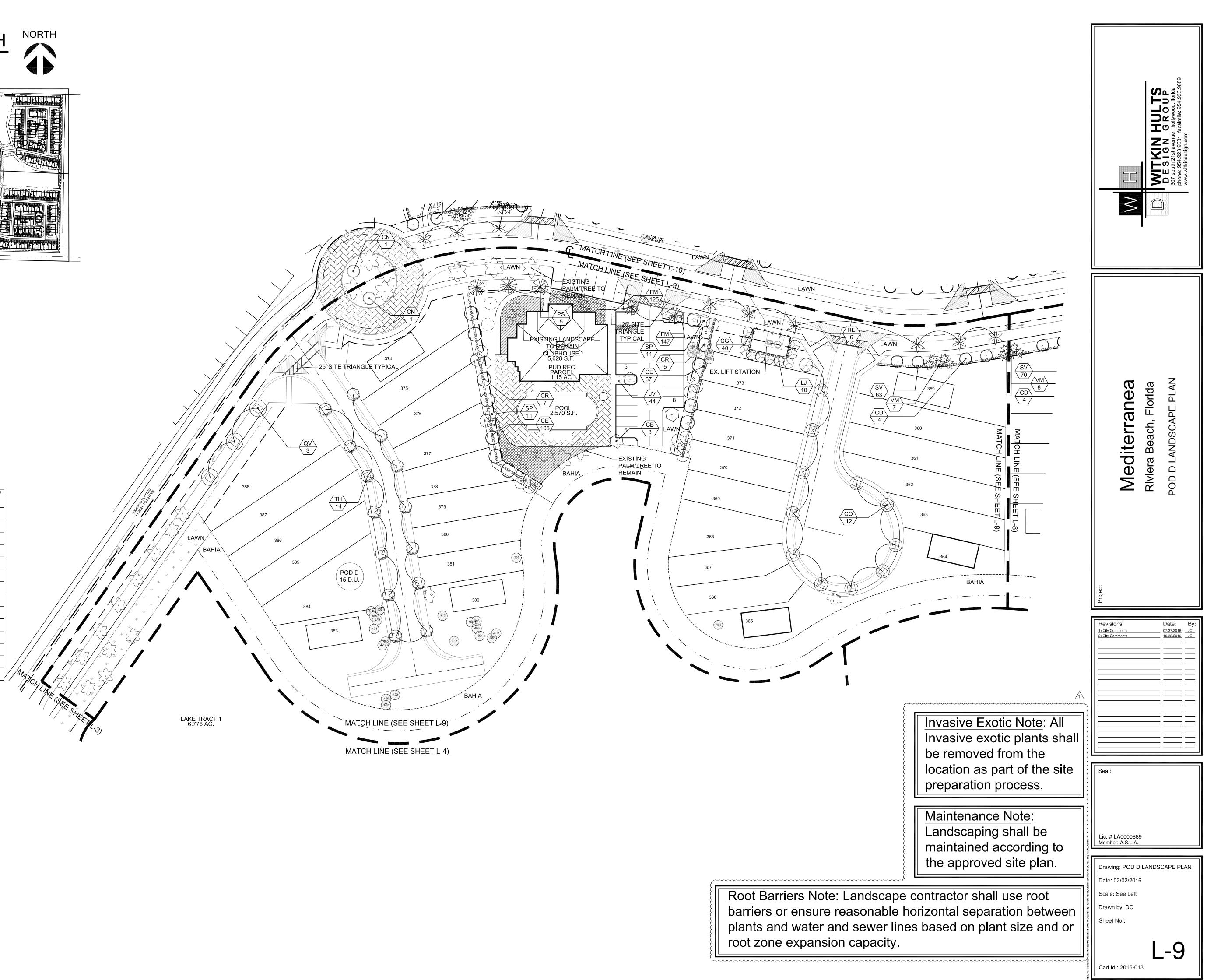
NORTH







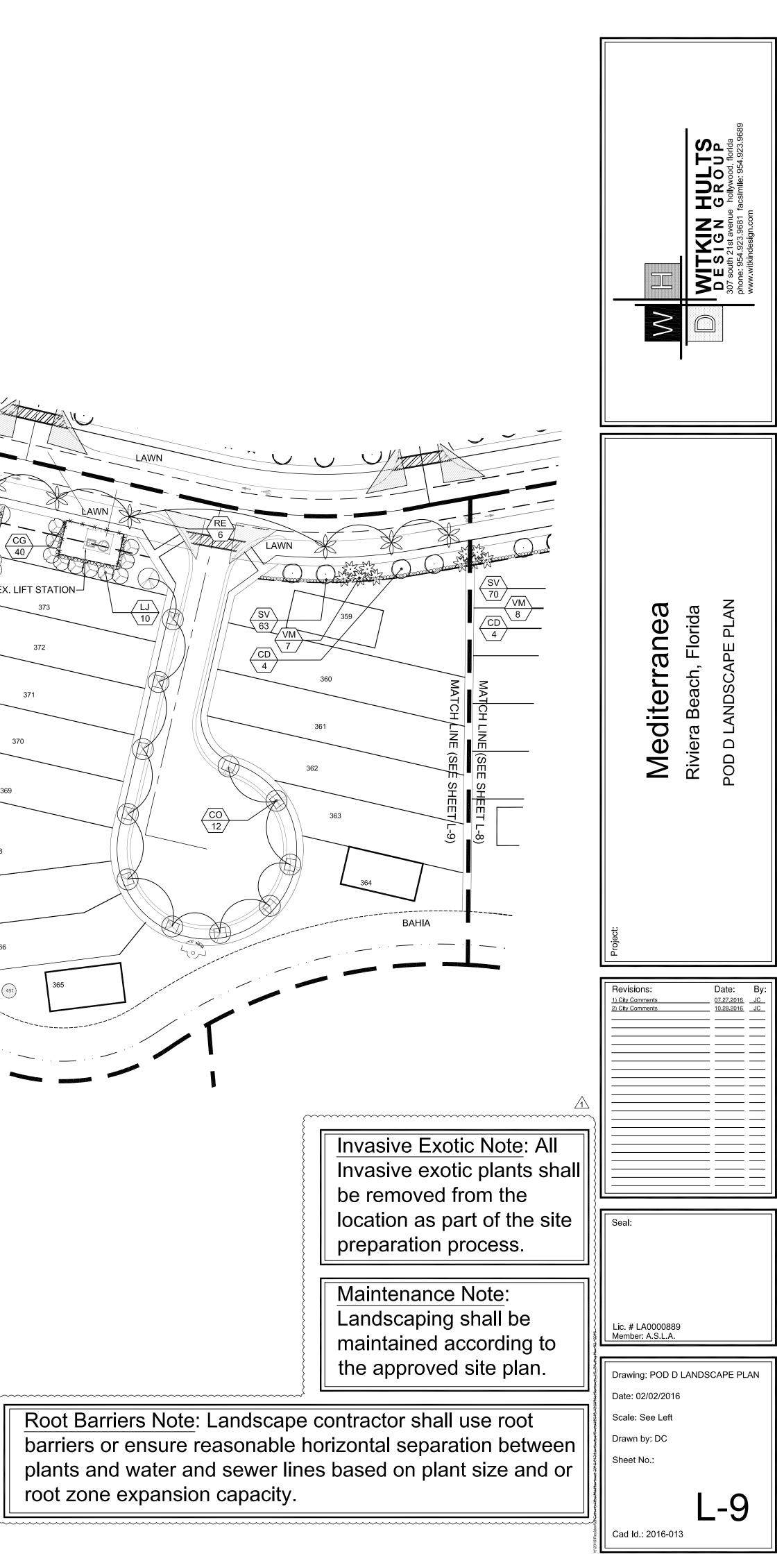
		TREES		
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	IDENTI
$\langle \rangle$	35	Bulnesia arborea	12' HT. X 5' SPR. 2" DBH.	SHAD
VLJ BA	000	VERAWOOD	F.G., 6' CLEAR TRUNK	01.7.12
$\left( \cdot \right)^{1}$	( 99 )	Calophyllum brasiliense	12' HT. X 5' SPR. 2" DBH.	SHAD
СВ		BRAZILIAN BEAUTYLEAF	F.G., 6' CLEAR TRUNK	İ
$(\cdot)_{\alpha \alpha}$	102	*Coccoloba diversiflora	12' HT. X 5' SPR. 2" DBH.	SHAD
	$ \left  \cdots \right  $	PIGEON PLUM	F.G., 6' CLEAR TRUNK	İ
	30	*Clusia rosea	12' HT. X 5' SPR. 2" DBH.	SHAD
		PITCH APPLE	F.G., 6' CLEAR TRUNK	<u> </u>
() ℃CN	2	Cocos nucifera 'Maypan' GREEN MAYPAN COCONUT PALM	8' GW. HEIGHT F.G.	3 PA 1 SHA
		*Conocarpus erectus		
Co	23	GREEN BUTTONWOOD	12' HT. X 5' SPR. 2" DBH.	SHAD
$\underline{\bigcirc}$		*Conocarpus erectus 'sericeus'	F.G., 6' CLEAR TRUNK 12' HT. X 5' SPR. 2" DBH.	
{+}cs	129	SILVER BUTTONWOOD	F.G., 6' CLEAR TRUNK	SHAD
		Ligustrum japonicum	8' HT. X 10' SPR., MULTI TRUNK	
$\bigotimes_{IJ}$	10	JAPANESE PRIVET	F.G.	ACCE
17.		Phoenix sylvestris	10' C.T.	3 PA
₩PS	5	SILVER DATE PALM	F.G.	1 SHA
	$\sim$	*Quercus virginiana	12' HT. X 5' SPR. 2" DBH.	
	47	LIVE OAK	F.G., 6' CLEAR TRUNK	SHAD
D/2		*Rovstonea elata	20-22' O.A. HT., 6' GREYWOOD	3 PA
<i>≭</i> K <sub>RE</sub>	27	ROYAL PALM	F.G., MATCHED HTS.	1 SHA
$\bigcirc$	50	*Sabal palmetto	16-20' O.A. HT. STAGGERED	3 PA
ŮSP	50	SABAL PALM	F.G.	1 SHA
$\sqrt{1}$	EA	Tabebuia heterophylla	12' HT. X 5' SPR. 2" DBH.	1
TH <sup>۲</sup>	{ 54 }	PINK TRUMPET TREE	F.G., 6' CLEAR TRUNK	SHAD
ž	147	Veitchia montgomeryana 'single'	18' O.A. HT. MIN.	3 PA
W VM	147	SINGLE MONTGOMERY PALM	F.G.	1 SHA
/	8	Veitchia montgomeryana 'double'	20' O.A. HT. MIN., DOUBLE	3 PA
`~~VM2	Ŭ	DOUBLE MONTGOMERY PALM	F.G., STAGGERED.	1 SHA
		SHRUBS AND GROUNDCO	/ERS	
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	ĺ
	4.5	Aechmea blanchettiana	36" HT. X 24" SPR.	
AB	15	BRIGHT YELLOW BROMELIAD	10" POT	ĺ
		*Conocarpus erectus	36" HT. X 24" SPR / 24" O.C.	
CÉ	2852	GREEN BUTTONWOOD	7 GAL.	ĺ
CG	57	*Clusia guttifera	24" HT. X 24" SPR. / 24" O.C.	ĺ
69	57	SMALL LEAF CLUSIA	3 GAL.	
FM	560	Ficus microcarpa 'Green Island'	15" HT. X 15" SPR. / 15" O.C.	
1 101	500	GREEN ISLAND FICUS	3 GAL.	
JV	44	Jasmine volubile	24" HT. X 24" SPR. / 24" O.C.	
	44	WAX JASMINE	3 GAL.	1
s√1∖	1391	Schefflera arboricola	36" HT. X 24" SPR. / 24" O.C.	
		GREEN SCHEFFLERA	3 GAL.	l
TF	54	*Tripsacum floridana	24" HT. X 24" SPR. / 24" O.C.	
		DWARF FAKAHATCHEE GRASS	3 GAL.	ĺ
LAWN	As	Stenotaphrum secundatum 'Floratam'	SOLID EVEN SOD	
	Required	ST. AUGUSTINE GRASS		}
BAHIA	As	Paspalum notatum	SOLID EVEN SOD	5
5, 11/4	Required	ARGENTINE BAHIA GRASS		

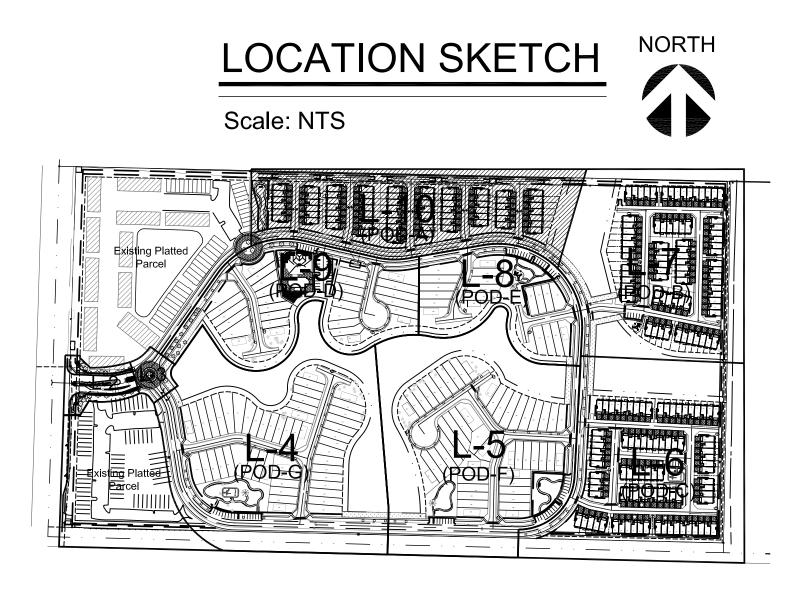


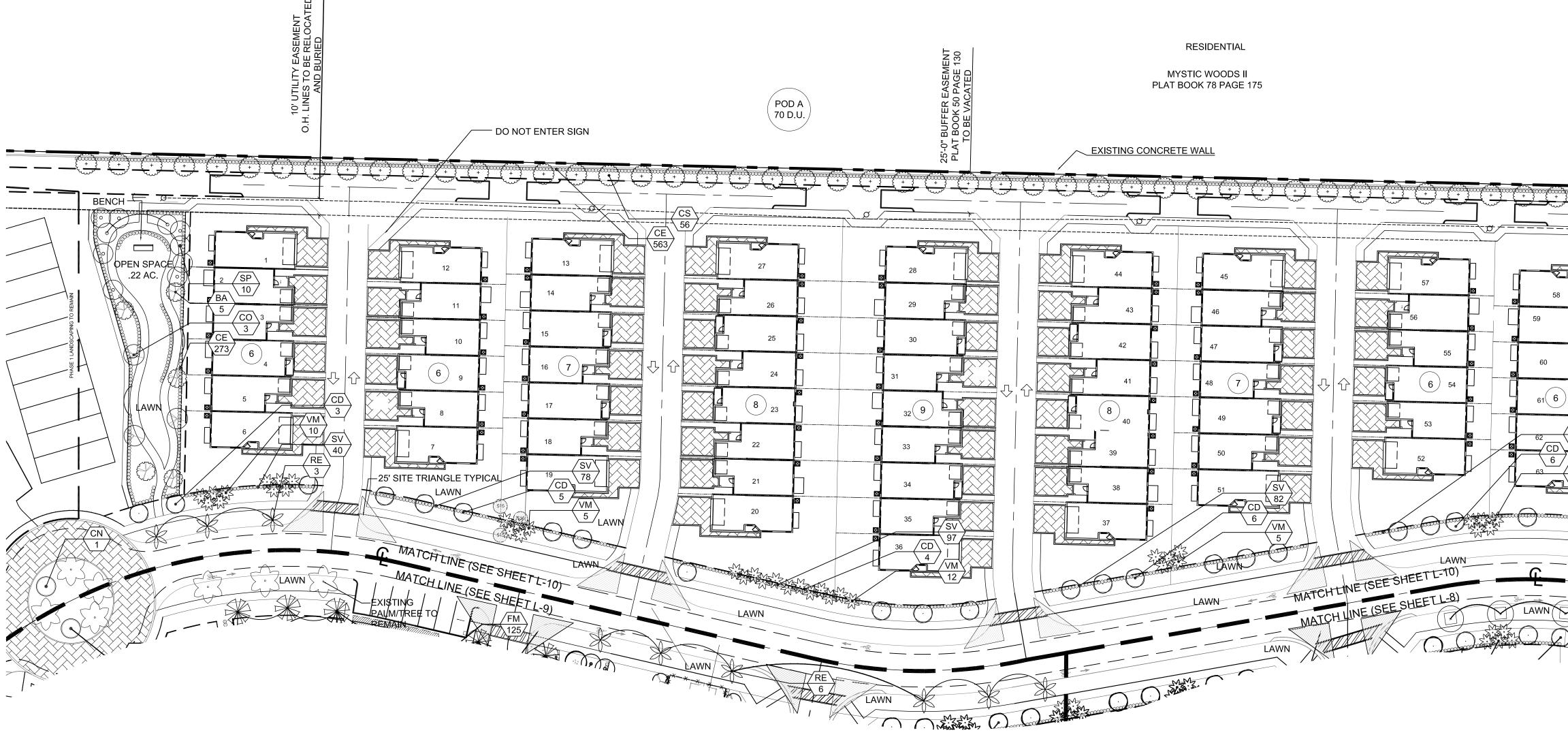


NORTH

Scale: 1"=40'-0"









Scale: 1"=40'-0"

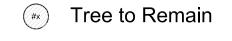
<u>/2</u>	$\langle \cdots \rangle$
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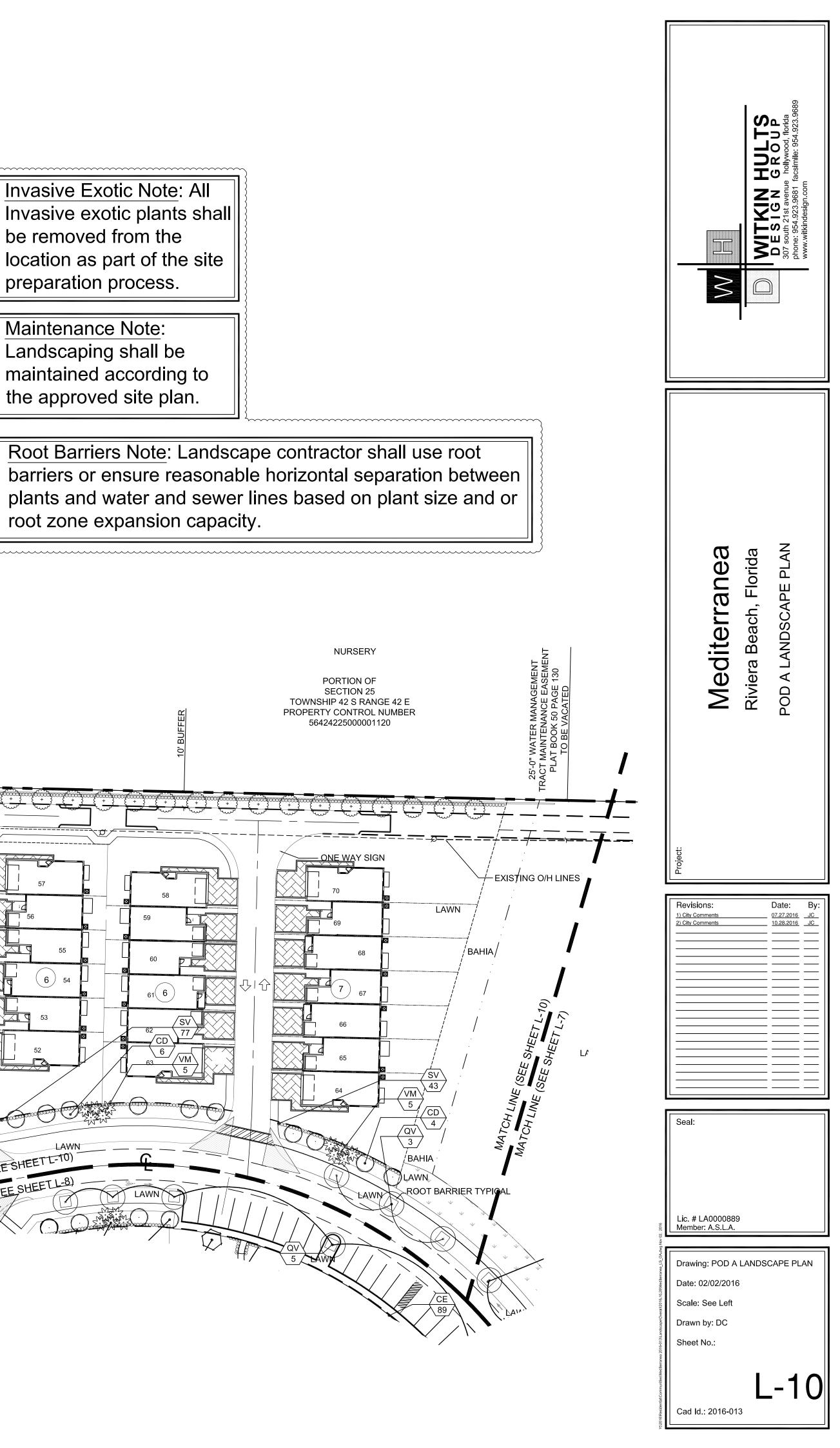
OVERALL LANDSCAPE LIST

~~~~		OVERALL LANDSCAPE L	IST	
		TREES		
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	IDENTIFICATIC
$\langle \rangle$	35	Bulnesia arborea	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
<u>V.~ PA</u>		VERAWOOD	F.G., 6' CLEAR TRUNK	
$\sim$	99	Calophyllum brasiliense	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
<u> CB</u>	33	BRAZILIAN BEAUTYLEAF	F.G., 6' CLEAR TRUNK	
$\cap$	102	*Coccoloba diversiflora	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
		PIGEON PLUM	F.G., 6' CLEAR TRUNK	
	30	*Clusia rosea	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
	30	PITCH APPLE	F.G., 6' CLEAR TRUNK	
$\bigcirc$	2	Cocos nucifera 'Maypan'	8' GW. HEIGHT	3 PALMS TO 1 SHADE TREE
ŬСN	2	GREEN MAYPAN COCONUT PALM	F.G.	
$\bigcirc$	23	*Conocarpus erectus	12' HT. X 5' SPR. 2" DBH.	
⊘co	23	GREEN BUTTONWOOD	F.G., 6' CLEAR TRUNK	SHADE TREE
دسم	120	*Conocarpus erectus 'sericeus'	12' HT. X 5' SPR. 2" DBH.	SHADE TREE
CS <sup>ر</sup> ئى	129	SILVER BUTTONWOOD	F.G., 6' CLEAR TRUNK	
0	10	Ligustrum japonicum	8' HT. X 10' SPR., MULTI TRUNK	
$\mathcal{O}_{LJ}$	10	JAPANESE PRIVET	F.G.	ACCENT TRE
	_	Phoenix sylvestris	10' C.T.	3 PALMS TC
₩₽₽S	5	SILVER DATE PALM	F.G.	1 SHADE TRE
$\overline{7}$		*Quercus virginiana	12' HT. X 5' SPR. 2" DBH.	
	{ 47 }	LIVE OAK	F.G., 6' CLEAR TRUNK	SHADE TREE
A	07	*Roystonea elata	20-22' O.A. HT., 6' GREYWOOD	3 PALMS TO
<i>∛</i> ∱RE	27	ROYAL PALM	F.G., MATCHED HTS.	1 SHADE TRE
Ó	0	*Sabal palmetto	16-20' O.A. HT. STAGGERED	3 PALMS TO
Ůs₽	50	SABAL PALM	F.G.	1 SHADE TRE
<u>~~</u> 1\		Tabebuia heterophylla	12' HT. X 5' SPR. 2" DBH.	
TH	{ 54 }	PINK TRUMPET TREE	F.G., 6' CLEAR TRUNK	SHADE TREE
M	447	Veitchia montgomeryana 'single'	18' O.A. HT. MIN.	3 PALMS TO
vM کن	147	SINGLE MONTGOMERY PALM	F.G.	1 SHADE TRE
بسبر		Veitchia montgomeryana 'double'	20' O.A. HT. MIN., DOUBLE	3 PALMS TO
`∽ <sup>⊷</sup> ُ√M2	8	DOUBLE MONTGOMERY PALM	F.G., STAGGERED.	1 SHADE TRE
	II	SHRUBS AND GROUNDCO	•	
SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION	
		Aechmea blanchettiana	36" HT. X 24" SPR.	
AB	15	BRIGHT YELLOW BROMELIAD	10" POT	
		*Conocarpus erectus	36" HT. X 24" SPR./ 24" O.C.	
CÉ	(2852 }	GREEN BUTTONWOOD	7 GAL.	
		*Clusia guttifera	24" HT. X 24" SPR. / 24" O.C.	
CG	57	SMALL LEAF CLUSIA	3 GAL.	
		Ficus microcarpa 'Green Island'	15" HT. X 15" SPR. / 15" O.C.	
FM	560	GREEN ISLAND FICUS	3 GAL.	
		Jasmine volubile	24" HT. X 24" SPR. / 24" O.C.	
JV	44	WAX JASMINE	3 GAL.	
/1	~~~ <u></u>	Schefflera arboricola	36" HT. X 24" SPR. / 24" O.C.	
S∀	(≀1391 }	GREEN SCHEFFLERA	3 GAL.	
		*Tripsacum floridana	24" HT. X 24" SPR. / 24" O.C.	
TF	54	DWARF FAKAHATCHEE GRASS	3 GAL.	1
			5 GAL.	1
LAWN	As Required	Stenotaphrum secundatum 'Floratam' ST. AUGUSTINE GRASS	SOLID EVEN SOD	
				13
BAHIA	As Required	Paspalum notatum ARGENTINE BAHIA GRASS	SOLID EVEN SOD	}

Invasive Exotic Note: All Invasive exotic plants shall be removed from the location as part of the site preparation process. Maintenance Note: Landscaping shall be maintained according to the approved site plan.

root zone expansion capacity.









UNIT D

UNIT A

UNIT C

## **TYPICAL 9-UNIT BUILDING FRONT ELEVATION**

## **TYPICAL 5-UNIT BUILDING FRONT ELEVATION**



EDGARDO PEREZ , AIA LICENSE No. : AR 0015394 MARIO P. PASCUAL , AIA LICENSE No. : AR 0008254 PETER KILIDDJIAN, RA LICENSE No. : AR 0093067

AT THE BEACON CENTER 1300 NW 84th AVENUE DORAL, FLORIDA 33126 TELEPHONE : (305) 592-1363 FACSIMILE : (305) 592-6865 http://www.ppkarch.com

**REVISIONS:** 

FLORIDA  $\triangleleft$ ANE BEACH, F ВΥ FLOOR FRIVIERA Ч [] CITY

UNIT B

UNIT D

OWNER:

SEAL:

### COLOR ELEVATIONS

### 22' TOWNHOMES

2016-02-24
AS SHOWN
VS
16-06



SHEET NO. :





## UNIT A



FRONT ELEVATION A



FRONT ELEVATION - ELEVATION A

FRONT ELEVATION - ELEVATION B



FRONT ELEVATION - ELEVATION B

## UNIT C



FRONT ELEVATION - ELEVATION A



FRONT ELEVATION - ELEVATION B



EDGARDO PEREZ , AIA LICENSE No. : AR 0015394 MARIO P. PASCUAL , AIA LICENSE No. : AR 0008254 PETER KILIDDJIAN, RA LICENSE No. : AR 0093067

AT THE BEACON CENTER 1300 NW 84th AVENUE DORAL, FLORIDA 33126 TELEPHONE : (305) 592-1363 FACSIMILE : (305) 592-6865 http://www.ppkarch.com

H FLOOR INVESTMENTS OF RIVIERA BEACH, FLORIDA  $\triangleleft$ ANE ВΥ 

OWNER:

SEAL:

COLOR ELEVATIONS

SFH \_\_\_\_\_

DATE : 2016-02-24 SCALE : AS SHOWN DRAWN : VS JOB NO. : 16-06

CE-2 SHEET NO. :





## UNIT D

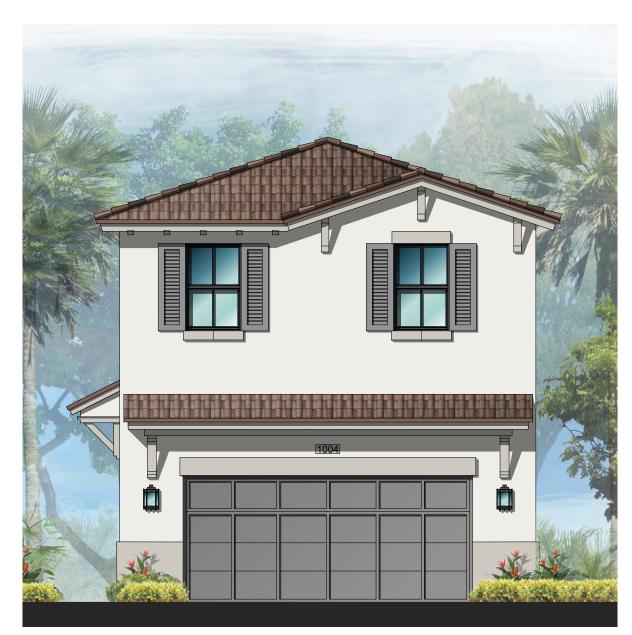


FRONT ELEVATION - ELEVATION A



FRONT ELEVATION - ELEVATION A

FRONT ELEVATION - ELEVATION B



FRONT ELEVATION - ELEVATION B

## UNIT F



FRONT ELEVATION - ELEVATION A



FRONT ELEVATION - ELEVATION B



EDGARDO PEREZ , AIA LICENSE No. : AR 0015394 MARIO P. PASCUAL , AIA LICENSE No. : AR 0008254 PETER KILIDDJIAN, RA LICENSE No. : AR 0093067

AT THE BEACON CENTER 1300 NW 84th AVENUE DORAL, FLORIDA 33126 TELEPHONE : (305) 592-1363 FACSIMILE : (305) 592-6865 http://www.ppkarch.com

**REVISIONS:** 

INVESTMENTS BEACH, FLORIDA  $\triangleleft$ ANE ВΥ FLOOR F RIVIERA ÓF  $\square$ 

OWNER:

SEAL:

COLOR ELEVATIONS

SFH \_\_\_\_\_

DATE : 2016-02-24 AS SHOWN SCALE : DRAWN : VS JOB NO. : 16-06

CE-3 SHEET NO. :



### STAFF REPORT – CITY OF RIVIERA BEACH CASE NUMBERS SP-16-10 PLANNING AND ZONING BOARD, DECEMBER 8, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM MEDITERRANEA PALM PROPERTY SUBSIDIARY, LLC, FOR 236 TOWNHOME UNITS AND 152 SINGLE FAMILY UNITS IN THE MEDITERRANEA PLANNED UNIT DEVELOPMENT, LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE, AT 4046 WOODS EDGE CIRCLE; PROVIDING SPECIFIC CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

- A. Applicant: Mediterranea Palm Property Subsidiary, LLC
- **B. Request:** The applicant is requesting site plan approval to build 236 townhome units and 152 single family units that will incorporate 3 and 4 bedroom units in the existing Mediterranea planned unit development.
- **C.** Location: The proposed location is on the east side of Military Trail, south of Leo Lane.
- D. Property Description and Uses: The subject property description and uses are as follows:

Parcel Control Number:	56-42-42-25-03-000-0010.
Parcel Size:	<u>+</u> 69.25 acres.
Existing Use:	98 existing units to remain.
Zoning:	Residential Planned Unit Development (R-PUD).
Future Land Use:	Medium Density Multiple Family Residential, up to 15 dwelling units per acre.

### E. Adjacent Property Description and Uses:

<u>North:</u> Palm Beach Golf Center; General Commercial (CG) Zoning and Commercial Future Land Use.

Residential Developments and Vacant Lot; Low Density Multiple Family (RML-12) Zoning and Medium Density Multiple Family Future Land Use.

- South: Residential Development Palm Lake Co-Op; County Unincorporated.
- East: Interstate Highway I-95.
- <u>West:</u> Woodbine Commons Commercial Center; General Commercial (CG) Zoning and Commercial Future Land Use.

Woodbine; Residential Planned Unit Development (R-PUD) Zoning and Medium Density Multiple Family Future Land Use.

### F. Background:

The Mediterranea R-PUD was originally approved by Resolution #162-05 on September 21, 2005 for 210 Townhomes as phase I and Resolution #129-06 on September 6, 2006 for Phase II for 758 fee simple townhome units for a total of 968 townhome units. Only 98 unites were built. Later on January 2, 2013 Resolution #05-13 approved the change of type of units from fee simple townhomes to low-rise luxury apartments, but no development was done. As of today, all development order approvals and extensions are expired.

### G. Staff Analysis:

**Proposed Development/Use:** The applicant is proposing to develop 236 townhome units and 152 single family units both types would incorporated 3 and 4 bedroom units. Including the existing 98 units on the northwest area of the site, the development will have 486 total units (density of approximately 7 units per acre).

**Zoning Regulations:** The proposed use requires an amendment to the City's Land Development Regulations, specifically for the Residential Planned Unit Development (R-PUD) Zoning District.

**Comprehensive Plan:** The proposed use is consistent with the Comprehensive Plan's Medium Density Multiple Family Residential Future Land Use designation.

**Compatibility:** The proposed project will be compatible with the surrounding parcels and uses after minor approval of text amendment of the Land Development Regulations, specifically to the R-PUD zoning district.

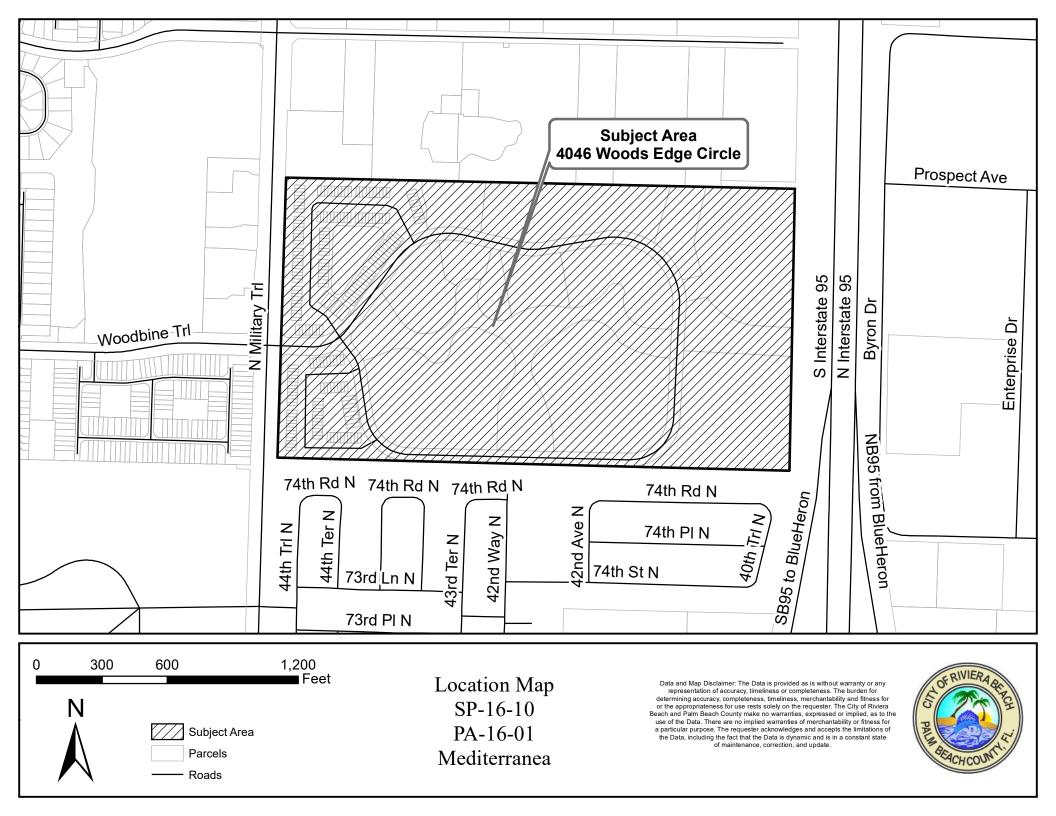
**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

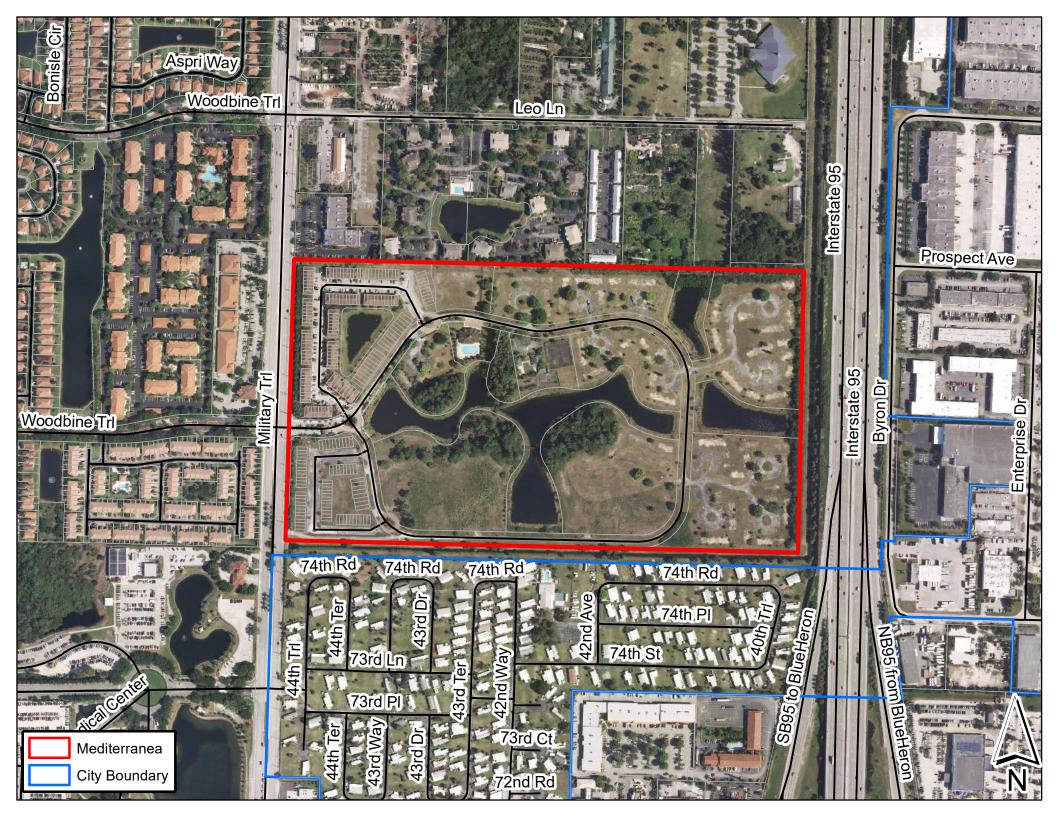
**Landscaping:** The proposed landscape plan is compatible with the City's Land Development Regulations.

**Parking/Traffic:** Adequate parking has been provided in accordance with the City of Riviera Beach Land Development regulations and the developer is working with Palm Beach County for the potential need for traffic signal for the development and providing a North bound exclusive right-turn lane at the project main access driveway on Military Trail.

- **H. Recommendation:** Staff recommends approval of the site plan application from Mediterranea Palm Property Subsidiary, LLC, for 236 townhome units and 152 single family units in the Mediterranea planned unit development, located on the east side of Military Trail, south of Leo Lane, at 4046 Woods Edge Circle, with the following conditions:
  - 1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before the certificate of occupancy is issued.
  - 2. Construction must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.

- 3. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.
- 4. This development must receive final Certificate of Occupancy from the City for all buildings and units approved within five years of the approval of this resolution (by September 21, 2021) or the resolution shall be considered null and void, requiring the applicant to resubmit site plan fees and application for site plan approval and re-initiate the site plan approval process.
- 5. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.
- 6. City council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.
- 7. The developer must provide a North bound exclusive right-turn lane at the project main access driveway on Military Trail prior to the first Certificate of Occupancy being issued for the project.
- 8. All units must be owner-occupied for the first year the unit is being occupied.
- 9. The Property Owner shall fund the cost of signal installation at the project main access driveway when and if warranted, as determined by the County Engineer. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition. Building Permits for dwelling units shall not be issued until the developer provides acceptable surety to the County Traffic Division in an amount to be determined by the Director of the Palm Beach County Traffic Division. In order to request release of the surety for the traffic signal, the Property Owner shall provide written notice to the Traffic Division stating that the final Certificate of Occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal (if warranted) or release the monies. In the event the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner.





Page 1	Page 3
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CITY OF RIVIERA BEACH PLANNING AND ZONING BOARD	1 CHAIR JAMES: Here.
	2 MR. VELASQUEZ: Quorum is present.
	3 CHAIR JAMES: Are there any deletions, any
	4 additions and deletions to the agenda?
	5 MR. GAGNON: Good evening. Jeff Gagnon,
	6 Assistant Director of Community Development.
Thursday, December 8, 2016	7 I do have a few additions and deletions. I
Course it Chausharr	8 also wanted to inform the Board that we received two
Council Chambers 600 West Blue Heron Boulevard	9 items that would fall under correspondence, but I just
Riviera Beach, Florida	10 wanted to mention that now.
6:36 p.m 9:25 p.m.	11 (Whereupon, Mr. Whigham took his seat on the
0.50 p.m. 9.25 p.m.	12 dais.)
	13MR. GAGNON: For additions and deletions,
	agenda item B1, B2, B3 and B4, that was advertised and
	15 acted on by staff as if it was going to be an action
IN ATTENDANCE:	16 item on tonight's agenda, however, at this point in
IN ATTENDANCE.	17 time we'd like to move that as just a workshop item.
Rena James, Chair	18So there will be public discussion on the items
Tradrick McCoy, Vice Chair Edward Kunuty, Board Member	19 themselves, however, City staff is not asking for any
Margaret Shepherd, Board Member	20 formal action from the Planning and Zoning Board at
Julius Whigham, Sr., Board Member Lina F. Busby, Assistant City Attorney	21 this time.
Jeff Gagnon, Assistant Director of	22 Additionally, we'd like to shift those items,
Community Development	B1, 2, 3 and 4, in front of A1, A2 and A3 so we could
Mario Velasquez, Senior Planner Allison Goldberg, Senior Planner	<sup>24</sup> do those items first on the agenda.
	25 Additionally, you've been provided a hard
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1 (Pages 1 to 4)

	Page 5		Page 7
1	Move on to the next item, disclosure by Board	1	rezoning, the left side of the screen once again shows
2	Members. Are there any disclosures by Board Members?	2	the zoning designation, which is utilities, however,
3	None.	3	the proposed zoning amendment would change that to
4	It was just adopted, just adopted the agenda,	4	limited industrial zoning.
5	so we're going to move on to approval of minutes from	5	And before I move from this screen, please
6	the October 27th meeting. Is there a motion?	6	make note of the fact that this property does border
7	VICE CHAIR McCOY: So moved.	7	the City of West Palm Beach. Historically, the City of
8	MR. KUNUTY: Second.	8	Riviera Beach has worked closely with West Palm Beach
9	CHAIR JAMES: Properly moved and seconded.	9	staff, as well as the Port of Palm Beach, to make sure
10	Roll call.	10	that any future uses on this parcel would be agreeable
11	MR. VELASQUEZ: Julius Whigham.	11	to all parties.
12	MR. WHIGHAM: Yes.	12	So it's currently shown on the screen and has
13	MR. VELASQUEZ: Margaret Shepherd.	13	also been provided in the hard copy packet printouts.
14	MS. SHEPHERD: Yes.	14	On the left side is an aerial view of the project
15	MR. VELASQUEZ: Edward Kunuty.	15	location and an overall location map.
16	MR. KUNUTY: Yes.	16	Not so easy to see on the screen, however,
17	MR. VELASQUEZ: Tradrick McCoy.	17	the 11 by 17 handouts might be better to reference.
18	VICE CHAIR McCOY: Yes.	18	But this is the existing site conditions.
19	MR. VELASQUEZ: Rena James.	19	Historically, the Port had used this parcel of land
20	CHAIR JAMES: Yes.	20	during the Energy Center construction projects. And
21	MR. VELASQUEZ: Unanimous voting. Motion	21	there's a tri-party agreement entered into between the
22	approved.	22	City of Riviera Beach, West Palm Beach and the Port of
23	CHAIR JAMES: Being there is no unfinished	23	Palm Beach as far as particular conditions associated
24	business, we're going to go to item B1.	24	with the use of the property. Many of those conditions
25	MR. GAGNON: And also, if I may, just for the	25	have been rolled into conditions of approval associated
	Page 6		Page 8
1	record, Mr. Barber did contact me and said he would not	1	
		1	with the proposed site plan as well, which I'll go over
2	to able to attend tonight's meeting.	2	with the proposed site plan as well, which I'll go over in a few minutes.
2 3	to able to attend tonight's meeting. Item B1 is an ordinance of the City Council	1	
	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County,	2	in a few minutes.
3	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map	2 3	in a few minutes. Just for discussion purposes, this is also
3 4 5 6	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105	2 3 4 5 6	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site.
3 4 5 6 7	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of	2 3 4 5 6 7	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse
3 4 5 6 7 8	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an	2 3 4 5 6 7 8	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the
3 4 5 6 7 8 9	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate	2 3 4 5 6 7 8 9	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the south side of the parcel as well, which creates an
3 4 5 6 7 8 9 10	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo,	2 3 4 5 6 7 8 9 10	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the south side of the parcel as well, which creates an additional buffer area in between the residential uses
3 4 5 6 7 8 9 10 11	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date.	2 3 4 5 6 7 8 9 10 11	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the south side of the parcel as well, which creates an additional buffer area in between the residential uses in West Palm Beach and the uses proposed on this
3 4 5 6 7 8 9 10 11 12	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated	2 3 4 5 6 7 8 9 10 11 12	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the south side of the parcel as well, which creates an additional buffer area in between the residential uses in West Palm Beach and the uses proposed on this property.
3 4 5 6 7 8 9 10 11 12 13	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a	2 3 4 5 6 7 8 9 10 11 12 13	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> </ul>
3 4 5 6 7 8 9 10 11 12 13 14	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a workshop tonight, so no formal action will be taken.	2 3 4 5 6 7 8 9 10 11 12 13 14	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> <li>drive aisle be identified on the site plan. Again,</li> </ul>
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a workshop tonight, so no formal action will be taken. However, public comments are welcome. So if it pleases the Board, I'd like to discuss really all four items simultaneously. B1 is a future land use amendment; B2 is a zoning amendment; B3 is a site plan approval; and B4 is a plat approval.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> <li>drive aisle be identified on the site plan. Again,</li> <li>that's on the south portion of the property, which</li> <li>would, again, have an additional separation from the</li> <li>property line, so as a cargo is stored on the property,</li> <li>it won't, potentially won't be visible from the</li> <li>adjacent residential properties to the south.</li> </ul>
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2 (Pages 5 to 8)

### 12/8/2016

	Page 9		Page 11
1	property. And as we move forward with the discussion	1	that have been asked by West Palm would improve the
2	for West Palm, we can look at the landscape package	2	future use of the property and clarify some items that
3	further to make sure that it's agreeable to the	3	may not have been clear in the draft proposal. So I
4	residents to the south as well.	4	think overall for the project, it's a benefit. The
5	So I'm going to refer to the staff report,	5	response that we've received so far from the Port of
6	which is provided in your packet as well, in one	6	Palm Beach has been positive, so I think that it's
7	moment, but I wanted to mention the fact that again, we	7	something that will really improve the situation
8	anticipate having another tri-party meeting between the	8	overall.
9	City of Riviera Beach, City of West Palm and the Port	9	CHAIR JAMES: Any other questions, Mr. McCoy?
10	of Palm Beach to work out any sort of final tweaks to	10	VICE CHAIR McCOY: Yes, just a follow-up. I
11	the conditions of approval associated with the site	11	just was curious because I didn't know if this came up.
12	plan. I think we're at probably 97 percent right now,	12	Is this the reason that the item was pulled today, the
13	so just a few minor things we need to work on.	13	letter that was received from the City of West Palm
14	So within your hard copy document, if you	14	Beach?
15	reference the staff report for SP-16-13, that's the	15	MR. GAGNON: City staff received comments
16	site plan for 105 Broadway. And in the recommendation	16	from both West Palm Beach and the Port of Palm Beach,
17	section go full screen. In the recommendation	17	so being that both the applicant had a few minor things
18	section you can see that staff is currently	18	they wanted to work out on their end, as well as
19	recommending approval of the site plan, in addition to	19	receiving comments from West Palm Beach, it seemed most
20	the future land use amendment, rezoning and plat.	20	prudent just to workshop the item and have public
21	However, there are multiple conditions that	21	discussion. But there really isn't a time sensitive
22	would apply to the use of the property in the future.	22	nature for the project, so I think it was best just to
23	Some are more boilerplate style conditions that would	23	make sure that, you know, all parties are working
24	be associated with any sort of site plan approval in	24	together and are comfortable with the document moving
25	the City. Others are more fine tuned for the specific	25	forward.
	Page 10		Page 12
1	uses proposed by the Port, and also in consideration of	1	VICE CHAIR McCOY: Okay, nothing further,
2	the residential uses in West Palm Beach.	2	Madam Chair.
3	So I don't think I'm going to read through	3	CHAIR JAMES: Okay.
4	each specific condition, however, I do want to note	4	MR. KUNUTY: Madam Chair.
5	that they're available within the staff report. And as	5	CHAIR JAMES: You're recognized, Mr. Kunuty.
6	part of our tri-party meeting, we'll work through the	6	MR. KUNUTY: Just a quick glance through the
7	conditions and make sure that all parties are	7	West Palm letter, it seems like a lot of those items in
8 9	agreeable, and when we vet that out further, we'll provide the Planning and Zoning Board's final	8	there are already addressed in your document. So am I
10	conditions of approval in association with the site	10	on the right track with that? MR. GAGNON: Yes. So what they did is they
11	plan. Also, within the correspondence from West Palm	11	provided a comment letter in strike-through and
12	Beach, there were some suggested changes to conditions,	12	underline format. So if you reference the second page
13	so we'll consider those as well as we move forward.	13	on the back side of the printout, specifically
14	VICE CHAIR McCOY: Madam Chair.	14	condition number five and number six and also number
15	CHAIR JAMES: Yes.	15	seven, I believe, there was an additional condition
16	VICE CHAIR McCOY: Mr. Gagnon, can you speak	16	proposed, number six, which would further clarify some
17	to that, because I was just curious. I didn't really	17	of the height restrictions and storage locations on the
18	have time to thoroughly	18	property. Additionally, within number five there's, I
19	MR. GAGNON: Sure.	19	guess, clarification on specific storage containers.
20	VICE CHAIR McCOY: go into the letter, but	20	So the proposed amendments are underlined in the
21	have you had a chance to gather an opinion on the	21	document and deletions are stricken through.
22	letter that came from the City of West Palm just today?	22	MR. KUNUTY: I'm wondering the height of a
23	MR. GAGNON: Yes, I think that it is a	23	container.
24	benefit to the process that we received the	24	MR. GAGNON: Yes, it's just under nine feet.
25	correspondence. I think that the specific conditions	25	MR. KUNUTY: So in effect, with the 25 feet,
1		1	,

3 (Pages 9 to 12)

### City of Riviera Beach Board Meeting

	Page 13		Page 15
1	you could stack three containers.	1	MR. WARD: Good evening. Gerald Ward, 2135
2	MR. GAGNON: It would only two.	2	Broadway.
3	MR. KUNUTY: Okay.	3	I have a three page letter with attachments,
4	MR. GAGNON: Only two based on the height,	4	one attachment which deals in the application in
5	and there was	5	principle. I was coming here tonight to say that they
6	MR. KUNUTY: And with the 20 that they're	6	clearly have a deficient, false application, and I've
7	recommending, still stack two?	7	given you a couple of pages of the problems.
8	MR. GAGNON: Twenty would still stack two; 25	8	The Port, in the minutes of a meeting which
9	would not stack two.	9	was held the 29th on their Comprehensive Plan update,
10	MR. KUNUTY: Okay.	10	which I'll talk about later on in another item, clearly
11	MR. GAGNON: That was actually	11	said that they don't think they really own it. And I
12	MR. KUNUTY: Okay.	12	have objected in that manner for many, many years when
13	MR. GAGNON: The 20 foot reference was taken	13	they went to the DOT and got the DOT to quitclaim, with
14	from the tri-party agreement previously, so it's	14	substantial conditions.
15	something that I think we can revisit during our	15	So it really is not ownership of the
16	intergovernmental meeting to see if 20 feet is better	16	property, because this is a 180 foot wide by a quarter
17	than 25 feet if it doesn't result in additional	17	mile long link condemned by the Florida Department of
18	stacking. Additionally, there's specific reference	18	Transportation for the purposes of reconnecting State
19	within number five that shipping containers can only be	19	Road 710 to U.S. Highway 1, State Road 5. And I've
20	stacked one on top of another, so two in total height.	20	laid that out in the letter or the memo so that you
21	So we wanted to make sure that we addressed that and	21	have some background.
22	that West Palm was comfortable with this moving	22	I think it is absolute that none of these
23	forward.	23	approvals can be granted without being conditioned that
24	MR. KUNUTY: Okay, so 20 or 25 feet really	24	the reconnection is an agreement with the City of
25	isn't a restriction then it appears.	25	Riviera Beach. We had a four-lane highway that was
	Dev. 14	i	
	Page 14		Page 16
1	MR. GAGNON: It wouldn't relate to typical	1	Page 16 the only section of State Road 710 that was four
1 2		1 2	
	MR. GAGNON: It wouldn't relate to typical		the only section of State Road 710 that was four
2	MR. GAGNON: It wouldn't relate to typical storage shipping containers. The 25 feet high	2	the only section of State Road 710 that was four laned built from U.S. 1 out to the, what was then
2 3	MR. GAGNON: It wouldn't relate to typical storage shipping containers. The 25 feet high restrictions may allow additional equipment to be	2 3	the only section of State Road 710 that was four laned built from U.S. 1 out to the, what was then Old Dixie, now President Barack Obama Highway, and we required them, when they wanted to close that for use of the public, to replace it.
2 3 4	MR. GAGNON: It wouldn't relate to typical storage shipping containers. The 25 feet high restrictions may allow additional equipment to be stored on site. If there was, for example, a large crane or a large piece of machinery that may be over that 20 foot height limitation, then there will be some	2 3 4	the only section of State Road 710 that was four laned built from U.S. 1 out to the, what was then Old Dixie, now President Barack Obama Highway, and we required them, when they wanted to close that for use of the public, to replace it. I would suggest you take a look, the
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4 (Pages 13 to 16)

	Page 17		Page 19
1	Skypass. In reality, using the per day trips is not	1	additional service, because they selected our surveyor
2	exactly right because what I suspect is going to happen	2	and mapper, who cannot review his own work.
3	is it may be used as parking for the ferry to Freeport.	3	I would say that I basically have covered
4	CHAIR JAMES: Mr. Ward, I have a question.	4	most of the issues, and your deliberations need to give
5	Because you have comment cards on the other B items as	5	recommendations so that staff can get them to get the
6	well, and we're over the three minutes for the B1, do	6	documents consistent and get a new application in
7	you just want to	7	that's not falsified. They didn't even bother to put
8	MR. WARD: Well, I think that the CDEC	8	the name of who was executing it. So that shows you
9	decided he wanted to try and coalesce everything	9	how government to government, sometimes things just do
10	together, and so I just get up one time and talk about	10	not get done properly.
11	it, or I can break it up, if you want to, in the three	11	CHAIR JAMES: Thank you, Mr. Ward.
12	items.	12	We'll have the record reflect that Mr. Ward's
13	CHAIR JAMES: No, we can do it that way.	13	comment was also for the cards he submitted for item B3
14	We're just going to restart the clock now for item B2.	14	and B4.
15	MR. WARD: Okay. I actually will be much	15	Now we're going to move on to Board comments.
16	shorter on the next nine minutes, because I do think	16	Start with Mr. Whigham.
17	you have in writing the letter, and I've talked about	17	MR. WHIGHAM: No comment.
18	the State Road 710 reconnection and conditioning any	18	CHAIR JAMES: Mr. Kunuty.
19	approvals with the fact that they must proceed towards	19	MR. KUNUTY: Mr. Gagnon.
20	accomplishing that agreement.	20	MR. GAGNON: Yes, sir.
21	The City of West Palm Beach letter did hit on	21	MR. KUNUTY: Do you have any comment on the
22	several items that I have. And you have looked at it	22	public comments?
23	from a responsible attitude that we need consistency.	23	MR. GAGNON: Yes. They're voluminous, but I
24	The problem is that the submission of the Port has	24	wanted to say a few different things. First of all, I
25	numbers like 20 feet for the height of the container	25	wanted to make mention of the fact that Port staff is
	Page 18		Page 20
1	stacking, whereas the conditions of the City would be	1	here with us tonight, in addition to staff from West
2	25 feet. Don't have a problem with that. But in the	2	Palm Beach, so I thank both of them for coming out and
3	end, since you have some time, you should require them	3	hearing this item.
4	to make the documents consistent throughout. I think	4	In response to some of the comments from
5	that's sort of what the City was attempting to try to	5	Mr. Ward, historically this property was proposed to
6	do.	6	function as a roadway connection in between U.S. 1,
7	The limited industrial was obviously a	7	which this may not be the best image, but U.S. 1 to the
8	specification of the City. This is a divorced parcel	8	east and what's now President Barack Obama Highway to
9	from the Port of Palm Beach. It is not coincident with	9	the west. So the thought process was they'd be able to
10	any of the Port properties. So I tend to support the	10	
	any of the fort properties. So f tend to support the	1 10	have a roadway connection for freight deliveries and
11	staff's pushing limited industrial. Remember though	11	have a roadway connection for freight deliveries and other items, just for general pedestrian traffic as
	staff's pushing limited industrial. Remember though that the general port, we changed it to general		
11	staff's pushing limited industrial. Remember though that the general port, we changed it to general industrial, and so we don't want to have confusion	11	other items, just for general pedestrian traffic as well. Unfortunately, to the west side of the
11 12	staff's pushing limited industrial. Remember though that the general port, we changed it to general	11 12 13 14	other items, just for general pedestrian traffic as well. Unfortunately, to the west side of the property is FEC property, and FEC was not willing to
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	Page 21		Page 23
1	traffic, just through traffic continuously just north	1	agreement on a 710 reconnect?
2	of the property. So that also may be a stumbling block	2	MR. GAGNON: No, from everything I've seen,
3	if that proposal were to move forward.	3	the Department of Transportation has removed that from
4	Mr. Ward also commented on trips per day. So	4	any sort of, you know, Master Plan, being that FEC
5	the narrative that the Port had provided basically	5	would not grant that access point. And without
6	describes the use of this property mainly through	6	agreeing to traffic going over that rail, then it
7	internal Port access points. So being that the Port is	7	really eliminated that possibility.
8	a secure facility, it would make sense for them to have	8	MR. KUNUTY: Technically, running a road
9	one secure access point.	9	through that piece of property basically destroys the
10	So the current proposal has access agreements	10	use of it almost in terms of what their current use is
11	which are really not called out here, but access	11	as indicated.
12	agreements that run north and south through the FPL	12	MR. GAGNON: Right. And the Port did acquire
13	parcel to the north. And what that will do is allow	13	the property, so they have title to the property.
14	the Port, who has property just to the north of this	14	There are specific conditions within the warranty deed
15	parcel, to continuously access this through internal	15	as far as how the property can be utilized by the Port.
16	roadway infrastructure.	16	But Department of Transportation did sell the property
17	So we're really not anticipating an increased	17	to the Port, so the Port owns it outright.
18	traffic load through the entrance on U.S. 1. So that's	18	MR. KUNUTY: Okay, no other questions at this
19	not to say that's not possible, being that the ingress	19	time. Thank you.
20	and egress point is already constructed, and it has	20	CHAIR JAMES: Ms. Shepherd.
21	been used historically, but the current proposal is	21	MS. SHEPHERD: Thank you, Madam Chair.
22	really to access this site through the interconnected	22	Mr. Gagnon, I think I've asked you this
23	Port roadways, being that it's a secure facility.	23	question. Were the residents over in that
24	Mr. Ward also mentioned the surveyor,	24	neighborhood, they were notified, and did you get any
25	specifically Mr. Phillips, I believe he's referencing.	25	response from that area?
_	······································	20	
	Page 22		Page 24
1	And although Mr. Phillips has historically performed	1	MR. GAGNON: Yes, ma'am. We initiated the
2	plat review and survey review for the City, he's not	2	measure through the IDADC Cleaninghouse which is an
3	one of the three companies that the City had acquired	-	process through the IPARC Clearinghouse, which is an
	one of the three companies that the City had acquired	3	intergovernmental review committee that is responsible
4	through a recent procurement process. So we'd have one		
4 5		3	intergovernmental review committee that is responsible
	through a recent procurement process. So we'd have one	3 4	intergovernmental review committee that is responsible for coordination of any sort of future land use
5	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be	3 4 5	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a
5 6	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be Mr. Phillips.	3 4 5 6	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a month ago. And what happens is it's sent to each
5 6 7	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be Mr. Phillips. And I think that may not cover all of	3 4 5 6 7	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a month ago. And what happens is it's sent to each municipality that is in Palm Beach County that has the
5 6 7 8	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be Mr. Phillips. And I think that may not cover all of Mr. Ward's comments, but that's my best effort at it at this time. MR. KUNUTY: Let me ask you a question about	3 4 5 6 7 8 9 10	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a month ago. And what happens is it's sent to each municipality that is in Palm Beach County that has the opportunity to comment on the proposal. In addition to that, we provided legal notification of the project. We also provided
5 6 7 8 9 10 11	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be Mr. Phillips. And I think that may not cover all of Mr. Ward's comments, but that's my best effort at it at this time.	3 4 5 6 7 8 9 10 11	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a month ago. And what happens is it's sent to each municipality that is in Palm Beach County that has the opportunity to comment on the proposal. In addition to that, we provided legal notification of the project. We also provided mail-outs for a 300 foot radius. We haven't received
5 6 7 8 9 10 11 12	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be Mr. Phillips. And I think that may not cover all of Mr. Ward's comments, but that's my best effort at it at this time. MR. KUNUTY: Let me ask you a question about the 710 reconnect. MR. GAGNON: Yes, sir.	3 4 5 6 7 8 9 10 11 12	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a month ago. And what happens is it's sent to each municipality that is in Palm Beach County that has the opportunity to comment on the proposal. In addition to that, we provided legal notification of the project. We also provided mail-outs for a 300 foot radius. We haven't received any specific comments from the residents to this point.
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### 12/8/2016

	Page 25		Page 27
1	CHAIR JAMES: I want to interject for a	1	MR. GAGNON: Well, this item will have to go
2	second. Ms. Shepherd, are you talking about the notary	2	to Planning and Zoning for recommendation. It's within
3	part of that	3	the City's CRA, so there would have to be a CRA
4	MS. SHEPHERD: I think that's what it was.	4	Commissioners' meeting and be found consistent with the
5	CHAIR JAMES: or the sale?	5	CRA Plan. And then being that the land use and rezone
6	MS. SHEPHERD: I think it was both. I'm just	6	is in ordinance form, there would be two City Council
7	going through the letter very quickly, and I'm trying	7	meetings. So there'd be at least four public meetings
8	to, I guess, get it all in my mind exactly what	8	discussing these items. So in addition to that, I'm
9	Mr. Ward is talking about. I have no clue. I'll pass,	9	more than happy to sit down with any members of the
10	Madam Chair, until I get my thoughts together.	10	public and receive recommendations, comments, anything
11	CHAIR JAMES: Okay. Vice Chair.	11	like that.
12	VICE CHAIR McCOY: Madam Chair, I was	12	CHAIR JAMES: Okay, two more questions.
13	actually just going to ask a question about the	13	Well, actually, just one. Is this item, even though
14	reverter, but I think it's been explained.	14	it's coming before our Board, will it be I'm just
15	Yes, a couple things. I don't think there's	15	kind of curious discussed at like the Port's next
16	300 there's a residence within 300 feet of that	16	meeting or the City of West Palm Beach's Council
17	location that's actually in Riviera Beach. Perhaps	17	meeting?
18	West Palm Beach, but certainly not in Riviera Beach.	18	MR. GAGNON: I know that
19	That's on the furthermost southern portion of the City.	19	CHAIR JAMES: If you can't speak to it, you
20	MR. GAGNON: Yes, sir.	20	can have a representative from each agency
21	VICE CHAIR McCOY: So I don't know if we	21	MR. GAGNON: Sure, sure.
22	really sent a letter, and I don't really know if it's	22	CHAIR JAMES: come up and speak to that.
23	of any really public interest, because it's contained	23	MR. GAGNON: Absolutely. I'll invite both
24	as it is now within, I mean a confined area.	24	representatives from the Port and from West Palm to
25	I really have nothing. And it seems to be	25	come up if they so choose.
	Page 26		Page 28
1	pretty routine. I just would be interested to see what	1	From my correspondence with Mr. Almira, the
2	comes back from, I guess, the tri-governmental meeting	2	Port's Executive Director, it seems as if the Port was
3	and what recommendations are made. But I would	3	going to have a presentation at their upcoming
4	certainly, I mean in its current form I don't see	4	Commissioners' meeting just to inform their Council and
5	anything material as to why I wouldn't support it.	5	also the public of the project moving forward.
6	So those are my comments, Madam Chair.	6	However, I'll let a Port representative or Mr. Almira
7	CHAIR JAMES: Thank you.	7	address that question at this time.
8	I just have one question. That meeting	8	CHAIR JAMES: Okay.
9	that's going to take place, is that going to be open to	9	VICE CHAIR McCOY: Madam Chair, while he's
10	the public, or is it going to be only the City, the	10	coming, before Mr. Gagnon sits down, there's no legal
11	Port and City of West Palm?	11	requirement that this goes before West Palm Beach.
12	MR. GAGNON: I'm anticipating that being	12	It's not in West Palm Beach. And I think more or less,
13	staff only, just to work through specific conditions.	13	we're being good neighbors. Am I right with that?
	However it would have to come back to the Planning and	14	MR. GAGNON: So technically, being that it is
14	However, it would have to come back to the Planning and		
15	Zoning Board. I'd be more than happy to share the	15	a future land use amendment process, West Palm Beach,
15 16	Zoning Board. I'd be more than happy to share the results of that with any members of the public. And	16	a future land use amendment process, West Palm Beach, if they adamantly oppose the project, would have a
15 16 17	Zoning Board. I'd be more than happy to share the results of that with any members of the public. And again, being that it has to come to the Planning and	16 17	a future land use amendment process, West Palm Beach, if they adamantly oppose the project, would have a method and mechanism to weigh in on that amendment, so
15 16 17 18	Zoning Board. I'd be more than happy to share the results of that with any members of the public. And again, being that it has to come to the Planning and Zoning Board, I'll do a written summary of the meeting	16 17 18	a future land use amendment process, West Palm Beach, if they adamantly oppose the project, would have a method and mechanism to weigh in on that amendment, so I think there is a potential hammer. However, you
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7 (Pages 25 to 28)

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1 controv	versies. I mean we're transferring the property	1	have the exact details, but it does not permit, you
	e Department of Transportation over to well,	2	know, very heavy, loud, noisy industrial operations to
	ady at the Port of Palm Beach, and just	3	be done in this area, stacking containers three high
	ng the use so that storage containers can be held	4	and whatnot. So the Port, in their submittal and
	And I don't know that prior to this, that	5	application had every intent of following that warranty
	ly was impacted so significantly.	6	deed, and that's the language that's in place.
	think it's certainly important that if we	7	Secondarily, there was a three-party
8 have th	e staff from the three agencies there, I would	8	agreement, and most, if not all of the I can't say
9 certain	ly not want to live on that northern portion of	9	all because some of it doesn't apply anymore from
10 the Cit	y of West Palm Beach and I've got, you know,	10	FP&L's perspective of construction, but most of the
	stack three containers, you know, in my back	11	language was brought into this to follow the previous
12 yard w	here I could see right over the wall. But I	12	tri-party agreement.
13 think c	ertainly that is the major concern, that it	13	So the Port's intention is to do exactly
14 doesn't	, you know, greatly impact someone's way of	14	that, be a good steward to all of the neighbors,
15 living i	n West Palm Beach.	15	maintaining the clear distances, maintaining lowered
16 <b>(</b>	CHAIR JAMES: Thank you, Vice Chair.	16	heights, bringing the light levels down. And
17 N	MS. SHEPHERD: Madam Chair	17	consistency is the key. Thank you for bringing up
	CHAIR JAMES: Yes.	18	those comments.
	MS. SHEPHERD: before the Port come up,	19	The City of West Palm Beach are going to be
	ile I greatly respect the Port and I think I have	20	meeting with us soon about the 25 versus 20 foot rule,
	relationship with the Port, I want to make it	21	and we look forward to that staff meeting. As I
	hen you hand out handouts like this and they get	22	stated, this is just not a typical Port area. We're
	he City or wherever it gets out, you must be on	23	not intending to use this in the heavy industrial side
	ard at all time to protect not only the City of	24	of things.
25 Riviera	Beach, but the Port. And you should be able to	25	As far as the Port meeting is concerned, this
	Page 30		Page 32
			rage 52
1 answer	all questions, not think about the questions	1	-
	all questions, not think about the questions you hand out a handout like this.	1 2	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11
2 when y			next Thursday, the 15th, there will be a Port meeting,
2 when y 3 2	you hand out a handout like this.	2	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11
2 when y 3 4 should	You hand out a handout like this. And Mr. Gerald Ward know where we at. It	2 3	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11 items that were brought up regarding the site plan approval to the Board and to discuss the comments of the City of West Palm Beach and others and the results
2 when y 3 should 5 called. 6 the par	You hand out a handout like this. And Mr. Gerald Ward know where we at. It have been put in our packages, or he could have I know where he's at. I could have picked up ticular package. But I want to go on record by	2 3 4 5 6	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11 items that were brought up regarding the site plan approval to the Board and to discuss the comments of the City of West Palm Beach and others and the results of this meeting, to notify their Board just the same as
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	Page 33		Page 35
1	Something else I'd like to mention, that	1	may lead to more questions and more confusion.
2	parcel of land that we're looking at will be primarily	2	So if it pleases the Board, I'd like to also
3	for storage. You're not going to be seeing much	3	make a unified staff presentation for A1, A2 and A3.
4	activity out there. You're going to be seeing maximum	4	We still have a public comment portion for all three,
5	two containers high, one is grounded, or one container	5	and City staff would ask that the Planning and Zoning
6	when it's on top of a chassis.	6	Board make three separate recommendations following
7	You're not going to see a lot of activities,	7	discussion.
8	and if you are on the south side, those neighbors	8	CHAIR JAMES: Is the Board in agreement?
9	looking at their back yard, I doubt if you'd be able to	9	MR. KUNUTY: Yes, I'm okay with that, but
10	see all of those containers because we're making a	10	just one quick question on that. The way I read this,
11	point, (a), you can only work there between the hours	11	we're basically modifying the primary land use, and
12	of 8 a.m. and about 5:30. I believe that's the	12	then we're addressing Mediterranea. So in effect, I'm
13	agreement. Secondly, there's going to be a 30 foot	13	seeing two different things.
14	setback from the wall. As such, you will not be able	14	MR. GAGNON: You're correct in the fact that
15	to see the distance. So we have our neighbors' best	15	there is an amendment to the R-PUD zoning code that's
16	interests at heart, as well as the Port.	16	being proposed, and that would actually have a global
17	Lastly, we do have two permanent easements	17	impact on the City. And I'll be happy to describe that
18	from our Port into that land through the FP&L power	18	in more detail.
19	lines, and yes, sometimes we may need to use that land	19	However, if the Board does not move forward
20	for parking for the cruise activity. Sometimes. Not	20	with that amendment the site plan application and
21	all the time. That particular business is in cycles.	21	the plat application for development are relying upon
22	Right now if you go to the Port, you will see that	22	that text amendment moving forward as well, so if the
23	there is absolutely no parking other than inside of the	23	Board doesn't support the text amendment to modify that
24	Port for those passengers. However, February through	24	R-PUD language, then the site plan and plat would not
25	September, that's when the peak period begins, and you	25	be in compliance with the existing regulations. So let
	Page 34		Page 36
1	will see that as an alternate for some of these cars to	1	me proceed with the presentation, and hopefully as I go
2	be parked.	2	through each item
3	So I'm glad that we're having this workshop.	3	MR. KUNUTY: But let me just add this. You
4	I'm glad that we're getting to know each other, and I	4	know, it seems that they have presented their site plan
5	thank you for the ability for us to speak. I do know	5	based on a set of regulations that haven't even been
6	Ms. Shepherd, and I do know Mr. McCoy. Thank you	6	adopted. Is that correct?
7	again.	7	MR. GAGNON: I'll agree to that partially,
8	CHAIR JAMES: Thank you.	8	yes.
9	EXECUTIVE DIRECTOR ALMIRA: If you have any questions, please.	9 10	MR. KUNUTY: Okay. Just seems unusual to do
10			
11		1	it that way, because, you know, if we change some of
11 12	CHAIR JAMES: Thank you.	11	the items in item one, okay, we're at ground zero
12	CHAIR JAMES: Thank you. Okay, Jeff, we're ready for item A1.	11 12	the items in item one, okay, we're at ground zero anyway, I mean if we change just a couple of items.
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	Page 37		Page 39
1	of Ordinances entitled Zoning, Article V, District	1	impact anything that has an R-PUD zoning designation.
2	Regulations, Division 23, PUD, Planned Unit Development	2	The Mediterranea parcel that we'll speak of
3	District, Section 31-494, property development	3	in a few moments is located at this portion of the
4	standards for the R-PUD residential planned unit	4	City, which is just east of Military Trail, which runs
5	development in order to provide for updated residential	5	north and south, I-95 runs north and south through the
6	development standards to promote creative design and	6	City, and Blue Heron Boulevard is to the south. So
7	land use, providing for conflicts, severability and	7	this is the specific Mediterranea parcel.
8	codification, and providing for an effective date.	8	This is the last parcel that really hasn't
9	So before you on the screen, this was a	9	been fully developed that has that R-PUD zoning
10	section from the staff report. And as Mr. Kunuty and I	10	designation in the City. We have other development
11	were discussing, the text amendment will have global	11	that had occurred historically in the City. We have,
12	impacts on the City. So this will be in conjunction	12	you know, we have Woodbine, Thousand Oaks, Villa Rosa,
13	with any property that has an R-PUD zoning designation.	13	Sonoma Bay, other developments that occurred ten plus
14	And a few slides in, I'll show you the specific parcels	14	years ago in the City. So this is really one of the
15	that these text amendments could potentially impact.	15	last remaining parcels that has really yet to realize
16	To summarize, this language has not been	16	development.
17	revisited for over 30 years. And I think that City	17	I thought it was simpler to reference the
18	staff has attempted to be more proactive recently and	18	staff report in the same way that we did for the Port
19	has brought multiple text amendments to the Planning	19	items to speak on the specific amendments proposed.
20	and Zoning Board to really revisit the fact that we	20	It would help if I'd look in the right
21	have stale language that needs to be revised in order	21	folder.
22	to really modernize in accordance with development	22	So if you reference in your packet, the title
23	trends and also to really allow more unique development	23	should say R-PUD Text Amendment Ordinance. On page two
24	to occur in the City.	24	of that begins the strike-through and underline
25	I think that's what residents are asking for.	25	portion. And I'll bring this up full screen. So
	Page 38		Page 40
1	_	1	_
1	I know that's what developers would like to have as far	1	again, this section of the code really hasn't been
2	as have more flexibility and having the ability to	2	altered or amended in 30 years.
3 4	offer a better product overall to potential buyers. So again, it's been over 30 years since this	3	It is, again, imperative that we revisit this and we make amendments in order for this particular
5	language has been revisited. As I've summarized in a		and we make amendments in order for this particular
6		5	-
		5	development to move forward, but also other development
	nutshell, there are new development trends that are	6	development to move forward, but also other development in the future which may occur as these other housing
7	nutshell, there are new development trends that are occurring. There's a movement away from what's been	6 7	development to move forward, but also other development in the future which may occur as these other housing developments are really rebuilt in the next, let's say,
7 8	nutshell, there are new development trends that are occurring. There's a movement away from what's been coined as, you know, McMansion, where you have to have	6 7 8	development to move forward, but also other development in the future which may occur as these other housing developments are really rebuilt in the next, let's say, another 30 years. So if we follow our current trend of
7 8 9	nutshell, there are new development trends that are occurring. There's a movement away from what's been coined as, you know, McMansion, where you have to have at least a one acre lot and it had to be a single	6 7 8 9	development to move forward, but also other development in the future which may occur as these other housing developments are really rebuilt in the next, let's say, another 30 years. So if we follow our current trend of not revisiting this language every 30 years, then it
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#### 10 (Pages 37 to 40)

	Page 41		Page 43
1	there's a question of: Well, why this section versus	1	adjacent to another residential unit.
2	another section? So being that this was developer	2	So I thought it was too vague, so it would be
3	initiated, but staff supported, it allowed City staff	3	simpler to just say we have a set distance between
4	to move forward with amendments to the code which are	4	buildings, and it has to be at least five feet. So
5	needed, but it also provides, I guess, an additional	5	that way it allows developers to have more flexibility
6	reason to look at this specific section.	6	and creativity, bearing in mind that it's to their
7	VICE CHAIR McCOY: Thank you.	7	advantage to have the best product available, because
8	MR. GAGNON: So when you move down in	8	ultimately, they want to have the best neighborhood
9	language, some are just minor housekeeping items. For	9	possible, because that's how, you know, you sell units
10	example, in my opinion, it's never good to have let	10	and you attract potential buyers.
11	me zoom in one more. So it's never really good to have	11	MR. KUNUTY: Madam Chair, a question.
12	an "et cetera" in your code, because that means	12	CHAIR JAMES: Yes, you're recognized,
13	something else that a very clever land use attorney can	13	Mr. Kunuty.
14	make up, potentially. So I thought it was important to	14	MR. KUNUTY: On this distance between
15	make sure that "et cetera" was removed and that the	15	buildings, basically then you're saying that the
16	format for cluster housing was written in the same way	16	building is two and a half feet off the property line.
17	as other sections that already exist. So this is a	17	MR. GAGNON: So if
18	minor housekeeping item in number two.	18	MR. KUNUTY: If there's two lots and a
19	As you move down to $2(a)(1)$ , there's a	19	building on each lot, it's two and a half feet. So in
20	proposal to modify the patio home minimum lot size from	20	effect, the setback there is two and a half feet?
21	4,500 to 2,400 square feet. And number two, it's an	21	MR. GAGNON: That's one possibility. Or if
22	amendment proposal from 1,800 to 700 square feet.	22	it's a zero lot line development, it has to be at least
23	Within $2(b)(1)$ there's another proposal from 45 feet to	23	five feet from the zero lot line wall.
24	25 feet for minimum lot width. That's for a patio	24	MR. KUNUTY: Okay, but this is a
25	home. And then for townhouses, the amendment would be	25	contradiction of that. I mean what you're saying here
	Page 42		Page 44
1	from 25 feet to 15 feet	1	
1	from 25 feet to 15 feet.	1	is five feet between buildings if it's not a zero lot
2	I thought it was interesting that within the	2	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a
2 3	I thought it was interesting that within the maximum height section, we have other residential	2 3	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a half feet and two and a half feet from the property
2 3 4	I thought it was interesting that within the maximum height section, we have other residential zoning codes that have a specific caveat that says 35	2 3 4	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a half feet and two and a half feet from the property line, but if I have a zero lot line, I can be five
2 3 4 5	I thought it was interesting that within the maximum height section, we have other residential zoning codes that have a specific caveat that says 35 feet or three stories. For some reason, this	2 3 4 5	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a half feet and two and a half feet from the property line, but if I have a zero lot line, I can be five feet. Isn't that what you're saying?
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1	property	1	unit. And even though five feet is not a very large
2	MR. GAGNON: Sure.	2	amount of space, you would at least have that
3	MR. KUNUTY: okay? And I build a building	3	separation, and you'd be able to have, you know, a side
4	on one and a building on the other. It's not zoned	4	garden or access or storage, or you know, just
5	zero lot line, so I have to be five feet from the other	5	additional use of the property in general.
6	building, which means I can go up to two and a half	6	MR. KUNUTY: Well, I don't know how much
7	feet on my property, and on the adjacent property, they	7	you're going to do with it. I mean you have two and a
8	can go the two and a half feet. So we've got five feet	8	half feet, you know. I mean let's be realistic.
9	between the buildings.	9	MR. GAGNON: Yes, you can physically
10	MR. GAGNON: Okay.	10	MR. KUNUTY: I mean that's like a block and a
11	MR. KUNUTY: Okay? If there are two zero lot	11	half, you know, laying down.
12	line parcels, they have to be ten feet apart.	12	MR. GAGNON: Well, it allows people to walk
13	MR. GAGNON: So in a situation where the	13	from the front to the back of property.
14	building wasn't placed on a zero lot line, I agree that	14	MR. KUNUTY: It does that; it does that,
15	this would state it has to be five foot between	15	granted. So if I recall, their site plan, they've got
16	buildings. However, that could also be flexibility to	16	five and nine cluster houses together. So I mean so
17	say three feet, two feet or four feet and one foot, so	17	the only people that can walk easily to the back of
18	long as it's five feet.	18	their house are one in nine or one in five.
19	So the way that it's proposed here would	19	MR. GAGNON: There's multiple unit types
20	allow, I guess, additional design flexibility. If it	20	within the site plan proposal. Some are separated
21	were to be two zero lot line units, then it would	21	units and some are a townhouse style unit. And I'd be
22	really require that there would be a five foot	22	happy to discuss that more within the site plan
23	separation between each additional building. So if you	23	segment. We might be able to do some comparisons at
24	build out on unit A or lot A a zero lot line building	24	that time as well for the Board.
25	to, let's say, the east, and you wanted to progress	25	MR. KUNUTY: What was the logic to come out
	Page 46		Page 48
1	eastward, there would have to be a five foot separation	1	to the logic to go from a 4,500 square foot lot size
2	between that zero lot line and the next building.	2	down to 2,400? I mean and then on the other one was
3	MR. KUNUTY: It just seems to me five feet	3	what, 18 to 7?
4	between a building is a narrow alley, okay? I'm not	4	MR. GAGNON: I'll be happy to answer that.
5	sure what we're accomplishing in allowing buildings to	5	Do you want me to continue with just a few more lines
6	be stuck together like that. If I'm correct me if	6	of the text
7	I'm wrong, but this does not affect zoning as far as	7	MR. KUNUTY: Sure. Yes, go ahead.
8	density.	8	MR. GAGNON: and then I can go back and
9	MR. GAGNON: Overall density, no, it won't	9	revisit that?
10	modify densities whatsoever.	10	MR. KUNUTY: Okay, go ahead. I'm sorry I'm
11	MR. KUNUTY: Okay, so now we still have an	11	getting ahead of you.
12	acre of land, okay, that we can put 15 units on. Now	12	MR. GAGNON: Thank you.
13	we're going to take 15 units and put 15 smaller units,	13	I think we're on the setback section, and
14	squeezed close to each other essentially, and have more	14	there's no modifications or amendments proposed here.
15	open space. Is that what we're saying?	15	Within number three, we'll go to page three of the
16	MR. GAGNON: It could work in that manner.	16	staff report, and there's no modifications in three.
17	And again, this section is for really this cluster type	17	In four, which is describing density, there's no
18	of housing. So if it were to be designed as just	18	modification whatsoever, so this won't impact any
19	single family detached units, then these specific	19	density restrictions that Mr. Kunuty mentioned
20	regulations wouldn't apply.	20	previously.
21	So instead of, let's say, a developer	21	And then within number five there's a
22	proposing townhome units where they're all attached,	22	grouping requirement. And historically, it said that
23	maybe there's another design option where you could	23	the total length of any townhouse structure shall not
24	have something very similar to that, however, you can	24	exceed six units, and we're proposing that to be 12
25	now have, you know, home ownership of each individual	25	units. We actually found that historically there have

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1			_
1	been site plan approvals that seemed to deviate from	1	approaching it this way is that we're making a global
2	the six unit requirement. Don't exactly know how that	2	decision for the whole City, okay, that seems to be
3	occurred, but it seems as if that occurred	3	kind of geared towards finishing off Mediterranea. And
4	historically.	4	what I'm afraid is that and we all know this most
5	And I think that adding the ability to have	5	developers are going to try to build to maximize their
6	more sequential units gives developers more flexibility	6	profits, which I don't you know, I think they
7	as far as the final product that they can provide, so	7	should. So they're going to try to build the property the smallest property.
8	that could be potentially these smaller units that	8	
9	would be more affordable and be able to serve, you	9 10	Are we and this is a question. Are we, as
10	know, a new family that's just starting out or a recent	11	a City now, when we put these minimum standards so low as far as square footage, are we relegating ourselves
11 12	retiree, just different segments of the population group for the City. So the final line just states: In	12	to be the entry level housing place, period? Okay? I
12	order to promote unique development design. So that at	13	mean developers are probably not going to build 700
14	least includes the intent of the modification.	14	square foot properties next to 4,500 square foot
14	CHAIR JAMES: Okay, did you have something	15	properties. They're going to cluster them together.
15	else?	16	So we're going to get a lot of the same
17	MR. GAGNON: I was just going to respond to	17	properties, okay; they're going to be entry level
18	Mr. Kunuty's comments	18	properties. And I'm not characterizing that as a good
19	CHAIR JAMES: Okay.	19	or a bad thing, but it seems to, from a standpoint of
20	MR. GAGNON: on the square footage.	20	the City, eliminate some of our flexibility, okay,
21	CHAIR JAMES: Go ahead.	21	particularly when I don't understand where we say no
22	MR. GAGNON: So having either 4,500 square	22	setback requirements. You know, I mean there's just a
23	feet or 1,800 for the patio home or townhouse, if a	23	lot of questions I have. So that's it.
24	developer wanted to come in, if this amendment	24	CHAIR JAMES: Yes, I want to one thing I
25	occurred, and build that 45 square foot excuse me	25	want to add to what Mr. Kunuty just said, what is the
	-		
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1	4,500 square foot patio home, they would have the	1	price point? Are these these are going to be for
2	ability to do so. However, it seems as if the market	2	purchase or just strictly rentals?
3	isn't really demanding that product. It seems as if	3	MR. GAGNON: I am not sure of a specific
4	the trend is smaller units, more affordable units	4	price point at this time. I'm sure that the
5	really for, you know, the working person. So what this	5	development team would be happy to provide those
6	will do is provide that flexibility for any future	6	numbers to the Board. If the Board chooses to discuss
7	developer.	7	that during this segment, I think we can accommodate
8	So again, this is a global impact. It's not	8	that.
9	just this specific developer, but a global impact for	9	CHAIR JAMES: I would like to know that. So
10	any property that has an R-PUD zoning district. So it	10	we're going to keep that on the back burner for now,
11	doesn't prohibit development of a townhouse at 1,800	11	but I'm going to go ahead and let the Vice Chair make
12	square feet, however, it does provide in this amendment	12	his comment.
13	the capability of having maybe one unit that's 1,800	13	VICE CHAIR McCOY: Actually, I just have one
14	square feet, and then the next unit is 700 square feet.	14	question of Mr. Kunuty. I didn't know what entry level
15	So you have mixed uses and mixed size units in the same	15	properties actually meant, and
16	building project.	16	CHAIR JAMES: I think it's price point that
17	CHAIR JAMES: Does that answer your question,	17	Mr. Kunuty
18	Mr. Kunuty?	18	VICE CHAIR McCOY: I wanted to understand
19	MR. KUNUTY: It does, but it raises some	19	exactly what that meant, because that's a new term for
20	other ones. But go ahead. We'll come back.	20	me. MP_KUNUTV: You know, maybe it's a misnomer
21	CHAIR JAMES: No, you can go ahead, because I think I'm going to go into this as well at this time	21	MR. KUNUTY: You know, maybe it's a misnomer,
22	think I'm going to go into this as well at this time	22	but I mean it's obviously appealing to the first time buyer, for someone who may not have had a property
23	for this one particular for A1 So go about with	1 00	
23 24	for this one particular, for A1. So go ahead with	23	
23 24 25	for this one particular, for A1. So go ahead with yours. MR. KUNUTY: Yes. My comfort level with	23 24 25	before, you know, has, say, minimum down payment available. And there are a lot of people like that

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1	that need to be accommodated, okay. But what I'm	1	other. So it's not as though you're opening the
2	saying is when we put set minimum standards, do we	2	floodgates for a plethora of R-PUDs coming in with
3	open our doors for us to just only accommodate those?	3	something that's different than what's there now.
4	VICE CHAIR McCOY: Thank you. That's it for	4	Also, you heard Mr. Gagnon say that some of
5	my question of his statement.	5	the changes that are being made are being made to be
6	CHAIR JAMES: Yes, going with what I asked	6	so that existing properties in the City are consistent
7	you about the price point, the market, is this going to	7	with the code. He said you heard him say that some
8	be termed as affordable housing? I mean what is the	8	properties already exist with some of these parameters,
9	market they're trying to they want to be able to	9	so you want to just make those consistent with the
10	fill this housing unit with as well? So if someone	10	existing code.
11	from the development could come up now and answer that.	11	With regard to this particular I'm kind of
12	MR. GAGNON: Sure.	12	mixing apples and oranges, but you asked. With regard
13	MS. CALHOUN: Good evening. My name is Hope	13	to this particular parcel that you see the site plan
14	Calhoun. I'm the attorney here on behalf of the	14	for, keep in mind you all live here, so you know it has
15	applicant of items two and three. I guess one,	15	been a stalled development for a number of years.
16	technically, also. I'm happy to answer any questions	16	Although I did not work with the prior developers, it
17	that you have. I'll start with the few that you have	17	is my understanding that they tried to work within the
18	asked so far. But if I could, if you don't mind, I'd	18	parameters of the existing code, and due to a couple of
19	like to make a couple of general statements before I	19	constraints, they couldn't; they couldn't make it all
20	answer the questions.	20	work for them.
21	I, as I said, I'm an attorney. I'm a land	21	What you're going to see tonight is an
22	use and development attorney by trade. I've been dong	22	opportunity to provide the City with a finished
23 24	this for almost 20 years, so I represent a number of developers in a number of different counties and	23 24	project, a finished product that you will find the City will be proud of. This developer is one who has done
24	municipalities specifically.	24	work throughout the state, who does work throughout the
20	muneipanties specificany.	23	work unoughout the state, who does work unoughout the
	Page 54		Page 56
1	And so the changes that are being proposed,	1	state and has a great reputation.
2	And so the changes that are being proposed, some by us, some you heard Mr. Gagnon say by himself,	2	state and has a great reputation. With regard to price point, the townhomes,
2 3	And so the changes that are being proposed, some by us, some you heard Mr. Gagnon say by himself, are consistent with what the market is pushing and	2 3	state and has a great reputation. With regard to price point, the townhomes, they will be market rate. More specifically, they are
2 3 4	And so the changes that are being proposed, some by us, some you heard Mr. Gagnon say by himself, are consistent with what the market is pushing and demanding, not just in Palm Beach County and Riviera	2 3 4	state and has a great reputation. With regard to price point, the townhomes, they will be market rate. More specifically, they are not going to be marketed as affordable housing units
2 3 4 5	And so the changes that are being proposed, some by us, some you heard Mr. Gagnon say by himself, are consistent with what the market is pushing and demanding, not just in Palm Beach County and Riviera Beach, but throughout. It's just market demands lead	2 3 4 5	state and has a great reputation. With regard to price point, the townhomes, they will be market rate. More specifically, they are not going to be marketed as affordable housing units either, and they will be for sale, not for rent. The
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14 (Pages 53 to 56)

		Page 59
1 straight zoning, in this example, residential	1 to go	ahead and go into the comment for the A1 before
2 categories.	2 we m	nove on. Gerald Ward.
3 So what you're doing here actually is	3	MR. WARD: Good evening again. Gerald Ward,
4 creating more flexibility instead of less. As was	4 2135	Broadway.
5 stated, these are minimum standards, not maximum, so	5	If I hadn't been here for the Port, which I
6 you're really opening up the door to allow different	6 will	have more to say about later, I would tell you
7 types of housing stock within a particular parcel.	7 that ]	was totally aghast, and Mr. Kunuty phrased it in
8 So we hope that you see it that way and that		erminology pretty well to say that a developer
9 you vote to approve this, because it really will help	9 that o	comes in and decides this is the code that I want
10 that parcel in particular and really to clean up some		ild to, and by the way, you need to modify your
11 other items, as was pointed out by Mr. Gagnon.		is probably somebody we need to say: Good to have
12 Thank you. Questions for me?	-	come by, but we'll see you later.
13 CHAIR JAMES: No, thank you.	13	I was part of most of the development of
14 Mr. Kunuty, did that answer all of your		and the R-PUD, as well as the other PUDs were
15 questions?		loped back in the mid eighties. I totally reject
16 MR. KUNUTY: It did for now.		DEC's concept that it's always old and archaic. I
17 CHAIR JAMES: Okay, Jeff, I have a question		that you have somebody here that's looking to do
18 following what Attorney Calhoun stated. So we have		ir way.
19 existing developments in the City now that already kind	19	I happen to own a rowhouse, and I certainly
20 of conform to what's being proposed? And if so, could		tell you that having 12 rowhouses is not something
21 you name those developments?		going to happen. Mine is a 1913 house in a
22 MR. GAGNON: Yes. Interestingly enough, the		p of '13 and '14, 1913 and 1914 houses which has
23 previous approval for the original Mediterranea		nce between them.
24 development specifically and I'll point it out in	24	I heard and I have seen nothing in the backup
25 the code specifically seemed to deviate from the	25 that t	his has been staffed through the Fire Department.
Page 58		Page 60
1 groupings section. So as far as the total length of	1 Whe	re is their comments on this? I can't believe you
2 any townhouse structure being limited to six units,		ld even consider approving the five foot, which you
<sup>3</sup> that previous Mediterranea development approval seemed		scoped out could be two and a half feet from the
4 to go beyond six units. So there were more than six		erty line. And that's certainly not adequate as to
5 sequential units approved at that time.	5 how	a town that has did have 35,000 people in 1835
6 So it's something that has been demonstrated	6 and	only has 30,000 now. But it's density of houses
7 in the development community that maybe six is just not	7 and	size of houses does not go down anywhere close to
8 enough in general. I'm not sure of the history on that		in the current standards and the current viable
9 item. That was approved over ten years ago. But there	9 hous	ing that exists in that town.
10 was either a miss as far as reviewing this code	10	The change in size of townhouses is a 250
11 section, perhaps there was, you know, some other	11 perc	ent difference. The change in the size of patio
12 variance that I'm not privy to, but it seemed as if	12 hom	es is an 87 and a half percent difference. That is
13 historically there were other development actions	13 exce	ssive. And there is no statistics, no
14 specifically in accordance to this groupings section		mentation of a little study of what that does for
15 that were approved that didn't follow the six unit		. The width of townhouses of 15 feet is grossly
		equate.
16 grouping structure.	17	CHAIR JAMES: Go ahead. Are you finished,
17 CHAIR JAMES: Is that the only one, the only		
<ul><li>17 CHAIR JAMES: Is that the only one, the only</li><li>18 development in the City?</li></ul>	18 Mr.	Ward?
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15 (Pages 57 to 60)

	Page 61		Page 63
1	before we go on, so I'm going to start with	1	about, the code zoning itself. If it says residential,
2	Mr. Whigham.	2	don't change; let it stay residential. If it's
3	MR. WHIGHAM: Yes, I have one comment. Over	3	commercial, let it stay. We don't have a lot of land
4	the years we have had all these (inaudible) in the City	4	here that we can go back and forth like we did years
5	when we had a lot of land. We don't have a whole lot	5	ago.
6	of land for redevelopment in Riviera Beach now, but we	6	So we're going to have to be careful with
7	want to develop.	7	what we're doing tonight and other nights on this
8	I could give you a map of several years ago	8	agenda. We're going to have to protect the City; we're
9	when I asked the Planning and Zoning Administrator to	9	going to have to protect the City. We want our young
10	reassess the Congress corridor by Silver Beach Road for	10	people to come back to the City where their parents
11	me; the Congress corridor by Silver Beach Road. Thank	11	are, and you know, they want their children and
12	you. They did. They made it residential rather than	12	grandchildren. That's what I was looking for too when
13	warehouses and other little kind of districts.	13	I asked for the development on Congress. I wanted my
14	One developer came up, developed Thousand	14	children back here; I want my grandchildren here.
15	Oaks. We know that's a beautiful site. We know that.	15	I taught school here for 36 years, so I know
16	We're glad that that change came. But across the	16	exactly what's going on in this City. We have a
17	street from there, the developer was supposed to do the	17	beautiful City. A lot of you know that. And unless we
18	same identical thing, build homes, but we know what	18	stick to what we're doing tonight and get this
19	happened. That developer sold that land, and the other	19	resolved, we're going to have a problem. We're going
20	developer came in and wanted to put in apartments, 500	20	to have people leaving, going out west. I want the
21	apartments.	21	people out west to come back into this City and be
22	The neighbors in my area stormed the roof.	22	here.
23	They had so many petitions, we couldn't even keep up	23	So let's work on this very diligently, and
24	with the pages. But then he backed off. Then he put	24	let's everybody agree to allow (inaudible) that our
25	townhouses up, which nobody complained about because	25	Planning and Zoning Administrator is doing. They have
	Page 62		Page 64
1	they weren't apartments, but they were townhouses.	1	worked hard on this. This is not something I know they
2	We've had problems selling these townhouses. Some of	2	just did overnight and just throw it at us. When we
3	them are for rent right now.	3	read it, if you don't understand what it is, call Jeff
4	My thing is this. We are short we don't	4	before you come to the meeting. That's what we need to
5	have a whole lot of space to build houses. I can	5	do.
6	understand the lines coming in from a certain feet,	6	Now, if you want to have some workshops in
7	they close in because we don't have that kind of land	7	January, next year, to revitalize a lot of this on
8	anymore. But the thing I'm concerned about is the	8	here, let's do it. If not, let's approve this so it
9	developer coming in where you're supposed to have homes	9	can get done.
10	set up, can they go through, get around our code and	10 11	Thank you very much, Madam Chair. CHAIR JAMES: Mr. Kunuty.
11	start putting up townhouses or apartments and stuff	12	MR. KUNUTY: Well, I think you've got my
12 13	like that? They have done it in the past. MR. GAGNON: What would have to happen is any	13	points pretty clear. I think that, you know, as far as
14	development proposal that utilizes the zoning	14	the global portion of this that we're talking about
14	regulations would still have to go in front of the	15	is has a wide-ranging effect. I know today there's
16	Planning and Zoning Board and be approved by the City	16	only one R-PUD, but you know, who knows what's going to
17	Council. So there's still an approval mechanism that's	17	happen in the future? There are some older
18	in place that allows for public input, allows for a	18	developments that might get revitalized.
19	potential rejection to a site plan application if the	19	So I think we've got a lot of holes, and I
20	Planning and Zoning Board or City Council felt that the	20	think a couple of things is that I think for,
21	development proposed just did not meet the intent of	21	particularly for the global common portion, we really
22	the code or it didn't meet the intent of the community.	22	do need to hear from Fire and Police and other
23	So there are mechanisms that would remain in place even	23	departments on what their feeling is. I know the last
24	if the amendment moved forward.	24	couple of things we approved, it was a big deal for the
25	MR. WHIGHAM: What I was just concerned	25	Fire Department to be able to get their trucks in
	-		-

16 (Pages 61 to 64)

	Page 65		Page 67
1	through the property to every place they had to go. So	1	project and make sure that it's right now, it's a
2	I don't know if they can still do that on this, but	2	showpiece. I go over there, so I know what's there.
3	they're certainly not going to get it through a five	3	And they're beautiful inside. I commend you for taking
4	foot space.	4	the chance of coming back to the City of Riviera Beach
5	So the other thing I would like to see is I'd	5	and finishing this project, and I thank you for it.
6	like to see what some of our surrounding communities	6	Thank you.
7	are doing in terms of what their requirements are. I	7	CHAIR JAMES: Thank you, Ms. Shepherd.
8	mean are they, you know, are they requiring have	8	Vice Chair McCoy.
9	they modified theirs to the same extent that we've	9	VICE CHAIR McCOY: Madam Chair, thank you.
10	modified ours? I think we could use that kind of input	10	Mr. Gagnon, I want to make sure that we're on
11	from staff to make a more informed decision.	11	the zoning regulations, right, and not the project?
12	And I think some backup of the trends that	12	MR. GAGNON: Yes, sir.
13	you're stating this is the trend of where the market is	13	VICE CHAIR McCOY: Okay. Is there a grouping
14	going, I don't really know that, okay. And I don't	14	requirement for apartments in the City?
15	know, maybe some of the other Board Members do, but I'd	15	MR. GAGNON: Not currently that I'm aware of.
16	like to see some real hard data that says, hey, you	16	I think this is the only provision as far as groupings
17	know, this is what the world is doing, so you know, we	17	that we have in our code structure apparently.
18	need to get on the bandwagon.	18	VICE CHAIR McCOY: Okay. I was going to ask
19	So you know, based on that, I'm uncomfortable	19	a question about the overall density, and I don't know
20	with going forward with this, you know, and you know,	20	if those numbers that Mr. Gerald Ward spoke about is
21	that would be my feeling. No other comment.	21	accurate. But I certainly would kind of share the
22	CHAIR JAMES: Thank you, Mr. Kunuty.	22	sentiments of Mr. Kunuty that it's definitely going to
23	Ms. Shepherd.	23	have an overall effect with the increase in density.
24	MS. SHEPHERD: While this particular project	24	But I'm really interested, because there's a
25	was going forward, I think ten years ago, I think I was	25	lot of things that comes into play here, and one of the
	Dama ((		Page 68
	Page 66		Pade 68
			-
1	sitting on Planning and Zoning, and I attended all the	1	questions that I think might be appropriate for the
2	meetings that the Mediterranea had over at the	2	questions that I think might be appropriate for the applicant or the developer, is this a condominium
2 3	meetings that the Mediterranea had over at the Utilities Department. And I was quite happy with that	2 3	questions that I think might be appropriate for the applicant or the developer, is this a condominium community that's going to be proposed?
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	Page 69		Page 71
1	enough of those units where this archaic, in my	1	this point, because I mean I certainly have some
2	opinion, statute allows them to purchase 80 percent of	2	apprehensions about it in its current form, and I want
3	them and convert that condominium association back to	3	to see if we can kind of figure out a way to address
4	apartments, and then turn around, and they have the	4	some of these concerns without telling somebody no. I
5	sole authority to then buy that one property owner who	5	think, you know, somewhere we have to kind of meet in
6	spent \$200,000 on their property and offer \$75,000,	6	between, and I'm open for suggestions on that. And,
7	which completely leaves them upside down. So I think	7	you know, I would hope that there is some other
8	that's certainly something that's of a concern to me.	8	dialogue about it.
9	And I think I know we like to ask the	9	Thank you, Madam Chair.
10	question: Is this affordable housing? There's no	10	MR. GAGNON: I think that as we move forward
11	affordable housing in Riviera Beach. It's all about	11	through the site plan presentation as well, I think
12	making the maximum profit, I mean unless you're going	12	that will at least allow the Board to see the
13	to get a development such as the Housing Authority or	13	development proposal and how the layout is situated.
14	another Stonybrook. But I think our new development	14	I did want to just mention again that the
15	that's coming into Riviera Beach is not affordable	15	density itself is not being modified. So I believe the
16	housing, and I think we shouldn't even begin to think	16	current maximum density is 15 units per acre. So if
17	that in some kind of way it's going to benefit, you	17	you have an acre of property, it's 15 units, no matter
18	know, the overall community, because, you know, I just	18	how you place them or configure them. So if you had
19	don't think that that's the case.	19	multiple acres, you could, you know, play with that and
20	But I certainly have some reservations,	20	have maybe the unit configuration, I guess, more
21	because it seems as if we are doing just what	21	bunched in one area and then have the rest just open
22	Mr. Kunuty said, that we're changing the land use	22	space. However, the density is not being modified by
23	regulations specifically for Mediterranea. And as I'm	23	this proposal. So I just wanted to make sure that the
24	looking here on my computer, currently the same units,	24	Board was aware that the density is not being modified.
25	the units that are existing there are beyond the six	25	VICE CHAIR McCOY: Well, perhaps the density
	Deve. 70		
			De ma 70
	Page 70		Page 72
1	grouping. And Sonoma Bay is beyond the six grouping,	1	isn't changing, but certainly the overall occupancy is.
2	grouping. And Sonoma Bay is beyond the six grouping, and I think the same applies for Marsh Harbor.	2	isn't changing, but certainly the overall occupancy is. I mean the number of units is. I mean the ratio may
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2 3 4 5	grouping. And Sonoma Bay is beyond the six grouping, and I think the same applies for Marsh Harbor. And I just and you know, I certainly want to support the project, but I'm curious as to our role in this situation. I don't want to give a blanket	2 3 4 5	isn't changing, but certainly the overall occupancy is. I mean the number of units is. I mean the ratio may not be changing, but I mean you are having an increased amount of units. MR. GAGNON: So if you had one acre, you
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18 (Pages 69 to 72)

	Page 73		Page 75
1	So I think if well, I don't think the	1	question tonight for you.
	hairperson has made comments. But I think as we move	2	CHAIR JAMES: Okay. Ms. Calhoun wanted to
	rough the actual site plan presentation and we look	3	come back to the microphone to answer a question.
	to the site plans and the development team, 13th	4	MS. CALHOUN: Thank you again for the
	oor, actually has an ongoing development project that	5	opportunity. I can answer some of the questions that
	r staff will mention in the presentation. They have	6	were posed by the Board.
	one a site visit as well, so there's a few photos from	7	With regard to the review of the site plan,
	e existing project that 13th Floor has done. Maybe	8	Mr. Gagnon has already said it's been reviewed by every
	will visually start helping to answer some of the	9	department in the City, and the Fire Department did not
	lestions that the Board currently has.	10	issue us any comments or objections to the building
11	CHAIR JAMES: Are you done, Mr. McCoy?	11	separation or any of those things that were raised as a
12	VICE CHAIR McCOY: Yes, I'm sorry. Yes,	12	concern. So the Fire Department has no objections to
13 Ma	adam Chair.	13	that.
14	CHAIR JAMES: Okay. I'm just trying to	14	Respectfully, very respectfully, I'd like to
15 de	cide if I want to call a vote now or proceed, because	15	let the Board know this was not a case where a
16 Ik	kind of feel like we may be sweet talked into it.	16	developer just showed up into town and demanded the
17	Why don't we have any backup in the documents	17	approval of a site plan regardless. We've worked very,
18 fro	om Fire and the Police Department and something	18	very, very closely with City staff in order to get to
19 rel	lating to the trends to speak on how these	19	the point where we are tonight. And again, you've
20 de	terminations came about for the new requirements,	20	heard it stated that a lot of this is, I kind of call
21 sta	aff?	21	it cleanup items just to make things consistent with
22	MS. CALHOUN: I know that was a question for	22	what's already existing in the City.
23 hir	m, but somebody asked about condos. If I could just	23	I know I said it before, but just for a
24 an	swer that question?	24	reminder, these are minimums we're talking about,
25	CHAIR JAMES: Let me get his	25	except for this number five, Groupings, which is a
	Page 74		Page 76
			-
1	MS. CALHOUN: Okay.	1	maximum. So if someone wanted to have five, they
2	CHAIR JAMES: Let me have staff respond	2	maximum. So if someone wanted to have five, they could. If they wanted to keep it at six, they could.
2 3 fir	CHAIR JAMES: Let me have staff respond rst, and then I'll have you speak to that.	2 3	maximum. So if someone wanted to have five, they could. If they wanted to keep it at six, they could. We're talking about a maximum of 12. So that's just
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19 (Pages 73 to 76)

	Page 77		Page 79
1	regulations at that same time.	1	did.
2	And what happens more often than not is you	2	Thank you for the opportunity to answer those
3	come to the Planning and Zoning Board, and ultimately	3	questions. I'm happy to answer any others.
4	City Commission with a presentation of a project that	4	CHAIR JAMES: Ms. Calhoun, you just stated
5	has been developed in accordance with the regulations	5	that there will be no HOA in this
6	that are also being proposed at the same time. So	6	MS. CALHOUN: No condo. Excuse me. There is
7	that's pretty common, as opposed to specific	7	not a condo association. That question was asked, will
8	regulations with regard to height, groupings, setbacks.	8	there be a condo association. There will be no condo
9	That's kind of not the standard or the norm for PUD or	9	association. I believe there's an existing HOA on the
10	R-PUD type regulations.	10	units that are already built and constructed, so
11	The particular developer and again,	11	actually, this helps that, because you're going to have
12	Mr. Gagnon's already stated that we're talking about	12	now a number of units coming in and homeowners coming
13	with regard to the site plan that's before you later on	13	in who can infuse additional funds into the existing
14	on this agenda again has been building in Florida	14	HOA. Be clear, they're not a condo association, but
15	for more than ten years. So when they tell you when	15	there is an HOA that will continue to be responsible
16	we come to the City, when we come before you and	16	for maintenance and actually be able to improve
17	propose a particular type of development style or size	17	maintenance on the property.
18	or dimension, they're speaking from a point of	18	CHAIR JAMES: Okay, thank you.
19	experience.	19	MS. SHEPHERD: Madam Chair.
20	With regard to the townhomes, they are	20	CHAIR JAMES: I'll go ahead and recognize
21	building currently over approximately 700 of those	21	Ms. Shepherd and then Mr. Kunuty.
22	townhouse units that we're proposing. The same size,	22	MS. SHEPHERD: Ms. Calhoun, may I ask you one
23	type and quality that we're proposing here, we're doing	23	more question? Is there a timeframe on this particular
24	in another they are doing in another municipality.	24	project? Is there a timeframe?
25	So they've built it, and they see that it works. They	25	MS. CALHOUN: Two weeks ago. I was just
	Page 78	1	
			Page 80
1	would not have invested the time, the money, the effort	1	kidding. I'm kidding; I'm just joking. I'm joking,
1 2	would not have invested the time, the money, the effort and the drawings and everything else if they didn't	1 2	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry.
	would not have invested the time, the money, the effort and the drawings and everything else if they didn't know that it works. So they're not coming brand new to	2 3	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry. If you mean like how soon do they want to get
2 3 4	would not have invested the time, the money, the effort and the drawings and everything else if they didn't know that it works. So they're not coming brand new to the table. They've done this before and I said it	2 3 4	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry. If you mean like how soon do they want to get started or how soon do they anticipate getting started,
2 3 4 5	would not have invested the time, the money, the effort and the drawings and everything else if they didn't know that it works. So they're not coming brand new to the table. They've done this before and I said it now three times and it works, so that's why they're	2 3 4 5	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry. If you mean like how soon do they want to get started or how soon do they anticipate getting started, they're very eager to get started. As you've already
2 3 4 5 6	would not have invested the time, the money, the effort and the drawings and everything else if they didn't know that it works. So they're not coming brand new to the table. They've done this before and I said it now three times and it works, so that's why they're proposing it.	2 3 4 5 6	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry. If you mean like how soon do they want to get started or how soon do they anticipate getting started, they're very eager to get started. As you've already heard, this property has been vacant for ten years or
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20 (Pages 77 to 80)

	Page 81		Page 83
1	okay. My issue is the fact that we're rewriting R-PUD	1	form, it's kind of tough for us not to understand, you
2	code or a text amendment, and that has a global effect	2	know, some of the points that have been laid out,
3	on other parts of the City, okay? Maybe not immediate,	3	especially by Mr. Kunuty. I mean I just want help,
4	but it will have a global effect on other parts of the	4	because I mean in its current form, I can't support it.
5	City. So that's my concern. I'd like to get that	5	MR. KUNUTY: Madam Chair.
6	resolved.	6	CHAIR JAMES: Yes, Mr. Kunuty, you're
7	I think there's a lot of inconsistency in	7	recognized.
8	this text amendment. I think, you know, things like no	8	MR. KUNUTY: I'd like to offer Mr. McCoy a
9	setbacks, I think the five two and a half or five	9	suggestion and some help. My feeling is that we ought
10	feet minimum without I mean I think there's some	10	to send this back to staff, we ought to get comments,
11	other questions here.	11	we ought to get the needed backup, find out what other
12	So I just want the developer to understand	12	cities are doing. Let's understand from somebody other
13	that it's not a development issue, because we haven't	13	than the developer, okay, what the market trend is,
14	even gotten to that. But I'm very familiar with	14	okay. And not that I disagree with having the
15	Mediterranea, okay? I'm intimately familiar with it,	15	developer. They could certainly participate. But I
16	so I know what's going on there, okay, and what has to	16	think we need independent people to tell us, you know,
17	get done there. So, and I support all of that. I just	17	this is what's happening, okay?
18	think we've got to clarify this piece of it, okay,	18	So I think if we get all of that and get that
19	before we can say move on.	19	done as quickly as possible, we could probably proceed
20	CHAIR JAMES: Go ahead, Vice Chair McCoy.	20	and make the text amendment changes that we have to
21	You're recognized.	21	make, maybe modify from what's there, get all of that
22	VICE CHAIR McCOY: Mr. Gagnon, could this	22	done as fast as we can, and then proceed with, you
23	have been accomplished by a variance or a special	23	know, whatever modifications, if any are necessary by
24	exception as opposed to a text change or a text	24	Mediterranea to their site plan and go forward. So
25	amendment?	25	that's it. I think we could have a workshop as soon as
	Page 82		Page 84
1	MR. GAGNON: So the applicant could have	1	possible to go over all of this and then bring it up
2	applied for a variance. However, there's specific	2	and vote.
3	requirements that need to be met in order to be	3	MR. GAGNON: Were there
4	eligible for a variance. I believe there's seven	4	MR. KUNUTY: I was just curious of the Board
5	conditions. And one of those conditions is basically	5	comments to do something like that.
6	that whatever the variance you're requesting, it is not	6	CHAIR JAMES: Well, I have a question for
7	self-imposed.	7	staff. If we did that tonight, would this I know
8	So for example, if there was a way of	8	we're having a meeting next Thursday. Is this
9	utilizing the property and still allowing the property	9	something you think would be done by then, to put on
10	owner full use of the land without that particular	10	the agenda?
11	variance moving forward, then technically they wouldn't	11	MR. GAGNON: Technically, the agenda packet
12	be eligible for a variance. So staff recommended that	12	and backup information for the meeting is provided a
13	they not move forward with the variance process, even	13	week in advance. So I sent out the agenda for next
14	though the development team has that legal option. So	14	Thursday's meeting today, backups to follow.
15	in my opinion, the variance, it's not an option to move	15	So if it's the guidance of the Board to have
16	forward with this project.	16	staff work on specific information and provide it to
17	VICE CHAIR McCOY: And that's that way	17	the Board, then we can attempt to do that to the
18	because of our ordinances?	18	greatest extent possible. If there are certain
19	MR. GAGNON: Yes.	19	conditions or provisions that the Board has other
20	VICE CHAIR McCOY: That it can't be	20	questions about, or if they require further amendments
21	self-imposed, our ordinances specifically speak to	21	in the Board's opinion, then maybe after we look
22	that?	22	through just the site plan proposal and plat proposal,
23	MR. GAGNON: Yes.	23 24	maybe we can come back to this and drill down on the specific items that you want staff to focus on. And
24		. /4	specific items that you want statt to tocus on And
24 25	VICE CHAIR McCOY: Okay. I, you know, I'm really looking for help, because I mean in its current	25	that would be very beneficial to staff.

21 (Pages 81 to 84)

#### 12/8/2016

1However, I think, you know, just, I guess, per Robert's Rules of Order, we kind of jumped from the specific code amendment structure. And I wanted to start with this because I didn't want the Board to feel as if, you know, just staff led with the site plan and 6 said: Here's this great site plan, approve it, but we reed to move forward with the text amendment.1probably Marsh Harbor as well. So I'm just wonderin you know, obviously I think someone and I know i wasn't you, because I'm sure you're very thorough, bu somebody might have made an oversight and we miss somebody might have made an oversight and we miss somebody might have made an oversight and we miss seems like we're going backwards. But are we going try to correct this one issue, or are we going to try to create language for the entire City? And that's my contention. And you know, if we don't get anywhere I'm ready to vote on it, and you know, just move forward.1How to specific items after the site plan, I think it would put everyone in a better place if the think it would put everyone in a better place if the Board feels there are conditions that really prohibit11How to specific items after the allowed15
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16 Board feels there are conditions that really prohibit 16 really on the request of staff, because that allowed
17 this from moving forward. 17 staff to go into this particular section of the code
18 CHAIR JAMES: Any other Board comments on 18 that hasn't been revisited for 30 years.
19 that thought? Or I mean it is the most important in 19 So I think we've been very transparent in the
20 order, because if we vote this down or vote to bring 20 fact that it has a direct correlation to the other
21 this back, then that's going to affect the other two 21 items, the site plan and the plat, so I don't think
22 items. 22 that that was hidden. And I hope that I've been as
23 So Vice Chair McCoy, you're recognized. 23 transparent as possible that it was developer
24 VICE CHAIR McCOY: Thank you, Madam Chair. 24 initiated, however, it is staff supported as well.
25I agree with Mr. Kunuty, but my question is25And the discussion of the global impact, it's
Page 86 Page
1 once we get the information back, what do we do with 1 true. But again, this is and again, I'm saying
2 it? I'm, you know, I'm certainly in agreeance with you 2 "this is," being the Mediterranea parcel that we
3 based on the fact that once we change it, this is 3 haven't really gotten to the site plan yet, but this is
4 citywide. 4 the last remaining parcel in the City that hasn't been
5 So I'm not so much concerned about whatever 5 developed. So every other R-PUD property has bee
6 relevant information is going to potentially come back 6 developed. So I don't anticipate any redevelopment
7 for us, I'm just hoping not to have a blanket effect on 7 occurring on those parcels in the very near future,
8 the entire City when we do a text amendment as opposed 8 maybe 10, 15, 20 years from now. So although this
9 to instead of changing the whole Code of Ordinances, 9 have a global impact, I don't think it's going to have
10 why, you know, I mean even from a variance standpoint, 10 an immediate global impact, being that those other
11 if there was a way that we could waive that one 11 developments have already come to fruition.
12 requirement, that it could be self-imposed, you know, 12 And I think the fact that this particular
13I'm likely to go there.13development has sat really undeveloped for some tir
14But to then change the whole ordinance and14think that points to the fact that our code structure
15I really am trying to find some optimism in this15does need to be worked. And if historically there has
16project. But it's kind of tough to think that we're16been projects approved that didn't meet the existing
17going to do a text amendment, and I think it's you17code structure, or if there were oversights, or howev
18said it was initiated by staff, but it has18that happened, I have no idea, but I think that also
19       Mediterranea's name listed all over it, and       19       demonstrates that, you know, instead of going back
20     MR. GAGNON: It was initiated by     20     and revisiting outdated code structures, maybe it was
21 VICE CHAIR McCOY: Let me finish, because 21 easier to I don't know. I don't want to comment.
22 this is the important part. 22 don't know how it happened. But there was develop
23 But I don't even know if there's any teeth to 23 projects approved, and in my opinion, it didn't meet
24 it, because clearly, we didn't even follow our own code 24 this code structure.
25when we did Mediterranea, when we did Sonoma Bay, and25So I think staff's trying to be very

22 (Pages 85 to 88)

## City of Riviera Beach Board Meeting

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1	transparent in trying to provide this information to	1	now that are impacted by it. So you can move forward
2	the Board, and I think it's necessary. I think the	2	at your own pace. You don't have to rush and try to
3	global impact will be a positive one.	3	meet a Thursday deadline or some other deadline that's,
4	CHAIR JAMES: Okay, so I just have one	4	you know, that needs to be met.
5	question. I want to go ahead and call for a vote on	5	We have a real deadline, a real need to move
6	this one item now for A1. Am I within Robert's Rules	6	forward. I was being funny when I said, "Two weeks
7	of Order to do that?	7	ago," but it is a real deadline we have, and we have to
8	MR. GAGNON: I would much rather present the	8	build out within five years. It's we cannot afford,
9	site plan and plat to the Board as well, but the	9	quite honestly, for any further delays.
10	Board	10	So again, the compromise, you allow the
11	CHAIR JAMES: So that means that I am.	11	presentation of A2, you see how the proposed changes
12	MR. GAGNON: The Board can make any motion at	12	impact the code, and then if you so desire, I would ask
13	any time.	13	that you respect I would respectfully ask that you
14	CHAIR JAMES: Okay, so	14	recommend approval of A1, A2 and A3 and then come back
15	MS. CALHOUN: Can I propose a compromise	15	and decide to look at whatever provisions of the code
16	before you call a motion? I'm sorry to be out of	16	you think necessary that will impact other properties
17	order. I apologize. But somebody asked for a	17	in the City at a later time, because no one else right
18	compromise, and I have a thought.	18	now has an R-PUD that's affected by this.
19	CHAIR JAMES: Okay, I'll let you express that	19	Thank you for allowing me.
20	thought.	20	CHAIR JAMES: Thank you, Ms. Calhoun.
21	MS. CALHOUN: I appreciate the indulgence.	21	I'm going to go ahead and see if we have a
22	Thank you.	22	motion right now on the floor for A1.
23	So the concern is that we're amending a code	23	VICE CHAIR McCOY: Madam Chair, I move to
24	for a specific parcel, and there's a concern that that	24	approve.
25	will have a global impact. So I would ask if we know,	25	CHAIR JAMES: Is there a second?
	Page 90		Page 92
1	everyone in the room knows that the proposed changes	1	MS. SHEPHERD: I second it.
2	benefit most the next two applications well, the	2	CHAIR JAMES: Roll call.
3	next application, really, the site plan, I would ask	3	MR. VELASQUEZ: Julius Whigham.
4	for the compromise to be, number one, that you allow	4	MR. KUNUTY: I have a question on the motion.
5	Mr. Gagnon to go through the entire numbered the	5	CHAIR JAMES: Go ahead, Mr. Kunuty, you're
6	other two applications, specifically the second one, so	6	recognized.
7	that, again, you can see it in context and how it	7	MR. KUNUTY: You're making a motion to
8	impacts. So before you make a motion on A1, I would	8	approve without any condition?
9	ask that you let him present A2.	9	VICE CHAIR McCOY: Correct.
10	Secondly, the compromise I think may be is	10	MS. SHEPHERD: With conditions?
11	once you see the impact of these code amendments on the	11	VICE CHAIR McCOY: Without any conditions,
12	site plan, you allow the site plan and the code	12	just as it's presented.
13	amendment to move forward as proposed with the caveat,	13	And if I can have a moment to respond, Madam
14	I guess, that you review the R-PUD after, because	14	Chair?
15	again, you haven't heard further. If you desire to	15	The reason I did is simply because at this
16	review more of it later, obviously, that's within your	16	point we've gotten, I think, one clarification from the
17	purview.	17	Health not the Health Department the Fire
18	But what we're asking for tonight, we being	18	Department, and we're relying on the information from
19	the developer, and staff has indicated support, is that	19	our staff.
20	you look at the whole thing globally, see how we're	20	And you know, one of the things that really,
21	impacted by it quite clearly, how we benefit from it,	21	I think, is not the best practice, but you know, part
22	how the City benefits from it, and then if you still	22	of this ordinance, I guess part of this item is to
23	decide you want to look at the rest of the R-PUD, you	23	promote creative design, and I don't want to be the one
24	can do that at your leisure, because there aren't a lot	24	that holds up a project when, clearly, we think we know
25	of there are no other properties in the City right	25	it's I want to say I think we know there's a better

23 (Pages 89 to 92)

	Page 93		Page 95
1	way that this could have been done.	1	Florida approving the site plan application from
2	But certainly given the implication that it's	2	Mediterranea Palm Property Subsidiary, LLC for 236
3	only one unit, I don't want to, you know, continue back	3	townhome units and 152 single family units in the
4	and forth with the bureaucracy. But we have to kind of	4	Mediterranea planned unit development located on the
5	figure this out from a grand scheme of things on how we	5	east side of Military Trail, south of Leo Lane, at 4046
6	approach these kind of issues. So I think, you know,	6	Woods Edge Circle, providing specific conditions of
7	it's not really any thought of the Board or the	7	approval, and providing for an effective date.
8	applicant per se, but you know, I just think we need to	8	So I hope that as staff goes through this
9	be more proactive.	9	presentation, some of the questions that were brought
10	But I don't have any conditions, and you	10	up during the text amendment portion are further
11	know, you're open to substitute and offer any kind of	11	answered, and it will also allow the development team
12	amendments or substitute I mean I just don't	12	to speak further on their existing construction
13	think and we're going to sit here. Clearly, there's	13	projects throughout the state and maybe provide an
14	nothing in the compromise that I've heard that actually	14	additional level of comfort to the Board moving
15	appeases, to me, to really want to hear the other	15	forward.
16	items. Let's just vote on it as is, you know, and if	16	So at this time I'd like to ask Mr. Mario
17	it fails, you know, regrettably, it fails. But unless	17	Velasquez, our Senior Planner and GIS Specialist, to do
18	you have some other	18	a presentation on A2.
19	MR. KUNUTY: Well, no. My only suggestion	19	MR. VELASQUEZ: Good evening, everyone.
20	was that, you know, we've got one page of things here	20	Mario Velasquez, Senior Planner.
21	that we've all discussed and everybody had some	21	So the presentation is for the applications
22	comments on, and it seems like a simple fix to do it.	22	for the site plan SP-16-10 and the plat PA-16-01. We
23	So my feeling is let's fix it and then move on. So,	23	will go over the specs of the residential project, look
24	but you have the motion on the floor, and have a	24	at the location and get familiarized with the area, and
25	second, so	25	continue with the staff analysis.
	Page 94		Page 96
		1	Idge 90
1	CHAIR JAMES: Right. So there is a motion on	1	
1 2	CHAIR JAMES: Right. So there is a motion on the floor to approve A1 as read on the agenda, and a	1 2	The property, as stated before, is located at
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2 3	the floor to approve A1 as read on the agenda, and a second. So we need roll call.	2 3	The property, as stated before, is located at 4046 Woods Edge Circle. It's approximately, plus or minus, 69 acres, currently zoned residential planned
2 3 4	the floor to approve A1 as read on the agenda, and a second. So we need roll call. MR. VELASQUEZ: Motion by Mr. McCoy; second	2 3 4	The property, as stated before, is located at 4046 Woods Edge Circle. It's approximately, plus or minus, 69 acres, currently zoned residential planned unit development. And the future land use is medium
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24 (Pages 93 to 96)

	Page 97		Page 99
1	drawing of a facade for the townhouses, the typical for	1	potential need for a traffic signal for the development
2	five units and typical for nine units.	2	in providing a northbound exclusive right turn lane at
3	This on the screen now are examples of the	3	the project's main access driveway on Military Trail,
4	options for the single family, that the developer is	4	which has already been platted.
5	providing multiple options and upgrades.	5	So when it comes down to recommendations, the
6	Now, staff did a site visit to get firsthand	6	staff recommends approval of the site plan application
7	data collection. We reviewed another location. It's	7	for Mediterranea Palm Properties Subsidiary, LLC for
8	in Tamarac, one of their current developments. And the	8	236 townhouse units and 152 single family units in the
9	screen shows the the colors are not providing	9	Mediterranea planned unit development located on the
10	judgment to the picture, but it shows the	10	east side of Military Trail, south of Leo Lane, at 4048
11	(Discussion held off the record.)	11	Woods Edge Circle, with the following conditions.
12	MR. VELASQUEZ: Like Mr. Gagnon is saying,	12	Number one, a two year landscaping
13	the screen is showing a picture of an existing	13	performance bond for 110 percent of the value of
14	structure located in Tamarac, Florida, south of our	14	landscaping and irrigation shall be required before the
15	location. This is one of the developer's existing	15	Certificate of Occupancy is issued.
16	neighborhoods. That's the back yard, the same unit.	16	Number two, construction must be initiated
17	And what they are proposing in Mediterranea	17	within 18 months of the effective date of the
18	is turning a property that is approximately \$5 million	18	resolution, in accordance with Section 31-60(b).
19	in value into approximately \$78 million, which will	19	Number three, all future advertising must
20	provide a tax revenue to the City of approximately	20	state that the development is located in the City of
21	\$2.1 million per year.	21	Riviera Beach.
22	Now, going to the staff analysis, the	22	Number four, this development must receive
23	proposed development and use, the applicant is	23	final Certificate of Occupancy from the City for all
24	proposing to develop 236 townhome units and 152 single	24	buildings and units approved within five years of the
25	family units. Both types will incorporate three and	25	approval of this resolution or the resolution shall be
	Page 98		Page 100
1	four bedroom units. This will the model units will	1	considered null and void, requiring the applicant to
2	provide approximately eight units per acre when it	2	resubmit site plan fees, application for site plan
3	comes to density.	3	approval and reinitiate the site plan approval process.
4	As far as zoning regulations, the proposed	4	Number five, once approved, this resolution
5	use requires an amendment to the City's Land	5	shall supersede any previous site plan approval
6	Development Regulations, which has been presented by	6	resolutions associated with this property, causing
7	staff prior to this presentation.	7	previous site plan approval resolutions to be null and
8	For the Comprehensive Plan, the proposed use	8	void.
9	is consistent with the Comprehensive Plan's medium	9	Number six, City Council authorizes City
10	density, multiple family residential future land use.	10	staff to approve future amendments to this site plan
11	As far as compatibility, the proposed project	11	administratively, so long as the site plan does not
12	will be compatible with the surrounding parcels and	12	deviate greater than 5 percent from the originally
13	uses after minor approval of the text amendment of the	13	approved site plan.
14	Land Development Regulations, the R-PUD previously	14	Number seven, the developer must provide a
15	presented.	15	northbound exclusive right turn lane at the project
16	Levels of service. All the City services,	16	main access driveway on Military Trail prior to the
17	such as roads, water, sewer and garbage collection are	17	first Certificate of Occupancy being issued for the
18	currently available to the site.	18	project.
19	Landscaping. The proposed landscaping plan	19	Number eight, all units sold must be owner
20 21	is compatible with the City's Land Development	20 21	occupied for the first year the unit is being occupied.
21	Regulations, as previously stated. As far as parking and traffic, adequate	21	Number nine, the property owner shall finally cause a single installation at the project main access
22	parking has been provided in accordance with the City	22	driveway, when and if warranted, as determined by the
23	of Riviera Beach Land Development Regulations, and the	23	County Engineer.
25	developer is working with Palm Beach County for the	25	All the full details of the conditions are in
	and the second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second s	- ĭ	

25 (Pages 97 to 100)

	Page 101		Page 103
1	the staff packet provided to the Board Members.	1	on that one. That's just like the Port project where
2	Since this presentation is for two items, the	2	everything didn't you add them together, the
3	staff recommends also approval for the plat application	3	drawings didn't equal the text.
4	PA-16-01.	4	Number six says you'll get five percent,
5	VICE CHAIR McCOY: I'm sorry, Madam Chair.	5	greater than five percent from the originally approved
6	This is for the site plan and the plat?	6	plan. Nobody ever defines in this City what the
7	CHAIR JAMES: He said site plan	7	percentages are of. There's no specifics on that.
8	MR. VELASQUEZ: Site plan and	8	So you've scoped out that this project got
9	CHAIR JAMES: and A2 and A3.	9	approved not in accordance with the code ten years ago.
10	MR. VELASQUEZ: plat.	10	We've had 20 years of bad development and management,
11	VICE CHAIR McCOY: Okay.	11	and you haven't seen the CDEC Director here. I
12	MR. GAGNON: What I'll do is reread A3 into	12	understand she came to two meetings in 20 years, and I
13	the record.	13	wasn't at either one, even though I come to a lot of
14	Do you have a copy of	14	meetings.
15	(Discussion held off the record.)	15	In order to increase neighborhood stability,
16	MR. GAGNON: So being that both items were	16	this is number eight, all units must be owner occupied
17	connected, what we'll do is you can present this is	17	for the first year after the initial sales date. Have
18	just the separate plat, so we can do a separate action	18	you asked how you would possibly enforce that?
19	on the plat itself. However, both the site plan for A2	19	And then last, the applicant must install any
20	and the plat for A3 were incorporated into this	20	traffic control devices. Well, if he has to be done by
21	presentation. But we'll do separate action items on	21	the 2018, the County may not even have gotten to that
22	both the site plan and the plat.	22	particular issue, so are the homeowners going to have
23	CHAIR JAMES: Okay, if that concludes the	23	to association going to have to fund the traffic
24	presentation, I'm going to move into public comments.	24	CHAIR JAMES: Go ahead, Mr. Ward.
25	And since we are moving them together, I have a comment	25	MR. WARD: That was it.
	Page 102		Page 104
1	card for A2 and A3 from Gerald Ward, so he will get the	1	CHAIR JAMES: That was it?
2	clock for the A2 started, and at the end of the three	2	CHAIR JAMES: That was it? MR. WARD: I got to the end of the line.
2 3	clock for the A2 started, and at the end of the three minutes, Mr. Ward, they'll reset it again and you'll	2 3	CHAIR JAMES: That was it? MR. WARD: I got to the end of the line. CHAIR JAMES: Okay. All right, staff, do you
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#### 12/8/2016

1       review that, see that it doesn't really greatly deviate       1       difficult. However, the mistake that was made in other         2       from what the original site plan approval requested,       and it provides authority to City Staff Gamprove that         3       mit it provides authority to City Staff Gam as being       recession period, in some communities was hat there was no altermpt         6       minute and also something that City staff Saw as being       recession period, in some communities was hat and properiod.         7       The owner occupied unit restriction was       recession period, in some communities was hat there was no altermpt         8       something that the property development team wanted to include and also something that filty staff Saw as being       recession period, in some communities was hat there was no altermpt         9       review important. So what this does, upon purchasing the       review important.       recession period, include and was abeing         10       trinstantly. So this is supposed to be owner occupied       mit is include and ways abeing that City staff Saw as being         11       trinstantly, work the out, you're there for at       recession period, was, Mod of allowed that to occur.         12       trinstantly, work the out, you're there for at       recession and disting something else?         13       trinstantly, work there or at this tracter there was no det my there was no det to the peresting wasthere was no det my there was no det my the		Page 105		Page 107
2       from what the original site plan approval requested,       development communities was not attempt         3       and it provides attributive to City staff a paprove that       and it provides attributives have veloped         4       include and also something that City staff saw as being       teression period, in some communities was not attempt         7       The owner occupied ourit restriction was       teression period, in some communities was not attempt         8       something that the poetry development team wantel to was       teression period, in some communities was not attempt         9       include and also something that City staff saw as being       teression period, in some communities was not attempt         10       werey inportant. So what this does, uport occupied       teression period, in some communities was not attempt         11       units, it incentivers home ownership and long-term       test ownership and long-term         12       residency versus being able to buy the unit and renting       tit it issamly. So thit is is supposed to be owner occupied         13       it it issamly. So that so serve or owner some particlessing the period. In some coll additional neighborhood stability, so       tit it issamly. So that so were able         14       teast or was, that you kind of grow roots in that       teast ownership and additional neighborhood stability, so         15       forther as far as how it will be implemented throug       teast tribu	1	review that see that it doesn't really greatly deviate	1	difficult However the mistake that was made in other
and it provides authority to City staff to approve that       even made to try to goven home womenship. So during a         including in our site plan conditions of approval.       including in our site plan conditions of approval.         The owner occupied unit restriction was       including in our site plan conditions of approval.         including in our site plan conditions of approval.       including in our site plan conditions of approval.         in most it incentivitys hore ownershap and long-term       intis stambly. So during a         in most cases think that once you're pour purchased unit       intis stambly. So this is supposed to be owner occupied         in most cases think that once you're parchased a unit       intis stambly. So this is supposed to be owner occupied         in most cases think that once you're parchased a unit       intis stambly. So this is supposed to be owner occupied         in most cases think that once you're parchased unit       is difficult, but this is our best effort at trying to         is difficult, but this is our best effort at trying to       is difficult, but this is our best effort at trying to         is difficult approver in the trying to guret how the property is used.       CHAIR JAMES: Olay, The poing to allow him to         case And I hink that research shows once you become stable in an are, it promotes additional home       its hind of contagious.         if further as far as how it will be implemented through       its hind for or you what sig origin to latterm ing the provide site and blances on			1	
4         project. So that's the intent of that language, and the theory is standard approved language that we've been including in our site plan conditions of approval.         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         - </td <td></td> <td></td> <th>1</th> <td></td>			1	
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23 MR. GAGNON: It's one of the things that 23 review appraiser is the same surveyor is the same				
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24 CHAIR JAMES: Never heard of it.   24 guy that did the Port's work, who Jeff just said, well,				
25 MR. GAGNON: enforcement is extremely 25 he's no longer working for us. But that's who's			- 0r	has no longer merting for us. But that's whole

27 (Pages 105 to 108)

	Page 109		Page 111
1	supposed to do the review on this plat. So somewhere	1	build. This is the future; this is the future. And
2	along the line, the details are not getting checked and	2	tonight I am ready to vote. Let's get started.
3	done in this town.	3	Thank you, Madam Chair.
4	CHAIR JAMES: Thank you, Mr. Ward.	4 CHAIR JAMES: Thank you, Mr. Whigham.	
5	I'm going to go ahead and ask my question	5 Mr. Kunuty.	
6	first, and this is for the applicant. For number	6	MR. KUNUTY: The only comment that I have is
7	eight, how do you plan to implement that special	7	my concern here with the site plan is the fact that
8	condition number eight: In order to increase	8	we've got a text amendment that you've heard my
9	neighborhood stability, all units sold must be owner	9	comments on that is so loosely crafted that I think
10	occupied for the first year after the initial sales	10	there can be a lot of changes made within the context
11	date.	11	of this and still say we're in compliance. So I'm
12	MS. CALHOUN: Thank you. First of all, thank	12	worried about that. I'm not sure how we can control
13	you for approving our first request, item A1. We	13	it. But I think that based on the rules that we set
14	appreciate the faith, and hope things continue to go	14	gives the developer a lot of latitude to maneuver and
15	well as the night goes forward.	15	make changes, and that's my concern. And I'll think of
16	With regard to all owner occupied units,	16	how we can control that as we continue on.
17	actually that condition came up probably at the same	17	CHAIR JAMES: Thank you, Mr. Kunuty.
18	time for both the City and the developer. It is	18	Mrs. Shepherd.
19	standard, I think, language for probably most of the	19	MS. SHEPHERD: Thank you, Madam Chair.
20	contracts they put together that they don't want their	20	Mr. Gagnon, will this go before Council if
21	units to be rented. So it's a condition in their	21	it's approved?
22	contracts, their closing contracts that potential	22	MR. GAGNON: Absolutely.
23	purchasers cannot sell.	23	MS. SHEPHERD: I will not continue to beat a
24	They have no interest, and it does not help	24	dead horse. I'm with Mr. Whigham. I am truly
25	their community when they have investors come in and	25	believing that this is the future. And I realize it
	Page 110		D 110
			Page 112
1	purchase lots or entire projects. It just doesn't help	1	because I have girls at home that don't want big homes.
2	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the	2	because I have girls at home that don't want big homes. They just want these small apartment or small home.
2 3	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in	2 3	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are
2 3 4	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in doing it because it does not help the communities.	2 3 4	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are really looking for.
2 3 4 5	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in doing it because it does not help the communities. It's not a benefit to the community. It benefits the	2 3 4 5	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are really looking for. When I look at this particular drawing and I
2 3 4 5 6	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in doing it because it does not help the communities. It's not a benefit to the community. It benefits the community when you have invested homeowners living in	2 3 4 5 6	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are really looking for. When I look at this particular drawing and I go to the that is what people are really vying for.
2 3 4 5 6 7	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in doing it because it does not help the communities. It's not a benefit to the community. It benefits the community when you have invested homeowners living in the community that they care about, so that's what they	2 3 4 5 6 7	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are really looking for. When I look at this particular drawing and I go to the that is what people are really vying for. And so I don't know why we want to continue to beat
2 3 4 5 6 7 8	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in doing it because it does not help the communities. It's not a benefit to the community. It benefits the community when you have invested homeowners living in the community that they care about, so that's what they push for.	2 3 4 5 6 7 8	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are really looking for. When I look at this particular drawing and I go to the that is what people are really vying for. And so I don't know why we want to continue to beat this dead horse. I think we need to move on and
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28 (Pages 109 to 112)

	Page 113		Page 115
1	MR. VELASQUEZ: Margaret Shepherd.	1	Now, it is in as bad a shape as you saw the use of the
2	MS. SHEPHERD: Yes.	2	south property that they their engineer's alleged
3	MR. VELASQUEZ: Edward Kunuty.	3	warranty deed. He finally came back in and said it
4	MR. KUNUTY: No.	4	doesn't have a warranty deed and it just has something
5	MR. VELASQUEZ: Tradrick McCoy.	5	like he I showed you in there where yesterday, or
6	VICE CHAIR McCOY: Yes.	6	the 29th, he says we don't own it. So this Board needs
7	MR. VELASQUEZ: Rena James.	7	to follow that.
8	CHAIR JAMES: No.	8	The Port of Palm Beach Charter update, I gave
9	On to item A3 well, we did A3, so now we	9	out two copies, and I've passed down the schedule for
10	need a motion.	10	hearing the Charter update, which is a legislative
11	MR. GAGNON: Well, just for the record, I'll	11	action. It's about the sixth or so time that the Port
12	read it into the record	12	has tried. They were supposed to do this back last
13	CHAIR JAMES: Okay.	13	century, and they have continued to stumble on it.
14	MR. GAGNON: for A3. So we did review the	14	The Corps of Engineers' project modification
15	plat and the staff presentation, but for the record, A3	15	is another issue that is being pushed hard by the Town
16	is a resolution of the City Council of the City of	16	of Palm Beach Shores and the Town of Palm Beach. It
17	Riviera Beach, Palm Beach County, Florida approving the	17	will require a modification, because they went through
18	plat application from Mediterranea Palm Property	18	the legislative process and got an appropriations act
19	Subsidiary, LLC for the Mediterranea planned unit	19	approval of that.
20	development located on the east side of Military Trail,	20	The interlocal agreement is going to come
21	south of Leo Lane, and providing for an effective date.	21	forth. The Treasure Coast is orchestrating another
22	CHAIR JAMES: Is there a motion?	22	meeting. They held one in June of 2014, and now
23	VICE CHAIR McCOY: Move for A3, please.	23	they're finally coming back with the new Council of
24	CHAIR JAMES: Is there a second?	24	Riviera Beach to push getting the Port back under a
25	MR. WHIGHAM: Second.	25	current interlocal agreement.
	Page 114		Page 116
1	Page 114 CHAIR JAMES: Roll call.	1	This Board needs to be involved in all of
1 2	CHAIR JAMES: Roll call. MR. VELASQUEZ: Julius Whigham.	1 2	This Board needs to be involved in all of these, I hope. I would tell you from the action
	CHAIR JAMES: Roll call. MR. VELASQUEZ: Julius Whigham. MR. WHIGHAM: Yes.		This Board needs to be involved in all of these, I hope. I would tell you from the action tonight, we have a number of parcels think of the
2 3 4	CHAIR JAMES: Roll call. MR. VELASQUEZ: Julius Whigham. MR. WHIGHAM: Yes. MR. VELASQUEZ: Edward Kunuty.	2 3 4	This Board needs to be involved in all of these, I hope. I would tell you from the action tonight, we have a number of parcels think of the number of trailer houses. Davendar put forth a
2 3 4 5	CHAIR JAMES: Roll call. MR. VELASQUEZ: Julius Whigham. MR. WHIGHAM: Yes. MR. VELASQUEZ: Edward Kunuty. MR. KUNUTY: No.	2 3 4 5	This Board needs to be involved in all of these, I hope. I would tell you from the action tonight, we have a number of parcels think of the number of trailer houses. Davendar put forth a provision in our Comp Plan back starting in '82 to try
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#### 29 (Pages 113 to 116)

		1	
	Page 117		Page 119
1	updates first.	1	It doesn't mean that it couldn't be developed
2	MR. GAGNON: Yes, for project updates, I'd	2	within the conditions of approval, so they could come
3	like to just take the opportunity to briefly discuss	3	back towards the end of their 18 month construction
4	our upcoming meeting on December 15th. If you recall,	4	initiation process. So it could happen, but it seems
5	at our last Planning and Zoning Board meeting	5	as if they've changed their mind as far as moving
6	Ms. Brabham had mentioned a development proposal	6	forward with the project currently.
7	adjacent to Stonybrook. So that's what's being	7	VICE CHAIR McCOY: Yes, that's what I think.
8	provided to the Board on December 15th. I've provided	8	I want to say this. You know, I voted under
9	hard copies of the agenda for that meeting, for the	9	duress tonight. And that's exactly what it is. That
10	December 15th meeting to the Board. I sent out digital	10	was bad, and I felt like I should have supported my
11	copies as well. And I'll provide the full packet to	11	colleague. But we're presented with something. And
12	the Board and general public tomorrow during the day.	12	these people have a project that's on the agenda, and
13	So that will be coming before the Board on December	13	nothing was right about it. And I just don't like how
14	15th.	14	we're presented with this information.
15	CHAIR JAMES: Thank you. And now we'll go	15	And I've seen something similar happen at the
16	into Board comments. We'll start with Mr. Whigham.	16	City Council level that you're forced to vote on
17	MR. WHIGHAM: No comment.	17	something that's not proper, and to not approve it
18	CHAIR JAMES: Mr. Kunuty.	18	would show it would really look it won't cast the
19	MR. KUNUTY: No comment.	19	best light on the City. And I felt like I owed
20	CHAIR JAMES: Ms. Shepherd.	20	everyone the due diligence to send it back.
21	MS. SHEPHERD: No comment.	21	But here it is, we have a company project
22	CHAIR JAMES: Mr. Vice Chair McCoy.	22	that's following it, and it wasn't right. And the only
23	VICE CHAIR McCOY: Yes, Madam Chair, a	23	reason I supported it was because based on staff's
24	question for Mr. Gagnon, and then I do have a comment.	24	recommendation that this is the only property that this
25	The first question related to that project	25	would potentially affect as it stands right now. But I
		1	
	Page 118		Page 120
1	_	1	-
1 2	Page 118 that's coming next week. Is that under a special exception?	1 2	Page 120 can, you know, tell you if it comes back up again, then I'm certainly going to remember well, I don't know
	that's coming next week. Is that under a special	1	can, you know, tell you if it comes back up again, then
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2 3	that's coming next week. Is that under a special exception? MR. GAGNON: It is a special exception and	2 3	can, you know, tell you if it comes back up again, then I'm certainly going to remember well, I don't know how long I'm going to be here.
2 3 4	that's coming next week. Is that under a special exception? MR. GAGNON: It is a special exception and approval request.	2 3 4	can, you know, tell you if it comes back up again, then I'm certainly going to remember well, I don't know how long I'm going to be here. But I just didn't like that we had to vote on something that wasn't right. I mean we've already decided that we've already recognized that the code
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30 (Pages 117 to 120)

		1
	Page 121	
1	But those are my comments. Thank you.	
2	CHAIR JAMES: Okay, my comments are I don't	
3	knock anyone for how they choose to vote. I mean we	
4	all sit up here, and we represent our own opinions or	
5	whatnot. And I certainly hope that nobody up here	
6	thinks that I may ridicule them or make comments under	
7	my breath about maybe beating a dead horse or whatnot,	
8	because everybody's entitled to their say up here, and	
9	I respect how everybody votes, and we should all do the	
10	same. That's my one comment.	
11	My second comment, the reason I missed the	
12	last meeting is because I had responded and said that I	
13	was going to be here, and on my way here I had a death	
14	in the family. So that was my family emergency as to	
15	why I was not present.	
16	And is there any other motions on the floor	
17	at this time?	
	MR. WHIGHAM: I make a motion that we	
18		
19	adjourn.	
20	CHAIR JAMES: So moved.	
21	(Whereupon, at 9:25 p.m., the proceedings	
22	were concluded.)	
23		
24		
25		
	Page 122	
1	CERTIFICATE	
2	CERTIFICATE	
3		
4	THE STATE OF FLORIDA )	
-		
5	COUNTY OF PALM BEACH )	
6		
7		
8	I, Susan S. Kruger, do hereby certify that	
9	I was authorized to and did report the foregoing	
10	proceedings at the time and place herein stated, and	
11	that the foregoing pages comprise a true and correct	
12	transcription of my stenotype notes taken during the	
13	proceedings.	
14	IN WITNESS WHEREOF, I have hereunto set my	
15	hand this 12th day of December, 2016.	
16		
17		
18		
19		
20		
21	form & Krugers	
	Susan S. Kruger	
22		
23		
24		
25		
		31 (Pages 121 to 122)
		· _ /

#### CITY OF RIVIERA BEACH CITY COUNCIL AGENDA ITEM SUMMARY

**Meeting Date:** 1/18/2017

Agenda Category: RESOLUTION

Subject:A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH,<br/>PALM BEACH COUNTY, FLORIDA, APPROVING THE PLAT APPLICATION FROM<br/>MEDITERRANEA PALM PROPERTY SUBSIDIARY, LLC, FOR THE<br/>MEDITERRANEA PLANNED UNIT DEVELOPMENT LOCATED ON THE EAST SIDE<br/>OF MILITARY TRAIL, SOUTH OF LEO LANE; AND PROVIDING FOR AN<br/>EFFECTIVE DATE.

Recommendation/Motion: City staff recommends approval of this Resolution.

Originating Dept	Community Development	Costs	N/A
User Dept.	City	Funding Source	N/A
Advertised	No	Budget Account Number	N/A
Date	January ???		
Paper	Palm Beach Post		
Affected Parties	Not Required		

#### Background/Summary:

The "Mediterranea" Plat complies with the City's Code of Ordinances and with Florida Statutes. This Plat was submitted in conjunction with the Mediterranea Site Plan (SP-16-10). The Planning and Zoning Board recommended approval of the Mediterranea Plat to the City Council on December 8, 2016.

Fiscal Years	N/A
Capital Expenditures	N/A
Operating Costs	N/A
External Revenues	N/A
Program Income (city)	N/A
In-kind Match (city)	N/A
Net Fiscal Impact	N/A
NO. Additional FTE Positions (cumulative)	N/A

#### **III. Review Comments**

A. Finance Department Comments:

- B. Purchasing/Intergovernmental Relations/Grants Comments:
- C. Department Director Review:

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

- Contractor Contact
- **Contractor Address**
- Contractor Phone Number
- Contractor Email
- Type of Contract
- Describe

```
ATTACHMENTS:
```

File Name	Description	Upload Date	Туре
ResolutionPlat_for_Mediterrenea_(PA-16-01).docx	Resolution, Plat for Mediterrenea (PA-16- 01)	1/10/2017	Resolution
Mediterranea_Plat.pdf	Mediterranea Plat, Exhibit A	1/10/2017	Exhibit
PA-16- 01_Mediterranea_Plat_Staff_Report_PNZ_12.08.2016.pd	PA-16-01 Mediterranea Plat If Staff Report PNZ 12.08.2016	1/10/2017	Backup Material
REVIEWERS:			

Department	Reviewer	Action	Date
Community Development	Mitchell, Dorothy	Approved	1/11/2017 - 7:07 PM

#### RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PLAT APPLICATION FROM MEDITERRANEA PALM PROPERTY SUBSIDIARY. LLC. FOR THE MEDITERRANEA PLANNED UNIT DEVELOPMENT LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Mediterranea Plat (PA-16-01) complies with the City's Code of Ordinances and with Florida Statutes; and

**WHEREAS**, the Planning and Zoning Board recommended approval of the Mediterranea Plat to the City Council on December 8, 2016 and

**WHEREAS,** the City Council desires to approve the Mediterranea Plat, attached hereto as Exhibit A.

#### NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

**<u>SECTION 1.</u>** That the City Council approves the plat entitled "Mediterranea Phase 2", attached hereto and archived as part of this resolution as Exhibit A.

**<u>SECTION 2.</u>** The Mayor, City Clerk and City Engineer are authorized to sign the Mediterranea Plat.

**SECTION 3.** This Resolution shall take effect immediately upon approval.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_\_, 2017.

RESOLUTION NO.\_\_\_\_\_ PAGE 2 of 2

**APPROVED:** 

THOMAS A. MASTERS MAYOR TERENCE D. DAVIS CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY CERTIFIED MUNICIPAL CLERK CITY CLERK KASHAMBA MILLER-ANDERSON CHAIR PRO TEM

LYNNE L. HUBBARD COUNCILPERSON

TONYA DAVIS JOHNSON COUNCILPERSON

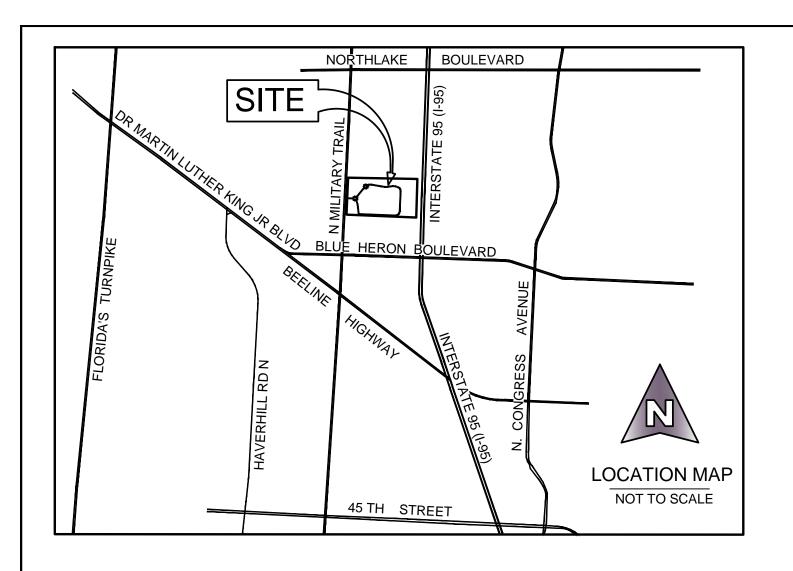
DAWN S. PARDO COUNCILPERSON

MOTIONED BY:	
SECONDED BY:	
L. HUBBARD	
K. MILLER-ANDERSON	
T. DAVIS JOHNSON	
D. PARDO	
T. DAVIS	

**REVIEWED AS TO LEGAL SUFFICIENCY** 

ANDREW DEGRAFFENREIDT, ESQ. CITY ATTORNEY

DATE: \_\_\_\_\_



## **DEDICATIONS AND RESERVATIONS**

KNOW ALL MEN BY THESE PRESENTS THAT MEDITERRANEA, A FLORIDA LIMITED LIABILITY COMPANY. OWNER OF THE LAND SHOWN HEREON AS MEDITERRANEA PHASE 2, BEING A REPLAT OF A PORTION OF THE PLAT OF WOODS EDGE AS RECORDED IN PLAT BOOK 50, PAGES 130 AND 131, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 25, TOWNSHIP 42 SOUTH, RANGE 42 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT "C-2", ALTON PCD, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 118, PAGES 197 THROUGH 206, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 13.000 ACRES (566,280 SQUARE FEET) MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE FOLLOWS:

1. TRACTS "C-2A" AND "C-2B", AS SHOWN HEREON, ARE HEREBY RESERVED FOR THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID OWNER, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS

2. TRACT "S", AS SHOWN HEREON, IS HEREBY DEDICATED TO THE MEDITERRANEA PROPERTY OWNERS ASSOCIATION, INC, ITS SUCCESSORS AND ASSIGNS, AS A PUBLIC ROADWAY TRACT FOR INGRESS, EGRESS, DRAINAGE, UTILITIES, INCLUDING CABLE TELEVISION SYSTEMS AND OTHER RELATED PURPOSES, AND IS THE PERPETUAL MAINTENANCE RESPONSIBILITY OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS AND NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.

A NON-EXCLUSIVE EASEMENT FOR PUBLIC INGRESS, EGRESS, AND UTILITIES OVER TRACT "S", IS HEREBY DEDICATED TO SEACOAST UTILITY AUTHORITY, ITS SUCCESSOR AND/OR ASSIGNS FOR ACCESS, INSTALLATION, OPERATION AND MAINTENANCE OF WATER AND SEWER FACILITIES. THE LANDS ENCUMBERED BY SAID EASEMENT IS THE PERPETUAL MAINTENANCE OBLIGATION OF THE ALTON PROPERTY OWNERS ASSOCIATION, INC, ITS SUCCESSORS AND/OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS.

3. THE SEACOAST UTILITY AUTHORITY EASEMENTS, AS SHOWN HEREON AND DESIGNATED AS S.U.A.E. ARE HEREBY DEDICATED TO SEACOAST UTILITY AUTHORITY, ITS SUCCESSORS AND/OR ASSIGNS, FOR ACCESS, INSTALLATION, OPERATION AND MAINTENANCE OF WATER AND SEWER FACILITIES. LANDS ENCUMBERED BY SAID EASEMENTS SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE OWNER OR OWNERS OF THE FEE SIMPLE INTEREST IN SAID LANDS, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS.

A NON-EXCLUSIVE DRAINAGE EASEMENT AND UTILITY EASEMENT OVER TRACT "S", IS HEREBY RESERVED TO FOR THE OWNERS, ITS SUCCESSORS AND/OR ASSIGNS FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF PRIVATE UTILITIES AND DRAINAGE IN SAID TRACT WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS OR ITS SUCCESSORS AND/OR ASSIGNS.

4. THE PERPETUAL PUBLIC ACCESS EASEMENTS, AS SHOWN HEREON AND DESIGNATED AS P.P.A.E., ARE HEREBY FOR PUBLIC ACCESS AND UTILITY PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF VILLAS AT BRIGER, LLC, ITS SUCCESSORS AND/OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS AND THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT. STRUCTURES MAY BE PERMITTED UPON PERPETUAL PUBLIC ACCESS EASEMENT AS APPROVED OR WITH PRIOR WRITTEN CONSENT BY THE CITY OF PALM BEACH GARDENS.

5. THE UTILITY EASEMENTS, AS SHOWN HEREON AND DESIGNATED AS U.E., ARE HEREBY DEDICATED IN PERPETUITY TO ALL GOVERNMENTAL ENTITIES AND PUBLIC UTILITIES WITH THE RIGHT TO ENTER UPON THE PROPERTY HEREON DESCRIBED TO INSTALL, OPERATE AND MAINTAIN THEIR RESPECTIVE UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE INSTALLATION, OPERATION AND/OR MAINTENANCE OF OTHER PUBLIC UTILITIES. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITY FACILITIES SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

HERETO	ΒY	AND	WITH
OF			, 2

## ACKNOWLEDGMENT

FLORIDA LIMITED LIABILITY C

COMMISSION NO.

STATE OF FLORIDA

2016.

## WITNESS

PRINTED NAME:

WITNESS:

PRINTED NAME

COUNTY OF PALM BEACH

PRODUCED

MY COMMISSION EXPIRES:

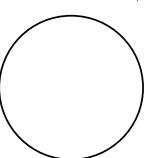
COMMISSION NO.

MEDIT OWNE

MEDITERRANEA

**MEDITERRANEA** NOTARY

MEDITERRANEA PROPE	RTY
OWNERS ASSOCIATION,	INC.



# **MEDITERRANEA PHASE 2**

BEING A REPLAT OF A PORTION OF THE PLAT OF WOODS EDGE AS RECORDED IN PLAT BOOK 50, PAGES 130 AND 131, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 25, TOWNSHIP 42 SOUTH, RANGE 42 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA. **OCTOBER**, 2016 SHEET 1 OF 8

		TITLE CERTIFICATION
		STATE OF FLORIDA COUNTY OF PALM BEACH
THESE PRESENTS TO BE SIGNED E	, A FLORIDA LIMITED LIABILITY COMPANY, HAVE CAUSED 3Y ITS AUTHORIZED SIGNATORY, AND ITS COMPANY SEAL TO BE AFFIXED AUTHORITY OF ITS BOARD OF DIRECTORS, THIS DAY	I,, ESQUIRE, A DULY L CERTIFY THAT I HAVE EXAMINED TITLE TO THE PROPERTY IS VESTED IN THE CURRENT TAXES HAVE BEEN PAID; TH ARE ENCUMBRANCES OF RECORD BUT TH SUBDIVISION DEPICTED BY THIS PLAT.
OF, 2016.		
	MEDITERRANEA , LLC, A FLORIDA LIMITED LIABILITY COMPANY	DATED:
	BY: FCI RESIDENTIAL CORPORATION ITS MANAGING MEMBER	
	BY:	
WITNESS:	, VICE PRESIDENT	NORTHERN PALM BEACH COUNTY II
PRINTED NAME:		STATE OF FLORIDA COUNTY OF PALM BEACH
WITNESS:		NORTHERN PALM BEACH COUNTY IMPROVI DEDICATIONS TO, NOR ANY MAINTENANCI NORTHERN PALM BEACH COUNTY IMPROVE
PRINTED NAME:		IN WITNESS WHEREOF, NORTHERN PALM
ACKNOWLEDGMENT		PRESENTS TO BE SIGNED BY MATTHEW ATTESTED BY O'NEAL BARDIN, JR., ITS ASS OF, 2016.
STATE OF FLORIDA COUNTY OF PALM BEACH		NORTHERN PALM BEAC UNIT OI
PRODUCED A	ED, WHO IS PERSONALLY KNOWN TO ME, OR WHO HAS S IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT	ATTEST:
FLORIDA LIMITED LIABILITY COM	, ASOF, A PANY, AND ACKNOWLEDGED BEFORE ME THAT HE EXECUTED SUCH	O'NEAL BARDIN, JR.

INSTRUMENT FOR THE PURPOSES EXPRESSED THEREIN. WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_ , 2016.

MY COMMISSION EXPIRES:

NOTARY PUBLIC

PRINTED NAME

### **MEDITERRANEA PROPERTY OWNERS ASSOCIATION, INC. ACCEPTANCE**

### COUNTY OF PALM BEACH

MEDITERRANEA PROPERTY OWNERS ASSOCIATION, INC. HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS DAY OF

> MEDITERRANEA PROPERTY OWNERS ASSOCIATION, INC. A FLORIDA CORPORATION NOT-FOR-PROFIT

> > PRESIDENT

#### MEDITERRANEA PROPERTY OWNERS ASSOCIATION, INC. ACKNOWLEDGMENT

STATE OF FLORIDA

BEFORE ME PERSONALLY APPEARED RICHARD COVELL, WHO IS PERSONALLY KNOWN TO ME, OR WHO HAS \_ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF ALTON PROPERTY OWNERS ASSOCIATION, INC., AND ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATION, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_ \_, 2016.

NOTARY PUBLIC

PRINTED NAME

ERRANEA PROPERTY	
RS ASSOCIATION, INC.	
NOTARY	

NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT



PRINTED NAME:

FLORIDA BAR # FOR THE FIRM OF

MPROVEMENT DISTRICT ACKNOWLEDGEMENT

EMENT DISTRICT HEREBY ACKNOWLEDGES THAT THERE ARE NO E OBLIGATIONS BEING INCURRED, ACCEPTED OR ASSUMED BY EMENT DISTRICT ON THIS PLAT.

BEACH COUNTY IMPROVEMENT DISTRICT HAS CAUSED THESE J. BOYKIN, ITS PRESIDENT, BOARD OF SUPERVISORS, AND SISTANT SECRETARY, BOARD OF SUPERVISORS, THIS \_\_\_\_\_ DAY

> CH COUNTY IMPROVEMENT DISTRICT F DEVELOPMENT 2C

ATTEST:	BY:
O'NEAL BARDIN, JR.	MATTHEW J. BOY
ASSISTANT SECRETARY	PRESIDENT
BOARD OF SUPERVISORS	BOARD OF SUPER

#### **CITY OF RIVIERA BEACH APPROVALS:**

CITY OF RIVIERA BEACH COUNTY OF PALM BEACH, FLORIDA

IT IS HEREBY CERTIFIED THAT THIS PLAT ENTITLED MEDITERRANEA PHASE 2 HAS BEEN OFFICIALLY APPROVED FOR RECORD BY THE CITY OF RIVIERA BEACH, FLORIDA.

THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_ 2016

THOMAS A MASTERS, MAYOR

BY CLAUDENE L. ANTHONY, CMC CITY CLERK

BY TERRENCE N. BAILEY, P.E. CITY ENGINEER

#### **CITY OF RIVIERA BEACH GARDENS REVIEWING SURVEYOR**

ON BEHALF OF THE CITY OF RIVIERA BEACH, FLORIDA, IN ACCORDANCE WITH CHAPTER 177.081(1) OF THE FLORIDA STATUTES, THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177, PART 1 PLATTING, FLORIDA STATUTES AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF THE GEOMETRIC DATA OR THE FIELD VERIFICATION OF PERMANENT CONTROL POINTS (P.C.P.s) AND MONUMENTS AT LOT/TRACT CORNERS.

THIS	DAY OF	, 2016	BY:
			JOHN

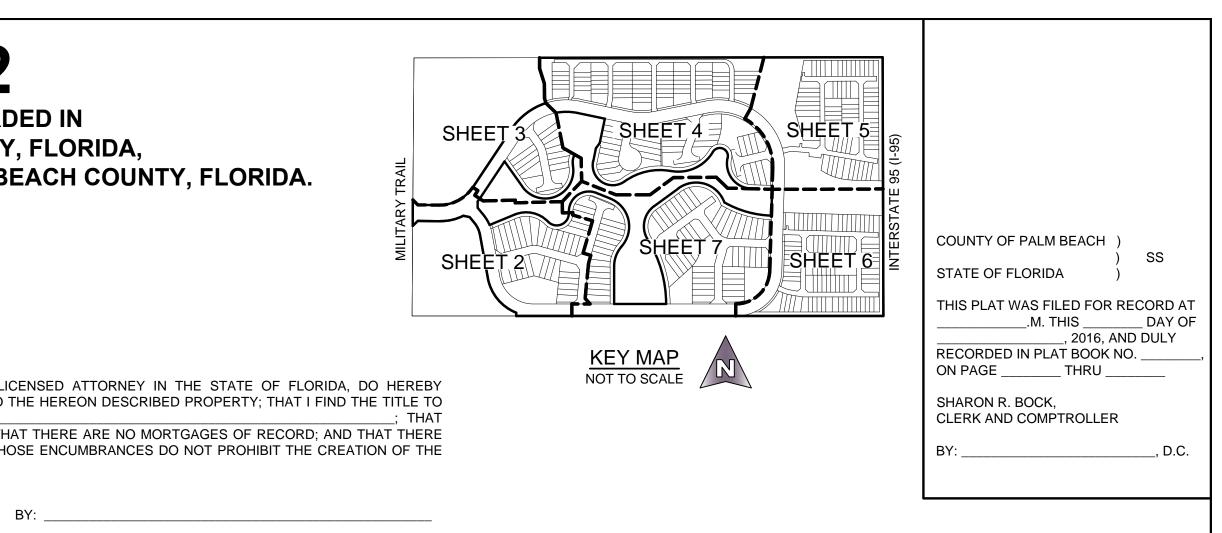
#### SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION: THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF: THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.s") HAVE BEEN PLACED AS REQUIRED BY LAW, AND THAT PERMANENT CONTROL POINTS ("P.C.P.s") AND MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF RIVIERA BEACH FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA.

DATE

CRAIG S. PUSEY, P.S.M. LICENSE NO. 5019 STATE OF FLORIDA

THIS INSTRUMENT WAS PREPARED BY LESLIE C. BISPOTT, P.S.M. OF MICHAEL B. SCHORAH AND ASSOCIATES, INC., 1850 FOREST HILL BOULEVARD., SUITE 206, WEST PALM BEACH, FLORIDA, 33406.



′KIN

RVISORS

E. PHILLIPS III

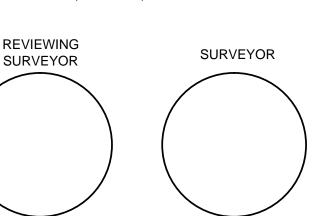
PROFESSIONAL SURVEYOR AND MAPPER STATE OF FLORIDA LICENSE NO. LS 4826

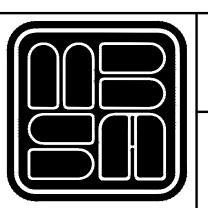
### SURVEYOR AND MAPPER'S NOTES

- 1. NO BUILDING OR ANY KIND OF CONSTRUCTION OF TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
- 2. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- 3. ALL LINES INTERSECTING CIRCULAR CURVES RADIAL UNLESS OTHERWISE NOTED.
- 4. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN, AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- 5. BUILDING SETBACK LINES SHALL BE AS REQUIRED BY ORDINANCES OF THE CITY OF RIVIERA BEACH.
- 6. BEARINGS AS SHOWN HEREON ARE BASED UPON THE PLATTED NORTH LINE OF WOODS EDGE AS RECORDED IN PLAT BOOK 50, PAGES 130 AND 131, HAVING A GRID BEARING OF SOUTH 88°43'20" EAST, WHICH IS RELATIVE TO THE NORTH AMERICAN DATUM (N.A.D.) 83. 1990 ADJUSTMENT.

<u>LEGEND</u>		
P.O.C.	=	POINT OF COMMENCEMENT
P.O.B.	=	
P.C.P.	=	
P.R.M.	=	
O.R.B.	=	
P.B.	=	
PGS.	=	17.020
D.B.	=	DEED DOOR
P.B.C.	=	
R/W Ç	=	
ዊ U.E.	=	<b>OENTEREINE</b>
D.E.	=	Sherri Eksement
D.E. R	=	
L	=	RADIUS
	=	ARC LENGTH
Δ	-	CURVE CENTRAL ANGLE
۲	=	DENOTES FOUND PALM BEACH
		COUNTY DISK IN CONCRETE
۲	=	SET NAIL AND ALUMINUM DISK,
		STAMPED P.C.P. L.B. 2438
	=	SET 4"x4"x24" C.M. WITH ALUMINUM DISK,
		STAMPED P.R.M. L.B. 2438
	=	DENOTES FOUND P.R.M. (AS SHOWN IF ANY)
L.M.E.	=	LAKE MAINTENANCE EASEMENT
C.L.	=	CHORD LENGTH
C.B.	=	CHORD BEARING
L.M.A.E.	=	LAKE MAINTENANCE ACCESS EASEMENT
R.L.	=	RADIAL LINE
TYP.	=	TYPICAL
Ν	=	NORTHING, WHEN USED WITH COORDINATES
E	=	EASTING, WHEN USED WITH COORDINATES
S.E.	=	SEWER EASEMENT
W.E.	=	WATER EASEMENT
L.B.E.	=	LANDSCAPE BUFFER EASEMENT
L.A.E.	=	LIMITED ACCESS EASEMENT
L.S.E.	=	LIFT STATION EASEMENT
FD.	=	FOUND
OA.	=	OVERALL
C.M.	=	CONCRETE MONUMENT
F.P.L.	=	FLORIDA POWER AND LIGHT
L.E.	=	LANDSCAPE EASEMENT
NO.	=	NUMBER
P.B.C.U.E.	=	PALM BEACH COUNTY UTILITY EASEMENT

PALM BEACH COUNTY UTILITY EASEMENT OVERHANG MAINTENANCE EASEMENT =





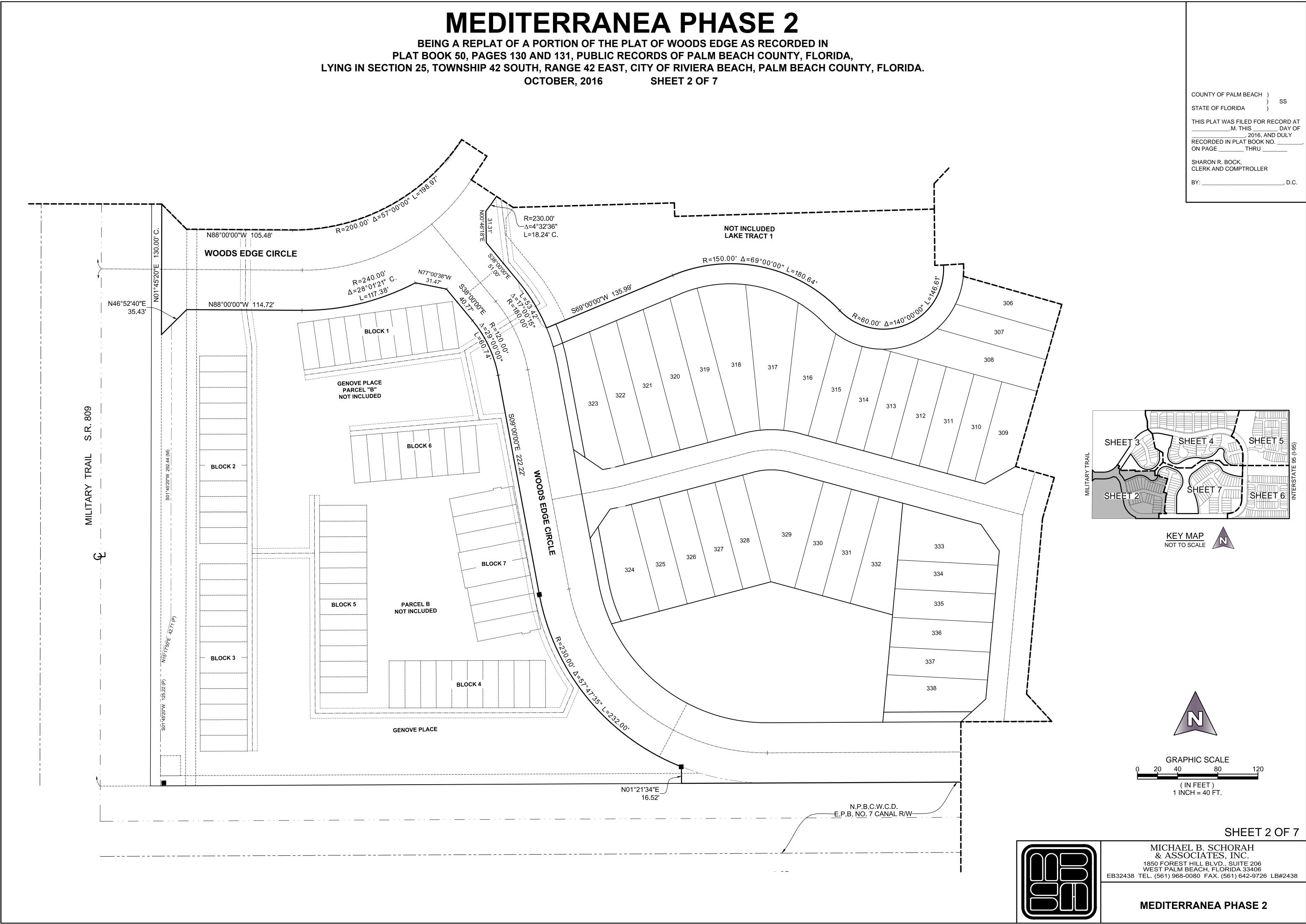
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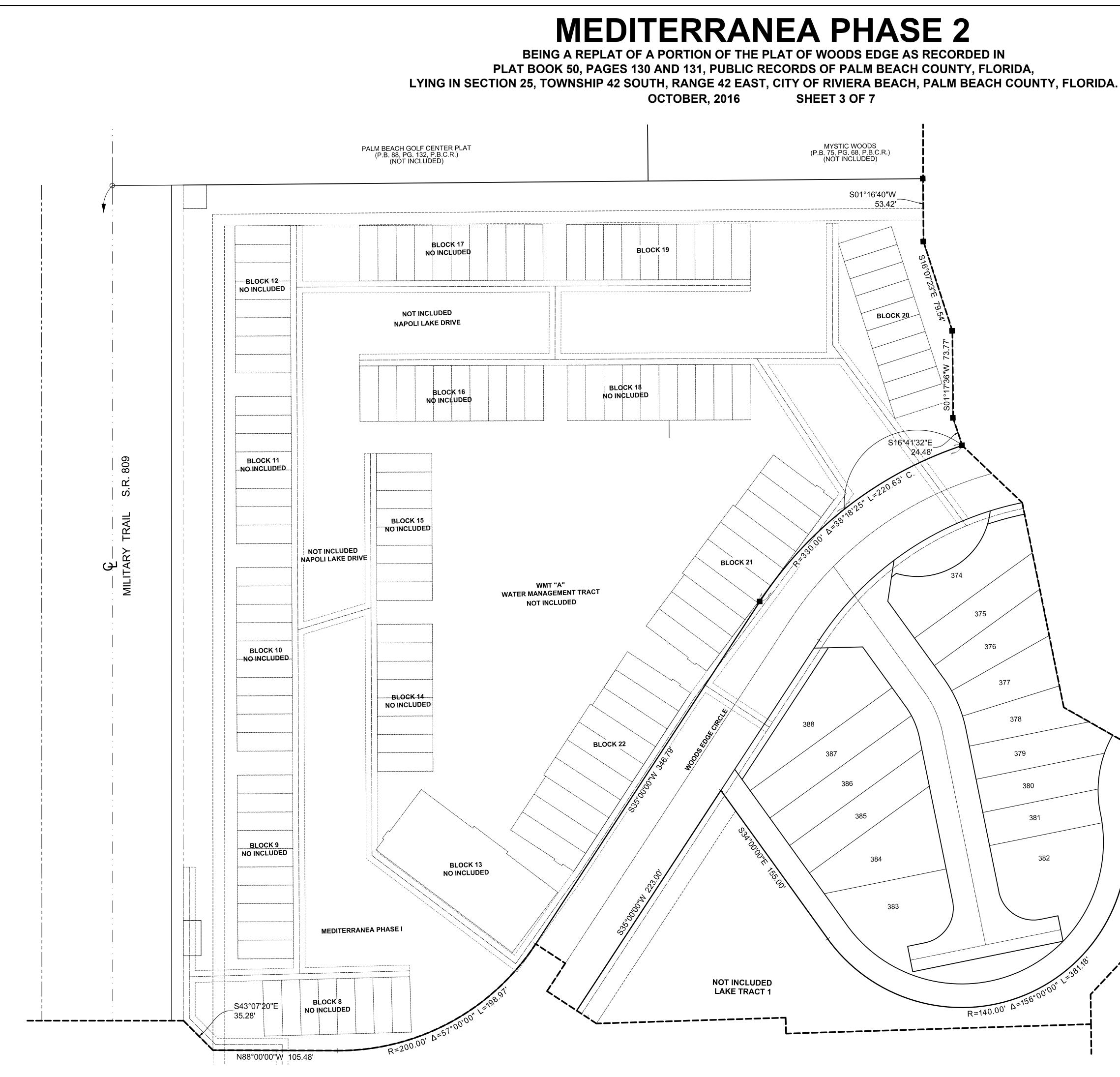
## SHEET 1 OF 7

MICHAEL B. SCHORAH & ASSOCIATES, INC. 1850 FOREST HILL BLVD., SUITE 206 WEST PALM BEACH, FLORIDA 33406 EB32438 TEL. (561) 968-0080 FAX. (561) 642-9726 LB#2438

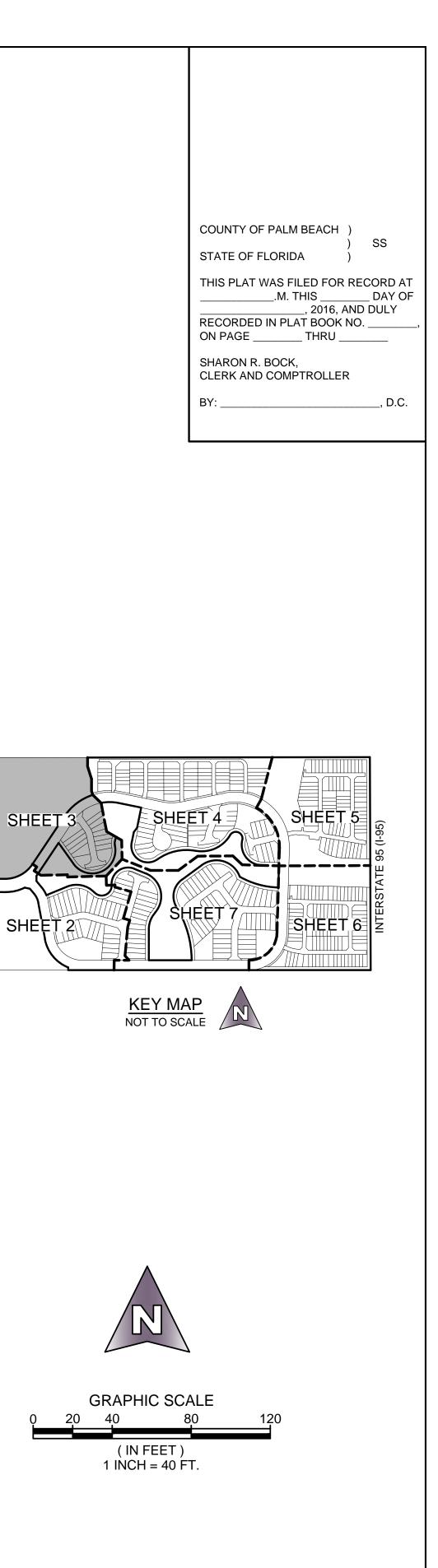
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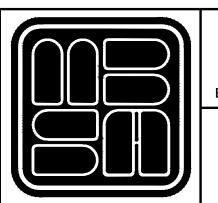
## **MEDITERRANEA PHASE 2**





PLAT BOOK 50, PAGES 130 AND 131, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,





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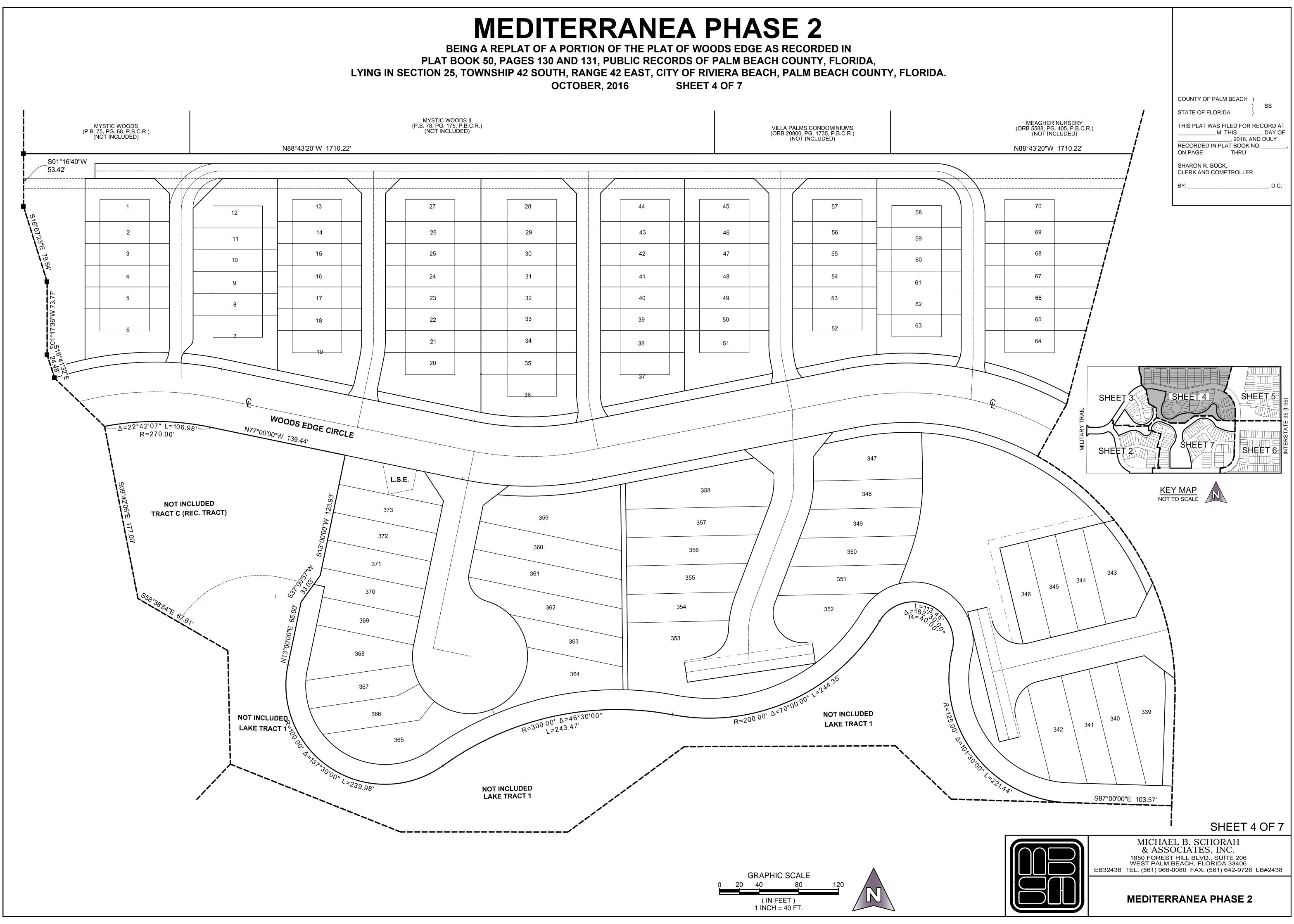
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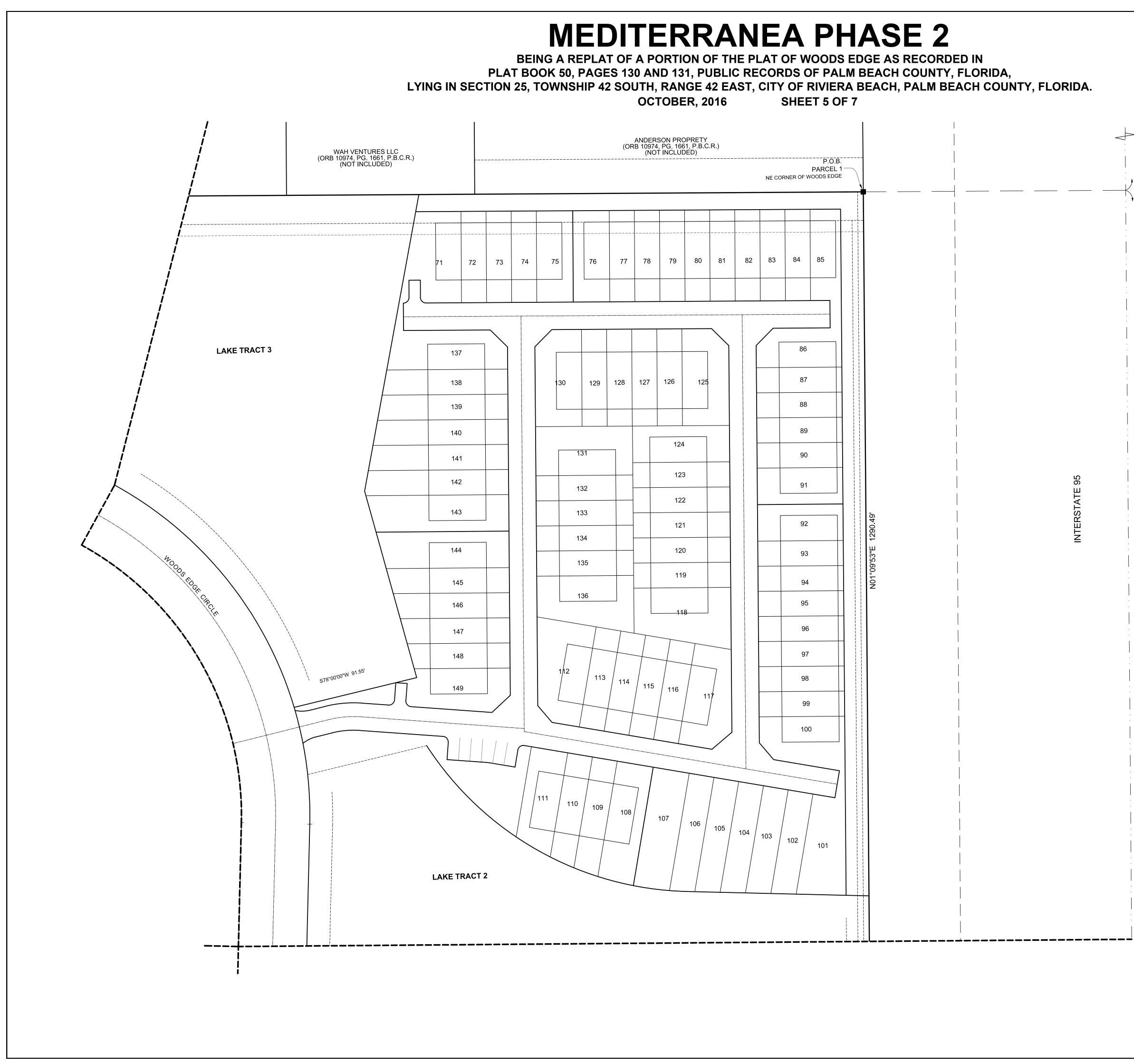
SHEET 3 OF 7

MICHAEL B. SCHORAH & ASSOCIATES, INC. 1850 FOREST HILL BLVD., SUITE 206 WEST PALM BEACH, FLORIDA 33406 EB32438 TEL (561) 968-0080 FAX (561) 642-9726 LB#2438

## **MEDITERRANEA PHASE 2**

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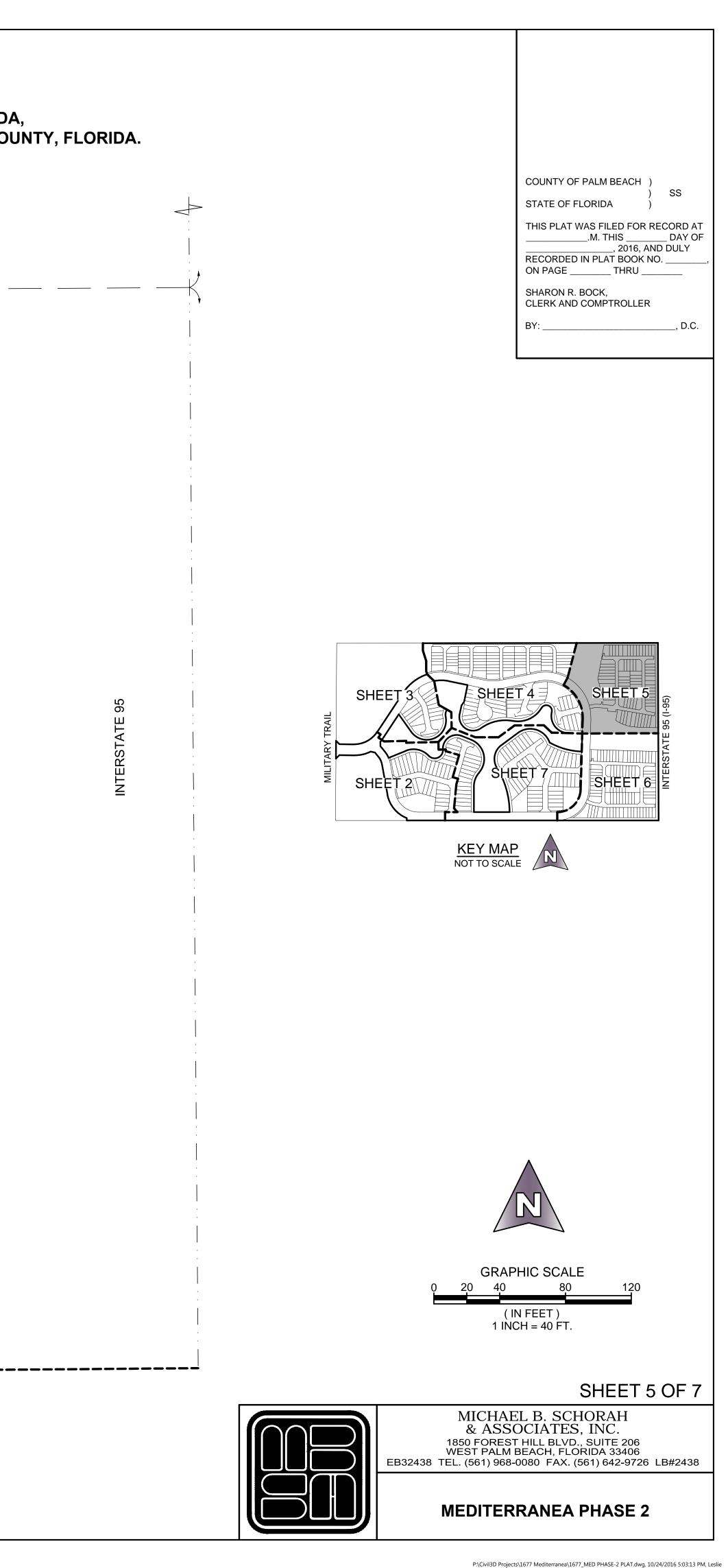


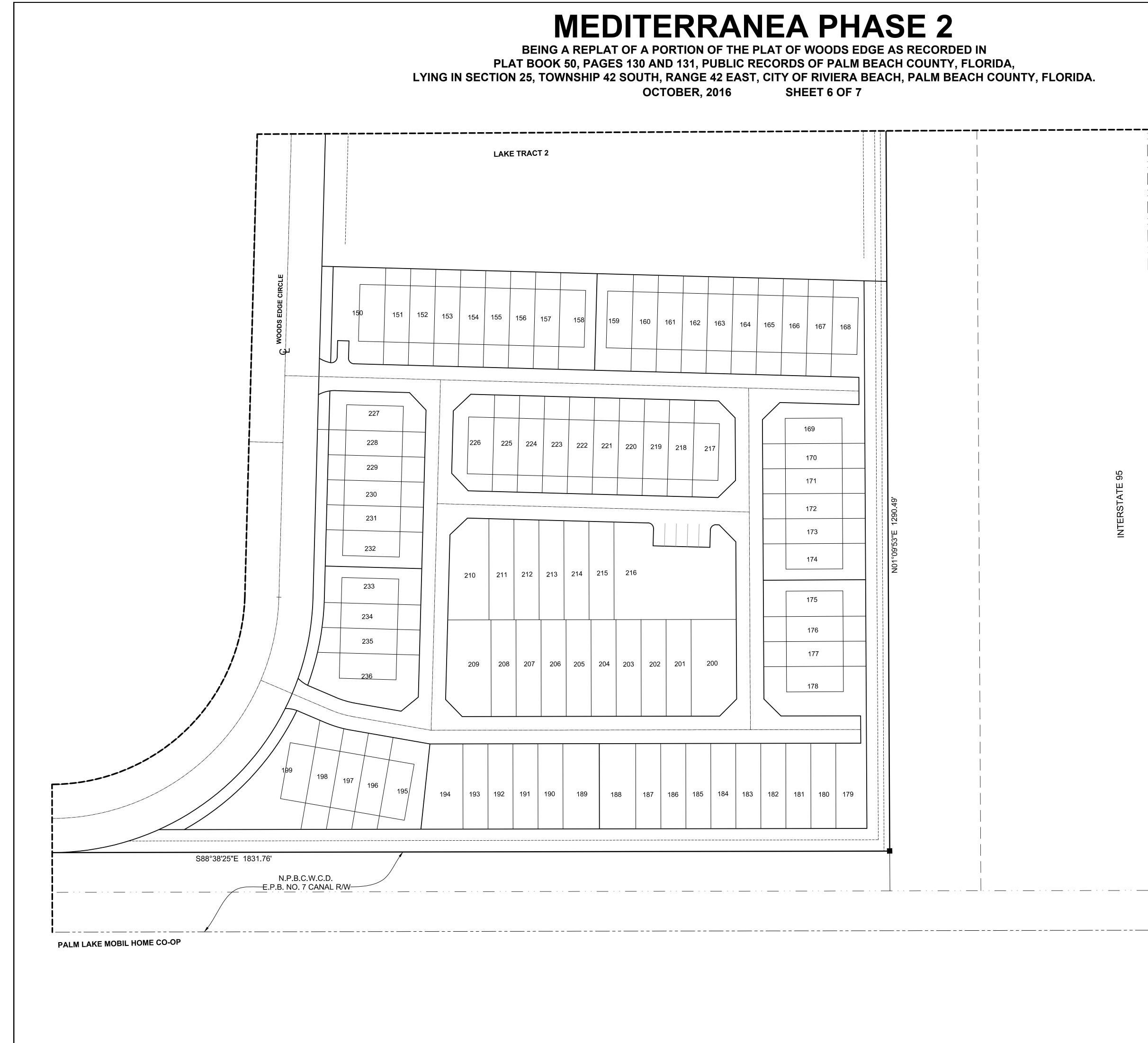


# **MEDITERRANEA PHASE 2**

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PLAT BOOK 50, PAGES 130 AND 131, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

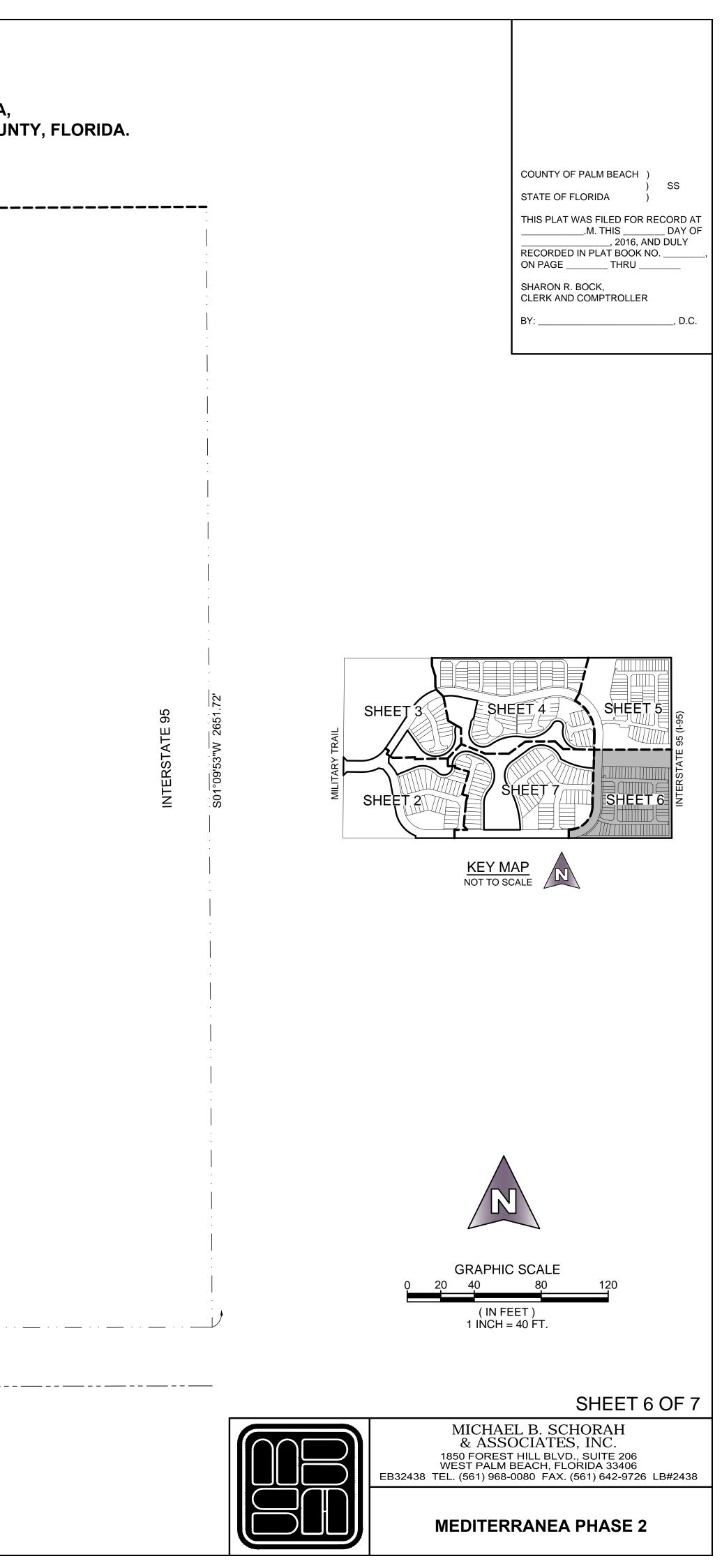




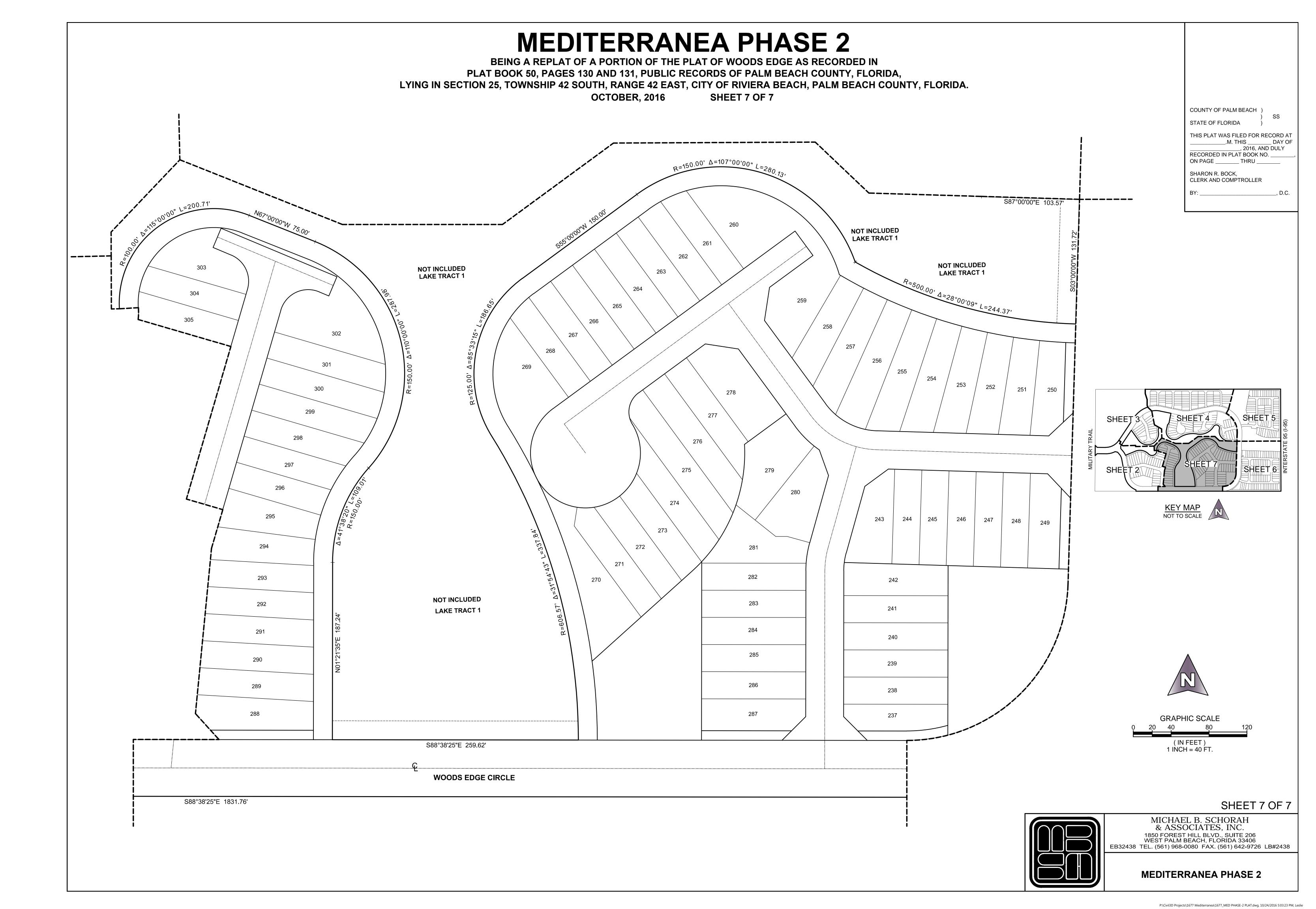
# **MEDITERRANEA PHASE 2**

BEING A REPLAT OF A PORTION OF THE PLAT OF WOODS EDGE AS RECORDED IN PLAT BOOK 50, PAGES 130 AND 131, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 25, TOWNSHIP 42 SOUTH, RANGE 42 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA. **OCTOBER, 2016** SHEET 6 OF 7

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#### STAFF REPORT – CITY OF RIVIERA BEACH CASE NUMBERS PA-16-01 PLANNING AND ZONING BOARD, DECEMBER 8, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PLAT APPLICATION FROM MEDITERRANEA PALM PROPERTY SUBSIDIARY, LLC, FOR THE MEDITERRANEA PLANNED UNIT DEVELOPMENT LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE; AND PROVIDING FOR AN EFFECTIVE DATE.

- A. Applicant: Mediterranea Palm Property Subsidiary, LLC
- **B. Request:** The applicant is requesting plat approval in order to accommodate the development of 236 townhome units and 152 single family units that will include 3 and 4 bedroom units within the existing "Mediterranea" planned unit development.
- **C. Location:** The proposed location is north of Blue Heron Blvd., on the east side of Military Trail, and south of Leo Lane.
- D. Property Description and Uses: The subject property description and uses are as follows:

Parcel Control Number:	56-42-42-25-03-000-0010.		
Parcel Size:	<u>+</u> 69.25 acres.		
Existing Use:	Residential.		
Zoning:	Residential Planned Unit Development (R-PUD).		
Future Land Use:	Medium Density Multiple Family Residential, up to 15 dwelling units per acre.		

#### E. Adjacent Property Description and Uses:

<u>North:</u> Palm Beach Golf Center; General Commercial (CG) Zoning and Commercial Future Land Use.

Residential Developments and Vacant Lot; Low Density Multiple Family (RML-12) Zoning and Medium Density Multiple Family Future Land Use.

- South: Residential Development Palm Lake Co-Op; Unincorporated PBC.
- East: Interstate Highway I-95.
- <u>West:</u> Military Trail; Woodbine Commons Commercial Center; General Commercial (CG) Zoning and Commercial Future Land Use.

Woodbine; Residential Planned Unit Development (R-PUD) Zoning and Medium Density Multiple Family Future Land Use.

#### F. Background:

The Mediterranea site was originally platted as WOODS EDGE and recorded on March 3, 1985 in the Official Records of Palm Beach County in Plat Book 50 Page 130. Years later, the plat was modified to accommodate new development approved by City Council. This new plat was amended and named MEDITERRANEA PHASE 1, and recorded on January 26, 2007 in the Official Records of Palm Beach County in the Plat Book 109 Page 68.

#### G. Staff Analysis:

**Proposed Development/Use:** The applicant is proposing to develop 236 townhome units and 152 single family units both types would incorporated 3 and 4 bedroom units. Including the existing 98 units on the northwest area of the site, the development will have 486 total units (density of approximately 7 units per acre).

**Zoning Regulations:** The proposed use requires an amendment to the City's Land Development Regulations, specifically for the Residential Planned Unit Development (R-PUD) Zoning District.

**Comprehensive Plan:** The proposed use is consistent with the Comprehensive Plan's Medium Density Multiple Family Residential Future Land Use designation.

**Compatibility:** The proposed project will be compatible with the surrounding parcels and uses after minor approval of text amendment of the Land Development Regulations, specifically to the R-PUD zoning district.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site. Proper easements will be recorded as required by City and utility companies.

**Landscaping:** The proposed landscape plan is compatible with the City's Land Development Regulations.

**Parking/Traffic:** Adequate parking has been provided in accordance with the City of Riviera Beach Land Development Regulations. The applicant has worked closely with the City and Palm Beach County and will provide north bound exclusive right-turn lane for the main access driveway on Military Trail. The applicant must also install any other traffic control devices as required by Palm Beach County.

**H. Recommendation:** Staff recommends approval of the plat application from Mediterranea Palm Property Subsidiary, LLC, for the Mediterranea planned unit development.

#### CITY OF RIVIERA BEACH CITY COUNCIL AGENDA ITEM SUMMARY

**Meeting Date:** 1/18/2017

Agenda Category: CONSENT

# WASTE MANAGEMENT COMMUNITY BENEFITS REQUEST FOR DONATIONSSubject:FROM HEART, HEALTH, HEALING MINISTRIES, INC. FOR \$500 FROM DISTRICT<br/>1 - COUNCILWOMAN LYNNE L. HUBBARD

#### Recommendation/Motion: RECOMMEND APPROVAL.

Originating Dept	LEGISLATIVE - DISTRICT 1	Costs	\$500
User Dept.	LEGISLATIVE - DISTRICT 1	Funding Source	
Advertised	No	Budget Account Number	DISTRICT 1 - COMMUNITY BENEFITS ACCOUNT NO. 130-0101-511-1-8301
Date			
Paper			
Affected Parties	Not Required		

#### Background/Summary:

HEART, HEALTH, HEALING MINISTRIES, INC., OFFERS HIV TESTING. HYPERTENSION TESTING, DIABETES SCREENINGS, EDUCATION, COUNSELING AND REFFERRALS TO THE RESIDENTS OF RIVIERA BEACH.

THE MINISTRIES' MOBILE UNIT IS HOUSED IN RIVIERA BEACH, WHICH MAKES IT CONVENIENT FOR OUR RIVIERA BEACH RESIDENTS.

COUNCILWOMAN LYNNE L. HUBBARD DESIRES TO DONATE \$500 FROM DISTRICT 1 WASTE MANAGEMENT COMMUNITY BENEFITS FUNDS.

Fiscal Years	2016-2017
Capital Expenditures	
Operating Costs	500.00
External Revenues	
Program Income (city)	

In-kind Match (city) Net Fiscal Impact NO. Additional FTE Positions (cumulative)

#### **III. Review Comments**

A. Finance Department Comments:

- B. Purchasing/Intergovernmental Relations/Grants Comments:
- C. Department Director Review:
- Contract Start Date
- Contract End Date
- Renewal Start Date
- Renewal End Date
- Number of 12 month terms this renewal
- Dollar Amount
- Contractor Company Name
- Contractor Contact
- Contractor Address
- Contractor Phone Number
- Contractor Email
- Type of Contract
- Describe

#### ATTACHMENTS:

File Name		Description	Upload Dat	е Туре
WM_COMMBENEFITS _HEART_HEALTH_HEALING_W	IINISTRIES.01182017.pdf	WM COMM. BENEFITS - DISTR 1 - HEART HEALTH HEALING MINISTRIES, INC.	1/9/2017	Cover Memo
REVIEWERS:				
Department	Reviewer	Action	Dat	e
City Manager	Jones, Danny	Approved	1/11	/2017 - 7:02 PM

Riviera Beach- "Best Waterfront City In Which To Live, Work and Play"



## Waste Management Community Benefits **Request for Donations**

The City of Riviera Beach, in conjunction with Waste Management Inc. of Florida, has established a Community Benefits Policy, as amended in November 2011. Under the Policy each elected official shall be entitled to designate up to \$15,000 per year (\$7,500 on October 1<sup>st</sup> and \$7,500 on April 1<sup>st</sup>) for public purposes. Public purposes include, but are not limited to, charitable events, not-for-profit organizational events or programs and City functions or projects (which may include contributions to the City's Scholarship Fund or the City's Housing Trust Fund). All requests for donations must be presented to the City Council and approved by a majority of the City Council. The City will attempt to process all requests within fourteen (14) days of City Council approval.

Ineligible uses include the purchase of tables at events, campaign contributions, or payment for salaries or operational expenses. Funds cannot be used to cover an elected official's travel, meals, or for his or her personal benefit or gain or for the personal gain of relatives as defined by City Code, the Palm Beach County Code of Ethics, or state statutes, as applicable. Funds cannot be given to an entity/agency/organization for which the elected official is a director or officer.

Name of Elected Official Sponsoring Donation: Councilwoman, Lynne Hubbard

Legal Name of Organization: Heart, Health, Healing, Ministries, Inc.

Program/ Activity Name: \_\_\_\_\_\_HIV Testing/ Education Requested Amount: \$ 500.00

Briefly describe the Program/Activity below and attach (1) a letter of request or a more detailed description of the Program/Activity; (2) non-profit status paperwork and (3) w-9 IRS form:

We will be offering HIV testing to the residents of Riviera Beach. Providing HIV, hypertension, diabetes screenings, education, counseling, and referrals. Our Mobile Unit is housed in the City of Rivera Beach, H

Mailing Address: P.O.Box 8276				
city: West Palm Beach			Zip: 334	407
Contact Person(s): Caroline Hill				
Phone: 561-766-1769		61-766-17	70	
Email Address: triplehministries	7@gmai	.com		
Name of Authorized Official:	oline	Hill He	Date:	0115/17
****Return the form to the Elected Off	icial or the L	egislative Office	for proc	essing.

Page 1 of 2

Riviera Beach- "Best Waterfront City In Which To Live, Work and Play"

## Waste Management Community Benefits Request for **Donations Approval by Elected Official**

I, LYNNE L. HUBBARD, COUNCILWOMAN ,hereby certify that the donation to complies with the City's Community Benefits Heart, Health, Healing, Ministries, Inc. I further certify that: (1) I am not an officer, director, partner, proprietor, Policy. employee, subcontractor or agent of the organization, its parent organization or subsidiary and I do not have any contractual relationship with or other obligation with to the organization its parent organization or subsidiary; (2) I have no relatives or business associates (as those terms are defined in section 112.312, Florida Statutes) who are officers, directors, partners, proprietors, employees, subcontractors or agents of the organization, its parent organization or subsidiary; (3) The disbursement of the foregoing amount will not inure to my special gain or loss or to the special gain or loss of my relatives or my business associates; and (4) I am not aware of any conflict of interest the disbursement of the foregoing amount to the organization will create for the Signature of Elected Official: \$\_500 Date: 1/5/17 City of Riviera Beach or myself.

## **City Council Action**

Approved

Chairperson's Signature:

Date:

Disapproved

Page 2 of 2

**Revised November 2011** 

## **Request for Taxpayer** Identification Number and Certification

meme	neveriles service			
	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Heart, Health, & Healing, Ministries, Inc.			-
ci o	2 Business name/disregarded entity name, if different from above Triple H Ministries, Inc.		T	_
Print or type See Specific Instructions on page	3 Check appropriate box for federal tax classification; check only one of the following seven boxes:         ndividual/sole proprietor or       C Corporation       S Corporation       Partnership         single-member LLC       Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership       Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the tax classification of the single-member owner.         >ther (see instructions) ▶       5 Address (number, street, and apt. or suite no.)         3600 BroadWay       6 City, state, and ZIP code         West Palm Beach, FL 33407	Requester's name Caroline H	(Applies to account a maintained outside the U.S.) e and address (optional)	
	7 List account number(s) here (optional)			
Pá	Int I Taxpayer Identification Number (TIN)	oid Social s	security number	_
bacl	ryour TIN in the appropriate box. The TIN provided must match the name given on line 1 to aver kup withholding. For individuals, this is generally your social security number (SSN). However, i dent alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For othe ties, it is your employer identification number (EIN). If you do not have a number, see How to ge	r		
7761	on page 3	Constant of the second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second	yer Identification number	
Not guic	<ul> <li>e. If the account is in more than one name, see the instructions for line 1 and the chart on page delines on whose number to enter.</li> </ul>	4 5	- 3 9 4 4 7 1 8	

#### Certification Part II

Under penalties of perjury, I certify that:

- 1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- 2. I am not subject to backup withholding because; (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- 3. 1 am a U.S. citizen or other U.S. person (defined below); and
- 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the nstructions on page 3.

1100.000	
Sign Here	Signature of U.S. person ►

#### **General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted. Future developments. Information about developments alfecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

#### **Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

Date 🕨

Porm 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

- · Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (Including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See What is FATCA reporting? on page 2 for further information.

Cat, No. 10231X

#### CITY OF RIVIERA BEACH CITY COUNCIL AGENDA ITEM SUMMARY

#### **Meeting Date:** 1/18/2017

#### Agenda Category: ORDINANCE ON SECOND READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 23, "PUD PLANNED UNIT DEVELOPMENT DISTRICT", SECTION 31-494, "PROPERTY DEVELOPMENT STANDARDS FOR THE R-PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT", IN ORDER TO PROVIDE FOR UPDATED RESIDENTIAL DEVELOPMENT STANDARDS TO PROMOTE CREATIVE DESIGN AND LAND USE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Recommendation/Motion: City staff recommends approval of this Ordinance.

Originating Dept	Community Development	Costs	N/A
User Dept.	City	Funding Source	N/A
Advertised	Yes	Budget Account Number	N/A
Date	December 21, 2016; January 7, 2017		
Paper	Palm Beach Post		
Affected Parties	Not Required		

#### Background/Summary:

The City of Riviera Beach's Comprehensive Plan and Code of Ordinances controls and directs development patterns and land use throughout the City. Section 31-494 of the City's Code of Ordinances, which provides property development standards for the R-PUD, Residential Planned Unit Development District, was established in 1982 by Ordinance No. 2152, with only minor amendments occurring since that time. Since 1982, new development trends and community creation strategies have been popularized. Amendments to the City's R-PUD District development standards are now necessary in order to promote uniquely designed residential development, including a variety of housing types and configurations. On December 8, 2016, the Planning and Zoning Board reviewed and recommend that the City Council approve the proposed amendments to the City's R-PUD development standards.

First reading of this Ordinance was approved by City Council on January 4, 2017.

Fiscal Years	N/A
Capital Expenditures	N/A

Operating Costs	N/A
External Revenues	N/A
Program Income (city)	N/A
In-kind Match (city)	N/A
Net Fiscal Impact	N/A
NO. Additional FTE Positions (cumulative)	N/A

#### **III. Review Comments**

- A. Finance Department Comments:
- B. Purchasing/Intergovernmental Relations/Grants Comments:
- C. Department Director Review:
- Contract Start Date
- Contract End Date
- **Renewal Start Date**
- Renewal End Date
- Number of 12 month terms this renewal
- Dollar Amount
- Contractor Company Name
- Contractor Contact
- **Contractor Address**
- Contractor Phone Number
- Contractor Email
- Type of Contract
- Describe

#### ATTACHMENTS:

File Name	Description	Upload Date	Туре
Ordinance_R- PUD_Amendment_1.4.2016.docx	Ordinance, R-PUD Amendment, 01.04.2017	12/29/2016	Ordinance
P_Z_Board_Staff_Report12.08.2016 PUD_Text_Amendment.pdf	B-R- P&Z Board Staff Report, 12.08.2016, R-PUD Text Amendment	12/29/2016	Backup Material
P_Z_Board_Meeting_Minutes_12.08.20	016.pdf P&Z Board Meeting Minutes 12.08.2016	12/29/2016	Backup Material
PBP_Legal_AdR- PUD_Text_Amendment.pdf	PBP Legal Ad - R-PUD Text Amendment	12/29/2016	Backup Material
Site Dian Dranast (D	Site Plan Proposal (R-		

Site\_Plan\_Proposal\_(R-

PUD) Mediterranea Development 12/29/2016

Backup Material

REVIEWERS: Department	Reviewer	Action	Date
Community Development	Gagnon, J	Approved	1/6/2017 - 3:34 PM
Purchasing	Mealy, Dean	Approved	1/10/2017 - 1:35 PM
Finance	sherman, randy	Approved	1/10/2017 - 3:06 PM
Attorney	Lina Busby, Lina	Approved	1/11/2017 - 9:59 AM
City Clerk	Burgess, Jackie	Approved	1/11/2017 - 12:35 PM
City Manager	Jones, Danny	Approved	1/11/2017 - 5:25 PM

#### ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF **ORDINANCES ENTITLED "ZONING", ARTICLE V, "DISTRICT** REGULATIONS", DIVISION 23. "PUD PLANNED UNIT DEVELOPMENT DISTRICT", SECTION 31-494, "PROPERTY DEVELOPMENT STANDARDS FOR THE R-PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT", IN ORDER TO PROVIDE FOR UPDATED RESIDENTIAL DEVELOPMENT STANDARDS TO PROMOTE CREATIVE DESIGN AND LAND USE: PROVIDING CONFLICTS. FOR SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach's Comprehensive Plan and Code of Ordinances controls and directs development patterns and land use throughout the City; and

**WHEREAS**, Section 31-494 of the City's Code of Ordinances, which provides property development standards for the R-PUD, Residential Planned Unit Development District, was established in 1982 by Ordinance No. 2152, with only minor amendments occurring since that time; and

**WHEREAS**, since 1982, new development trends and community creation strategies have been popularized; and

**WHEREAS,** amendments to the City's R-PUD District development standards are now necessary in order to promote uniquely designed residential development, including a variety of housing types and configurations; and

WHEREAS, on December 8, 2016, the Planning and Zoning Board reviewed and recommend that the City Council approve the proposed amendments to the City's R-PUD development standards; and

**WHEREAS**, the City Council desires to amend development standards associated with the R-PUD District and has determined that the enactment of this Ordinance is appropriate and furthers the interests of the City, its residents and stakeholders.

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

**SECTION 1.** The foregoing recitals are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

**SECTION 2.** That Chapter 31, "Zoning", Article V, "District Regulations", Division 23, "PUD Planned Unit Development District", Section 31-494, "Property Development Standards for the R-PUD Residential Planned Unit Development", is amended as follows, with additions <u>underlined</u> and deletions shown in strikethrough format:

# Sec. 31-494. - Property development standards for the R-PUD residential planned unit development.

The property development standards in the R-PUD residential planned unit development are as follows:

- (1) Single-family detached. The standards are the same as RS-5 single-family dwelling district in section 31-118.
- (2) Cluster housing, such as patio homes, townhouses, zero-lot lines, etc., and multifamily structures. The property development standards are:
  - a. Minimum lot size:
    - 1. Patio homes (attached, detached or on zero lot line): 4,500 2,400 square feet.
    - 2. Townhouses: 1,800 700 square feet.
  - b. Minimum lot width:
    - 1. Patio homes (attached, detached or on zero lot line): 45 25 feet.
    - 2. Townhouses: <del>25</del> <u>15</u> feet.
  - c. Maximum height: 35 feet, or three stories.
  - d. Minimum floor areas:

1.	Efficiency	400 square feet
2.	One-bedroom	525 square feet
3.	Two-bedroom	800 square feet
4.	Three-bedroom	1,000 square feet
5.	More than three bedrooms	1,000 square feet

With 100 square feet for each additional bedroom.

- e. Distance between buildings:
  - 1. Ten-Five foot minimum without window openings.
  - 2. Twenty feet if at least one wall has window openings.
- f. Setbacks: There are no required setbacks or yards except for the following:

- 1. All setbacks shall be approved by the planning board and city council through the site plan review process.
- 2. There shall be a setback or yard of not less than 25 feet in depth abutting all public road rights-of-way within or abutting a planned unit development district.
- 3. There shall be a peripheral setback from boundary lines of the PUD of not less than 25 feet in depth. Except for accessways, no portion of this peripheral setback may be used for parking or other vehicular use area.
- (3) Each dwelling unit or other permitted use shall have access to a public street, either directly or indirectly via a private approach road, pedestrian way, court or other area dedicated by common easement guaranteeing access. Permitted uses are not necessarily required to front on a dedicated road. The city shall be allowed access on privately owned roadways, easements and common open space to ensure the police and fire protection of the area, to meet emergency needs, to conduct city services, and to generally ensure the health and safety of the residents of the planned unit development.
- (4) Density: The overall gross residential density in R-PUD shall not exceed 15 dwelling units per acre. The maximum permitted density is 30 units per acre for hotel/motel and/or independent and assisted living units.
- (5) Groupings: The total length of any townhouse structure shall not exceed six twelve units. No more than four consecutive units shall have the same front setbacks or front building line, in order to promote unique development design.

**SECTION 3.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**SECTION 4.** Specific authority is hereby granted to codify this Ordinance as it is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this Ordinance may be renumbered to accomplish such intentions.

**SECTION 5.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**SECTION 6.** That this Ordinance shall take effect immediately upon its final approval and adoption.

PASSED AND APPROVED on the first reading this \_\_\_\_\_ day of \_\_\_\_\_,

PASSED AND ADOPTED on second and final reading this \_\_\_\_\_day of

**APPROVED**:

THOMAS A. MASTERS MAYOR

\_\_\_\_\_\_, \_\_\_\_\_\_

TERENCE D. DAVIS CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY CERTIFIED MUNICIPAL CLERK CITY CLERK

KASHAMBA L. MILLER-ANDERSON CHAIR PRO TEM

LYNNE L. HUBBARD COUNCILPERSON

TONYA DAVIS JOHNSON COUNCILPERSON

DAWN S. PARDO COUNCILPERSON ORDINANCE NO.\_\_\_\_\_ PAGE 5 of 5

1 <sup>ST</sup> READING	2 <sup>ND</sup> & FINAL READING
MOTIONED BY:	MOTIONED BY:
SECONDED BY:	SECONDED BY:
L. HUBBARD	L. HUBBARD
K. MILLER-ANDERSON	K. MILLER-ANDERSON
T. DAVIS JOHNSON	T. DAVIS JOHNSON
D. PARDO	D. PARDO
T. DAVIS	T. DAVIS

**REVIEWED AS TO LEGAL SUFFICIENCY** 

ANDREW DEGRAFFENREIDT, ESQ. CITY ATTORNEY

DATE: \_\_\_\_\_



## STAFF REPORT – CITY OF RIVIERA BEACH R-PUD TEXT AMENDMENT ORDINANCE PLANNING AND ZONING BOARD – DECEMBER 8, 2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 23, "PUD PLANNED UNIT DEVELOPMENT DISTRICT", SECTION 31-494, "PROPERTY DEVELOPMENT STANDARDS FOR THE R-PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT", IN ORDER TO PROVIDE FOR UPDATED RESIDENTIAL DEVELOPMENT STANDARDS TO PROMOTE CREATIVE DESIGN AND LAND USE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- A. Applicant: Mediterranea Palm Property Subsidiary, LLC.
- **B. Request:** To amend the property development standards provided within the Residential Planned Unit Development (R-PUD) Zoning District (City Code Section 31-494) to promote and accommodate flexible building design and land use options.
- C. Location: R-PUD Zoning District.
- D. Property Description and Uses: N/A
- E. Adjacent Property Description and Uses: N/A
- F. Background and Staff Analysis: The existing property development standards for the Residential Planned Unit Development (R-PUD) Zoning District were established in 1982 by Ordinance No. 2152. Only minor amendments to the original language occurred in 1983 (Ordinance No. 2213) and in 1999 (Ordinance No. 2800). In essence, the development standards for the R-PUD Zoning District have not been revisited for over 30 years.

New development trends and community creation strategies have been popularized over that time period and it is essential that the City considers modifying outdated development standards in order to foster continued community growth and reinvestment. The goal of this amendment is to provide property owners and developers with the opportunity to create unique residential developments with a variety of housing types and configurations.

Please note, that existing development review and approval requirements, such as Planning and Zoning Board and City Council review and approval of all site plan development proposals will remain in full effect.

**G.** Recommendation: City staff recommends approval of the proposed ordinance language.

#### Proposed additions are <u>underlined</u> and deletions are shown in strikethrough format:

## Sec. 31-494. - Property development standards for the R-PUD residential planned unit development.

The property development standards in the R-PUD residential planned unit development are as follows:

- (1) Single-family detached. The standards are the same as RS-5 single-family dwelling district in section 31-118.
- (2) Cluster housing, such as patio homes, townhouses, zero-lot lines, etc., and multifamily structures. The property development standards are:
  - a. Minimum lot size:
    - 1. Patio homes (attached, detached or on zero lot line): 4,500 2,400 square feet.
    - 2. Townhouses: 1,800 700 square feet.
  - b. Minimum lot width:
    - 1. Patio homes (attached, detached or on zero lot line): 45 25 feet.
    - 2. Townhouses: <del>25</del> <u>15</u> feet.
  - c. Maximum height: 35 feet, or three stories.
  - d. Minimum floor areas:

1.	Efficiency	400 square feet
2.	One-bedroom	525 square feet
3.	Two-bedroom	800 square feet
4.	Three-bedroom	1,000 square feet
5.	More than three bedrooms	1,000 square feet

With 100 square feet for each additional bedroom.

- e. Distance between buildings:
  - 1. Ten-Five foot minimum without window openings.
  - 2. Twenty feet if at least one wall has window openings.
- f. Setbacks: There are no required setbacks or yards except for the following:
  - 1. All setbacks shall be approved by the planning board and city council through the site plan review process.
  - 2. There shall be a setback or yard of not less than 25 feet in depth abutting all public road rights-of-way within or abutting a planned unit development district.
  - 3. There shall be a peripheral setback from boundary lines of the PUD of not less than 25 feet in depth. Except for accessways, no portion of this peripheral setback may be used for parking or other vehicular use area.
- (3) Each dwelling unit or other permitted use shall have access to a public street, either directly or indirectly via a private approach road, pedestrian way, court or other area dedicated by common easement guaranteeing access. Permitted uses are not

necessarily required to front on a dedicated road. The city shall be allowed access on privately owned roadways, easements and common open space to ensure the police and fire protection of the area, to meet emergency needs, to conduct city services, and to generally ensure the health and safety of the residents of the planned unit development.

- (4) Density: The overall gross residential density in R-PUD shall not exceed 15 dwelling units per acre. The maximum permitted density is 30 units per acre for hotel/motel and/or independent and assisted living units.
- (5) Groupings: The total length of any townhouse structure shall not exceed six twelve units. No more than four consecutive units shall have the same front setbacks or front building line, in order to promote unique development design.

(Ord. No. 2152, § 3(B)(23.AA-23.IV.A), 3-17-82; Ord. No. 2213, § 1, 9-21-83; Ord. No. 2800, § 2, 1-20-99)

Page 1	Page 3
	-
CITY OF RIVIERA BEACH PLANNING AND ZONING BOARD	1 CHAIR JAMES: Here.
	2 MR. VELASQUEZ: Quorum is present.
	3 CHAIR JAMES: Are there any deletions, any
	4 additions and deletions to the agenda?
	5 MR. GAGNON: Good evening. Jeff Gagnon,
	6 Assistant Director of Community Development.
Thursday, December 8, 2016	7 I do have a few additions and deletions. I
Course it Chausharr	8 also wanted to inform the Board that we received two
Council Chambers 600 West Blue Heron Boulevard	9 items that would fall under correspondence, but I just
Riviera Beach, Florida	10 wanted to mention that now.
6:36 p.m 9:25 p.m.	11 (Whereupon, Mr. Whigham took his seat on the
0.50 p.m. 9.25 p.m.	12 dais.)
	13MR. GAGNON: For additions and deletions,
	agenda item B1, B2, B3 and B4, that was advertised and
	15 acted on by staff as if it was going to be an action
IN ATTENDANCE:	16 item on tonight's agenda, however, at this point in
IN ATTENDANCE.	17 time we'd like to move that as just a workshop item.
Rena James, Chair	18So there will be public discussion on the items
Tradrick McCoy, Vice Chair Edward Kunuty, Board Member	19 themselves, however, City staff is not asking for any
Margaret Shepherd, Board Member	20 formal action from the Planning and Zoning Board at
Julius Whigham, Sr., Board Member Lina F. Busby, Assistant City Attorney	21 this time.
Jeff Gagnon, Assistant Director of	22 Additionally, we'd like to shift those items,
Community Development	B1, 2, 3 and 4, in front of A1, A2 and A3 so we could
Mario Velasquez, Senior Planner Allison Goldberg, Senior Planner	do those items first on the agenda.
	25 Additionally, you've been provided a hard
Page 2	Page 4
	-
1 BE IT REMEMBERED that the following Planning	1 copy of correspondence provided from West Palm Beach in
1         BE IT REMEMBERED that the following Planning           2         and Zoning Board meeting was had at Riviera Beach City	<ol> <li>copy of correspondence provided from West Palm Beach in</li> <li>regards to the Port items, as well as Mr. Gerald Ward</li> </ol>
<ol> <li>BE IT REMEMBERED that the following Planning</li> <li>and Zoning Board meeting was had at Riviera Beach City</li> <li>Hall Council Chambers, 600 West Blue Heron Boulevard,</li> </ol>	<ol> <li>copy of correspondence provided from West Palm Beach in</li> <li>regards to the Port items, as well as Mr. Gerald Ward</li> <li>just provided a hard copy document that I have not yet</li> </ol>
<ol> <li>BE IT REMEMBERED that the following Planning</li> <li>and Zoning Board meeting was had at Riviera Beach City</li> <li>Hall Council Chambers, 600 West Blue Heron Boulevard,</li> <li>Riviera Beach, Florida, on Thursday, December 8, 2016,</li> </ol>	<ol> <li>copy of correspondence provided from West Palm Beach in</li> <li>regards to the Port items, as well as Mr. Gerald Ward</li> </ol>
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1 (Pages 1 to 4)

	Page 5		Page 7
1	Move on to the next item, disclosure by Board	1	rezoning, the left side of the screen once again shows
2	Members. Are there any disclosures by Board Members?	2	the zoning designation, which is utilities, however,
3	None.	3	the proposed zoning amendment would change that to
4	It was just adopted, just adopted the agenda,	4	limited industrial zoning.
5	so we're going to move on to approval of minutes from	5	And before I move from this screen, please
6	the October 27th meeting. Is there a motion?	6	make note of the fact that this property does border
7	VICE CHAIR McCOY: So moved.	7	the City of West Palm Beach. Historically, the City of
8	MR. KUNUTY: Second.	8	Riviera Beach has worked closely with West Palm Beach
9	CHAIR JAMES: Properly moved and seconded.	9	staff, as well as the Port of Palm Beach, to make sure
10	Roll call.	10	that any future uses on this parcel would be agreeable
11	MR. VELASQUEZ: Julius Whigham.	11	to all parties.
12	MR. WHIGHAM: Yes.	12	So it's currently shown on the screen and has
13	MR. VELASQUEZ: Margaret Shepherd.	13	also been provided in the hard copy packet printouts.
14	MS. SHEPHERD: Yes.	14	On the left side is an aerial view of the project
15	MR. VELASQUEZ: Edward Kunuty.	15	location and an overall location map.
16	MR. KUNUTY: Yes.	16	Not so easy to see on the screen, however,
17	MR. VELASQUEZ: Tradrick McCoy.	17	the 11 by 17 handouts might be better to reference.
18	VICE CHAIR McCOY: Yes.	18	But this is the existing site conditions.
19	MR. VELASQUEZ: Rena James.	19	Historically, the Port had used this parcel of land
20	CHAIR JAMES: Yes.	20	during the Energy Center construction projects. And
21	MR. VELASQUEZ: Unanimous voting. Motion	21	there's a tri-party agreement entered into between the
22	approved.	22	City of Riviera Beach, West Palm Beach and the Port of
23	CHAIR JAMES: Being there is no unfinished	23	Palm Beach as far as particular conditions associated
24	business, we're going to go to item B1.	24	with the use of the property. Many of those conditions
25	MR. GAGNON: And also, if I may, just for the	25	have been rolled into conditions of approval associated
	Page 6		Page 8
1	record, Mr. Barber did contact me and said he would not	1	
		1	with the proposed site plan as well, which I'll go over
2	to able to attend tonight's meeting.	2	with the proposed site plan as well, which I'll go over in a few minutes.
2 3	to able to attend tonight's meeting. Item B1 is an ordinance of the City Council	1	
	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County,	2	in a few minutes.
3	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map	2 3	in a few minutes. Just for discussion purposes, this is also
3 4 5 6	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105	2 3 4 5 6	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site.
3 4 5 6 7	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of	2 3 4 5 6 7	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse
3 4 5 6 7 8	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an	2 3 4 5 6 7 8	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the
3 4 5 6 7 8 9	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate	2 3 4 5 6 7 8 9	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the south side of the parcel as well, which creates an
3 4 5 6 7 8 9 10	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo,	2 3 4 5 6 7 8 9 10	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the south side of the parcel as well, which creates an additional buffer area in between the residential uses
3 4 5 6 7 8 9 10 11	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date.	2 3 4 5 6 7 8 9 10 11	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the south side of the parcel as well, which creates an additional buffer area in between the residential uses in West Palm Beach and the uses proposed on this
3 4 5 6 7 8 9 10 11 12	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated	2 3 4 5 6 7 8 9 10 11 12	in a few minutes. Just for discussion purposes, this is also the site plan. The hard copy printout is probably more legible. What this will do is maintain the existing concrete wall on the south portion of the site. Additionally, there is a utility or excuse me, not utility a water management tract on the south side of the parcel as well, which creates an additional buffer area in between the residential uses in West Palm Beach and the uses proposed on this property.
3 4 5 6 7 8 9 10 11 12 13	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a	2 3 4 5 6 7 8 9 10 11 12 13	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> </ul>
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3 4 5 6 7 8 9 10 11 12 13 14 15	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a workshop tonight, so no formal action will be taken. However, public comments are welcome.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> <li>drive aisle be identified on the site plan. Again,</li> <li>that's on the south portion of the property, which</li> </ul>
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a workshop tonight, so no formal action will be taken. However, public comments are welcome. So if it pleases the Board, I'd like to discuss really all four items simultaneously. B1 is a future land use amendment; B2 is a zoning amendment; B3 is a site plan approval; and B4 is a plat approval. All four items are interrelated, and really would all need to be approved concurrently as we move forward.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> <li>drive aisle be identified on the site plan. Again,</li> <li>that's on the south portion of the property, which</li> <li>would, again, have an additional separation from the</li> <li>property line, so as a cargo is stored on the property,</li> <li>it won't, potentially won't be visible from the</li> <li>adjacent residential properties to the south.</li> <li>In conjunction with the site plan, there's</li> <li>also a landscape package proposed. City staff had</li> </ul>
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a workshop tonight, so no formal action will be taken. However, public comments are welcome. So if it pleases the Board, I'd like to discuss really all four items simultaneously. B1 is a future land use amendment; B2 is a zoning amendment; B3 is a site plan approval; and B4 is a plat approval. All four items are interrelated, and really would all need to be approved concurrently as we move forward. First, for the land use amendment, on the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> <li>drive aisle be identified on the site plan. Again,</li> <li>that's on the south portion of the property, which</li> <li>would, again, have an additional separation from the</li> <li>property line, so as a cargo is stored on the property,</li> <li>it won't, potentially won't be visible from the</li> <li>adjacent residential properties to the south.</li> <li>In conjunction with the site plan, there's</li> <li>also a landscape package proposed. City staff had</li> </ul>
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a workshop tonight, so no formal action will be taken. However, public comments are welcome. So if it pleases the Board, I'd like to discuss really all four items simultaneously. B1 is a future land use amendment; B2 is a zoning amendment; B3 is a site plan approval; and B4 is a plat approval. All four items are interrelated, and really would all need to be approved concurrently as we move forward.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> <li>drive aisle be identified on the site plan. Again,</li> <li>that's on the south portion of the property, which</li> <li>would, again, have an additional separation from the</li> <li>property line, so as a cargo is stored on the property,</li> <li>it won't, potentially won't be visible from the</li> <li>adjacent residential properties to the south.</li> <li>In conjunction with the site plan, there's</li> <li>also a landscape package proposed. City staff had</li> <li>pushed pretty hard previously with the Port and tried</li> <li>to get landscape added along U.S. 1. We felt that that</li> </ul>
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Item B1 is an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City's Future Land Use Map Designation for the real property located at 105 Broadway, consisting of approximately 5.22 acres of land, from a utilities land use designation to an industrial land use designation in order to facilitate use of the site for storage of rolling and bulk cargo, and providing for an effective date. Again, this particular item is associated with B2, B3 and B4 as well. And these will just be a workshop tonight, so no formal action will be taken. However, public comments are welcome. So if it pleases the Board, I'd like to discuss really all four items simultaneously. B1 is a future land use amendment; B2 is a zoning amendment; B3 is a site plan approval; and B4 is a plat approval. All four items are interrelated, and really would all need to be approved concurrently as we move forward. First, for the land use amendment, on the left side it shows the existing land use designation of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>in a few minutes.</li> <li>Just for discussion purposes, this is also</li> <li>the site plan. The hard copy printout is probably more</li> <li>legible. What this will do is maintain the existing</li> <li>concrete wall on the south portion of the site.</li> <li>Additionally, there is a utility or excuse</li> <li>me, not utility a water management tract on the</li> <li>south side of the parcel as well, which creates an</li> <li>additional buffer area in between the residential uses</li> <li>in West Palm Beach and the uses proposed on this</li> <li>property.</li> <li>Additionally, City staff has requested a</li> <li>drive aisle be identified on the site plan. Again,</li> <li>that's on the south portion of the property, which</li> <li>would, again, have an additional separation from the</li> <li>property line, so as a cargo is stored on the property,</li> <li>it won't, potentially won't be visible from the</li> <li>adjacent residential properties to the south.</li> <li>In conjunction with the site plan, there's</li> <li>also a landscape package proposed. City staff had</li> </ul>

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1	property. And as we move forward with the discussion	1	that have been asked by West Palm would improve the
2	for West Palm, we can look at the landscape package	2	future use of the property and clarify some items that
3	further to make sure that it's agreeable to the	3	may not have been clear in the draft proposal. So I
4	residents to the south as well.	4	think overall for the project, it's a benefit. The
5	So I'm going to refer to the staff report,	5	response that we've received so far from the Port of
6	which is provided in your packet as well, in one	6	Palm Beach has been positive, so I think that it's
7	moment, but I wanted to mention the fact that again, we	7	something that will really improve the situation
8	anticipate having another tri-party meeting between the	8	overall.
9	City of Riviera Beach, City of West Palm and the Port	9	CHAIR JAMES: Any other questions, Mr. McCoy?
10	of Palm Beach to work out any sort of final tweaks to	10	VICE CHAIR McCOY: Yes, just a follow-up. I
11	the conditions of approval associated with the site	11	just was curious because I didn't know if this came up.
12	plan. I think we're at probably 97 percent right now,	12	Is this the reason that the item was pulled today, the
13	so just a few minor things we need to work on.	13	letter that was received from the City of West Palm
14	So within your hard copy document, if you	14	Beach?
15	reference the staff report for SP-16-13, that's the	15	MR. GAGNON: City staff received comments
16	site plan for 105 Broadway. And in the recommendation	16	from both West Palm Beach and the Port of Palm Beach,
17	section go full screen. In the recommendation	17	so being that both the applicant had a few minor things
18	section you can see that staff is currently	18	they wanted to work out on their end, as well as
19	recommending approval of the site plan, in addition to	19	receiving comments from West Palm Beach, it seemed most
20	the future land use amendment, rezoning and plat.	20	prudent just to workshop the item and have public
21	However, there are multiple conditions that	21	discussion. But there really isn't a time sensitive
22	would apply to the use of the property in the future.	22	nature for the project, so I think it was best just to
23	Some are more boilerplate style conditions that would	23	make sure that, you know, all parties are working
24	be associated with any sort of site plan approval in	24	together and are comfortable with the document moving
25	the City. Others are more fine tuned for the specific	25	forward.
	Page 10		Page 12
1	uses proposed by the Port, and also in consideration of	1	VICE CHAIR McCOY: Okay, nothing further,
2	the residential uses in West Palm Beach.	2	Madam Chair.
3	So I don't think I'm going to read through	3	CHAIR JAMES: Okay.
4	each specific condition, however, I do want to note	4	MR. KUNUTY: Madam Chair.
5	that they're available within the staff report. And as	5	CHAIR JAMES: You're recognized, Mr. Kunuty.
6	part of our tri-party meeting, we'll work through the	6	MR. KUNUTY: Just a quick glance through the
7	conditions and make sure that all parties are	7	West Palm letter, it seems like a lot of those items in
8 9	agreeable, and when we vet that out further, we'll provide the Planning and Zoning Board's final	8	there are already addressed in your document. So am I
10	conditions of approval in association with the site	10	on the right track with that? MR. GAGNON: Yes. So what they did is they
11	plan. Also, within the correspondence from West Palm	11	provided a comment letter in strike-through and
12	Beach, there were some suggested changes to conditions,	12	underline format. So if you reference the second page
13	so we'll consider those as well as we move forward.	13	on the back side of the printout, specifically
14	VICE CHAIR McCOY: Madam Chair.	14	condition number five and number six and also number
15	CHAIR JAMES: Yes.	15	seven, I believe, there was an additional condition
16	VICE CHAIR McCOY: Mr. Gagnon, can you speak	16	proposed, number six, which would further clarify some
17	to that, because I was just curious. I didn't really	17	of the height restrictions and storage locations on the
18	have time to thoroughly	18	property. Additionally, within number five there's, I
19	MR. GAGNON: Sure.	19	guess, clarification on specific storage containers.
20	VICE CHAIR McCOY: go into the letter, but	20	So the proposed amendments are underlined in the
21	have you had a chance to gather an opinion on the	21	document and deletions are stricken through.
22	letter that came from the City of West Palm just today?	22	MR. KUNUTY: I'm wondering the height of a
23	MR. GAGNON: Yes, I think that it is a	23	container.
24	benefit to the process that we received the	24	MR. GAGNON: Yes, it's just under nine feet.
25	correspondence. I think that the specific conditions	25	MR. KUNUTY: So in effect, with the 25 feet,
1		1	,

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## City of Riviera Beach Board Meeting

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1	you could stack three containers.	1	MR. WARD: Good evening. Gerald Ward, 2135
2	MR. GAGNON: It would only two.	2	Broadway.
3	MR. KUNUTY: Okay.	3	I have a three page letter with attachments,
4	MR. GAGNON: Only two based on the height,	4	one attachment which deals in the application in
5	and there was	5	principle. I was coming here tonight to say that they
6	MR. KUNUTY: And with the 20 that they're	6	clearly have a deficient, false application, and I've
7	recommending, still stack two?	7	given you a couple of pages of the problems.
8	MR. GAGNON: Twenty would still stack two; 25	8	The Port, in the minutes of a meeting which
9	would not stack two.	9	was held the 29th on their Comprehensive Plan update,
10	MR. KUNUTY: Okay.	10	which I'll talk about later on in another item, clearly
11	MR. GAGNON: That was actually	11	said that they don't think they really own it. And I
12	MR. KUNUTY: Okay.	12	have objected in that manner for many, many years when
13	MR. GAGNON: The 20 foot reference was taken	13	they went to the DOT and got the DOT to quitclaim, with
14	from the tri-party agreement previously, so it's	14	substantial conditions.
15	something that I think we can revisit during our	15	So it really is not ownership of the
16	intergovernmental meeting to see if 20 feet is better	16	property, because this is a 180 foot wide by a quarter
17	than 25 feet if it doesn't result in additional	17	mile long link condemned by the Florida Department of
18	stacking. Additionally, there's specific reference	18	Transportation for the purposes of reconnecting State
19	within number five that shipping containers can only be	19	Road 710 to U.S. Highway 1, State Road 5. And I've
20	stacked one on top of another, so two in total height.	20	laid that out in the letter or the memo so that you
21	So we wanted to make sure that we addressed that and	21	have some background.
22	that West Palm was comfortable with this moving	22	I think it is absolute that none of these
23	forward.	23	approvals can be granted without being conditioned that
24	MR. KUNUTY: Okay, so 20 or 25 feet really	24	the reconnection is an agreement with the City of
25	isn't a restriction then it appears.	25	Riviera Beach. We had a four-lane highway that was
	Dev. 14	i	
	Page 14		Page 16
1	MR. GAGNON: It wouldn't relate to typical	1	Page 16 the only section of State Road 710 that was four
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4 (Pages 13 to 16)

	Page 17		Page 19
1	Skypass. In reality, using the per day trips is not	1	additional service, because they selected our surveyor
2	exactly right because what I suspect is going to happen	2	and mapper, who cannot review his own work.
3	is it may be used as parking for the ferry to Freeport.	3	I would say that I basically have covered
4	CHAIR JAMES: Mr. Ward, I have a question.	4	most of the issues, and your deliberations need to give
5	Because you have comment cards on the other B items as	5	recommendations so that staff can get them to get the
6	well, and we're over the three minutes for the B1, do	6	documents consistent and get a new application in
7	you just want to	7	that's not falsified. They didn't even bother to put
8	MR. WARD: Well, I think that the CDEC	8	the name of who was executing it. So that shows you
9	decided he wanted to try and coalesce everything	9	how government to government, sometimes things just do
10	together, and so I just get up one time and talk about	10	not get done properly.
11	it, or I can break it up, if you want to, in the three	11	CHAIR JAMES: Thank you, Mr. Ward.
12	items.	12	We'll have the record reflect that Mr. Ward's
13	CHAIR JAMES: No, we can do it that way.	13	comment was also for the cards he submitted for item B3
14	We're just going to restart the clock now for item B2.	14 15	and B4.
15 16	MR. WARD: Okay. I actually will be much shorter on the next nine minutes, because I do think	16	Now we're going to move on to Board comments. Start with Mr. Whigham.
17	you have in writing the letter, and I've talked about	17	MR. WHIGHAM: No comment.
18	the State Road 710 reconnection and conditioning any	18	CHAIR JAMES: Mr. Kunuty.
19	approvals with the fact that they must proceed towards	19	MR. KUNUTY: Mr. Gagnon.
20	accomplishing that agreement.	20	MR. GAGNON: Yes, sir.
21	The City of West Palm Beach letter did hit on	21	MR. KUNUTY: Do you have any comment on the
22	several items that I have. And you have looked at it	22	public comments?
23	from a responsible attitude that we need consistency.	23	MR. GAGNON: Yes. They're voluminous, but I
24	The problem is that the submission of the Port has	24	wanted to say a few different things. First of all, I
25	numbers like 20 feet for the height of the container	25	wanted to make mention of the fact that Port staff is
	Page 18		Docto 20
			Page 20
1		1	
1 2	stacking, whereas the conditions of the City would be	1	here with us tonight, in addition to staff from West
	stacking, whereas the conditions of the City would be 25 feet. Don't have a problem with that. But in the	1 2 3	
2	stacking, whereas the conditions of the City would be	2	here with us tonight, in addition to staff from West Palm Beach, so I thank both of them for coming out and
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5 (Pages 17 to 20)

	Page 21		Page 23
1	traffic, just through traffic continuously just north	1	agreement on a 710 reconnect?
2	of the property. So that also may be a stumbling block	2	MR. GAGNON: No, from everything I've seen,
3	if that proposal were to move forward.	3	the Department of Transportation has removed that from
4	Mr. Ward also commented on trips per day. So	4	any sort of, you know, Master Plan, being that FEC
5	the narrative that the Port had provided basically	5	would not grant that access point. And without
6	describes the use of this property mainly through	6	agreeing to traffic going over that rail, then it
7	internal Port access points. So being that the Port is	7	really eliminated that possibility.
8	a secure facility, it would make sense for them to have	8	MR. KUNUTY: Technically, running a road
9	one secure access point.	9	through that piece of property basically destroys the
10	So the current proposal has access agreements	10	use of it almost in terms of what their current use is
11	which are really not called out here, but access	11	as indicated.
12	agreements that run north and south through the FPL	12	MR. GAGNON: Right. And the Port did acquire
13	parcel to the north. And what that will do is allow	13	the property, so they have title to the property.
14	the Port, who has property just to the north of this	14	There are specific conditions within the warranty deed
15	parcel, to continuously access this through internal	15	as far as how the property can be utilized by the Port.
16	roadway infrastructure.	16	But Department of Transportation did sell the property
17	So we're really not anticipating an increased	17	to the Port, so the Port owns it outright.
18	traffic load through the entrance on U.S. 1. So that's	18	MR. KUNUTY: Okay, no other questions at this
19	not to say that's not possible, being that the ingress	19	time. Thank you.
20	and egress point is already constructed, and it has	20	CHAIR JAMES: Ms. Shepherd.
21	been used historically, but the current proposal is	21	MS. SHEPHERD: Thank you, Madam Chair.
22	really to access this site through the interconnected	22	Mr. Gagnon, I think I've asked you this
23	Port roadways, being that it's a secure facility.	23	question. Were the residents over in that
24	Mr. Ward also mentioned the surveyor,	24	neighborhood, they were notified, and did you get any
25	specifically Mr. Phillips, I believe he's referencing.	25	response from that area?
_	······································	20	
	Page 22		Page 24
1	And although Mr. Phillips has historically performed	1	MR. GAGNON: Yes, ma'am. We initiated the
2	plat review and survey review for the City, he's not	2	measure through the IDADC Cleaninghouse which is an
3	one of the three companies that the City had acquired	-	process through the IPARC Clearinghouse, which is an
	one of the three companies that the City had acquired	3	intergovernmental review committee that is responsible
4	through a recent procurement process. So we'd have one		
4 5		3	intergovernmental review committee that is responsible
	through a recent procurement process. So we'd have one	3 4	intergovernmental review committee that is responsible for coordination of any sort of future land use
5	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be	3 4 5	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a
5 6	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be Mr. Phillips.	3 4 5 6	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a month ago. And what happens is it's sent to each
5 6 7	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be Mr. Phillips. And I think that may not cover all of	3 4 5 6 7	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a month ago. And what happens is it's sent to each municipality that is in Palm Beach County that has the
5 6 7 8	through a recent procurement process. So we'd have one of those entities review the plat, and it wouldn't be Mr. Phillips. And I think that may not cover all of Mr. Ward's comments, but that's my best effort at it at this time. MR. KUNUTY: Let me ask you a question about	3 4 5 6 7 8 9 10	intergovernmental review committee that is responsible for coordination of any sort of future land use amendments. So that notice went out approximately a month ago. And what happens is it's sent to each municipality that is in Palm Beach County that has the opportunity to comment on the proposal. In addition to that, we provided legal notification of the project. We also provided
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## 12/8/2016

	Page 25		Page 27
1	CHAIR JAMES: I want to interject for a	1	MR. GAGNON: Well, this item will have to go
2	second. Ms. Shepherd, are you talking about the notary	2	to Planning and Zoning for recommendation. It's within
3	part of that	3	the City's CRA, so there would have to be a CRA
4	MS. SHEPHERD: I think that's what it was.	4	Commissioners' meeting and be found consistent with the
5	CHAIR JAMES: or the sale?	5	CRA Plan. And then being that the land use and rezone
6	MS. SHEPHERD: I think it was both. I'm just	6	is in ordinance form, there would be two City Council
7	going through the letter very quickly, and I'm trying	7	meetings. So there'd be at least four public meetings
8	to, I guess, get it all in my mind exactly what	8	discussing these items. So in addition to that, I'm
9	Mr. Ward is talking about. I have no clue. I'll pass,	9	more than happy to sit down with any members of the
10	Madam Chair, until I get my thoughts together.	10	public and receive recommendations, comments, anything
11	CHAIR JAMES: Okay. Vice Chair.	11	like that.
12	VICE CHAIR McCOY: Madam Chair, I was	12	CHAIR JAMES: Okay, two more questions.
13	actually just going to ask a question about the	13	Well, actually, just one. Is this item, even though
14	reverter, but I think it's been explained.	14	it's coming before our Board, will it be I'm just
15	Yes, a couple things. I don't think there's	15	kind of curious discussed at like the Port's next
16	300 there's a residence within 300 feet of that	16	meeting or the City of West Palm Beach's Council
17	location that's actually in Riviera Beach. Perhaps	17	meeting?
18	West Palm Beach, but certainly not in Riviera Beach.	18	MR. GAGNON: I know that
19	That's on the furthermost southern portion of the City.	19	CHAIR JAMES: If you can't speak to it, you
20	MR. GAGNON: Yes, sir.	20	can have a representative from each agency
21	VICE CHAIR McCOY: So I don't know if we	21	MR. GAGNON: Sure, sure.
22	really sent a letter, and I don't really know if it's	22	CHAIR JAMES: come up and speak to that.
23	of any really public interest, because it's contained	23	MR. GAGNON: Absolutely. I'll invite both
24	as it is now within, I mean a confined area.	24	representatives from the Port and from West Palm to
25	I really have nothing. And it seems to be	25	come up if they so choose.
	Page 26		Page 28
			5
1	pretty routine. I just would be interested to see what	1	From my correspondence with Mr. Almira, the
1 2	pretty routine. I just would be interested to see what comes back from, I guess, the tri-governmental meeting	1 2	
		1	From my correspondence with Mr. Almira, the
2	comes back from, I guess, the tri-governmental meeting	2	From my correspondence with Mr. Almira, the Port's Executive Director, it seems as if the Port was
2 3	comes back from, I guess, the tri-governmental meeting and what recommendations are made. But I would certainly, I mean in its current form I don't see anything material as to why I wouldn't support it.	2 3	From my correspondence with Mr. Almira, the Port's Executive Director, it seems as if the Port was going to have a presentation at their upcoming Commissioners' meeting just to inform their Council and also the public of the project moving forward.
2 3 4 5 6	comes back from, I guess, the tri-governmental meeting and what recommendations are made. But I would certainly, I mean in its current form I don't see anything material as to why I wouldn't support it. So those are my comments, Madam Chair.	2 3 4 5 6	From my correspondence with Mr. Almira, the Port's Executive Director, it seems as if the Port was going to have a presentation at their upcoming Commissioners' meeting just to inform their Council and also the public of the project moving forward. However, I'll let a Port representative or Mr. Almira
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7 (Pages 25 to 28)

	Page 29		Page 31
1 controv	versies. I mean we're transferring the property	1	have the exact details, but it does not permit, you
	e Department of Transportation over to well,	2	know, very heavy, loud, noisy industrial operations to
	ady at the Port of Palm Beach, and just	3	be done in this area, stacking containers three high
	ng the use so that storage containers can be held	4	and whatnot. So the Port, in their submittal and
	And I don't know that prior to this, that	5	application had every intent of following that warranty
	ly was impacted so significantly.	6	deed, and that's the language that's in place.
	think it's certainly important that if we	7	Secondarily, there was a three-party
8 have th	e staff from the three agencies there, I would	8	agreement, and most, if not all of the I can't say
9 certain	ly not want to live on that northern portion of	9	all because some of it doesn't apply anymore from
10 the Cit	y of West Palm Beach and I've got, you know,	10	FP&L's perspective of construction, but most of the
	stack three containers, you know, in my back	11	language was brought into this to follow the previous
12 yard w	here I could see right over the wall. But I	12	tri-party agreement.
13 think c	ertainly that is the major concern, that it	13	So the Port's intention is to do exactly
14 doesn't	, you know, greatly impact someone's way of	14	that, be a good steward to all of the neighbors,
15 living i	n West Palm Beach.	15	maintaining the clear distances, maintaining lowered
16 <b>(</b>	CHAIR JAMES: Thank you, Vice Chair.	16	heights, bringing the light levels down. And
17 N	MS. SHEPHERD: Madam Chair	17	consistency is the key. Thank you for bringing up
	CHAIR JAMES: Yes.	18	those comments.
	MS. SHEPHERD: before the Port come up,	19	The City of West Palm Beach are going to be
	ile I greatly respect the Port and I think I have	20	meeting with us soon about the 25 versus 20 foot rule,
	relationship with the Port, I want to make it	21	and we look forward to that staff meeting. As I
	hen you hand out handouts like this and they get	22	stated, this is just not a typical Port area. We're
	he City or wherever it gets out, you must be on	23	not intending to use this in the heavy industrial side
	ard at all time to protect not only the City of	24	of things.
25 Riviera	Beach, but the Port. And you should be able to	25	As far as the Port meeting is concerned, this
	Page 30		Page 32
			rage 52
1 answer	all questions, not think about the questions	1	-
	all questions, not think about the questions you hand out a handout like this.	1 2	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11
2 when y			next Thursday, the 15th, there will be a Port meeting,
2 when y 3 2	you hand out a handout like this.	2	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11
2 when y 3 4 should	You hand out a handout like this. And Mr. Gerald Ward know where we at. It	2 3	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11 items that were brought up regarding the site plan approval to the Board and to discuss the comments of the City of West Palm Beach and others and the results
2 when y 3 should 5 called. 6 the par	You hand out a handout like this. And Mr. Gerald Ward know where we at. It have been put in our packages, or he could have I know where he's at. I could have picked up ticular package. But I want to go on record by	2 3 4 5 6	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11 items that were brought up regarding the site plan approval to the Board and to discuss the comments of the City of West Palm Beach and others and the results of this meeting, to notify their Board just the same as
2 when y 3 4 should 5 called. 6 the par 7 saying	You hand out a handout like this. And Mr. Gerald Ward know where we at. It have been put in our packages, or he could have I know where he's at. I could have picked up ticular package. But I want to go on record by one thing: I take things serious in this City.	2 3 4 5	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11 items that were brought up regarding the site plan approval to the Board and to discuss the comments of the City of West Palm Beach and others and the results of this meeting, to notify their Board just the same as you're being notified. And then from there, we'll move
<ul> <li>2 when y</li> <li>3 2</li> <li>4 should</li> <li>5 called.</li> <li>6 the par</li> <li>7 saying</li> <li>8 Thank</li> </ul>	You hand out a handout like this. And Mr. Gerald Ward know where we at. It have been put in our packages, or he could have I know where he's at. I could have picked up ticular package. But I want to go on record by one thing: I take things serious in this City. you.	2 3 4 5 6 7 8	next Thursday, the 15th, there will be a Port meeting, and one of the agenda items is to present these 11 items that were brought up regarding the site plan approval to the Board and to discuss the comments of the City of West Palm Beach and others and the results of this meeting, to notify their Board just the same as you're being notified. And then from there, we'll move forward, hopefully with an approval process in January.
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	Page 33		Page 35
1	Something else I'd like to mention, that	1	may lead to more questions and more confusion.
2	parcel of land that we're looking at will be primarily	2	So if it pleases the Board, I'd like to also
3	for storage. You're not going to be seeing much	3	make a unified staff presentation for A1, A2 and A3.
4	activity out there. You're going to be seeing maximum	4	We still have a public comment portion for all three,
5	two containers high, one is grounded, or one container	5	and City staff would ask that the Planning and Zoning
6	when it's on top of a chassis.	6	Board make three separate recommendations following
7	You're not going to see a lot of activities,	7	discussion.
8	and if you are on the south side, those neighbors	8	CHAIR JAMES: Is the Board in agreement?
9	looking at their back yard, I doubt if you'd be able to	9	MR. KUNUTY: Yes, I'm okay with that, but
10	see all of those containers because we're making a	10	just one quick question on that. The way I read this,
11	point, (a), you can only work there between the hours	11	we're basically modifying the primary land use, and
12	of 8 a.m. and about 5:30. I believe that's the	12	then we're addressing Mediterranea. So in effect, I'm
13	agreement. Secondly, there's going to be a 30 foot	13	seeing two different things.
14	setback from the wall. As such, you will not be able	14	MR. GAGNON: You're correct in the fact that
15	to see the distance. So we have our neighbors' best	15	there is an amendment to the R-PUD zoning code that's
16	interests at heart, as well as the Port.	16	being proposed, and that would actually have a global
17	Lastly, we do have two permanent easements	17	impact on the City. And I'll be happy to describe that
18	from our Port into that land through the FP&L power	18	in more detail.
19	lines, and yes, sometimes we may need to use that land	19	However, if the Board does not move forward
20	for parking for the cruise activity. Sometimes. Not	20	with that amendment the site plan application and
21	all the time. That particular business is in cycles.	21	the plat application for development are relying upon
22	Right now if you go to the Port, you will see that	22	that text amendment moving forward as well, so if the
23	there is absolutely no parking other than inside of the	23	Board doesn't support the text amendment to modify that
24	Port for those passengers. However, February through	24	R-PUD language, then the site plan and plat would not
25	September, that's when the peak period begins, and you	25	be in compliance with the existing regulations. So let
	Page 34		Page 36
1	will see that as an alternate for some of these cars to	1	me proceed with the presentation, and hopefully as I go
2	will see that as an alternate for some of these cars to be parked.	2	me proceed with the presentation, and hopefully as I go through each item
2 3	will see that as an alternate for some of these cars to be parked. So I'm glad that we're having this workshop.	2 3	me proceed with the presentation, and hopefully as I go through each item MR. KUNUTY: But let me just add this. You
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2 3 4 5	will see that as an alternate for some of these cars to be parked. So I'm glad that we're having this workshop. I'm glad that we're getting to know each other, and I thank you for the ability for us to speak. I do know	2 3 4 5	me proceed with the presentation, and hopefully as I go through each item MR. KUNUTY: But let me just add this. You know, it seems that they have presented their site plan based on a set of regulations that haven't even been
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9 (Pages 33 to 36)

	Page 37		Page 39
1	of Ordinances entitled Zoning, Article V, District	1	impact anything that has an R-PUD zoning designation.
2	Regulations, Division 23, PUD, Planned Unit Development	2	The Mediterranea parcel that we'll speak of
3	District, Section 31-494, property development	3	in a few moments is located at this portion of the
4	standards for the R-PUD residential planned unit	4	City, which is just east of Military Trail, which runs
5	development in order to provide for updated residential	5	north and south, I-95 runs north and south through the
6	development standards to promote creative design and	6	City, and Blue Heron Boulevard is to the south. So
7	land use, providing for conflicts, severability and	7	this is the specific Mediterranea parcel.
8	codification, and providing for an effective date.	8	This is the last parcel that really hasn't
9	So before you on the screen, this was a	9	been fully developed that has that R-PUD zoning
10	section from the staff report. And as Mr. Kunuty and I	10	designation in the City. We have other development
11	were discussing, the text amendment will have global	11	that had occurred historically in the City. We have,
12	impacts on the City. So this will be in conjunction	12	you know, we have Woodbine, Thousand Oaks, Villa Rosa,
13	with any property that has an R-PUD zoning designation.	13	Sonoma Bay, other developments that occurred ten plus
14	And a few slides in, I'll show you the specific parcels	14	years ago in the City. So this is really one of the
15	that these text amendments could potentially impact.	15	last remaining parcels that has really yet to realize
16	To summarize, this language has not been	16	development.
17	revisited for over 30 years. And I think that City	17	I thought it was simpler to reference the
18	staff has attempted to be more proactive recently and	18	staff report in the same way that we did for the Port
19	has brought multiple text amendments to the Planning	19	items to speak on the specific amendments proposed.
20	and Zoning Board to really revisit the fact that we	20	It would help if I'd look in the right
21	have stale language that needs to be revised in order	21	folder.
22	to really modernize in accordance with development	22	So if you reference in your packet, the title
23	trends and also to really allow more unique development	23	should say R-PUD Text Amendment Ordinance. On page two
24	to occur in the City.	24	of that begins the strike-through and underline
25	I think that's what residents are asking for.	25	portion. And I'll bring this up full screen. So
	Page 38		Page 40
1	_	1	_
1	I know that's what developers would like to have as far	1	again, this section of the code really hasn't been
2	as have more flexibility and having the ability to	2	altered or amended in 30 years.
3 4	offer a better product overall to potential buyers. So again, it's been over 30 years since this	3	It is, again, imperative that we revisit this and we make amendments in order for this particular
5	language has been revisited. As I've summarized in a		and we make amendments in order for this particular
6		5	-
		5	development to move forward, but also other development
	nutshell, there are new development trends that are	6	development to move forward, but also other development in the future which may occur as these other housing
7	nutshell, there are new development trends that are occurring. There's a movement away from what's been	6 7	development to move forward, but also other development in the future which may occur as these other housing developments are really rebuilt in the next, let's say,
7 8	nutshell, there are new development trends that are occurring. There's a movement away from what's been coined as, you know, McMansion, where you have to have	6 7 8	development to move forward, but also other development in the future which may occur as these other housing developments are really rebuilt in the next, let's say, another 30 years. So if we follow our current trend of
7 8 9	nutshell, there are new development trends that are occurring. There's a movement away from what's been coined as, you know, McMansion, where you have to have at least a one acre lot and it had to be a single	6 7 8 9	development to move forward, but also other development in the future which may occur as these other housing developments are really rebuilt in the next, let's say, another 30 years. So if we follow our current trend of not revisiting this language every 30 years, then it
7 8 9 10	nutshell, there are new development trends that are occurring. There's a movement away from what's been coined as, you know, McMansion, where you have to have at least a one acre lot and it had to be a single family home.	6 7 8 9 10	development to move forward, but also other development in the future which may occur as these other housing developments are really rebuilt in the next, let's say, another 30 years. So if we follow our current trend of not revisiting this language every 30 years, then it may be in place the next time a redevelopment proposal
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## 10 (Pages 37 to 40)

	Page 41		Page 43
1	there's a question of: Well, why this section versus	1	adjacent to another residential unit.
2	another section? So being that this was developer	2	So I thought it was too vague, so it would be
3	initiated, but staff supported, it allowed City staff	3	simpler to just say we have a set distance between
4	to move forward with amendments to the code which are	4	buildings, and it has to be at least five feet. So
5	needed, but it also provides, I guess, an additional	5	that way it allows developers to have more flexibility
6	reason to look at this specific section.	6	and creativity, bearing in mind that it's to their
7	VICE CHAIR McCOY: Thank you.	7	advantage to have the best product available, because
8	MR. GAGNON: So when you move down in	8	ultimately, they want to have the best neighborhood
9	language, some are just minor housekeeping items. For	9	possible, because that's how, you know, you sell units
10	example, in my opinion, it's never good to have let	10	and you attract potential buyers.
11	me zoom in one more. So it's never really good to have	11	MR. KUNUTY: Madam Chair, a question.
12	an "et cetera" in your code, because that means	12	CHAIR JAMES: Yes, you're recognized,
13	something else that a very clever land use attorney can	13	Mr. Kunuty.
14	make up, potentially. So I thought it was important to	14	MR. KUNUTY: On this distance between
15	make sure that "et cetera" was removed and that the	15	buildings, basically then you're saying that the
16	format for cluster housing was written in the same way	16	building is two and a half feet off the property line.
17	as other sections that already exist. So this is a	17	MR. GAGNON: So if
18	minor housekeeping item in number two.	18	MR. KUNUTY: If there's two lots and a
19	As you move down to $2(a)(1)$ , there's a	19	building on each lot, it's two and a half feet. So in
20	proposal to modify the patio home minimum lot size from	20	effect, the setback there is two and a half feet?
21	4,500 to 2,400 square feet. And number two, it's an	21	MR. GAGNON: That's one possibility. Or if
22	amendment proposal from 1,800 to 700 square feet.	22	it's a zero lot line development, it has to be at least
23	Within $2(b)(1)$ there's another proposal from 45 feet to	23	five feet from the zero lot line wall.
24	25 feet for minimum lot width. That's for a patio	24	MR. KUNUTY: Okay, but this is a
25	home. And then for townhouses, the amendment would be	25	contradiction of that. I mean what you're saying here
	Page 42		Page 44
1	from 25 feet to 15 feet	1	
1	from 25 feet to 15 feet.	1	is five feet between buildings if it's not a zero lot
2	I thought it was interesting that within the	2	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a
2 3	I thought it was interesting that within the maximum height section, we have other residential	2 3	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a half feet and two and a half feet from the property
2 3 4	I thought it was interesting that within the maximum height section, we have other residential zoning codes that have a specific caveat that says 35	2 3 4	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a half feet and two and a half feet from the property line, but if I have a zero lot line, I can be five
2 3 4 5	I thought it was interesting that within the maximum height section, we have other residential zoning codes that have a specific caveat that says 35 feet or three stories. For some reason, this	2 3 4 5	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a half feet and two and a half feet from the property line, but if I have a zero lot line, I can be five feet. Isn't that what you're saying?
2 3 4 5 6	I thought it was interesting that within the maximum height section, we have other residential zoning codes that have a specific caveat that says 35 feet or three stories. For some reason, this particular code section didn't have the "or three	2 3 4	is five feet between buildings if it's not a zero lot line. So I've got two buildings, and it's two and a half feet and two and a half feet from the property line, but if I have a zero lot line, I can be five feet. Isn't that what you're saying? MR. GAGNON: Well, so within this is all
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1	property	1	unit. And even though five feet is not a very large
2	MR. GAGNON: Sure.	2	amount of space, you would at least have that
3	MR. KUNUTY: okay? And I build a building	3	separation, and you'd be able to have, you know, a side
4	on one and a building on the other. It's not zoned	4	garden or access or storage, or you know, just
5	zero lot line, so I have to be five feet from the other	5	additional use of the property in general.
6	building, which means I can go up to two and a half	6	MR. KUNUTY: Well, I don't know how much
7	feet on my property, and on the adjacent property, they	7	you're going to do with it. I mean you have two and a
8	can go the two and a half feet. So we've got five feet	8	half feet, you know. I mean let's be realistic.
9	between the buildings.	9	MR. GAGNON: Yes, you can physically
10	MR. GAGNON: Okay.	10	MR. KUNUTY: I mean that's like a block and a
11	MR. KUNUTY: Okay? If there are two zero lot	11	half, you know, laying down.
12	line parcels, they have to be ten feet apart.	12	MR. GAGNON: Well, it allows people to walk
13	MR. GAGNON: So in a situation where the	13	from the front to the back of property.
14	building wasn't placed on a zero lot line, I agree that	14	MR. KUNUTY: It does that; it does that,
15	this would state it has to be five foot between	15	granted. So if I recall, their site plan, they've got
16	buildings. However, that could also be flexibility to	16	five and nine cluster houses together. So I mean so
17	say three feet, two feet or four feet and one foot, so	17	the only people that can walk easily to the back of
18	long as it's five feet.	18	their house are one in nine or one in five.
19	So the way that it's proposed here would	19	MR. GAGNON: There's multiple unit types
20	allow, I guess, additional design flexibility. If it	20	within the site plan proposal. Some are separated
21	were to be two zero lot line units, then it would	21	units and some are a townhouse style unit. And I'd be
22	really require that there would be a five foot	22	happy to discuss that more within the site plan
23	separation between each additional building. So if you	23	segment. We might be able to do some comparisons at
24	build out on unit A or lot A a zero lot line building	24	that time as well for the Board.
25	to, let's say, the east, and you wanted to progress	25	MR. KUNUTY: What was the logic to come out
	Page 46		Page 48
1	eastward, there would have to be a five foot separation	1	to the logic to go from a 4,500 square foot lot size
2	between that zero lot line and the next building.	2	down to 2,400? I mean and then on the other one was
3	MR. KUNUTY: It just seems to me five feet	3	what, 18 to 7?
4	between a building is a narrow alley, okay? I'm not	4	MR. GAGNON: I'll be happy to answer that.
5	sure what we're accomplishing in allowing buildings to	5	Do you want me to continue with just a few more lines
6	be stuck together like that. If I'm correct me if	6	of the text
7	I'm wrong, but this does not affect zoning as far as	7	MR. KUNUTY: Sure. Yes, go ahead.
8	density.	8	MR. GAGNON: and then I can go back and
9	MR. GAGNON: Overall density, no, it won't	9	revisit that?
10	modify densities whatsoever.	10	MR. KUNUTY: Okay, go ahead. I'm sorry I'm
11	MR. KUNUTY: Okay, so now we still have an	11	getting ahead of you.
12	acre of land, okay, that we can put 15 units on. Now	12	MR. GAGNON: Thank you.
13	we're going to take 15 units and put 15 smaller units,	13	I think we're on the setback section, and
14	squeezed close to each other essentially, and have more	14	there's no modifications or amendments proposed here.
15	open space. Is that what we're saying?	15	Within number three, we'll go to page three of the
16	MR. GAGNON: It could work in that manner.	16	staff report, and there's no modifications in three.
17	And again, this section is for really this cluster type	17	In four, which is describing density, there's no
18	of housing. So if it were to be designed as just	18	modification whatsoever, so this won't impact any
19	single family detached units, then these specific	19	density restrictions that Mr. Kunuty mentioned
20	regulations wouldn't apply.	20	previously.
21	So instead of, let's say, a developer	21	And then within number five there's a
22	proposing townhome units where they're all attached,	22	grouping requirement. And historically, it said that
23	maybe there's another design option where you could	23	the total length of any townhouse structure shall not
24	have something very similar to that, however, you can	24	exceed six units, and we're proposing that to be 12
25	now have, you know, home ownership of each individual	25	units. We actually found that historically there have

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1			_
1	been site plan approvals that seemed to deviate from	1	approaching it this way is that we're making a global
2	the six unit requirement. Don't exactly know how that	2	decision for the whole City, okay, that seems to be
3	occurred, but it seems as if that occurred	3	kind of geared towards finishing off Mediterranea. And
4	historically.	4	what I'm afraid is that and we all know this most
5	And I think that adding the ability to have	5	developers are going to try to build to maximize their
6	more sequential units gives developers more flexibility	6	profits, which I don't you know, I think they
7	as far as the final product that they can provide, so	7	should. So they're going to try to build the property the smallest property.
8	that could be potentially these smaller units that	8	
9	would be more affordable and be able to serve, you	9 10	Are we and this is a question. Are we, as
10	know, a new family that's just starting out or a recent	10	a City now, when we put these minimum standards so low as far as square footage, are we relegating ourselves
11 12	retiree, just different segments of the population group for the City. So the final line just states: In	12	to be the entry level housing place, period? Okay? I
12	order to promote unique development design. So that at	13	mean developers are probably not going to build 700
14	least includes the intent of the modification.	14	square foot properties next to 4,500 square foot
14	CHAIR JAMES: Okay, did you have something	15	properties. They're going to cluster them together.
15	else?	16	So we're going to get a lot of the same
17	MR. GAGNON: I was just going to respond to	17	properties, okay; they're going to be entry level
18	Mr. Kunuty's comments	18	properties. And I'm not characterizing that as a good
19	CHAIR JAMES: Okay.	19	or a bad thing, but it seems to, from a standpoint of
20	MR. GAGNON: on the square footage.	20	the City, eliminate some of our flexibility, okay,
21	CHAIR JAMES: Go ahead.	21	particularly when I don't understand where we say no
22	MR. GAGNON: So having either 4,500 square	22	setback requirements. You know, I mean there's just a
23	feet or 1,800 for the patio home or townhouse, if a	23	lot of questions I have. So that's it.
24	developer wanted to come in, if this amendment	24	CHAIR JAMES: Yes, I want to one thing I
25	occurred, and build that 45 square foot excuse me	25	want to add to what Mr. Kunuty just said, what is the
	-		
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1	4,500 square foot patio home, they would have the	1	price point? Are these these are going to be for
2	ability to do so. However, it seems as if the market	2	purchase or just strictly rentals?
3	isn't really demanding that product. It seems as if	3	MR. GAGNON: I am not sure of a specific
4	the trend is smaller units, more affordable units	4	price point at this time. I'm sure that the
5	really for, you know, the working person. So what this	5	development team would be happy to provide those
6	will do is provide that flexibility for any future	6	numbers to the Board. If the Board chooses to discuss
7	developer.	7	that during this segment, I think we can accommodate
8	So again, this is a global impact. It's not	8	that.
9	just this specific developer, but a global impact for	9	CHAIR JAMES: I would like to know that. So
10	any property that has an R-PUD zoning district. So it	10	we're going to keep that on the back burner for now,
11	doesn't prohibit development of a townhouse at 1,800	11	but I'm going to go ahead and let the Vice Chair make
12	square feet, however, it does provide in this amendment	12	his comment.
13	the capability of having maybe one unit that's 1,800	13	VICE CHAIR McCOY: Actually, I just have one
14	square feet, and then the next unit is 700 square feet.	14	question of Mr. Kunuty. I didn't know what entry level
15	So you have mixed uses and mixed size units in the same	15	properties actually meant, and
16	building project.	16	CHAIR JAMES: I think it's price point that
17	CHAIR JAMES: Does that answer your question,	17	Mr. Kunuty
18	Mr. Kunuty?	18	VICE CHAIR McCOY: I wanted to understand
19	MR. KUNUTY: It does, but it raises some	19	exactly what that meant, because that's a new term for
20	other ones. But go ahead. We'll come back.	20	me. MP_KUNUTV: You know maybe it's a misnomer
21 22	CHAIR JAMES: No, you can go ahead, because I think I'm going to go into this as well at this time	21 22	MR. KUNUTY: You know, maybe it's a misnomer, but I mean it's obviously appealing to the first time
22	unink i in going to go into uns as well at uns time		
	for this one particular for A1. So go ahead with	1 22	
23	for this one particular, for A1. So go ahead with	23	buyer, for someone who may not have had a property
	for this one particular, for A1. So go ahead with yours. MR. KUNUTY: Yes. My comfort level with	23 24 25	buyer, for someone who may not have had a property before, you know, has, say, minimum down payment available. And there are a lot of people like that

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1	that need to be accommodated, okay. But what I'm	1	other. So it's not as though you're opening the
2	saying is when we put set minimum standards, do we	2	floodgates for a plethora of R-PUDs coming in with
3	open our doors for us to just only accommodate those?	3	something that's different than what's there now.
4	VICE CHAIR McCOY: Thank you. That's it for	4	Also, you heard Mr. Gagnon say that some of
5	my question of his statement.	5	the changes that are being made are being made to be
6	CHAIR JAMES: Yes, going with what I asked	6	so that existing properties in the City are consistent
7	you about the price point, the market, is this going to	7	with the code. He said you heard him say that some
8	be termed as affordable housing? I mean what is the	8	properties already exist with some of these parameters,
9	market they're trying to they want to be able to	9	so you want to just make those consistent with the
10	fill this housing unit with as well? So if someone	10	existing code.
11	from the development could come up now and answer that.	11	With regard to this particular I'm kind of
12	MR. GAGNON: Sure.	12	mixing apples and oranges, but you asked. With regard
13	MS. CALHOUN: Good evening. My name is Hope	13	to this particular parcel that you see the site plan
14	Calhoun. I'm the attorney here on behalf of the	14	for, keep in mind you all live here, so you know it has
15	applicant of items two and three. I guess one,	15	been a stalled development for a number of years.
16	technically, also. I'm happy to answer any questions	16	Although I did not work with the prior developers, it
17	that you have. I'll start with the few that you have	17	is my understanding that they tried to work within the
18	asked so far. But if I could, if you don't mind, I'd	18	parameters of the existing code, and due to a couple of
19	like to make a couple of general statements before I	19	constraints, they couldn't; they couldn't make it all
20	answer the questions.	20	work for them.
21	I, as I said, I'm an attorney. I'm a land	21	What you're going to see tonight is an
22	use and development attorney by trade. I've been dong	22	opportunity to provide the City with a finished
23 24	this for almost 20 years, so I represent a number of developers in a number of different counties and	23 24	project, a finished product that you will find the City will be proud of. This developer is one who has done
24	municipalities specifically.	24	work throughout the state, who does work throughout the
20	muneipanties specificany.	23	work unoughout the state, who does work unoughout the
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1	And so the changes that are being proposed,	1	state and has a great reputation.
2	And so the changes that are being proposed, some by us, some you heard Mr. Gagnon say by himself,	2	state and has a great reputation. With regard to price point, the townhomes,
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14 (Pages 53 to 56)

5	57	Page 59
1 straight zoning, in this example, residential	1	to go ahead and go into the comment for the A1 before
2 categories.	2	we move on. Gerald Ward.
3 So what you're doing here actually is	3	MR. WARD: Good evening again. Gerald Ward,
4 creating more flexibility instead of less. As was	4	2135 Broadway.
5 stated, these are minimum standards, not maximum	, <b>so</b> 5	If I hadn't been here for the Port, which I
6 you're really opening up the door to allow different	6	will have more to say about later, I would tell you
7 types of housing stock within a particular parcel.	7	that I was totally aghast, and Mr. Kunuty phrased it in
8 So we hope that you see it that way and that	8	his terminology pretty well to say that a developer
9 you vote to approve this, because it really will help	9	that comes in and decides this is the code that I want
10 that parcel in particular and really to clean up some	10	to build to, and by the way, you need to modify your
11 other items, as was pointed out by Mr. Gagnon.	11	code is probably somebody we need to say: Good to have
12 Thank you. Questions for me?	12	you come by, but we'll see you later.
13 CHAIR JAMES: No, thank you.	13	I was part of most of the development of
14 Mr. Kunuty, did that answer all of your	14	this, and the R-PUD, as well as the other PUDs were
15 questions?	15	developed back in the mid eighties. I totally reject
16 MR. KUNUTY: It did for now.	16	the CDEC's concept that it's always old and archaic. I
17 CHAIR JAMES: Okay, Jeff, I have a question		think that you have somebody here that's looking to do
18 following what Attorney Calhoun stated. So we ha		it their way.
19 existing developments in the City now that already		I happen to own a rowhouse, and I certainly
20 of conform to what's being proposed? And if so, co		will tell you that having 12 rowhouses is not something
21 you name those developments?	21	that's going to happen. Mine is a 1913 house in a
22 MR. GAGNON: Yes. Interestingly enough,		group of '13 and '14, 1913 and 1914 houses which has
23 previous approval for the original Mediterranea	23	distance between them.
24 development specifically and I'll point it out in	24	I heard and I have seen nothing in the backup
25 the code specifically seemed to deviate from the	25	that this has been staffed through the Fire Department.
Page	58	Page 60
1 groupings section. So as far as the total length of	1	Where is their comments on this? I can't believe you
2 any townhouse structure being limited to six units,	2	would even consider approving the five foot, which you
3 that previous Mediterranea development approval see	emed 3	have scoped out could be two and a half feet from the
4 to go beyond six units. So there were more than six	4	property line. And that's certainly not adequate as to
5 sequential units approved at that time.	5	how a town that has did have 35,000 people in 1835
6 So it's something that has been demonstrated	6	and only has 30,000 now. But it's density of houses
7 in the development community that maybe six is just	not 7	and size of houses does not go down anywhere close to
8 enough in general. I'm not sure of the history on that	8	this in the current standards and the current viable
9 item. That was approved over ten years ago. But the	ere 9	housing that exists in that town.
10 was either a miss as far as reviewing this code	10	The change in size of townhouses is a 250
11 section, perhaps there was, you know, some other	11	percent difference. The change in the size of patio
12 variance that I'm not privy to, but it seemed as if	12	homes is an 87 and a half percent difference. That is
13 historically there were other development actions	13	excessive. And there is no statistics, no
14 specifically in accordance to this groupings section	14	documentation of a little study of what that does for
	15	units. The width of townhouses of 15 feet is grossly
15 that were approved that didn't follow the six unit	16	
<ul><li>that were approved that didn't follow the six unit</li><li>grouping structure.</li></ul>	1 - 0	inadequate.
		inadequate. CHAIR JAMES: Go ahead. Are you finished,
<ul> <li>grouping structure.</li> <li>CHAIR JAMES: Is that the only one, the only</li> <li>development in the City?</li> </ul>	17 18	CHAIR JAMES: Go ahead. Are you finished, Mr. Ward?
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<ul> <li>16 grouping structure.</li> <li>17 CHAIR JAMES: Is that the only one, the only</li> <li>18 development in the City?</li> <li>19 MR. GAGNON: That's the only one that I'm</li> <li>20 aware of. And the interesting part about that is it</li> </ul>	17 18 19 20	CHAIR JAMES: Go ahead. Are you finished, Mr. Ward? MR. WARD: Well, I CHAIR JAMES: Do you have some more?
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15 (Pages 57 to 60)

	Page 61		Page 63
1	before we go on, so I'm going to start with	1	about, the code zoning itself. If it says residential,
2	Mr. Whigham.	2	don't change; let it stay residential. If it's
3	MR. WHIGHAM: Yes, I have one comment. Over	3	commercial, let it stay. We don't have a lot of land
4	the years we have had all these (inaudible) in the City	4	here that we can go back and forth like we did years
5	when we had a lot of land. We don't have a whole lot	5	ago.
6	of land for redevelopment in Riviera Beach now, but we	6	So we're going to have to be careful with
7	want to develop.	7	what we're doing tonight and other nights on this
8	I could give you a map of several years ago	8	agenda. We're going to have to protect the City; we're
9	when I asked the Planning and Zoning Administrator to	9	going to have to protect the City. We want our young
10	reassess the Congress corridor by Silver Beach Road for	10	people to come back to the City where their parents
11	me; the Congress corridor by Silver Beach Road. Thank	11	are, and you know, they want their children and
12	you. They did. They made it residential rather than	12	grandchildren. That's what I was looking for too when
13	warehouses and other little kind of districts.	13	I asked for the development on Congress. I wanted my
14	One developer came up, developed Thousand	14	children back here; I want my grandchildren here.
15	Oaks. We know that's a beautiful site. We know that.	15	I taught school here for 36 years, so I know
16	We're glad that that change came. But across the	16	exactly what's going on in this City. We have a
17	street from there, the developer was supposed to do the	17	beautiful City. A lot of you know that. And unless we
18	same identical thing, build homes, but we know what	18	stick to what we're doing tonight and get this
19	happened. That developer sold that land, and the other	19	resolved, we're going to have a problem. We're going
20	developer came in and wanted to put in apartments, 500	20	to have people leaving, going out west. I want the
21	apartments.	21	people out west to come back into this City and be
22	The neighbors in my area stormed the roof.	22	here.
23	They had so many petitions, we couldn't even keep up	23	So let's work on this very diligently, and
24	with the pages. But then he backed off. Then he put	24	let's everybody agree to allow (inaudible) that our
25	townhouses up, which nobody complained about because	25	Planning and Zoning Administrator is doing. They have
1	Page 62 they weren't apartments, but they were townhouses.	1	Page 64 worked hard on this. This is not something I know they
2	We've had problems selling these townhouses. Some of	2	just did overnight and just throw it at us. When we
3	them are for rent right now.	3	read it, if you don't understand what it is, call Jeff
4	My thing is this. We are short we don't	4	before you come to the meeting. That's what we need to
5	have a whole lot of space to build houses. I can	5	do.
6	understand the lines coming in from a certain feet,	6	Now, if you want to have some workshops in
7	they close in because we don't have that kind of land	7	January, next year, to revitalize a lot of this on
8	anymore. But the thing I'm concerned about is the	8	here, let's do it. If not, let's approve this so it
9	developer coming in where you're supposed to have homes	9	can get done.
10	set up, can they go through, get around our code and	10	Thank you very much, Madam Chair.
11	start putting up townhouses or apartments and stuff	11	CHAIR JAMES: Mr. Kunuty.
12	like that? They have done it in the past.	12	MR. KUNUTY: Well, I think you've got my
13	MR. GAGNON: What would have to happen is any	13	points pretty clear. I think that, you know, as far as
14	development proposal that utilizes the zoning	14	the global portion of this that we're talking about
15	regulations would still have to go in front of the	15	is has a wide-ranging effect. I know today there's
16	Planning and Zoning Board and be approved by the City	16	only one R-PUD, but you know, who knows what's going to
17	Council. So there's still an approval mechanism that's	17	happen in the future? There are some older
18	in place that allows for public input, allows for a	18	developments that might get revitalized.
19	potential rejection to a site plan application if the	19	So I think we've got a lot of holes, and I
20	Planning and Zoning Board or City Council felt that the	20	think a couple of things is that I think for,
21	development proposed just did not meet the intent of	21	particularly for the global common portion, we really
22	the code or it didn't meet the intent of the community.	22	do need to hear from Fire and Police and other
23	So there are mechanisms that would remain in place even	23	departments on what their feeling is. I know the last
24	if the amendment moved forward.	24	couple of things we approved, it was a big deal for the
25	MR. WHIGHAM: What I was just concerned	25	Fire Department to be able to get their trucks in
		1	

16 (Pages 61 to 64)

	Page 65		Page 67
1	through the property to every place they had to go. So	1	project and make sure that it's right now, it's a
2	I don't know if they can still do that on this, but	2	showpiece. I go over there, so I know what's there.
3	they're certainly not going to get it through a five	3	And they're beautiful inside. I commend you for taking
4	foot space.	4	the chance of coming back to the City of Riviera Beach
5	So the other thing I would like to see is I'd	5	and finishing this project, and I thank you for it.
6	like to see what some of our surrounding communities	6	Thank you.
7	are doing in terms of what their requirements are. I	7	CHAIR JAMES: Thank you, Ms. Shepherd.
8	mean are they, you know, are they requiring have	8	Vice Chair McCoy.
9	they modified theirs to the same extent that we've	9	VICE CHAIR McCOY: Madam Chair, thank you.
10	modified ours? I think we could use that kind of input	10	Mr. Gagnon, I want to make sure that we're on
11	from staff to make a more informed decision.	11	the zoning regulations, right, and not the project?
12	And I think some backup of the trends that	12	MR. GAGNON: Yes, sir.
13	you're stating this is the trend of where the market is	13	VICE CHAIR McCOY: Okay. Is there a grouping
14	going, I don't really know that, okay. And I don't	14	requirement for apartments in the City?
15	know, maybe some of the other Board Members do, but I'd	15	MR. GAGNON: Not currently that I'm aware of.
16	like to see some real hard data that says, hey, you	16	I think this is the only provision as far as groupings
17	know, this is what the world is doing, so you know, we	17	that we have in our code structure apparently.
18	need to get on the bandwagon.	18	VICE CHAIR McCOY: Okay. I was going to ask
19	So you know, based on that, I'm uncomfortable	19	a question about the overall density, and I don't know
20	with going forward with this, you know, and you know,	20	if those numbers that Mr. Gerald Ward spoke about is
21	that would be my feeling. No other comment.	21	accurate. But I certainly would kind of share the
22	CHAIR JAMES: Thank you, Mr. Kunuty.	22	sentiments of Mr. Kunuty that it's definitely going to
23	Ms. Shepherd.	23	have an overall effect with the increase in density.
24	MS. SHEPHERD: While this particular project	24	But I'm really interested, because there's a
25	was going forward, I think ten years ago, I think I was	25	lot of things that comes into play here, and one of the
	Dama ((		Page 68
	Page 66		
			-
1	sitting on Planning and Zoning, and I attended all the	1	questions that I think might be appropriate for the
2	meetings that the Mediterranea had over at the	2	questions that I think might be appropriate for the applicant or the developer, is this a condominium
2 3	meetings that the Mediterranea had over at the Utilities Department. And I was quite happy with that	2 3	questions that I think might be appropriate for the applicant or the developer, is this a condominium community that's going to be proposed?
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	Page 69		Page 71
1	enough of those units where this archaic, in my	1	this point, because I mean I certainly have some
2	opinion, statute allows them to purchase 80 percent of	2	apprehensions about it in its current form, and I want
3	them and convert that condominium association back to	3	to see if we can kind of figure out a way to address
4	apartments, and then turn around, and they have the	4	some of these concerns without telling somebody no. I
5	sole authority to then buy that one property owner who	5	think, you know, somewhere we have to kind of meet in
6	spent \$200,000 on their property and offer \$75,000,	6	between, and I'm open for suggestions on that. And,
7	which completely leaves them upside down. So I think	7	you know, I would hope that there is some other
8	that's certainly something that's of a concern to me.	8	dialogue about it.
9	And I think I know we like to ask the	9	Thank you, Madam Chair.
10	question: Is this affordable housing? There's no	10	MR. GAGNON: I think that as we move forward
11	affordable housing in Riviera Beach. It's all about	11	through the site plan presentation as well, I think
12	making the maximum profit, I mean unless you're going	12	that will at least allow the Board to see the
13	to get a development such as the Housing Authority or	13	development proposal and how the layout is situated.
14	another Stonybrook. But I think our new development	14	I did want to just mention again that the
15	that's coming into Riviera Beach is not affordable	15	density itself is not being modified. So I believe the
16	housing, and I think we shouldn't even begin to think	16	current maximum density is 15 units per acre. So if
17	that in some kind of way it's going to benefit, you	17	you have an acre of property, it's 15 units, no matter
18	know, the overall community, because, you know, I just	18	how you place them or configure them. So if you had
19	don't think that that's the case.	19	multiple acres, you could, you know, play with that and
20	But I certainly have some reservations,	20	have maybe the unit configuration, I guess, more
21	because it seems as if we are doing just what	21	bunched in one area and then have the rest just open
22	Mr. Kunuty said, that we're changing the land use	22	space. However, the density is not being modified by
23	regulations specifically for Mediterranea. And as I'm	23	this proposal. So I just wanted to make sure that the
24	looking here on my computer, currently the same units,	24	Board was aware that the density is not being modified.
25	the units that are existing there are beyond the six	25	VICE CHAIR McCOY: Well, perhaps the density
	Page 70	1	De ma 70
			Page 72
1	grouping. And Sonoma Bay is beyond the six grouping,	1	isn't changing, but certainly the overall occupancy is.
2	and I think the same applies for Marsh Harbor.	2	isn't changing, but certainly the overall occupancy is. I mean the number of units is. I mean the ratio may
	and I think the same applies for Marsh Harbor. And I just and you know, I certainly want	2 3	isn't changing, but certainly the overall occupancy is. I mean the number of units is. I mean the ratio may not be changing, but I mean you are having an increased
2 3 4	and I think the same applies for Marsh Harbor. And I just and you know, I certainly want to support the project, but I'm curious as to our role	2 3 4	isn't changing, but certainly the overall occupancy is. I mean the number of units is. I mean the ratio may not be changing, but I mean you are having an increased amount of units.
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18 (Pages 69 to 72)

	Page 73		Page 75
1	So I think if well, I don't think the	1	question tonight for you.
	hairperson has made comments. But I think as we move	2	CHAIR JAMES: Okay. Ms. Calhoun wanted to
	rough the actual site plan presentation and we look	3	come back to the microphone to answer a question.
	to the site plans and the development team, 13th	4	MS. CALHOUN: Thank you again for the
	oor, actually has an ongoing development project that	5	opportunity. I can answer some of the questions that
	ir staff will mention in the presentation. They have	6	were posed by the Board.
	one a site visit as well, so there's a few photos from	7	With regard to the review of the site plan,
	e existing project that 13th Floor has done. Maybe	8	Mr. Gagnon has already said it's been reviewed by every
	will visually start helping to answer some of the	9	department in the City, and the Fire Department did not
	lestions that the Board currently has.	10	issue us any comments or objections to the building
11	CHAIR JAMES: Are you done, Mr. McCoy?	11	separation or any of those things that were raised as a
12	VICE CHAIR McCOY: Yes, I'm sorry. Yes,	12	concern. So the Fire Department has no objections to
13 M	ladam Chair.	13	that.
14	CHAIR JAMES: Okay. I'm just trying to	14	Respectfully, very respectfully, I'd like to
15 de	ecide if I want to call a vote now or proceed, because	15	let the Board know this was not a case where a
16 Ik	kind of feel like we may be sweet talked into it.	16	developer just showed up into town and demanded the
17	Why don't we have any backup in the documents	17	approval of a site plan regardless. We've worked very,
18 fro	om Fire and the Police Department and something	18	very, very closely with City staff in order to get to
19 rel	lating to the trends to speak on how these	19	the point where we are tonight. And again, you've
20 de	eterminations came about for the new requirements,	20	heard it stated that a lot of this is, I kind of call
21 sta	aff?	21	it cleanup items just to make things consistent with
22	MS. CALHOUN: I know that was a question for	22	what's already existing in the City.
23 hii	m, but somebody asked about condos. If I could just	23	I know I said it before, but just for a
24 an	nswer that question?	24	reminder, these are minimums we're talking about,
25	CHAIR JAMES: Let me get his	25	except for this number five, Groupings, which is a
	Page 74		Page 76
			- -
1	MS. CALHOUN: Okay.	1	maximum. So if someone wanted to have five, they
2	CHAIR JAMES: Let me have staff respond	2	could. If they wanted to keep it at six, they could.
2 3 fii	CHAIR JAMES: Let me have staff respond rst, and then I'll have you speak to that.	2 3	could. If they wanted to keep it at six, they could. We're talking about a maximum of 12. So that's just
2 3 fii 4	CHAIR JAMES: Let me have staff respond rst, and then I'll have you speak to that. (Discussion held off the record.)	2 3 4	could. If they wanted to keep it at six, they could. We're talking about a maximum of 12. So that's just something to keep in mind there.
2 3 fii 4 5	CHAIR JAMES: Let me have staff respond rst, and then I'll have you speak to that. (Discussion held off the record.) MR. GAGNON: I'm sorry. So part of the site	2 3 4 5	could. If they wanted to keep it at six, they could. We're talking about a maximum of 12. So that's just something to keep in mind there. With regard to density, that question's
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19 (Pages 73 to 76)

	Page 77		Page 79
1	regulations at that same time.	1	did.
2	And what happens more often than not is you	2	Thank you for the opportunity to answer those
3	come to the Planning and Zoning Board, and ultimately	3	questions. I'm happy to answer any others.
4	City Commission with a presentation of a project that	4	CHAIR JAMES: Ms. Calhoun, you just stated
5	has been developed in accordance with the regulations	5	that there will be no HOA in this
6	that are also being proposed at the same time. So	6	MS. CALHOUN: No condo. Excuse me. There is
7	that's pretty common, as opposed to specific	7	not a condo association. That question was asked, will
8	regulations with regard to height, groupings, setbacks.	8	there be a condo association. There will be no condo
9	That's kind of not the standard or the norm for PUD or	9	association. I believe there's an existing HOA on the
10	R-PUD type regulations.	10	units that are already built and constructed, so
11	The particular developer and again,	11	actually, this helps that, because you're going to have
12	Mr. Gagnon's already stated that we're talking about	12	now a number of units coming in and homeowners coming
13	with regard to the site plan that's before you later on	13	in who can infuse additional funds into the existing
14	on this agenda again has been building in Florida	14	HOA. Be clear, they're not a condo association, but
15	for more than ten years. So when they tell you when	15	there is an HOA that will continue to be responsible
16	we come to the City, when we come before you and	16	for maintenance and actually be able to improve
17	propose a particular type of development style or size	17	maintenance on the property.
18	or dimension, they're speaking from a point of	18	CHAIR JAMES: Okay, thank you.
19	experience.	19	MS. SHEPHERD: Madam Chair.
20	With regard to the townhomes, they are	20	CHAIR JAMES: I'll go ahead and recognize
21	building currently over approximately 700 of those	21	Ms. Shepherd and then Mr. Kunuty.
22	townhouse units that we're proposing. The same size,	22	MS. SHEPHERD: Ms. Calhoun, may I ask you one
23	type and quality that we're proposing here, we're doing	23	more question? Is there a timeframe on this particular
24	in another they are doing in another municipality.	24	project? Is there a timeframe?
25	So they've built it, and they see that it works. They	25	MS. CALHOUN: Two weeks ago. I was just
	Page 78		Page 80
			rage ou
1	would not have invested the time, the money, the effort	1	kidding. I'm kidding; I'm just joking. I'm joking,
1 2	would not have invested the time, the money, the effort and the drawings and everything else if they didn't	1 2	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry.
	would not have invested the time, the money, the effort and the drawings and everything else if they didn't know that it works. So they're not coming brand new to	2 3	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry. If you mean like how soon do they want to get
2 3 4	would not have invested the time, the money, the effort and the drawings and everything else if they didn't know that it works. So they're not coming brand new to the table. They've done this before and I said it	2 3 4	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry. If you mean like how soon do they want to get started or how soon do they anticipate getting started,
2 3 4 5	would not have invested the time, the money, the effort and the drawings and everything else if they didn't know that it works. So they're not coming brand new to the table. They've done this before and I said it now three times and it works, so that's why they're	2 3 4 5	kidding. I'm kidding; I'm just joking. I'm joking, I'm sorry. If you mean like how soon do they want to get started or how soon do they anticipate getting started, they're very eager to get started. As you've already
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20 (Pages 77 to 80)

	Page 81		Page 83
1	okay. My issue is the fact that we're rewriting R-PUD	1	form, it's kind of tough for us not to understand, you
2	code or a text amendment, and that has a global effect	2	know, some of the points that have been laid out,
3	on other parts of the City, okay? Maybe not immediate,	3	especially by Mr. Kunuty. I mean I just want help,
4	but it will have a global effect on other parts of the	4	because I mean in its current form, I can't support it.
5	City. So that's my concern. I'd like to get that	5	MR. KUNUTY: Madam Chair.
6	resolved.	6	CHAIR JAMES: Yes, Mr. Kunuty, you're
7	I think there's a lot of inconsistency in	7	recognized.
8	this text amendment. I think, you know, things like no	8	MR. KUNUTY: I'd like to offer Mr. McCoy a
9	setbacks, I think the five two and a half or five	9	suggestion and some help. My feeling is that we ought
10	feet minimum without I mean I think there's some	10	to send this back to staff, we ought to get comments,
11	other questions here.	11	we ought to get the needed backup, find out what other
12	So I just want the developer to understand	12	cities are doing. Let's understand from somebody other
13	that it's not a development issue, because we haven't	13	than the developer, okay, what the market trend is,
14	even gotten to that. But I'm very familiar with	14	okay. And not that I disagree with having the
15	Mediterranea, okay? I'm intimately familiar with it,	15	developer. They could certainly participate. But I
16	so I know what's going on there, okay, and what has to	16	think we need independent people to tell us, you know,
17	get done there. So, and I support all of that. I just	17	this is what's happening, okay?
18	think we've got to clarify this piece of it, okay,	18	So I think if we get all of that and get that
19	before we can say move on.	19	done as quickly as possible, we could probably proceed
20	CHAIR JAMES: Go ahead, Vice Chair McCoy.	20	and make the text amendment changes that we have to
21	You're recognized.	21	make, maybe modify from what's there, get all of that
22	VICE CHAIR McCOY: Mr. Gagnon, could this	22	done as fast as we can, and then proceed with, you
23	have been accomplished by a variance or a special	23	know, whatever modifications, if any are necessary by
24	exception as opposed to a text change or a text	24	Mediterranea to their site plan and go forward. So
25	amendment?	25	that's it. I think we could have a workshop as soon as
	Page 82		Page 84
1	MR. GAGNON: So the applicant could have	1	possible to go over all of this and then bring it up
2	applied for a variance. However, there's specific	2	and vote.
3	requirements that need to be met in order to be	3	MR. GAGNON: Were there
4	eligible for a variance. I believe there's seven	4	MR. KUNUTY: I was just curious of the Board
5	conditions. And one of those conditions is basically	5	comments to do something like that.
6	that whatever the variance you're requesting, it is not	6	CHAIR JAMES: Well, I have a question for
7	self-imposed.	7	staff. If we did that tonight, would this I know
8	So for example, if there was a way of	8	we're having a meeting next Thursday. Is this
9	utilizing the property and still allowing the property	9	something you think would be done by then, to put on
10	owner full use of the land without that particular	10	the agenda?
11	variance moving forward, then technically they wouldn't	11	MR. GAGNON: Technically, the agenda packet
12	be eligible for a variance. So staff recommended that	12	and backup information for the meeting is provided a
13	they not move forward with the variance process, even	13	week in advance. So I sent out the agenda for next
14	though the development team has that legal option. So	14	Thursday's meeting today, backups to follow.
15	in my opinion, the variance, it's not an option to move	15	So if it's the guidance of the Board to have
16	forward with this project.	16	staff work on specific information and provide it to
17	VICE CHAIR McCOY: And that's that way	17	the Board, then we can attempt to do that to the
18	because of our ordinances?	18	greatest extent possible. If there are certain
19	MR. GAGNON: Yes.	19	conditions or provisions that the Board has other
20	VICE CHAIR McCOY: That it can't be	20	questions about, or if they require further amendments
21	self-imposed, our ordinances specifically speak to	21	in the Board's opinion, then maybe after we look
22	that?	22	through just the site plan proposal and plat proposal,
23	MR. GAGNON: Yes.	23	maybe we can come back to this and drill down on the
24	VICE CHAIR McCOY: Okay. I, you know, I'm	24	specific items that you want staff to focus on. And
25	really looking for help, because I mean in its current	25	that would be very beneficial to staff.

21 (Pages 81 to 84)

### 12/8/2016

1However, I think, you know, just, I guess, per Robert's Rules of Order, we kind of jumped from the specific code amendment structure. And I wanted to start with this because I didn't want the Board to feel as if, you know, just staff led with the site plan and 6 said: Here's this great site plan, approve it, but we reed to move forward with the text amendment.1probably Marsh Harbor as well. So I'm just wonderin you know, obviously I think someone and I know i wasn't you, because I'm sure you're very thorough, bu somebody might have made an oversight and we miss somebody might have made an oversight and we miss somebody might have made an oversight and we miss seems like we're going backwards. But are we going try to correct this one issue, or are we going to try to create language for the entire City? And that's my contention. And you know, if we don't get anywhere I'm ready to vote on it, and you know, just move forward.1How to specific items after the site plan, I think it would put everyone in a better place if the think it would put everyone in a better place if the Board feels there are conditions that really prohibit11How to specific items after the allowed15
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16 Board feels there are conditions that really prohibit 16 really on the request of staff, because that allowed
17 this from moving forward. 17 staff to go into this particular section of the code
18 CHAIR JAMES: Any other Board comments on 18 that hasn't been revisited for 30 years.
19 that thought? Or I mean it is the most important in 19 So I think we've been very transparent in the
20 order, because if we vote this down or vote to bring 20 fact that it has a direct correlation to the other
21 this back, then that's going to affect the other two 21 items, the site plan and the plat, so I don't think
22 items. 22 that that was hidden. And I hope that I've been as
23 So Vice Chair McCoy, you're recognized. 23 transparent as possible that it was developer
24 VICE CHAIR McCOY: Thank you, Madam Chair. 24 initiated, however, it is staff supported as well.
25I agree with Mr. Kunuty, but my question is25And the discussion of the global impact, it's
Page 86 Page
1 once we get the information back, what do we do with 1 true. But again, this is and again, I'm saying
2 it? I'm, you know, I'm certainly in agreeance with you 2 "this is," being the Mediterranea parcel that we
3 based on the fact that once we change it, this is 3 haven't really gotten to the site plan yet, but this is
4 citywide. 4 the last remaining parcel in the City that hasn't been
5 So I'm not so much concerned about whatever 5 developed. So every other R-PUD property has bee
6 relevant information is going to potentially come back 6 developed. So I don't anticipate any redevelopment
7 for us, I'm just hoping not to have a blanket effect on 7 occurring on those parcels in the very near future,
8 the entire City when we do a text amendment as opposed 8 maybe 10, 15, 20 years from now. So although this
9 to instead of changing the whole Code of Ordinances, 9 have a global impact, I don't think it's going to have
10 why, you know, I mean even from a variance standpoint, 10 an immediate global impact, being that those other
11 if there was a way that we could waive that one 11 developments have already come to fruition.
12 requirement, that it could be self-imposed, you know, 12 And I think the fact that this particular
13I'm likely to go there.13development has sat really undeveloped for some tir
14But to then change the whole ordinance and14think that points to the fact that our code structure
15I really am trying to find some optimism in this15does need to be worked. And if historically there has
16project. But it's kind of tough to think that we're16been projects approved that didn't meet the existing
17going to do a text amendment, and I think it's you17code structure, or if there were oversights, or howev
18said it was initiated by staff, but it has18that happened, I have no idea, but I think that also
19       Mediterranea's name listed all over it, and       19       demonstrates that, you know, instead of going back
20     MR. GAGNON: It was initiated by     20     and revisiting outdated code structures, maybe it was
21 VICE CHAIR McCOY: Let me finish, because 21 easier to I don't know. I don't want to comment.
22 this is the important part. 22 don't know how it happened. But there was develop
23 But I don't even know if there's any teeth to 23 projects approved, and in my opinion, it didn't meet
24 it, because clearly, we didn't even follow our own code 24 this code structure.
25when we did Mediterranea, when we did Sonoma Bay, and25So I think staff's trying to be very

22 (Pages 85 to 88)

## City of Riviera Beach Board Meeting

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1	transparent in trying to provide this information to	1	now that are impacted by it. So you can move forward
2	the Board, and I think it's necessary. I think the	2	at your own pace. You don't have to rush and try to
3	global impact will be a positive one.	3	meet a Thursday deadline or some other deadline that's,
4	CHAIR JAMES: Okay, so I just have one	4	you know, that needs to be met.
5	question. I want to go ahead and call for a vote on	5	We have a real deadline, a real need to move
6	this one item now for A1. Am I within Robert's Rules	6	forward. I was being funny when I said, "Two weeks
7	of Order to do that?	7	ago," but it is a real deadline we have, and we have to
8	MR. GAGNON: I would much rather present the	8	build out within five years. It's we cannot afford,
9	site plan and plat to the Board as well, but the	9	quite honestly, for any further delays.
10	Board	10	So again, the compromise, you allow the
11	CHAIR JAMES: So that means that I am.	11	presentation of A2, you see how the proposed changes
12	MR. GAGNON: The Board can make any motion at	12	impact the code, and then if you so desire, I would ask
13	any time.	13	that you respect I would respectfully ask that you
14	CHAIR JAMES: Okay, so	14	recommend approval of A1, A2 and A3 and then come back
15	MS. CALHOUN: Can I propose a compromise	15	and decide to look at whatever provisions of the code
16	before you call a motion? I'm sorry to be out of	16	you think necessary that will impact other properties
17	order. I apologize. But somebody asked for a	17	in the City at a later time, because no one else right
18	compromise, and I have a thought.	18	now has an R-PUD that's affected by this.
19	CHAIR JAMES: Okay, I'll let you express that	19	Thank you for allowing me.
20	thought.	20	CHAIR JAMES: Thank you, Ms. Calhoun.
21	MS. CALHOUN: I appreciate the indulgence.	21	I'm going to go ahead and see if we have a
22	Thank you.	22	motion right now on the floor for A1.
23	So the concern is that we're amending a code	23	VICE CHAIR McCOY: Madam Chair, I move to
24	for a specific parcel, and there's a concern that that	24	approve.
25	will have a global impact. So I would ask if we know,	25	CHAIR JAMES: Is there a second?
	Page 90		Page 92
1	everyone in the room knows that the proposed changes	1	MS. SHEPHERD: I second it.
2	benefit most the next two applications well, the	2	CHAIR JAMES: Roll call.
3	next application, really, the site plan, I would ask	3	MR. VELASQUEZ: Julius Whigham.
4	for the compromise to be, number one, that you allow	4	MR. KUNUTY: I have a question on the motion.
5	Mr. Gagnon to go through the entire numbered the	5	CHAIR JAMES: Go ahead, Mr. Kunuty, you're
6	other two applications, specifically the second one, so	6	recognized.
7	that, again, you can see it in context and how it	7	MR. KUNUTY: You're making a motion to
8	impacts. So before you make a motion on A1, I would	8	approve without any condition?
9	ask that you let him present A2.	9	VICE CHAIR McCOY: Correct.
-		10	
10	Secondly, the compromise I think may be is	10	MS. SHEPHERD: With conditions?
10 11	once you see the impact of these code amendments on the	11	VICE CHAIR McCOY: Without any conditions,
10 11 12	once you see the impact of these code amendments on the site plan, you allow the site plan and the code	11 12	VICE CHAIR McCOY: Without any conditions, just as it's presented.
10 11 12 13	once you see the impact of these code amendments on the site plan, you allow the site plan and the code amendment to move forward as proposed with the caveat,	11 12 13	VICE CHAIR McCOY: Without any conditions, just as it's presented. And if I can have a moment to respond, Madam
10 11 12 13 14	once you see the impact of these code amendments on the site plan, you allow the site plan and the code amendment to move forward as proposed with the caveat, I guess, that you review the R-PUD after, because	11 12 13 14	VICE CHAIR McCOY: Without any conditions, just as it's presented. And if I can have a moment to respond, Madam Chair?
10 11 12 13 14 15	once you see the impact of these code amendments on the site plan, you allow the site plan and the code amendment to move forward as proposed with the caveat, I guess, that you review the R-PUD after, because again, you haven't heard further. If you desire to	11 12 13 14 15	VICE CHAIR McCOY: Without any conditions, just as it's presented. And if I can have a moment to respond, Madam Chair? The reason I did is simply because at this
10 11 12 13 14 15 16	once you see the impact of these code amendments on the site plan, you allow the site plan and the code amendment to move forward as proposed with the caveat, I guess, that you review the R-PUD after, because again, you haven't heard further. If you desire to review more of it later, obviously, that's within your	11 12 13 14 15 16	VICE CHAIR McCOY: Without any conditions, just as it's presented. And if I can have a moment to respond, Madam Chair? The reason I did is simply because at this point we've gotten, I think, one clarification from the
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10 11 12 13 14 15 16 17 18	once you see the impact of these code amendments on the site plan, you allow the site plan and the code amendment to move forward as proposed with the caveat, I guess, that you review the R-PUD after, because again, you haven't heard further. If you desire to review more of it later, obviously, that's within your purview. But what we're asking for tonight, we being	11 12 13 14 15 16 17 18	VICE CHAIR McCOY: Without any conditions, just as it's presented. And if I can have a moment to respond, Madam Chair? The reason I did is simply because at this point we've gotten, I think, one clarification from the Health not the Health Department the Fire Department, and we're relying on the information from
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10 11 12 13 14 15 16 17 18 19 20 21 22	once you see the impact of these code amendments on the site plan, you allow the site plan and the code amendment to move forward as proposed with the caveat, I guess, that you review the R-PUD after, because again, you haven't heard further. If you desire to review more of it later, obviously, that's within your purview. But what we're asking for tonight, we being the developer, and staff has indicated support, is that you look at the whole thing globally, see how we're impacted by it quite clearly, how we benefit from it, how the City benefits from it, and then if you still	11 12 13 14 15 16 17 18 19 20 21 22	VICE CHAIR McCOY: Without any conditions, just as it's presented. And if I can have a moment to respond, Madam Chair? The reason I did is simply because at this point we've gotten, I think, one clarification from the Health not the Health Department the Fire Department, and we're relying on the information from our staff. And you know, one of the things that really, I think, is not the best practice, but you know, part of this ordinance, I guess part of this item is to

23 (Pages 89 to 92)

	Page 93		Page 95
1	way that this could have been done.	1	Florida approving the site plan application from
2	But certainly given the implication that it's	2	Mediterranea Palm Property Subsidiary, LLC for 236
3	only one unit, I don't want to, you know, continue back	3	townhome units and 152 single family units in the
4	and forth with the bureaucracy. But we have to kind of	4	Mediterranea planned unit development located on the
5	figure this out from a grand scheme of things on how we	5	east side of Military Trail, south of Leo Lane, at 4046
6	approach these kind of issues. So I think, you know,	6	Woods Edge Circle, providing specific conditions of
7	it's not really any thought of the Board or the	7	approval, and providing for an effective date.
8	applicant per se, but you know, I just think we need to	8	So I hope that as staff goes through this
9	be more proactive.	9	presentation, some of the questions that were brought
10	But I don't have any conditions, and you	10	up during the text amendment portion are further
11	know, you're open to substitute and offer any kind of	11	answered, and it will also allow the development team
12	amendments or substitute I mean I just don't	12	to speak further on their existing construction
13	think and we're going to sit here. Clearly, there's	13	projects throughout the state and maybe provide an
14	nothing in the compromise that I've heard that actually	14	additional level of comfort to the Board moving
15	appeases, to me, to really want to hear the other	15	forward.
16	items. Let's just vote on it as is, you know, and if	16	So at this time I'd like to ask Mr. Mario
17	it fails, you know, regrettably, it fails. But unless	17	Velasquez, our Senior Planner and GIS Specialist, to do
18	you have some other	18	a presentation on A2.
19	MR. KUNUTY: Well, no. My only suggestion	19	MR. VELASQUEZ: Good evening, everyone.
20	was that, you know, we've got one page of things here	20	Mario Velasquez, Senior Planner.
21	that we've all discussed and everybody had some	21	So the presentation is for the applications
22	comments on, and it seems like a simple fix to do it.	22	for the site plan SP-16-10 and the plat PA-16-01. We
23	So my feeling is let's fix it and then move on. So,	23	will go over the specs of the residential project, look
24	but you have the motion on the floor, and have a	24	at the location and get familiarized with the area, and
25	second, so	25	continue with the staff analysis.
	Page 94		2
			Page 96
1		1	
1	CHAIR JAMES: Right. So there is a motion on	1	The property, as stated before, is located at
2	CHAIR JAMES: Right. So there is a motion on the floor to approve A1 as read on the agenda, and a	2	The property, as stated before, is located at 4046 Woods Edge Circle. It's approximately, plus or
2 3	CHAIR JAMES: Right. So there is a motion on the floor to approve A1 as read on the agenda, and a second. So we need roll call.	2 3	The property, as stated before, is located at 4046 Woods Edge Circle. It's approximately, plus or minus, 69 acres, currently zoned residential planned
2 3 4	CHAIR JAMES: Right. So there is a motion on the floor to approve A1 as read on the agenda, and a second. So we need roll call. MR. VELASQUEZ: Motion by Mr. McCoy; second	2 3 4	The property, as stated before, is located at 4046 Woods Edge Circle. It's approximately, plus or minus, 69 acres, currently zoned residential planned unit development. And the future land use is medium
2 3	CHAIR JAMES: Right. So there is a motion on the floor to approve A1 as read on the agenda, and a second. So we need roll call. MR. VELASQUEZ: Motion by Mr. McCoy; second by Ms. Shepherd. Roll call.	2 3 4 5	The property, as stated before, is located at 4046 Woods Edge Circle. It's approximately, plus or minus, 69 acres, currently zoned residential planned unit development. And the future land use is medium density, multifamily, with up to 15 units per acre.
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	Page 97		Page 99
1	drawing of a facade for the townhouses, the typical for	1	potential need for a traffic signal for the development
2	five units and typical for nine units.	2	in providing a northbound exclusive right turn lane at
3	This on the screen now are examples of the	3	the project's main access driveway on Military Trail,
4	options for the single family, that the developer is	4	which has already been platted.
5	providing multiple options and upgrades.	5	So when it comes down to recommendations, the
6			staff recommends approval of the site plan application
7	data collection. We reviewed another location. It's	7	for Mediterranea Palm Properties Subsidiary, LLC for
8	in Tamarac, one of their current developments. And the	8	236 townhouse units and 152 single family units in the
9	screen shows the the colors are not providing	9	Mediterranea planned unit development located on the
10	judgment to the picture, but it shows the	10	east side of Military Trail, south of Leo Lane, at 4048
11	(Discussion held off the record.)	11	Woods Edge Circle, with the following conditions.
12	MR. VELASQUEZ: Like Mr. Gagnon is saying,	12	Number one, a two year landscaping
13	the screen is showing a picture of an existing	13	performance bond for 110 percent of the value of
14	structure located in Tamarac, Florida, south of our	14	landscaping and irrigation shall be required before the
15	location. This is one of the developer's existing	15	Certificate of Occupancy is issued.
16	neighborhoods. That's the back yard, the same unit.	16	Number two, construction must be initiated
17	And what they are proposing in Mediterranea	17	within 18 months of the effective date of the
18	is turning a property that is approximately \$5 million	18	resolution, in accordance with Section 31-60(b).
19	in value into approximately \$78 million, which will	19	Number three, all future advertising must
20	provide a tax revenue to the City of approximately	20	state that the development is located in the City of
21	\$2.1 million per year.	21	Riviera Beach.
22	Now, going to the staff analysis, the	22	Number four, this development must receive
23	proposed development and use, the applicant is	23	final Certificate of Occupancy from the City for all
24	proposing to develop 236 townhome units and 152 single	24	buildings and units approved within five years of the
25	family units. Both types will incorporate three and	25	approval of this resolution or the resolution shall be
	Page 98		Page 100
1	four bedroom units. This will the model units will	1	considered null and void, requiring the applicant to
2	provide approximately eight units per acre when it	2	resubmit site plan fees, application for site plan
3	comes to density.	3	approval and reinitiate the site plan approval process.
4	As far as zoning regulations, the proposed	4	Number five, once approved, this resolution
5	use requires an amendment to the City's Land	5	shall supersede any previous site plan approval
6	Development Regulations, which has been presented by	6	resolutions associated with this property, causing
7	staff prior to this presentation.	7	previous site plan approval resolutions to be null and
8	For the Comprehensive Plan, the proposed use	8	void.
9	is consistent with the Comprehensive Plan's medium	9	Number six, City Council authorizes City
10	density, multiple family residential future land use.	10	staff to approve future amendments to this site plan
11	As far as compatibility, the proposed project	11	administratively, so long as the site plan does not
12	will be compatible with the surrounding parcels and	12	deviate greater than 5 percent from the originally
13	uses after minor approval of the text amendment of the	13	approved site plan.
14	Land Development Regulations, the R-PUD previously	14	Number seven, the developer must provide a
15	presented.	15	northbound exclusive right turn lane at the project
16	Levels of service. All the City services,	16	main access driveway on Military Trail prior to the
17	such as roads, water, sewer and garbage collection are	17	first Certificate of Occupancy being issued for the
18	currently available to the site.	18	project.
19	Landscaping. The proposed landscaping plan	19	Number eight, all units sold must be owner
20 21	is compatible with the City's Land Development	20 21	occupied for the first year the unit is being occupied.
21	Regulations, as previously stated. As far as parking and traffic, adequate	21	Number nine, the property owner shall finally cause a single installation at the project main access
22	parking has been provided in accordance with the City	22	driveway, when and if warranted, as determined by the
23	of Riviera Beach Land Development Regulations, and the	23	County Engineer.
25	developer is working with Palm Beach County for the	25	All the full details of the conditions are in
	and the second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second s	- ĭ	

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	Page 101		Page 103
1	the staff packet provided to the Board Members.	1	on that one. That's just like the Port project where
2	Since this presentation is for two items, the	2	everything didn't you add them together, the
3	staff recommends also approval for the plat application	3	drawings didn't equal the text.
4	PA-16-01.	4	Number six says you'll get five percent,
5	VICE CHAIR McCOY: I'm sorry, Madam Chair.	5	greater than five percent from the originally approved
6	This is for the site plan and the plat?	6	plan. Nobody ever defines in this City what the
7	CHAIR JAMES: He said site plan	7	percentages are of. There's no specifics on that.
8	MR. VELASQUEZ: Site plan and	8	So you've scoped out that this project got
9	CHAIR JAMES: and A2 and A3.	9	approved not in accordance with the code ten years ago.
10	MR. VELASQUEZ: plat.	10	We've had 20 years of bad development and management,
11	VICE CHAIR McCOY: Okay.	11	and you haven't seen the CDEC Director here. I
12	MR. GAGNON: What I'll do is reread A3 into	12	understand she came to two meetings in 20 years, and I
13	the record.	13	wasn't at either one, even though I come to a lot of
14	Do you have a copy of	14	meetings.
15	(Discussion held off the record.)	15	In order to increase neighborhood stability,
16	MR. GAGNON: So being that both items were	16	this is number eight, all units must be owner occupied
17	connected, what we'll do is you can present this is	17	for the first year after the initial sales date. Have
18	just the separate plat, so we can do a separate action	18	you asked how you would possibly enforce that?
19	on the plat itself. However, both the site plan for A2	19	And then last, the applicant must install any
20	and the plat for A3 were incorporated into this	20	traffic control devices. Well, if he has to be done by
21	presentation. But we'll do separate action items on	21	the 2018, the County may not even have gotten to that
22	both the site plan and the plat.	22	particular issue, so are the homeowners going to have
23	CHAIR JAMES: Okay, if that concludes the	23	to association going to have to fund the traffic
24	presentation, I'm going to move into public comments.	24	CHAIR JAMES: Go ahead, Mr. Ward.
25	And since we are moving them together, I have a comment	25	MR. WARD: That was it.
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1	card for A2 and A3 from Gerald Ward, so he will get the	1	CHAIR JAMES: That was it?
2	clock for the A2 started, and at the end of the three	2	MR. WARD: I got to the end of the line.
3	minutes, Mr. Ward, they'll reset it again and you'll	3	CHAIR JAMES: Okay. All right, staff, do you
4	speak on A3. So who's doing the clock?	4	want to address the public comments before we move on
5	MR. WARD: I will need time. Thank you.	5	to Board comments?
6	Gerald Ward, 2135 Broadway.	6	MR. GAGNON: Yes. First, any correspondence
7	Obviously, the site plan has problems that I	7	from the County Engineering Department as far as
8	get chewed up by Warrie Leonard for National Village,	8	build-out dates, that would be separate from any
9	because I was on the Board sitting where you all were	9	development approval guidelines from the City. So what
10	when that project was approved, and she lives there.	10	that is, it's a timeframe that guarantees, or you know,
11	Think about how many cars every one of these	11	provides a date certain for developers to utilize that
12	families will have, and how are you going to	12	approval letter because it's based off of time
13	accommodate them on these small lots on those streets?	13	sensitive information. So it's an important date to
14	The Fire Department comments and I did get	14	recognize, however, they're kind of mutually exclusive.
15	a copy from your planner, reviewed it. He did address	15	They're on separate timelines, so they really don't
16	fire lanes and said that they were going to have to	16	correlate to one another, so they don't really match
17	have something because he recognized that there was a	17	one another.
18	problem in providing fire access. He did not address	18	The five percent deviation condition that was
19	the two and a half, five foot between the buildings. I	19	referenced is now really a standard condition of
20	think I'll call him up and ask him whether he thought	20	approval that staff has applied to site plans now for,
21 22	about that. We still have Council to go to.	21	I'd say, approximately two years. And what that does
	The site plan needs to be reviewed also in relation to the numerous conditions that were	22 23	is historically, if a developer has a minor amendment
23 24	recommended. The County says the build-out must be	23	in their development plan, for example, if the driveway has to shift, you know, three feet to the north or the
24	August 16th, 2018. So your 18 months doesn't even work	24	south, what that condition does is it allows staff to
2.5	rugust roui, 2010. So your to months doesn't even work	1 2	south, what that condition does is it allows stall to

26 (Pages 101 to 104)

### 12/8/2016

1       review that, see that it doesn't really greatly deviate       1       difficult. However, the mistake that was made in other         2       from what the original site plan approval requested,       and it provides authority to City Staff Gamprove that         3       mit it provides authority to City Staff Gam as being       recession period, in some communities was hat there was no altermpt         6       minute and also something that City staff Saw as being       recession period, in some communities was hat and properiod.         7       The owner occupied unit restriction was       recession period, in some communities was hat there was no altermpt         8       something that the property development team wanted to include and also something that filty staff Saw as being       recession period, in some communities was hat there was no altermpt         9       review important. So what this does, upon purchasing the       review important.       recession period, include and was abeing         10       trinstantly. So this is supposed to be owner occupied       mit is include and ways abeing that City staff Saw as being         11       trinstantly, work the out, you're there for at       recession period, was, Mod of allowed that to occur.         12       trinstantly, work the out, you're there for at       recession and disting something else?         13       trinstantly, work there or at this tracter there was no det my there was no det to the peresting wasthere was no det my there was no det my the		Page 105		Page 107
2       from what the original site plan approval requested,       development communities was not attempt         3       and it provides attributive to City staff a paprove that       and it provides attributives have veloped         4       include and also something that City staff saw as being       teression period, in some communities was not attempt         7       The owner occupied ourit restriction was       teression period, in some communities was not attempt         8       something that the poetry development team wantel to was       teression period, in some communities was not attempt         9       include and also something that City staff saw as being       teression period, in some communities was not attempt         10       werey inportant. So what this does, uport occupied       teression period, in some communities was not attempt         11       units, it incentivers home ownership and long-term       test ownership and long-term         12       residency versus being able to buy the unit and renting       tit it issamly. So thit is is supposed to be owner occupied         13       it it issamly. So that so serve or owner some particlessing the period. In some coll additional neighborhood stability, so       tit it issamly. So that so were able         14       teast or was, that you kind of grow roots in that       teast ownership and additional neighborhood stability, so         15       forther as far as how it will be implemented throug       teast tribu	1	review that see that it doesn't really greatly deviate	1	difficult However the mistake that was made in other
and it provides authority to City staff to approve that       even made to try to goven home womenship. So during a         including in our site plan conditions of approval.       including in our site plan conditions of approval.         The owner occupied unit restriction was       including in our site plan conditions of approval.         including in our site plan conditions of approval.       including in our site plan conditions of approval.         in most it incentivitys hore ownershap and long-term       intis stambly. So during a         in most cases think that once you're pour purchased unit       intis stambly. So this is supposed to be owner occupied         in most cases think that once you're parchased a unit       intis stambly. So this is supposed to be owner occupied         in most cases think that once you're parchased a unit       intis stambly. So this is supposed to be owner occupied         in most cases think that once you're parchased unit       is difficult, but this is our best effort at trying to         is difficult, but this is our best effort at trying to       is difficult, but this is our best effort at trying to         is difficult approver in the trying to guret how the property is used.       CHAIR JAMES: Olay, The poing to allow him to         case And I hink that research shows once you become stable in an are, it promotes additional home       its hind of contagious.         if further as far as how it will be implemented through       its hind for or you what sig origin to latterm ing the provide site and blances on			1	
4         project. So that's the intent of that language, and the theory is standard approved language that we've been including in our site plan conditions of approval.         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         -         - </td <td></td> <td></td> <th>1</th> <td></td>			1	
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6       including in our site plan conditions of approval.       6       to come in and purchase them at very low purchase prices. And quite honestly, from now till eternity, they'll probably just use them as rental properties.         7       The owner occupied unit restriction was abeing inverted at adso something that City stall saw as being inverted at which is being proposed now, kind of allowed that to occur.         8       The provides flexibility over time. However, in most cases 1 think that once you're purchased a unit area. And I think that research shows once you become stable in an area, it promotes additional home ownership and additional neighborhood stability, so if its of a norwer, it promotes additional home ownership and additional neighborhood stability, so if that nature.       7         21       Eage 106       CHAIR JAMES: Okay, Ima going to allow him to come up because he did submit two cards.         22       for the as fur as how it will be implemented through a some interesting surveyor's notes. But how you approve a plat with nothing on it is beyond me. And this is         23       CHAIR JAMES: Leff, I just have a question allow that. How is the City going to enforce that? I mean it's our condition, so what is going to be the checks and balances on that?         24       Page 106       Page 108         25       restrictions or a restrictive covenant, things of that nature.       10         26       CHAIR JAMES: See You condition, so what is going to be the checks and balances on that?       11         26       reage 108       12         27			1	· ·
7       The owner occupied unit restriction was       7       prices. And quite honestly, from now till eternity, they'll probably just use them as rental properties.         8       something that the property development team watted to include and also something that City staff saw as being very important. So what this does, upon purchasing the trint incentivizes home ownership and additional neighborhood stability, so it in stance, it promotes additional neighborhood stability, so it's kind of contragious.       9       And not having that restriction for the first sale, which is being proposed now, kind of allowed that to occur.         10       unit, it incentivizes home ownership and additional neighborhood stability, so it's kind of contagious.       10       White Nat Nat Nat Nat Nat Nat Nat Nat Nat Nat			1	
8         something that the property development team wanted to         8         theyll probably just use them as rental properties.           9         include and also something that City staff saw as being         9         And not having that restriction for the first sale,           11         urit, it incentivizes home ownership and long-term         10         which is heing proposed now, kind of allowed that to           12         residency versus being able to by the unit and renting         11         11           13         it instantly. So this is supposed to be owner occupied         13         So I definitely agree the enforcement aspect           14         units.         In or now cases I think that once you've purchased a unit         16         Mr. Ward, did you have something else?           17         and you're happy with the unit, you're there for at         17         MR. WARD: The plat.           18         least one year, hat you kind of grow roots in that         18         18           19         area. And I think that research shows once you become         10         MR. WARD: Greald Ward, 213 Broadway.           21         ownership and additional neighborhood stability, so         21         Obviously, if you look at the plat, you find           22         further as far as how it will be implemented through         22         16         MR. WARD. Greald Ward, 213 Broadway.			1	
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10       very important. So what this does, upon purchasing the unit, it incentivizes home ownership and long-term       10       very important. So what this does, upon purchasing the unit, it incentivizes home ownership and long-term       10       very important. So what this does, upon purchasing the unit, it incentivizes home ownership and long-term         12       residency versus being able to buy the unit and remting it instantly. So this is supposed to be owner occupied units.       10       very important. So what this does, upon purchasing the it instantly. So this is supposed to be owner occupied units.       10       very important. So what this does, upon purchasing the it instantly. So this is supposed to be owner occupied units.       10       very important. So what this does, upon purchasing the is difficult, but this is our best effort at trying to govern how the property is used.         15       It provides flexibility over time. However, area. And I think that research shows once you become       16       CHAIR JAMES: Okay, 'm going to allow him to come up because he did submit two cards.         21       ownership and additional neighborhood stability, so       21       Ohviously, if you lok at the plat, you find out thit's totally incomplete after you get past the first page, which does have lots of dedications and some interesting surveyors notes. But how you approve a plat with nothing on it is beyond me. And this is         23       CHAIR JAMES: Jeff, I just have a question a about that. How is the City going to enforce that?       1       exactly why you raised the issue of things happening in the town. For 20 years McKinney did things havay. and you let it go by b	9		9	
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23       So that was that specific condition, 13th       23       first page, which does have lots of dedications and         24       Floor or Ms, Calhoun I'm sure could address that       24       some interesting surveyor's notes. But how you approve         25       further as far as how it will be implemented through       25       a plat with nothing on it is beyond me. And this is         26       Page 106       Page 108         27       deed restrictions or a restrictive covenant, things of       1       exactly why you raised the issue of things happening in         26       that nature.       2       adout that. How is the City going to enforce that? I       1         26       mean it's our condition, so what is going to be the       5       I would comment on one of the pages has a         27       MR. GAGNON: Currently in order to rent a       7       I would comment on one of the pages has a         27       MR. GAGNON: Currently in order to rent a       7       10       verify the purchase date versus any sort of rental         28       property in the City legally, you'll have to apply for       3       and reservations and the surveyor's notes. I have         29       a retural license. So what staff will be able to do is       9       sense at all. But if you had at least more detail on         200       - let's use a round number. So in January of       12	21	ownership and additional neighborhood stability, so	21	
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23 MR. GAGNON: It's one of the things that 23 review appraiser is the same surveyor is the same				
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24 CHAIR JAMES: Never heard of it.   24 guy that did the Port's work, who Jeff just said, well,				
25 MR. GAGNON: enforcement is extremely 25 he's no longer working for us. But that's who's			- 0r	has no longer merting for us. But that's whole

27 (Pages 105 to 108)

	Page 109		Page 111
1	supposed to do the review on this plat. So somewhere	1	build. This is the future; this is the future. And
2	along the line, the details are not getting checked and	2	tonight I am ready to vote. Let's get started.
3	done in this town.	3	Thank you, Madam Chair.
4	CHAIR JAMES: Thank you, Mr. Ward.	4	CHAIR JAMES: Thank you, Mr. Whigham.
5	I'm going to go ahead and ask my question	5	Mr. Kunuty.
6	first, and this is for the applicant. For number	6	MR. KUNUTY: The only comment that I have is
7	eight, how do you plan to implement that special	7	my concern here with the site plan is the fact that
8	condition number eight: In order to increase	8	we've got a text amendment that you've heard my
9	neighborhood stability, all units sold must be owner	9	comments on that is so loosely crafted that I think
10	occupied for the first year after the initial sales	10	there can be a lot of changes made within the context
11	date.	11	of this and still say we're in compliance. So I'm
12	MS. CALHOUN: Thank you. First of all, thank	12	worried about that. I'm not sure how we can control
13	you for approving our first request, item A1. We	13	it. But I think that based on the rules that we set
14	appreciate the faith, and hope things continue to go	14	gives the developer a lot of latitude to maneuver and
15	well as the night goes forward.	15	make changes, and that's my concern. And I'll think of
16	With regard to all owner occupied units,	16	how we can control that as we continue on.
17	actually that condition came up probably at the same	17	CHAIR JAMES: Thank you, Mr. Kunuty.
18	time for both the City and the developer. It is	18	Mrs. Shepherd.
19	standard, I think, language for probably most of the	19	MS. SHEPHERD: Thank you, Madam Chair.
20	contracts they put together that they don't want their	20	Mr. Gagnon, will this go before Council if
21	units to be rented. So it's a condition in their	21	it's approved?
22	contracts, their closing contracts that potential	22	MR. GAGNON: Absolutely.
23	purchasers cannot sell.	23	MS. SHEPHERD: I will not continue to beat a
24	They have no interest, and it does not help	24	dead horse. I'm with Mr. Whigham. I am truly
25	their community when they have investors come in and	25	believing that this is the future. And I realize it
	Page 110		
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1		1	-
1	purchase lots or entire projects. It just doesn't help	1	because I have girls at home that don't want big homes.
2	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the	2	because I have girls at home that don't want big homes. They just want these small apartment or small home.
2 3	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in	2 3	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are
2 3 4	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in doing it because it does not help the communities.	2 3 4	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are really looking for.
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2 3 4	purchase lots or entire projects. It just doesn't help them at all. So the quick, short answer is it's in the purchase and sale contract. They have no interest in doing it because it does not help the communities. It's not a benefit to the community. It benefits the community when you have invested homeowners living in	2 3 4	because I have girls at home that don't want big homes. They just want these small apartment or small home. What was done back then, it's no longer what people are really looking for. When I look at this particular drawing and I go to the that is what people are really vying for.
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28 (Pages 109 to 112)

	5 110		5 115
	Page 113		Page 115
1	MR. VELASQUEZ: Margaret Shepherd.	1	Now, it is in as bad a shape as you saw the use of the
2	MS. SHEPHERD: Yes.	2	south property that they their engineer's alleged
3	MR. VELASQUEZ: Edward Kunuty.	3	warranty deed. He finally came back in and said it
4	MR. KUNUTY: No.	4	doesn't have a warranty deed and it just has something
5			like he I showed you in there where yesterday, or
6	VICE CHAIR McCOY: Yes.	6	the 29th, he says we don't own it. So this Board needs
7	MR. VELASQUEZ: Rena James.	7	to follow that.
8	CHAIR JAMES: No.	8	The Port of Palm Beach Charter update, I gave
9	On to item A3 well, we did A3, so now we	9	out two copies, and I've passed down the schedule for
10	need a motion.	10	hearing the Charter update, which is a legislative
11	MR. GAGNON: Well, just for the record, I'll	11	action. It's about the sixth or so time that the Port
12	read it into the record	12	has tried. They were supposed to do this back last
13	CHAIR JAMES: Okay.	13	century, and they have continued to stumble on it.
14	MR. GAGNON: for A3. So we did review the	14	The Corps of Engineers' project modification
15	plat and the staff presentation, but for the record, A3	15	is another issue that is being pushed hard by the Town
16	is a resolution of the City Council of the City of	16	of Palm Beach Shores and the Town of Palm Beach. It
17	Riviera Beach, Palm Beach County, Florida approving the	17	will require a modification, because they went through
18	plat application from Mediterranea Palm Property	18	the legislative process and got an appropriations act
19	Subsidiary, LLC for the Mediterranea planned unit	19	approval of that.
20	development located on the east side of Military Trail,	20	The interlocal agreement is going to come
21	south of Leo Lane, and providing for an effective date.	21	forth. The Treasure Coast is orchestrating another
22	CHAIR JAMES: Is there a motion?	22	meeting. They held one in June of 2014, and now
23	VICE CHAIR McCOY: Move for A3, please.	23	they're finally coming back with the new Council of
24	CHAIR JAMES: Is there a second?	24	Riviera Beach to push getting the Port back under a
25	MR. WHIGHAM: Second.	25	current interlocal agreement.
			eurone merioeur agreement.
		1	
	Page 114		Page 116
-	Page 114		Page 116
1	CHAIR JAMES: Roll call.	1	This Board needs to be involved in all of
2	CHAIR JAMES: Roll call. MR. VELASQUEZ: Julius Whigham.	2	This Board needs to be involved in all of these, I hope. I would tell you from the action
2 3	CHAIR JAMES: Roll call. MR. VELASQUEZ: Julius Whigham. MR. WHIGHAM: Yes.	2 3	This Board needs to be involved in all of these, I hope. I would tell you from the action tonight, we have a number of parcels think of the
2 3 4	CHAIR JAMES: Roll call. MR. VELASQUEZ: Julius Whigham. MR. WHIGHAM: Yes. MR. VELASQUEZ: Edward Kunuty.	2 3 4	This Board needs to be involved in all of these, I hope. I would tell you from the action tonight, we have a number of parcels think of the number of trailer houses. Davendar put forth a
2 3 4 5	CHAIR JAMES: Roll call. MR. VELASQUEZ: Julius Whigham. MR. WHIGHAM: Yes. MR. VELASQUEZ: Edward Kunuty. MR. KUNUTY: No.	2 3 4 5	This Board needs to be involved in all of these, I hope. I would tell you from the action tonight, we have a number of parcels think of the number of trailer houses. Davendar put forth a provision in our Comp Plan back starting in '82 to try
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### 29 (Pages 113 to 116)

#### Page 117 Page 119 1 updates first. 1 It doesn't mean that it couldn't be developed 2 MR. GAGNON: Yes, for project updates, I'd 2 within the conditions of approval, so they could come 3 like to just take the opportunity to briefly discuss 3 back towards the end of their 18 month construction 4 our upcoming meeting on December 15th. If you recall, 4 initiation process. So it could happen, but it seems 5 5 at our last Planning and Zoning Board meeting as if they've changed their mind as far as moving 6 Ms. Brabham had mentioned a development proposal 6 forward with the project currently. 7 7 adjacent to Stonybrook. So that's what's being VICE CHAIR McCOY: Yes, that's what I think. 8 provided to the Board on December 15th. I've provided 8 I want to say this. You know, I voted under 9 9 hard copies of the agenda for that meeting, for the duress tonight. And that's exactly what it is. That 10 10 December 15th meeting to the Board. I sent out digital was bad, and I felt like I should have supported my 11 copies as well. And I'll provide the full packet to 11 colleague. But we're presented with something. And 12 the Board and general public tomorrow during the day. 12 these people have a project that's on the agenda, and 13 So that will be coming before the Board on December 13 nothing was right about it. And I just don't like how 14 15th. 14 we're presented with this information. 15 15 CHAIR JAMES: Thank you. And now we'll go And I've seen something similar happen at the 16 into Board comments. We'll start with Mr. Whigham. 16 City Council level that you're forced to vote on 17 17 MR. WHIGHAM: No comment. something that's not proper, and to not approve it 18 CHAIR JAMES: Mr. Kunuty. 18 would show -- it would really look -- it won't cast the 19 MR. KUNUTY: No comment. 19 best light on the City. And I felt like I owed 20 20 everyone the due diligence to send it back. CHAIR JAMES: Ms. Shepherd. But here it is, we have a company project 21 MS. SHEPHERD: No comment. 21 22 CHAIR JAMES: Mr. Vice Chair McCoy. 22 that's following it, and it wasn't right. And the only 23 VICE CHAIR McCOY: Yes, Madam Chair, a 23 reason I supported it was because based on staff's 24 question for Mr. Gagnon, and then I do have a comment. 24 recommendation that this is the only property that this 25 The first question related to that project 25 would potentially affect as it stands right now. But I Page 118 Page 120 1 that's coming next week. Is that under a special 1 can, you know, tell you if it comes back up again, then 2 exception? 2 I'm certainly going to remember -- well, I don't know 3 MR. GAGNON: It is a special exception and 3 how long I'm going to be here. 4 approval request. 4 But I just didn't like that we had to vote on 5 5 VICE CHAIR McCOY: Okay, all right. What's something that wasn't right. I mean we've already 6 the sense of urgency that, you know, we have a special 6 decided that -- we've already recognized that the code 7 meeting? That never happened that I've known, that 7 wasn't followed on a number of different occasions. 8 occurs on the -- what is this, the third week? 8 Now to be asked publicly to change the code just for 9 MR. GAGNON: Yes. The developer has informed 9 the specific applicant is, I think, is a way that it 10 10 the City that they have a particular timeline that they could have been done better. 11 need to meet to meet their due diligence requirements. 11 So my apologies to my colleague, but 12 12 I believe that was the impetus to have the special certainly I felt like if we didn't support it, if we 13 didn't approve it, then that really makes, you know, meeting, being that the holidays are the following 13 week, so it was bumped up a week instead. And that was the City as a whole look like we don't have our stuff 14 14 15 at the discretion of the City Manager. 15 together. 16 VICE CHAIR McCOY: Okay. Do you know where 16 And I would hope that we could have gotten 17 we are on E-Z Weld? Rumor has it that they're no 17 that ordinance or even visited that kind of thing well 18 longer doing the project on President Barack Obama 18 before an application pulls in here, you know. And at 19 Highway and 13th Street. 19 least if it would have been at a meeting subsequent to 20 MR. GAGNON: I've heard that the project is 20 that, then, you know, I'm almost, you know, able to 21 21 not moving forward currently. I don't have the reason kind of dive into the language and see if there's 22 exactly why. I don't know if it's a parent company 22 something that we could propose. And even after my 23 23 suggestions, we couldn't come up with anything. And I type of issue, but I did hear the same thing, that 24 they're not actively moving forward with site plan 24 just kind of felt like, you know, it really didn't

24 they re not actively n25 development.

30 (Pages 117 to 120)

Florida Court Reporting 561-689-0999

25

leave us any other choice.

		1
	Page 121	
1	But those are my comments. Thank you.	
2	CHAIR JAMES: Okay, my comments are I don't	
3	knock anyone for how they choose to vote. I mean we	
4	all sit up here, and we represent our own opinions or	
5	whatnot. And I certainly hope that nobody up here	
6	thinks that I may ridicule them or make comments under	
7	my breath about maybe beating a dead horse or whatnot,	
8	because everybody's entitled to their say up here, and	
9	I respect how everybody votes, and we should all do the	
10	same. That's my one comment.	
11	My second comment, the reason I missed the	
12	last meeting is because I had responded and said that I	
13	was going to be here, and on my way here I had a death	
14	in the family. So that was my family emergency as to	
15	why I was not present.	
16	And is there any other motions on the floor	
17	at this time?	
	MR. WHIGHAM: I make a motion that we	
18		
19	adjourn.	
20	CHAIR JAMES: So moved.	
21	(Whereupon, at 9:25 p.m., the proceedings	
22	were concluded.)	
23		
24		
25		
	Page 122	
1	CERTIFICATE	
2	CERTIFICATE	
3		
4	THE STATE OF FLORIDA )	
-		
5	COUNTY OF PALM BEACH )	
6		
7		
8	I, Susan S. Kruger, do hereby certify that	
9	I was authorized to and did report the foregoing	
10	proceedings at the time and place herein stated, and	
11	that the foregoing pages comprise a true and correct	
12	transcription of my stenotype notes taken during the	
13	proceedings.	
14	IN WITNESS WHEREOF, I have hereunto set my	
15	hand this 12th day of December, 2016.	
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19		
20		
21	form & Krugers	
	Susan S. Kruger	
22		
23		
24		
25		
		31 (Pages 121 to 122)
		· _ /

## The Palm Beach Post

Palm Beach Daily News

RECEIPT

#### PUBLIC HEARING NOTICE CITY OF RIVIERA BEACH, FLORIDA

ideabar

The City Council will conduct a public hearing on Wednesday, January 4, 2017 at 6:00 PM or soon thereafter, and from time to time thereafter as necessary, in the Council Chambers at the Municipal Complex, 600 West Blue Heron Blvd., Riviera Beach to consider the following ordinance:

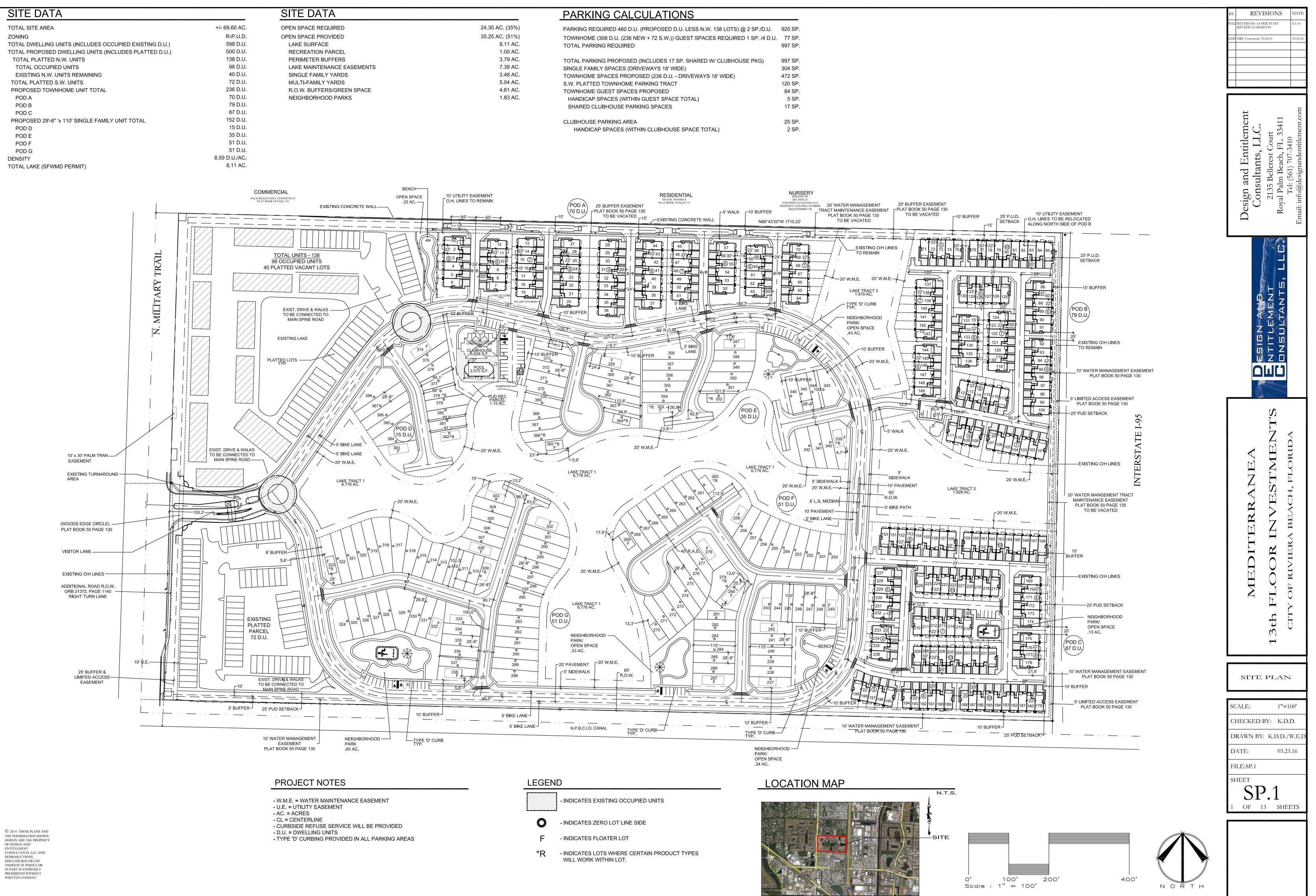
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ZONING", AR-TICLE V, "DISTRICT REGULATIONS", DI-VISION 23, "PUD PLANNED UNIT DE-VELOPMENT DISTRICT", SECTION 31-494, "PROPERTY DEVELOPMENT STAN-DARDS FOR THE R-PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT STAN-DARDS FOR THE R-PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT", IN ORDER TO PROVIDE FOR UPDATED RESIDENTIAL DEVELOPMENT STAN-DARDS TO PROMOTE CREATIVE DE-SIGN AND LAND USE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODI-FICATION; AND PROVIDING FOR AN EF-FECTIVE DATE.

Background material is available for review in its entirety in the Community Development Department between the hours of 8:30 AM and 5:00 PM, except holidays; (561)845-4060, comdev@ rivierabch.com.

PLEASE TAKE NOTICE AND BE AD-VISED, that if any interested person desires to appeal any decision made by the Board or Council with respect to any matter considered at the meetings, such interested person, at own expense, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Legislative Aide at 561-845-4095 no later than 96 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

PUB: The Palm Beach Post 12-21/2016 #688579



24.30 AC. (35%)
35.25 AC. (51%)
8.11 AC.
1.00 AC.
3.79 AC.
7.39 AC.
3.48 AC.
5.04 AC.
4.61 AC.
1 83 AC

PARKING REQUIRED 460 D.U. (PROPOSED D.U. LESS N.W. 138 LOTS) @ 2 SP./D.U.	920 SP.
TOWNHOME (308 D.U. (236 NEW + 72 S.W.)) GUEST SPACES REQUIRED 1 SP. /4 D.U.	77 SP.
TOTAL PARKING REQUIRED	997 SP.
TOTAL PARKING PROPOSED (INCLUDES 17 SP. SHARED W/ CLUBHOUSE PKG)	997 SP.
SINGLE FAMILY SPACES (DRIVEWAYS 18' WIDE)	304 SP.
TOWNHOME SPACES PROPOSED (236 D.U DRIVEWAYS 18' WIDE)	472 SP.
S.W. PLATTED TOWNHOME PARKING TRACT	120 SP.
TOWNHOME GUEST SPACES PROPOSED	84 SP.
HANDICAP SPACES (WITHIN GUEST SPACE TOTAL)	5 SP.
SHARED CLUBHOUSE PARKING SPACES	17 SP.
CLUBHOUSE PARKING AREA	25 SP.
HANDICAP SPACES (WITHIN CLUBHOUSE SPACE TOTAL)	2 SP.

### CITY OF RIVIERA BEACH CITY COUNCIL AGENDA ITEM SUMMARY

**Meeting Date:** 1/18/2017

Agenda Category: RESOLUTION DISCUSSION AND DELIBERATION

# DISCUSSION REGARDING SUPPORTING THE SOUTHEAST FLORIDA PUBLICSubject:MARKET FAIR ASSOCIATION, INC. (SFPMFA) COMMEMORATION OF THE CITY OF<br/>RIVIERA BEACH 94TH ANNIVERSARY.

### **Recommendation/Motion:**

Originating Dept	EXECUTIVE	Costs
User Dept.		Funding Source
Advertised	No	Budget Account Number
Date		
Paper		
Affected Parties	Not Required	

Background/Summary:

Fiscal Years
Capital Expenditures
Operating Costs
External Revenues
Program Income (city)
In-kind Match (city)
Net Fiscal Impact
NO. Additional FTE Positions
(cumulative)

### **III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments:

C. Department Director Review:

### Contract Start Date

Contract End Date				
Renewal Start Date				
Renewal End Date				
Number of 12 month terms this re	newal			
Dollar Amount				
Contractor Company Name				
Contractor Contact				
Contractor Address				
Contractor Phone Number				
Contractor Email				
Type of Contract				
Describe				
ATTACHMENTS:				
File Name		Description	Upload Type Date	
Memo MOU Southeast Memo_MOU_Southeast_Florida_Public_Market_Fair09022016.09262016.pdf Florida Public Market 9/26/2016 Fair09022016.09262016				
REVIEWERS:				
Department	Reviewer	Action	Date	
City Manager	Jones, Danny	Approved	1/11/2017 - 6:09 PM	

### INTER-DEPARTMENTAL COMMUNICATION

# **MEMORANDUM**

### TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: DANNY D. JONES, ACTING CITY MANAGER *D Jones* 

DATE: SEPTEMBER 26, 2016

### RE: MEMORANDUM DATED SEPTEMBER 2, 2016 FROM CITY ATTORNEY TO CITY MANAGER - (MOU) SOUTHEAST FLORIDA PUBLIC MARKET FAIR

For your information and review is a copy of a memorandum from the City Attorney to the City Manager regarding the proposed Memorandum of Understanding (MOU) with Southeast Florida Public Market Fair. This matter is on the September 27, 2016, City Council Workshop.

Thank you for your attention.

DDJ/dpm

Attachment

1

CITY ATTORNEY'S OFFICE

INTER-DEPARTMENTAL COMMUNICATION

## **MEMORANDUM**

TO:	RUTH C. JONES, CITY MANAGER
FROM:	ANDREW DEGRAFFENREIDT, CITY ATTORNEY
DATE:	SEPTEMBER 2, 2016
RE:	(MOLI) BETWEEN THE SOLFTHEAST ELOPIDA DU

(MOU) BETWEEN THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC., AND CITY OF RIVIERA BEACH AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY

Please find attached a proposed Public Private Partnership agreement between the City of Riviera Beach, City of Riviera Beach Community Redevelopment Agency and the Southeast Florida Public Market Fair Association (SFPMFA) that was presented to this office for legal review.

The agreement has been reviewed however there are a number of matters that need to be clarified such as a schedule of anticipated performances, a schedule for the SFPMFA to provide proof of any required licenses permits and regulatory approvals for the anticipated events; the expected fiscal contributions of all parties to event funding; the anticipated and available funds result from SFPMFA fundraising efforts; the scheduling of media event advertising and marketing The scheduling and availability of funds to be paid to the City of Riviera Beach and City of Riviera Beach Community Redevelopment Agency for event services and facilities and other matters relating to event performance not clearly addressed in the proposed agreement.

It is suggested that the appropriate staff (minimally Police, Public Works and Finance) review the agreement to determine the operational and fiscal impacts of this agreement prior to presentation for consideration by the City Council.

Thank you for your attention to this matter.

Attachments

AD:syj

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### MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. AND THE CITY OF RIVIERA BEACH AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY

This Memorandum of Understanding (MOU), by and between the City of Riviera Beach (hereafter the "City") and the Riviera Beach Community Redevelopment Agency (hereafter the "CRA") and the Southeast Florida Public Market Fair Association, Inc. (hereafter the "SFPMFA"), is for the purpose of defining their responsibilities for the Annual Southeast Florida Public Market Fair.

### RECITALS

WHEREAS, the SFPMFA is a not-for-profit fair association whose Articles of Incorporation are filed with the Florida Secretary of State's Office; and,

WHEREAS, the SFPMFA is an independent, community-based, non-profit corporation with taxexempt status under Section 501(c)(3) of the Internal Revenue Code, whose mission includes providing financial support and resources to our local community, businesses, fair participants, and fair sponsors by providing tax-exempt donation status for fundraisers; and,

WHEREAS, the SFPMFA is a fair association designated by the Department of Agriculture and Consumer Services under Chapter 616, F.S. (Public Fairs and Expositions) for the purpose of conducting and operating public fairs or expositions; and,

WHEREAS, the SFPMFA fosters and encourages family activities through the Fair; supplements resources for youth incentive awards such as 4H and FFA (Future Farmers of America); builds citizen engagement in supporting and enhancing the Fair; provides a support platform for funding designated gifts for specific Fair activities; supports programs that educate others on social values; and, develops and implements other programs or activities that support the missions and goals of the SFPMFA; and,

WHEREAS, the Southeast Florida Public Market Fair Association, Inc. (the "SFPMFA") established a Public Fair within Palm Beach County in 2013; and,

WHEREAS, Section 616.11, F.S., provides that the SFPMFA may enter into any contract, lease, or agreement with any municipality or county in the state or with the state or agency or subdivision of the state for the donation to or the use and occupation by the association of any land owned, leased, or held by the county or municipality or the state or agency or subdivision of the state during a time and on the terms approved by the county or municipality or the state or agency or subdivision, with the right of the association to use the property for public exposition purposes; and,

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION.

CRA Exec. Dir.'s initials and Date\_\_\_\_\_\_ SFPMFA Representative's Initials and Date \_\_\_\_\_ City Manager Initials and Date ,

WHEREAS, Section 616.11 F.S. also provides that the mayor and city council of any municipality within the county may also make contributions of money, property, or services to fair associations to assist in carrying out the purposes of the association; and,

WHEREAS, the SFPMFA desires to hold a Fair in November 2016 and at least two fundraising events in support of the Fair at a site(s) located in Riviera Beach, Florida that are owned and/or controlled by the City of Riviera Beach or the Riviera Beach CRA; and,

WHEREAS, the SFPMFA wishes to receive support from the CRA in the planning and execution of its November 2016 Fair and its related fundraising events; and,

WHEREAS, the SFPMFA and the CRA wish to define the partnership between the respective entities and to work together within the community to establish and produce an annual Fair; and,

WHEREAS, in the interests of promoting public and community welfare, the CRA wishes to contribute to supporting the annual fair by donating both financial and in-kind resources and providing CRA owned and/or controlled land upon which the SFPMFA's annual Fair, and related fundraising activities, can be held;

NOW THEREFORE, the City and the CRA and the Southeast Florida Public Market Fair Association, Inc. agree to the following:

### 1. Term:

The initial term of this Agreement shall be for one (1) year and commence upon the execution of this agreement. Thereafter, this agreement shall be deemed automatically renewed for successive one-year periods unless either party shall advise the other party in writing of its intention not to renew the Agreement ninety (90) days prior to the renewal date, or unless the Parties otherwise mutually agree to terminate the agreement.

### 2. The City of Rivera Beach Agrees to the Following:

- a. The City intends to support the SFPMFA and its fundraising efforts, by attending certain events when possible and by other legally permissible means as appropriate.
- b. Subject to annual budgeting and appropriation, the City intends, to the best of its fiscal ability, to contribute funds to SFPMFA in support of its mission to provide community events that celebrate Florida arts and culture.
- c. The City agrees, upon advance notice and approval, to provide the following support for the Southeast Florida Fair at no cost to the SFPMFA:

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION.

CRA Exec. Dir.'s Initials and Date\_\_\_\_\_ SFPMFA Representative's Initials and Date \_\_\_\_

City Manager Initials and Date\_\_\_\_\_

Page 3 of 9

- i. The use of the Riviera Beach Marina Bicentennial Park and Event Center Lease (via timely facility request prepared and submitted by the SFPMFA) as permitted by the Community Redevelopment Agency's Guidelines and Regulations on the dates specified in Attachments A and B.
- ii. As determined by the City of Riviera Beach, the following may be provided:
  - (1) Police Department for security, police detail for parking lot, site security, and traffic control; and Police detail; as determined by the City of Riviera Beach
  - (2) Fire Department EMT services; as determined by the City of Riviera Beach.
  - (3) The City of Riviera Beach (or the CRA, as appropriate) will provide the SFPMFA Coordinator and staff with one (1) small, dedicated office, preferably at the Marina Event Center, near event operations, event vendors, etc.
- d. Provide access to Parks & Recreation Facilitates (via facility request prepared and submitted by the SFPMFA) for community events, gatherings, etc.
- e. The City of Riviera Beach will coordinate with the Riviera Beach Community Redevelopment Agency, to the best of its ability, to provide the services described under this Memorandum of Understanding.

### 3. The Rivera Beach Community Redevelopment Agency Agrees to the Following:

- a. The CRA intends to support the SFPMFA and its fundraising efforts, by attending certain events when possible and by other legally permissible means as appropriate.
- b. Subject to annual budgeting and appropriation, the CRA intends, to the best of its fiscal ability, to contribute funds to SFPMFA in support of its mission to provide community events that celebrate Florida arts and culture.
- c. The CRA agrees to provide the following support for the Southeast Florida Fair at no cost to the SFPMFA, with the assistance and prior approval of the City of Riviera Beach, as required:
  - i. The use of Riviera Beach Marina Bicentennial Park and Event Center Lease (via facility request prepared and submitted by the SFPMFA) as permitted by the Community Redevelopment Agency's Guidelines and Regulations on the dates specified in Attachments A and B.
  - ii. Provide the required fencing for outdoor concert events.
  - iii. Provide the required staging for outdoor concert events.

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION.

CRA Exec. Dir.'s Initials and Date \_\_\_\_\_\_ SFPMFA Representative's initials and Date \_\_\_\_\_\_\_ City Manager Initials and Date

Page 4 of 9

- iv. Provide an offsite parking plan including the parking lots at 22<sup>nd</sup>/Broadway, Wells Recreation, and overflow parking (Viking/CRA lot).
- v. Work with the City to provide bus transportation as needed for off-site parking for large scale events, and the annual fair.
- vi. Make available the following utilities and equipment: existing electrical supply, water, phone lines, PA system, park benches, picnic tables, trash and recycling receptacles. Additional equipment may be provided, as required. These utilities and equipment will be made available on the dates specified in Attachments A and B.
- vii. As determined by the CRA and the City, the following may be provided:
  - (1) Police Department for security, police detail for parking lot, site security, and traffic control; and Police detail; as determined by the City of Riviera Beach and the CRA.
  - (2) Fire Department EMT services; as determined by the City of Riviera Beach and the CRA.
  - (3) The CRA (or the City of Riviera Beach, as appropriate) will provide the SFPMFA Coordinator and staff with one (1) small, dedicated office, preferably at the Marina Event Center, near event operations, event vendors, etc.
- d. Work with the City to provide access City facilities (via facility request prepared and submitted by the SFPMFA) for community events, gatherings, etc.
  - e. The Riviera Beach Community Redevelopment Agency will coordinate with the City, as required, to the best of its ability, to provide the services described under this Memorandum of Understanding.

### 4. The Southeast Florida Public Market Fair Association Agrees to the Following:

- a. The SFPMFA intends to raise funds through various means of soliciting donations to cover Fair operating costs as mutually agreed to on an annual basis and to help finance various activities or facilities in support of the Southeast Florida Public Market Fair.
- b. The SFPMFA agrees to pay the CRA and the City of Riviera Beach for the following services and/or use of facilities:

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION.

CRA Exec. Dir.'s Initials and Date\_\_\_\_\_ SFPMFA Representative's Initials and Date \_\_\_\_ City Manager Initials and Date\_\_\_\_\_ Ð

- i. All necessary permitting fees, including Building Permit and Certificate of Occupancy for outdoor tents and any additional permits desired by City departments.
- ii. Sound and Lighting equipment for outdoor entertainment.
- iii. Facility repair and replacement for any damages/impairments to the City facilities necessitated by the SFPMFA use of the premises.
- iv. Clean up and dispose of trash in available receptacles after use of facilities.
- c. Work with Riviera Beach based artists, businesses, and community and civic groups to showcase local organizations as appropriate.
- d. Meet the insurance requirements specified by the CRA and/or the City.
- e. Invest all net income from the annual Fair into SFPMFA, its programming and management.
- f. Provide the CRA with accounting and financial reporting in compliance with the provisions of Chapter 616, F.S.

### 5. Financial terms:

- a. Each party to this MOU will pay for all costs associated with carrying out its respective responsibilities as listed in this MOU, with the exception of costs the CRA agrees to pay in Section 3(c) and costs SFPMFA agree to pay in Section 4(b) of this MOU. The parties agree that neither party shall be required to pay the other party any monies as a result of any other services rendered under this MOU.
- b. Payments between the parties will be made within thirty (30) days of the invoice date.
- c. Disputes regarding bills should be brought to the attention of the City Manager, the CRA Executive Director and SFPMFA President. If a bill is disputed, payment must be made for any undisputed amounts. Payments may be held only for disputed portions of a bill.

### 6. Costs and Reports

SFPMFA will provide the City and the CRA with the Event Budget for outdoor concert events and the 2016 Fair budget, as required by Chapter 616, F.S., at least 90 days prior to the outdoor concert event and the fair.

### 7. Notice

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION.

CRA Exec. Dir.'s Initials and Date\_\_\_\_\_\_ SFPMFA Representative's Initials and Date \_\_\_\_\_

City Manager Initials and Date\_\_\_\_\_

Page 6 of 9

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Any notice to be given between the parties by this Memorandum of Understanding shall be given as follows:

To: Contact Person: Address:	Southeast Florida Public Market Fair Association, Inc. Shelby Lowe, President P.O. Box 9654 Riviera Beach, Florida 33419-9654
Phone:	561-436-2641
To:	City of Riviera Beach
Contact Person:	Ruth C. Jones, City Manager,
	600 West Blue Heron Blvd.
	Riviera Beach, Florida 33404
Phone:	561-845-4131
То:	Riviera Beach Community Redevelopment Agency Contact Person: Scott Evans, Interim Executive Director 2001 Broadway, Suite 300 Riviera Beach, FL 33404
	561-844-3408

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding as of the date set forth above.

### **CITY OF RIVIERA BEACH**

BY:

Ruth C. Jones, City Manager

### CITY OF RIVIERA BEACH COMMUNITY REDEVLOPMENT AGENCY

BY:

Scott Evans, Interim Executive Director

### SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC.

BY: \_\_\_\_\_

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION.

CRA Exec. Dir.'s Initials and Date\_\_\_\_\_\_ SFPMFA Representative's Initials and Date \_\_\_\_\_

City Manager Initials and Date\_\_\_\_\_

### Page **7** of **9**

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### <u>Attachment A:</u> <u>Concert Dates and Schedule for 2016</u>

SFPMFA Concert Series Fundraising dates for 2016 have been established. For all subsequent years, the Southeast Florida Public Market Fair Association must consult with the City of Riviera Beach and the Community Redevelopment Agency in advance of confirming concert dates. Factors such as construction and other considerations must be taken into account when selecting fundraising and Fair dates.

### Concert Date(s) and Schedule

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION. CRA Exec. Dir.'s Initials and Date \_\_\_\_\_\_ SFPMFA Representative's Initials and Date \_\_\_\_\_\_ City Manager Initials and Date • •

	Indoor Hours	Outdoor Hours
Saturday, September 24, 2016	3 p.m 10 p.m.	3 p.m 10 p.m.

Areas of the Riviera Beach Marina Event Center and Bicentennial Park grounds, as specified in Section 2 of the Memorandum of Understanding, will be made available from Tuesday, September 20, 2016 at 10:00 a.m. until Monday, September 26, 2016 until 5:00 p.m.

The utilities and equipment specified in Section 2 will be made available from Friday, September 23, 2016 at 8:00 a.m. until Monday, September 26, 2016 until 5:00 p.m.

As determined by the City of Riviera Beach, the following may be provided if costs and need permits:

- 1. Police Department for security, police detail for parking lot, site security, and traffic control.
- 2. Fire Department EMT services as determined by the City of Riviera Beach.

#### Attachment B:

### Fair Dates and Schedule for 2016

Fair dates for years 2016 have been established. For all subsequent years, the Southeast Florida Public Market Fair Association must consult with The City of Riviera Beach and the Community Redevelopment Agency at least 90 days in advance of confirming Fair dates. Factors such as construction and other considerations must be taken into account when selecting Fair dates.

### 2016 Fair Date and Schedule

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION. CRA Exec. Dir.'s Initials and Date\_\_\_\_\_\_ SFPMFA Representative's Initials and Date \_\_\_\_\_\_ City Manager Initials and Date



	Indoor Hours	Outdoor Hours
Thursday, November 3, 2016	TBD	5 p.m 10 p.m.
Friday, November 4, 2016	TBD	2 p.m 11 p.m.
Saturday, November 5, 2016	TBD	10 a.m 11 p.m.
Sunday, November 6, 2016	TBD	11 a.m 10 p.m.

Areas of the Riviera Beach Marina Event Center and Bicentennial Park grounds as specified in Section 2 of the Memorandum of Understanding will be made available from Tuesday, November 1, 2016 at 10:00 a.m. until Monday, November 7, 2016 until 5:00 p.m.

The utilities and equipment specified in Section 2 of the Memorandum of Understanding will be made available from Tuesday, November 1, 2016 at 10:00 a.m. until Monday, November 7, 2016 until 5:00 p.m.

As determined by the City of Riviera Beach, the City may provide a Police Department honor guard for the Fair opening ceremonies on Friday, November 4, 2016 from 6-7 p.m.

MEMORANDUM OF UNDERSTANDING BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST FLORIDA PUBLIC MARKET FAIR ASSOCIATION, INC. REGARDING THE PUBLIC PROGRAMMING AND EVENT PRODUCTION.

CRA Exec. Dir.'s Initials and Date\_\_\_\_\_\_ SFPMFA Representative's Initials and Date \_\_\_\_

City Manager Initials and Date

### CITY OF RIVIERA BEACH CITY COUNCIL AGENDA ITEM SUMMARY

**Meeting Date:** 1/18/2017

Agenda Category: BOARD APPOINTMENT

### Subject: REAPPOINTMENT OF LIBRARY ADVISORY BOARD MEMBERS.

# Recommendation/Motion:STAFF RECOMMENDS MOTION TO APPROVE THE<br/>REAPPOINTMENT OF TWO (2) REGULAR MEMBERS TO THE<br/>LIBRARY ADVISORY BOARD.

Originating Dept	LIBRARY	Costs	- 0 -
User Dept.	LIBRARY	Funding Source	
Advertised	No	Budget Account Number	
Date			
Paper			
Affected Parties	Not Required		

### Background/Summary:

THE LIBRARY ADVISORY BOARD SERVES IN AN ADVISORY CAPACITY AND PROVIDES RECOMMENDATIONS, THROUGH THE LIBRARY DIRECTOR, TO THE CITY MANAGER AND THE CITY COUNCIL. THE BOARD ALSO RECOMMENDS PROGRAMS AND POLICIES FOR THE EFFICIENT OPERATION OF THE LIBRARY.

THE BOARD CONSISTS OF FIVE (5) REGULAR MEMBERS AND TWO (2) ALTERNATE MEMBERS. MEMBERS ARE REQUIRED TO BE REGISTERED VOTERS, RESIDE IN THE CITY OF RIVIERA BEACH, SERVE A ONE-YEAR TERM AND ATTEND MONTHLY MEETINGS THAT ARE HELD THE SECOND WEDNESDAY OF EACH MONTH.

STAFF RECOMMENDS THE TWO (2) REGULAR MEMBERS BE REAPPOINTED, PER THE FOLLOWING:

- MR. MONTY GREENE REGULAR MEMBER, DISTRICT 2
- MS. CHERYL MOORE REGULAR MEMBER, DISTRICT 1

THE REAPPOINTEES' LETTERS OF INTEREST ARE ATTACHED FOR YOUR REVIEW. UPON THE ABOVE REAPPOINTMENTS, THERE ARE TWO (2) REMAINING VACANCIES FOR ALTERNATE MEMBERS ON THE LIBRARY ADVISORY BOARD.

**Fiscal Years** 2017 2018

Capital Expenditures Operating Costs External Revenues Program Income (city) In-kind Match (city) Net Fiscal Impact NO. Additional FTE Positions (cumulative)

### **III. Review Comments**

- A. Finance Department Comments:
- B. Purchasing/Intergovernmental Relations/Grants Comments:

C. Department Director Review:

- **Contract Start Date**
- Contract End Date
- Renewal Start Date
- Renewal End Date
- Number of 12 month terms this renewal
- Dollar Amount
- Contractor Company Name
- Contractor Contact
- Contractor Address
- Contractor Phone Number
- Contractor Email
- Type of Contract
- Describe

### ATTACHMENTS:

File Name	Description	Upload Date	Туре
010417_Lib_Adv_Brd_Ltrs_of_Interest.pd	f Reappointees' Letters of Interest	1/4/2017	Backup Material

### **REVIEWERS**:

Department	Reviewer	Action	Date
Library	Cobb, Cynthia	Approved	1/4/2017 - 1:51 PM
Purchasing	Mealy, Dean	Approved	1/4/2017 - 5:43 PM
Finance	sherman, randy	Approved	1/10/2017 - 3:07 PM

Attorney City Clerk City Manager Lina Busby, Lina Burgess, Jackie Jones, Danny Approved Approved Approved 1/11/2017 - 9:58 AM 1/11/2017 - 12:33 PM 1/11/2017 - 5:25 PM December 31, 2016

To Whom It May Concern:

I, Cheryl Moore, would like to continue as a member of the Riviera Beach Library Advisory Board. I sincerely appreciate the opportunity to serve.

Thank you,

Cheryl Moore

Cheryl Moore

Distrtict 1

January 3, 2017

KaShamba Miller-Anderson, Council Chair Pro Tem Riviera Beach City Council - District 2 600 W. Blue Heron Blvd. Riviera Beach, FL 33404

### **Re:** Riviera Beach Public Library Advisory Board – Reappointment

Dear Chair Pro Tem Miller-Anderson:

I have been a member of the Riviera Beach Public Library Advisory Board for over 13 years and it has been an honor and a privilege for me to serve. I wish to continue to serve on the Library Advisory Board; therefore, I request Council's approval and authorization for my reappointment.

If reappointed, I will continue to serve with distinction and professionalism, representing the interests of all Library patrons.

Thank you for your consideration.

Sincerely,

Monty Greene

Mr. Monty Greene 390 W. 36<sup>th</sup> Street Riviera Beach, FL 33404

/gjt