

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">CITY OF RIVIERA BEACH PLANNING AND ZONING BOARD</p> <p style="text-align: center;">- - -</p> <p style="text-align: center;">Thursday, July 12, 2018</p> <p style="text-align: center;">Council Chambers 600 West Blue Heron Boulevard Riviera Beach, Florida</p> <p style="text-align: center;">6:31 p.m. - 7:11 p.m.</p> <p style="text-align: center;">- - -</p> <p>IN ATTENDANCE:</p> <p>Tradrick McCoy, Chair Rena Burgess, Vice Chair James Gallon, Board Member Edward Kunuty, Board Member Margaret Shepherd, Board Member Jon Gustafson, Board Member Anthony Brown, First Alternate Member Jeff Gagnon, Acting Director of Community Development Melissa P. Anderson, Consulting Attorney Simone Davidson, Staff Assistant</p>	<p style="text-align: right;">Page 3</p> <p>1 MS. DAVIDSON: Anthony Brown. 2 MR. BROWN: Here. 3 MS. DAVIDSON: Tradrick McCoy. 4 CHAIR McCOY: Here. 5 MS. DAVIDSON: You have a quorum. 6 CHAIR McCOY: Thank you, Ms. Davidson. 7 Item number III, acknowledgment of Board 8 member absence notification. 9 MR. GAGNON: Thank you, Chair. 10 Jeff Gagnon, Acting Director of Development 11 Services. 12 We did hear from Ms. Shepherd that she would 13 not be able to make it tonight. Additionally, I would 14 like to request that Mr. Brown serve as a voting member 15 for tonight's meeting, if that pleases the Board, due 16 to that vacancy. 17 CHAIR McCOY: Thank you, Mr. Gagnon. 18 Item number IV, additions and deletions. 19 MR. GAGNON: We have no additions or 20 deletions. 21 I did want to take the opportunity to 22 reference the last sheet in the packet, which is a memo 23 that delineates that Mr. Gustafson was appointed by 24 City Council as a regular Board member, and Mr. Brown 25 was moved up from second alternate to first alternate.</p>
<p style="text-align: right;">Page 2</p> <p>1 BE IT REMEMBERED that the following Planning 2 and Zoning Board meeting was had at Riviera Beach City 3 Hall Council Chambers, 600 West Blue Heron Boulevard, 4 Riviera Beach, Florida, on Thursday, July 12, 2018, 5 beginning at 6:31 p.m., with attendees as hereinabove 6 noted, to wit: 7 - - - 8 CHAIR McCOY: Good evening. We'll call the 9 July 12th, 2018 Planning and Zoning Board meeting to 10 order. We'll start with a moment of silence, followed 11 by the Pledge of Allegiance. 12 (Moment of silence observed. Pledge of 13 Allegiance recited.) 14 CHAIR McCOY: Ms. Davidson, if you would call 15 the roll, please. 16 MS. DAVIDSON: Rena Burgess. 17 VICE CHAIR BURGESS: Here. 18 MS. DAVIDSON: James Gallon. 19 MR. GALLON: Here. 20 MS. DAVIDSON: Edward Kunuty. 21 MR. KUNUTY: Here. 22 MS. DAVIDSON: Margaret Shepherd. 23 (No response.) 24 MS. DAVIDSON: Jon Gustafson. 25 MR. GUSTAFSON: Here.</p>	<p style="text-align: right;">Page 4</p> <p>1 So I want to say congratulations to both of those Board 2 members. Nothing additional to add. 3 VICE CHAIR BURGESS: Congrats. 4 CHAIR McCOY: Thank you, Mr. Gagnon. 5 Congrats, members. 6 Item V, any disclosure by Board members? Any 7 members wishing to disclose? Hearing none, is there a 8 motion to adopt the agenda? 9 MR. KUNUTY: So moved. 10 VICE CHAIR BURGESS: Second. 11 CHAIR McCOY: It's been motioned by 12 Mr. Kunuty and seconded by Mrs. Burgess. Ms. Davidson, 13 if you'll call the roll. 14 MS. DAVIDSON: Rena Burgess. 15 VICE CHAIR BURGESS: Yes. 16 MS. DAVIDSON: James Gallon. 17 MR. GALLON: Yes. 18 MS. DAVIDSON: Edward Kunuty. 19 MR. KUNUTY: Yes. 20 MS. DAVIDSON: Jon Gustafson. 21 MR. GUSTAFSON: Yes. 22 MS. DAVIDSON: Anthony Brown. 23 MR. BROWN: Yes. 24 MS. DAVIDSON: Tradrick McCoy. 25 CHAIR McCOY: Yes.</p>

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1 MS. DAVIDSON: Unanimous vote.  
2 CHAIR McCOY: Thank you.  
3 Item number VI, approval of the minutes from  
4 April 26, 2018. Is there a motion?  
5 VICE CHAIR BURGESS: So moved.  
6 MR. KUNUTY: Second.  
7 CHAIR McCOY: It was motioned by Mrs. Burgess  
8 and a second by Mr. Kunuty. Mrs. Davidson.  
9 MS. DAVIDSON: Rena Burgess.  
10 VICE CHAIR BURGESS: Yes.  
11 MS. DAVIDSON: James Gallon.  
12 MR. GALLON: Yes.  
13 MS. DAVIDSON: Edward Kunuty.  
14 MR. KUNUTY: Yes.  
15 MS. DAVIDSON: Jon Gustafson.  
16 MR. GUSTAFSON: Yes.  
17 MS. DAVIDSON: Anthony Brown.  
18 MR. BROWN: Yes.  
19 MS. DAVIDSON: Tradrick McCoy.  
20 CHAIR McCOY: Yes.  
21 MS. DAVIDSON: Unanimous vote.  
22 CHAIR McCOY: Thank you.  
23 Item number VII, unfinished -- I'm sorry.  
24 Yes, item number VII, we don't have any of that.  
25 Item number VIII, new business.

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1 MR. GAGNON: Yes, thank you, sir.  
2 And actually, I also wanted to introduce  
3 Melissa Anderson, who is our Consulting City Attorney  
4 tonight. Ms. Busby is out of office for today, so  
5 she's filling in for tonight. I don't know if you want  
6 to say a few words.  
7 MS. ANDERSON: Just want to say it's good to  
8 be here in Riviera Beach tonight. Thank you.  
9 CHAIR McCOY: Thank you.  
10 VICE CHAIR BURGESS: Thank you for coming.  
11 MR. GAGNON: So thank you, Ms. Anderson.  
12 So under new business, we have both letter A  
13 and letter B. Letter A is a resolution of the City  
14 Council of the City of Riviera Beach, Palm Beach  
15 County, Florida, approving site plan application  
16 SP-17-09 for the construction and use of a 130 foot  
17 monopole wireless services tower located at 700 Avenue  
18 E, within the Port of Palm Beach, identified by parcel  
19 control number 56-43-42-33-22-001-0010, having a  
20 Port future land use designation and a general  
21 industrial zoning designation, and providing for an  
22 effective date.  
23 So before you on the presentation we have an  
24 aerial view that really encompasses the Port of Palm  
25 Beach. The site location for this proposal is shown at

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1 the starred area just west of that westernmost molasses  
2 storage tank. Zooming in a little closer, once again,  
3 this is the proposed location for the monopole tower,  
4 which is a 130 foot telecommunications tower proposed  
5 to be shared by multiple providers.  
6 This is the site plan, for the record. It's  
7 kind of difficult to see, but I highlighted the area  
8 that would be impacted by this proposal with the red  
9 box. So again, I'll go back to the previous slide,  
10 just so you can see that area. That star correlates to  
11 the area associated with the red box.  
12 This is the elevation of what the towers --  
13 excuse me -- what the tower would look like. It's just  
14 a single tower. This is just the elevation from  
15 multiple directions.  
16 Additionally, for just the record, we have  
17 hard copies of all this information in the back of the  
18 chambers as well, if anyone would like to see that  
19 packet in its, really in its complete state. So these  
20 items were taken from that packet.  
21 So we have here a simulation of what the  
22 tower would look like from a few different locations  
23 really within the city itself, and also one outside of  
24 the city, which is view number five, which is West Palm  
25 Beach. This is part of the submittal criteria for any

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1 new telecommunications tower.  
2 So what you'll see is the original condition  
3 and the proposed condition once the tower were to be  
4 constructed. So you can see from this perspective that  
5 it has really a de minimis impact from this vantage  
6 point. It almost looks as if it's a light pole or a  
7 similar type structure within the Port.  
8 Again, this is moving on to view two. So the  
9 proposed silhouette is very minimal from this view.  
10 This is view three. Again, very minimal.  
11 View four, and the proposed silhouette.  
12 This is view five, which is taken from West  
13 Palm Beach.  
14 View six, from the flyover bridge.  
15 View seven, also from the bridge, and this is  
16 going to be really the closest vantage point within  
17 this slide show. So again, it's going to appear much  
18 more noticeable from this perspective.  
19 And one more from the bridge heading south.  
20 So from a staff perspective, the location  
21 that is being proposed is really optimal in a lot of  
22 different ways --  
23 (Whereupon, Ms. Shepherd took her seat on the  
24 dais.)  
25 MR. GAGNON: -- specifically because it's

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1 within the Port of Palm Beach. It's not adjacent to  
2 any residential locations. I think the nearest  
3 residential location is approximately 1,000 feet from  
4 this proposed site.  
5 So staff is recommending approval of the site  
6 plan application SP-17-09 from Vertex.  
7 We have a few conditions of approval, four  
8 conditions of approval that are also provided, if that  
9 pleases the Planning and Zoning Board and City Council.  
10 The first is that construction improvements must be  
11 initiated within 18 months of the effective date of the  
12 resolution, which is a boilerplate condition for all of  
13 our development orders.  
14 Number two, which is also boilerplate, is  
15 that City Council authorizes City staff to approve  
16 future amendments to the site plan administratively so  
17 long as they do not deviate greater than five percent.  
18 The development must receive final C.O. or a  
19 Certificate of Completion from the City within five  
20 years of approval.  
21 And once approved, this resolution shall  
22 supersede any previous site plan approval resolutions  
23 associated with this specific location.  
24 So at this point I'd like to provide the  
25 opportunity for Vertex and their representatives and

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1 agent to speak on this matter if they choose.  
2 And also, just for the record, Ms. Shepherd  
3 has made it to the dais as well, so I just wanted to  
4 make that statement as well.  
5 MS. SOLIK: Good evening. I'm Mary Solik,  
6 121 South Orange Avenue, Suite 1500, Orlando, Florida.  
7 I'm legal counsel for Vertex Development.  
8 With me tonight is Mark Schuh, a principal of  
9 Vertex, Brian Holmes and Jen Frost. These are all  
10 project managers for Vertex.  
11 Mr. Gagnon has given you a pretty  
12 comprehensive presentation regarding this application,  
13 and you have a lot of materials in your agenda package.  
14 Do you all have any questions for me that I can answer?  
15 No?  
16 CHAIR McCOY: Members?  
17 MS. SOLIK: Okay, we -- oh, I'm sorry.  
18 VICE CHAIR BURGESS: No. Chair.  
19 CHAIR McCOY: You're recognized.  
20 VICE CHAIR BURGESS: I was just going to say  
21 the packet was very well put together, and so I don't  
22 have any questions, because everything that I reviewed  
23 was in here, so --  
24 MS. SOLIK: Okay. It's a permitted use in  
25 the industrial zoning, and we have no issues with the

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1 staff conditions of approval. And we would request  
2 your recommendation of approval to the City Council  
3 tonight.  
4 CHAIR McCOY: Ms. Solik, I do want to ask one  
5 question. And I don't know if it was mentioned in the  
6 presentation, but this tower is to replace one that is  
7 existing, that is attached to a building that's no  
8 longer going to be there, correct?  
9 MS. SOLIK: Want me to take that?  
10 MR. GAGNON: Sure.  
11 MS. SOLIK: Mr. McCoy, it is not replacing an  
12 existing tower. AT&T has existing antenna on another  
13 building within the Port property. It's located to the  
14 northeast of this site, just on the other side of the  
15 flyover road, U.S. 1. And the Port Authority is  
16 tearing that building down, so those antenna need to go  
17 somewhere. So this tower will house the AT&T antenna  
18 and will have three available additional slots for the  
19 other license carriers in your marketplace.  
20 CHAIR McCOY: Okay, and I did read that. I'm  
21 sorry if I didn't explain it as clearly as you did, but  
22 I did read that, and I wanted to make sure that that  
23 was said publicly.  
24 Mr. Kunuty, you're recognized.  
25 MR. KUNUTY: Yes, just a question. The

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1 height of this tower, is this kind of like a standard  
2 height, I mean when you drive around and you look at  
3 towers? I was just curious.  
4 MS. SOLIK: I would say that for a somewhat  
5 urban area, this would be fairly standard. They would  
6 range between 125 and 150 in this area.  
7 I will tell you that I'm doing a lot of work  
8 for Verizon now in north Florida, in very rural parts  
9 of Florida, in Florida where there is no coverage, and  
10 I'm doing 250 foot towers up there. But in an urban  
11 setting like this, yes, that's a typical height.  
12 MR. KUNUTY: You mentioned three carriers  
13 that will be on there?  
14 MS. SOLIK: Initially AT&T will install their  
15 equipment on the tower. There will be three -- the  
16 tower is physically capable of supporting another three  
17 carriers' equipment. My client has interest from two  
18 additional carriers at this point. I don't think we  
19 have leases yet, but we have interest from two more  
20 carriers. It will be capable of supporting four in  
21 all.  
22 MR. KUNUTY: Thank you. No other questions.  
23 CHAIR McCOY: Any other members, questions or  
24 comments? Hearing no questions, no comments, I just  
25 want to point out do we now substitute Mrs. Shepherd's

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1 voting rights back in now that she's here?  
2 MR. GAGNON: I believe that would be the  
3 proper procedure. So Mr. Brown would obviously be able  
4 to discuss any of the items, however, he would not be  
5 able to actively vote on any motion.  
6 CHAIR McCOY: Okay. Any other concerns from  
7 members of the Board? Hearing none, the floor is open  
8 for a motion of approval.  
9 MR. GUSTAFSON: Motion to approve.  
10 MR. KUNUTY: Second.  
11 CHAIR McCOY: There's been a motion and a  
12 second. Roll call.  
13 MS. DAVIDSON: Rena Burgess.  
14 VICE CHAIR BURGESS: Yes.  
15 MS. DAVIDSON: James Gallon.  
16 MR. GALLON: Yes.  
17 MS. DAVIDSON: Edward Kunuty.  
18 MR. KUNUTY: Yes.  
19 MS. DAVIDSON: Margaret Shepherd.  
20 MS. SHEPHERD: Yes.  
21 MS. DAVIDSON: Jon Gustafson.  
22 MR. GUSTAFSON: Yes.  
23 MS. DAVIDSON: Anthony Brown.  
24 I'm sorry; I'm sorry.  
25 MS. DAVIDSON: Tradrick McCoy.

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1 CHAIR McCOY: Yes.  
2 MS. DAVIDSON: Unanimous vote.  
3 CHAIR McCOY: Thank you. Letter B --  
4 VICE CHAIR BURGESS: Thank you.  
5 CHAIR McCOY: -- under new business.  
6 MR. GAGNON: Letter B is an ordinance of the  
7 City Council of the City of Riviera Beach, Palm  
8 Beach County, Florida, amending the City's adopted  
9 Comprehensive Plan based on evaluation and appraisal  
10 review in order to provide consistency with current  
11 statutory requirements per Section 163.3191(4), Florida  
12 Statutes, including but not limited to deleting any and  
13 all references to Rule 9J-5, Florida Administrative  
14 Code, as provided within all elements of the  
15 Comprehensive Plan, more specifically, the Future Land  
16 Use Element and Coastal Management Element, and to  
17 address peril of flood principles per Section  
18 163.3178(2)(f), Florida Statutes, providing for  
19 conflicts and severability, and providing for an  
20 effective date.  
21 So a few months back we had an overview of  
22 the City's Comprehensive Plan and an anticipated  
23 timeline as far as reviewing Comprehensive Plan  
24 amendments. We had received correspondence from the  
25 State based off of our initial evaluation and appraisal

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1 letter that was submitted to the State as far as  
2 starting that process.  
3 So the correspondence we received from the  
4 State was to really continue with our process. And one  
5 of the elements that is statutorily required is  
6 removing any reference to Rule 9J-5, which I believe  
7 was stricken through in 2009. It might have been 2008.  
8 But there's a specific statute that says no  
9 Comprehensive Plan can reference that administrative  
10 rule.  
11 So I want to go to -- before I go to the  
12 hyperlink, there's three references within our  
13 Comprehensive Plan. So what this ordinance would do is  
14 really delete only a few small segments of the  
15 Comprehensive Plan that are in conflict with Florida  
16 Statutes.  
17 Let me see if this hyperlink works, and I  
18 will demonstrate the specific pages and lines that are  
19 proposed to be stricken through. Again, this  
20 information is provided in the back of the material and  
21 provided to all Board members tonight in your packets.  
22 So as you can see within policy 1.1.5, there  
23 was a section referencing 9J-5, so we're required to  
24 strike through that specific line.  
25 Further, within objective 1.5, there's again

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1 a reference to 9J-5, so we have to strike through that.  
2 Within the Coastal section, in policy 2.2.1,  
3 at the end of that policy there was another reference  
4 to rule Rule 9J-5, so that has to be stricken through  
5 as well.  
6 So those are the only modifications that are  
7 being requested as far as text amendment to the Comp  
8 Plan, but it's something that we're statutorily  
9 required to do. And the State, hopefully, will  
10 recognize that as the City initiating our amendment  
11 process and allowing us to continue that process  
12 throughout the upcoming months, and really upcoming  
13 years, as required, in order to shape our Comprehensive  
14 Plan to the document we want it to be.  
15 So the other element that is now statutorily  
16 required is identifying how your Comprehensive Plan  
17 satisfied or satisfies what's known as peril of flood  
18 principles. So I've provided six bullet points, two on  
19 this slide and four on the next that are the specific  
20 peril of flood principles that are referenced within  
21 the Florida Statute.  
22 Luckily, being the fact that we're a coastal  
23 community, we have a Coastal Element already included  
24 in our Comprehensive Plan, and we have sections that  
25 already answer, I think, a majority of these bullet

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1 points in full or partially to the level where I think  
2 we can make the argument that our Comprehensive Plan  
3 does recognize these principles from the fact, again,  
4 we're a coastal community, not to say that there aren't  
5 improvements that can be done to further these  
6 principles.  
7       However, what I would like to do is provide  
8 documentation to the State identifying the specific  
9 sections of our Comprehensive Plan that we feel satisfy  
10 those peril of flood principles which have been called  
11 out in the staff report and also provided on the  
12 PowerPoint presentation tonight.  
13       So within our Future Land Use Element, our  
14 Conservation Element and Coastal Management Element, we  
15 have certain goals and policies that really do answer  
16 some of those principles in part or in full. So those  
17 elements have been called out in the staff report.  
18 We've provided the individual Comprehensive Plan sheets  
19 so the Board may reference those.  
20       So we're not, from a staff level, we're not  
21 necessarily asking the Planning and Zoning Board to  
22 take any action on these. It's really just informally  
23 providing this and identifying the fact that we will  
24 provide this information to the State that staff feels  
25 is the answer or response to some of those peril of

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1 flood requirements. And we can get feedback from the  
2 State and determine how to modify our Comprehensive  
3 Plan further to satisfy those requirements in totality.  
4       So again, the ordinance is really just  
5 deleting those few references to Rule 9J-5. So staff  
6 is recommending approval of the ordinance which will do  
7 so. And that's required per Florida Section 163 that  
8 was already discussed within our introduction  
9 previously. I'm here to answer any questions the Board  
10 may have. And again, the information is available in  
11 the back of the chambers.  
12       CHAIR McCOY: Members, any questions of the  
13 presentation?  
14       VICE CHAIR BURGESS: Chair.  
15       CHAIR McCOY: You're recognized, Ms. Burgess.  
16       VICE CHAIR BURGESS: I do have one question,  
17 but I was trying to look it up real quick. I don't  
18 know if you would know offhand, but in section -- in  
19 policy 2.3.4, the City shall update its emergency  
20 management plan periodically in a manner consistent  
21 with Rules 9G-6 and 9G-7, Florida Admin Code. I was  
22 trying to find out what specifically those terms were,  
23 like is it -- how often is that?  
24       MR. GAGNON: So that reference was part of  
25 the packet or that was part of the presentation?

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1       VICE CHAIR BURGESS: It's part of the packet.  
2 It's under Goal 2.  
3       MR. GAGNON: One of the supplemental sheets?  
4       VICE CHAIR BURGESS: Yes, under Goal 2 for  
5 Coastal Development and Emergency Management. So it's  
6 page 75 of the packet.  
7       MR. GAGNON: Page 75, okay.  
8       VICE CHAIR BURGESS: Yes, policy 2.3 --  
9       MR. GAGNON: Okay.  
10       VICE CHAIR BURGESS: -- 4. Looks like  
11 there's a strike through the 4.  
12       MR. GAGNON: Yes, that's unusual. Okay, so  
13 I'm at the same point, 2.3.4.  
14       VICE CHAIR BURGESS: It just says  
15 periodically. I was, you know, wanting to know  
16 specifically, I mean what that period was. Is it two  
17 years? Is it five years?  
18       MR. GAGNON: I would have to do more research  
19 on that to give you an educated answer.  
20       VICE CHAIR BURGESS: And I may find it,  
21 because I'm there. I just need to breeze through it  
22 real quick. But okay, I'll let you know if I don't  
23 find it by the end of the night.  
24       MR. GAGNON: Okay. Okay, yes, I'd be happy  
25 to look into it further. I know that in many cases

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1 Palm Beach County takes the lead on a lot of those  
2 plans, and local municipalities kind of feed off of  
3 that.  
4       VICE CHAIR BURGESS: Right.  
5       MR. GAGNON: So I'm anticipating that the  
6 County is updating that, probably on an annual basis,  
7 and the City is kind of following suit.  
8       VICE CHAIR BURGESS: Okay.  
9       MR. GAGNON: I'll be happy to do more  
10 research though.  
11       VICE CHAIR BURGESS: No problem. I want to  
12 know how, you know, safe I can feel if I know it's  
13 being updated annually. But I'll look.  
14       CHAIR McCOY: Any other members with  
15 questions of the presentation? Hearing none, the floor  
16 is open for a motion.  
17       MR. KUNUTY: Move to approve.  
18       VICE CHAIR BURGESS: Second.  
19       CHAIR McCOY: There was a motion by  
20 Mr. Kunuty and a second by Mrs. Burgess.  
21 Ms. Davidson.  
22       MS. DAVIDSON: Rena Burgess.  
23       VICE CHAIR BURGESS: Yes.  
24       MS. DAVIDSON: James Gallon.  
25       MR. GALLON: Yes.

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1 MS. DAVIDSON: Edward Kunuty.  
2 MR. KUNUTY: Yes.  
3 MS. DAVIDSON: Margaret Shepherd.  
4 MS. SHEPHERD: Yes.  
5 MS. DAVIDSON: Jon Gustafson.  
6 MR. GUSTAFSON: Yes.  
7 MS. DAVIDSON: Tradrick McCoy.  
8 CHAIR McCOY: Yes.  
9 MS. DAVIDSON: Unanimous vote.  
10 CHAIR McCOY: Thank you, members.  
11 We don't have any workshop items, so we'll  
12 move into item X, general discussion. And I don't  
13 believe we have public comments, nor do we have any  
14 correspondence. Is that correct, Mr. Gagnon?  
15 MR. GAGNON: The only correspondence was the  
16 memo that we discussed at the beginning of our meeting  
17 which identified the Board membership. That was the  
18 last page of our packet. Other than that, no  
19 additional correspondence.  
20 CHAIR McCOY: Okay. Board members, any  
21 Planning and Zoning Board comments?  
22 MR. KUNUTY: Mr. Chair.  
23 CHAIR McCOY: You're recognized, Mr. Kunuty.  
24 MR. KUNUTY: We approved the Stonybrook last  
25 session, correct?

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1 MR. GAGNON: It was on April 26th, I believe.  
2 MR. KUNUTY: Because something was on the  
3 news. I just kind of caught it out of the corner of my  
4 eye, you know, kind of saying that Rivera Beach isn't  
5 doing anything about Stonybrook and the City Council  
6 has not approved the changes. I mean that's kind of  
7 bad press for us since we've approved it and it should  
8 be --  
9 MR. GAGNON: So there's been multiple news  
10 stories. What I can say is there was a recent  
11 inspection of Stonybrook by City staff. There are  
12 agenda items scheduled for the 18th, the July 18th City  
13 Council meeting, specifically the first reading of the  
14 abandonment, the first reading of the text amendment,  
15 and also a presentation or a discussion item of really  
16 the entire development as a whole and the site plan.  
17 So the timeline to provide an opportunity for Council  
18 action is really about a week away, so I think we'll  
19 get more information about that in the very near  
20 future.  
21 MR. KUNUTY: You know, that's a good example  
22 of just a little PR goes a long way. You know, if we  
23 made an announcement saying that the Planning and  
24 Zoning Board approved the improvements at Stonybrook  
25 and it's heading for City Council, that would diffuse

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1 all those negative stories.  
2 MR. GAGNON: I think there was one article,  
3 and there could have been multiple articles. One  
4 report that I read that did reference the fact that --  
5 I think it specifically referenced the fact the  
6 Planning and Zoning Board had recommended approval of  
7 the plan. But I think it was, let's say, 80 percent  
8 down the page of the story, and just one line.  
9 So, you know, it's something that it's public  
10 information, we had a public meeting, so oftentimes --  
11 I don't know, I'm not a news reporter, but lots of  
12 times those facts are embedded in the story, but  
13 they're not really the attention getter that is  
14 demanded in that industry.  
15 MR. KUNUTY: No other questions.  
16 VICE CHAIR BURGESS: Chair.  
17 CHAIR McCOY: You're recognized,  
18 Mrs. Burgess.  
19 VICE CHAIR BURGESS: I just want to let  
20 Mr. Gagnon know that I did read it, and I'm reading  
21 from Florida Administrative Code 9G-6.010. And it just  
22 states that the County will notify the municipality 60  
23 days prior to review and then within 60 days of  
24 completion. So it doesn't actually state a timeframe  
25 that the plans would be reviewed. So could you do just

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1 a little bit more --  
2 MR. GAGNON: Yes.  
3 VICE CHAIR BURGESS: -- to see if we can --  
4 okay, thank you.  
5 MR. GAGNON: Sure.  
6 CHAIR McCOY: Any other members with  
7 comments?  
8 MS. SHEPHERD: Mr. Gagnon, could you refresh  
9 my memory: How does the City, or what part does the  
10 City play in Stonybrook? Just what part do we play in  
11 it? Because that's a part of the Federal government.  
12 MR. GAGNON: So part of their funding  
13 sources, it's HUD dollars, so that's Federal dollars.  
14 Being that it's a part of the municipality, you know,  
15 it's a development, a property within the municipality,  
16 the City has some responsibility.  
17 However, again, it is really private  
18 property; it's not a City owned property. So we can  
19 help facilitate discussions, help really make  
20 improvements happen, or at least assist with that. But  
21 unfortunately, I think -- I'll just speak from my  
22 perspective. I think that I would like to do more at  
23 times, but we have limitations, just as the City as a  
24 whole.  
25 I think it's something that it has come back

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1 up, and I think it's attempted to be addressed at this  
2 point in time. I remember a few years back, I think in  
3 2016 it kind of came to light again and was heavily  
4 focused on, and I think we're back at that point in  
5 time again. So there's some new dynamics in place now,  
6 but we're at a point where we'll have definitely more  
7 discussions about paths forward.

8 And you know, the main thing that staff, City  
9 staff is focusing on is the residents. We want to make  
10 sure that everything is safe. Within my department,  
11 specifically the Building Division, you know, life,  
12 safety, welfare, those are some of the really, not only  
13 the tasks or goals, but the requirements of those  
14 positions.

15 So we have been in active communications with  
16 that property management team, and we think that on  
17 July 18th we're going to have a healthy discussion on a  
18 path forward.

19 MS. SHEPHERD: Healthy discussion where?  
20 MR. GAGNON: During City Council meeting.  
21 MS. SHEPHERD: Okay. The reason why I ask,  
22 and listening to Mr. Kunuty, is that when I was over  
23 Ivey Green, it's basically the same thing. And I think  
24 Mr. Wilkins was the City Manager and Mayor Brown was  
25 the Mayor at that time. And they just instilled in me

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1 that that's Federal property, and really, the City  
2 really doesn't have a real hand in it. They can just  
3 kind of talk about it.

4 But do we really have a part in kind of  
5 navigating how Stonybrook will be transformed -- I  
6 guess that's the word -- to give people hope?

7 MR. GAGNON: Do we play a part? Absolutely.  
8 But do we have full control? No. We can't do it  
9 ourselves. There's other factors that need to really  
10 come into play. Some we may not have control over, but  
11 there are some things we can do in order to help  
12 facilitate those discussions and help improve  
13 conditions at that location.

14 MS. SHEPHERD: Well, I'm bringing it up to  
15 try to give the residents there a little hope, because  
16 I know we needed hope. And we fought, and listening on  
17 the radio -- I mean television. And those people  
18 really are kind of down, and I think the City has to  
19 really do a little bit more with code enforcement and  
20 try to force their hand. And I think that we can do a  
21 little bit better. I know we're restricted, but, you  
22 know, I think the City could do a little bit more.  
23 Thank you.

24 MR. GALLON: Chair.  
25 CHAIR McCOY: You're recognized, Mr. Gallon.

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1 MR. GALLON: I noted Mr. McCoy has brought  
2 this up a couple of times about the sales tax, and we  
3 still haven't seen anything as the Planning Board. And  
4 also as a resident, I still have not seen or heard  
5 where this money is going. You know, is there an  
6 oversight committee? You know, what is going on with  
7 this money that we have no clue what's happening with  
8 it?

9 MR. GAGNON: I don't believe an official  
10 oversight committee has been formed. It's been  
11 discussed at various City Council meetings, but the  
12 committee hasn't been formed, and I don't believe that  
13 there's been any allocations recommended.

14 MR. GALLON: Is there any way, or who do we  
15 need to contact, or who do I need to contact to find  
16 out, you know, what's the situation, where they are in  
17 planning on what they're going to do with it or what  
18 have you?

19 MR. GAGNON: I can follow up with  
20 administration and see if there's a timeline associated  
21 with it. I think ultimately it will be a City Council  
22 item as far as making a recommendation or a  
23 determination for composition of the Board. From what  
24 I can recall right now, I don't believe that has  
25 occurred at this point in time. I do remember it being

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1 discussed though. So I'd be happy to ask the question  
2 of City management and see if there's a timeline.

3 MR. GALLON: Okay, thanks.

4 CHAIR McCOY: Mr. Gallon, that's interesting,  
5 because I just had asked a Councilperson today, and I  
6 just got a response back in this meeting what was going  
7 on with the sales surtax.

8 I also double and serve on the Construction  
9 Oversight Review Committee for the School District, and  
10 I can tell you the School District has started spending  
11 sales money back in 2017. And they've done a huge  
12 overhaul as far as technology, new buses, a lot of  
13 security upgrades that was already in place prior to  
14 the referendum.

15 And I know how much of a -- definitely it met  
16 a need over on the School District's side, especially  
17 in light of, you know, some of the recent things  
18 involving school security. So, you know, I actually  
19 asked that this morning, and I just got a response  
20 back. But I believe it's in the works.

21 And you know, I would definitely extend my  
22 appreciation to my Board members, because, you know,  
23 what we do here is rare, because just from watching,  
24 there's been vacancies on a number of City Boards, the  
25 Civil Service Board, the Charter Review Board, and it's

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1 just not enough people that's participating.  
2 When we actually pay sales tax, you know, we  
3 want to know where that money goes and have some sort  
4 of, you know, input in what happens in our community.  
5 So I appreciate it.  
6 But that was definitely my question this  
7 morning of one of the Council members, what was going  
8 on with the sales surtax committee, because not one  
9 cent can be spent until a committee is formed to  
10 provide oversight. So we're kind of like behind.  
11 And I even offered, I think I offered the  
12 recommendation to a past Councilperson that perhaps  
13 those duties can be assigned to us, because, you know,  
14 I think by, I guess, my interpretation and reading of  
15 the code is any improvements to any kind of public  
16 streets or roadways should come through the Planning  
17 and Zoning; also any infrastructure improvements should  
18 come through this Board.  
19 So, you know, if it's already tough enough  
20 for us to get people to come out and participate, much  
21 less serve on a Board, you know, I think, you know, it  
22 would be probably worth exploring the idea of having us  
23 to serve also as the ISOC, which is the Independent  
24 Surtax Oversight Committee. So, you know, I certainly  
25 wanted to see what was going to happen with that, so I

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1 appreciate your comments. But that's definitely  
2 something that was on my mind today as well.  
3 Any other members with questions or comments?  
4 Now, I wanted to ask the question of staff.  
5 Now, I know there was this huge concern about the  
6 filling stations, and I believe I asked, and I  
7 understand that the Mayor has vetoed the ordinance that  
8 was adopted by City Council. Is that not correct?  
9 MR. GAGNON: I haven't received that  
10 information if it is.  
11 CHAIR McCOY: Okay. But in your experience,  
12 if there was ever an ordinance that came through P & Z  
13 and then also went over to Council and was ultimately  
14 vetoed, is that then reset and it comes all the way  
15 back to us, because --  
16 MR. GAGNON: I haven't had it happen. I do  
17 not know.  
18 CHAIR McCOY: Okay. Yes, I was just curious,  
19 because, yes, that prompted a lot of discussion. And I  
20 was a little surprised to see something as important as  
21 the fueling stations being placed on a consent agenda,  
22 you know, especially in light of the controversy.  
23 Well, I won't call it controversy, but definitely the  
24 spirited debate and discussion about the fueling  
25 stations.

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1 So I guess just as a matter of protocol,  
2 if -- you know, I guess that's a question that we can  
3 have you look into, if that's something that will come  
4 back before us in the event of it being vetoed or --  
5 MR. GAGNON: I'm confused. You mentioned  
6 consent agenda for --  
7 CHAIR McCOY: Well, the first reading was on  
8 consent, I believe, correct?  
9 MR. GAGNON: No, not that I recall.  
10 CHAIR McCOY: Okay. Well, I may be mistaken,  
11 but I --  
12 MR. GAGNON: Okay.  
13 CHAIR McCOY: I'm probably mistaken, but I  
14 thought that's what happened. But I know it came up,  
15 and it was pretty quick, so I may have missed it. But  
16 I know the second meeting, you know, there was a lot of  
17 discussion, and the Mayor said that he was going to  
18 veto it. And I understand --  
19 MR. GAGNON: There definitely was a lot of  
20 discussion. I guess the quick synopsis of it was the  
21 Council moved forward with the ordinance as presented  
22 by staff, however, they also requested that staff  
23 provide them with an ordinance to initiate a moratorium  
24 to allow for additional time to study any separation  
25 requirements. So that first reading of the moratorium

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1 ordinance will be on the July 18th City Council meeting  
2 as well.  
3 CHAIR McCOY: Okay, okay, good enough.  
4 Any other members? Comments? Hearing none,  
5 any project updates?  
6 MR. GAGNON: Not at this time. Our next  
7 tentative meeting is scheduled for July 26. Following  
8 that will be August 9th.  
9 CHAIR McCOY: Okay. All right, if there's  
10 nothing else, is there a motion to adjourn?  
11 MR. GALLON: Move to adjourn.  
12 VICE CHAIR BURGESS: Second.  
13 (Whereupon, at 7:11 p.m., the proceedings  
14 were concluded.)  
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1 CERTIFICATE

2

3

4 THE STATE OF FLORIDA )

5

6 COUNTY OF PALM BEACH )

7

8

9 I, Susan S. Kruger, do hereby certify that

10 I was authorized to and did report the foregoing

11 proceedings at the time and place herein stated, and

12 that the foregoing pages comprise a true and correct

13 transcription of my stenotype notes taken during the

14 proceedings.

15 IN WITNESS WHEREOF, I have hereunto set my

16 hand this 16th day of July, 2018.

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Susan S. Kruger

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